Harming others : universal subjectivism and the expanding moral circle

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Universal Subjectivism and the Expanding Moral Circle

Harming others is bad because it's harmful, and what's harmful is bad.
Michael Allen Fox, *Deep Vegetarianism*.
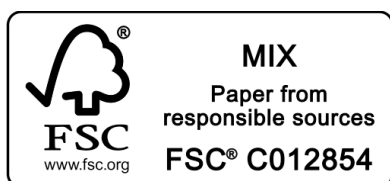
Harming Others

Universal Subjectivism and the Expanding Moral Circle

PROEFSCHRIFT

ter verkrijging van
de graad van Doctor aan de Universiteit Leiden,
op gezag van Rector Magnificus prof. mr. P. F. van der Heijden,
volgens besluit van het College voor Promoties
te verdedigen op donderdag 14 april 2011
klokke 15.00 uur

door

Floris van den Berg

geboren te Naarden
in 1973

Promotiecommissie:

Promotor: Prof. dr. P.B. Cliteur

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For Annemarieke

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1.1 Harming Others

We harm others. With the possible exception of a vegan living a frugal life trying hard to reduce his or her harmful impact on others and the environment, we all harm others. Harm is institutionalized in our society. Our way of life - consumerism and an economic system dependent on growth and depletion of nonrenewable natural resources - is based on harming and exploiting others. We harm people in developing countries, we harm animals, we harm future generations and we even harm ourselves. We are usually not aware of this. When we look with blinkers, our liberal open welfare society, which respects human rights, seems to be a morally justifiable society. But when one pulls away the blinkers, the gruesome picture of the inconvenient truth appears. A moral lesson taught by many parents to their children is 'Don't harm others'. That is a decent moral lesson - but who are others? That same parents, for example, usually cook food for their children that contains animal products, for which animals have been harmed tremendously. And they probably own and drive a CO_2 emitting car, and fly. The western throwaway consumeristic, greenhouse gas emitting life style, which uses non-renewable scarce natural resources, now endangers all of us, including many animals and animal species. Destroying the planet is written into our system. We are rapidly on our way to destroy ourselves. Is it possible to live a life without harming and destroying others? Even if it were impossible, doesn't it seem a worthwhile ideal to strive towards a life style that harms as little as possible? Our life style and our institutions are a long way from that 'no harm utopia'. 'Can we live a life without harming others?' That is the question.

1.2 Overview of *Harming Others*

Harming Others develops the theory of, what I call, *universal subjectivism* trying to find out how we should live and how we should arrange our societies in order to live without causing harm, because, as philosopher Michael A. Fox puts it: 'Harming others is bad because it's harmful, and what's harmful is bad.'[1] *Harming Others* is also an exercise in expanding the moral circle and moral empathy. Morality, like many other cultural practices, can be improved by exercise. This study is a self-help book on 'How to Improve My Empathy and What to Do?' The introduction starts with the exposition of the political and moral theory of universal subjectivism in a nutshell. 'Practical Ethics' reflects on the role of moral philosophy and its applications. 'The Enlightenment Project' places this study in the tradition of the Enlightenment in trying to make the world a better place. Chapter two presents the preliminaries to universal subjectivism on what are the most urgent moral problems of our times. 'Moral Nausea' follows George Monbiot's analysis of present day liberal democracies from a moral perspective and shows that there is far more wrong than one would expect. Moral scrutiny reveals many inconvenient truths. 'Why moral theory?' deals with the meta-ethical question of the role of moral theory, and I will explain the basic concepts of universal subjectivism: naturalism, constructivism,

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[1] Fox, (1999: 298).

universalism and subjectivism. Then I will look into the most important building blocks of universal subjectivism: John Rawls and Peter Singer in 'Universal subjectivism: Rawls + Singer'. First I focus on Rawls in 'A Broad Interpretation of Rawls' *A Theory of Justice'*, and Singer in 'Singer's Utilitarian Meta-Ethics'. 'Reflective Equilibrium' is a concept in Rawls' theory of justice, which is applied to universal subjectivism. Political philosophy has three basic questions: 'for whom?', 'by whom?' and 'what for?' To each question there is a paragraph. The chapter ends with outlining 'Two Principles of Universal Subjectivism'. Chapter 3 'Universal Subjectivism and the Expanding Moral Circle' is the extended version of universal subjectivism. Universal subjectivism is used in order to try to expand the moral circle as far as possible. The expansion starts with 'One World' about global justice, then 'Mentally and Physically Handicapped'; 'Non-human Animals'; 'Future Generations'; 'Nature', and lastly the past ('Judging the Past'). Not all expansions get equal attention. Most attention is given to 'Non-human Animals' in which a pathocentric version of social contract theory is developed, which puts the ability to suffer on a scale. In chapter 4, 'Application of Universal Subjectivism', looks at the different uses of universal subjectivism on three levels: 'Political Theory', 'Ethical Theory', and 'Social Criticism'. In political philosophy the expansion towards non-human animals and the environment is recent. The paragraph 'Environmental Ethics' shows how the application of universal subjectivism yields the important precautionary principle ('better safe than sorry'). The chapter ends with a reflection on how to set priorities ('Setting Priorities') and what those priorities are. Chapter 5 is devoted to obstacles and problems of universal subjectivism ('Problems of and Obstacles to Universal Subjectivism'), most notably cultural relativism. Chapter 6, 'Clarifications', positions the theory of universal subjectivism against a host of competing political and moral theories and fundamental normative assumptions. The concluding chapter, chapter 7, translates universal subjectivism in a moral code for 'Living within Limits', that is to say living without causing harm to others and living sustainably. The book ends with a pessimistic gloomy afterthought, 'Deep Pessimism or Desperate Optimism', about the state of the world and our chances to saves ourselves. A mediagraphy shows the traces of this quest for living sustainably and without harm.

1.3 Universal Subjectivism in a Nutshell[2]
In order to distinguish the theory expounded in this book from neighboring theories of justice, I have given it a name: *universal subjectivism*. These two words will bring up philosophical associations. However, I stress that I use these words in a somewhat idiosyncratic way. I could have chosen to name the theory 'Rawlsing' (Rawls + Singer), but I did not. I chose to denote the theory 'subjective', because it starts with the subjective preferences of each individual. In that sense, it is the opposite of 'objective'. In an objective moral theory, there is considered to be objective moral knowledge, whether or not an individual knows about these or chooses to live

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[2] See also: Floris van den Berg, 'Proposal for a Moral Esperanto. An Outline of Universal Subjectivism', *Think,* No. 24, vol. 9, Spring 2010, p. 97-107, and 'Het morele belang van de toevalligheid van het bestaan. Een samenvatting van de theorie van universeel subjectivisme', in: *Tijdschrift voor Humanistiek,* no. 30, July 2007, p. 72-76.

accordingly. 'Morality is subjective in that rules, principles, and judgments are ultimately validated by reference to the welfare of individual beings'[3], writes philosopher Dale Jamieson. It is in the sense that Jamieson uses 'subjectivism' that universal subjectivism is a subjective theory. Using a thought experiment, which simulates and stimulates trading places (or changing positions), the subject is (hypothetically) moved from one place to another and experiences the world from the perspective of the other.

The theory of universal subjectivism is 'universal' in that it claims to generate moral outcomes, which are universal, and not relative to cultures, individual preferences or time. The outcome of the thought experiment of universal subjectivism will render a specific form of justice,[4] namely universal subjectivist justice, which could be different from our moral intuition. There is a paradox between subjectivism on the one hand, and universalism on the other: how can a subjective moral theory generate universal moral outcomes? That is what I will explain in this study.

Imagine that you are beamed up from your existence on planet Earth from where you can look at the world from 'the point of view of the universe'. You are sitting alone at a control panel with which you can arrange all social institutions in a society. You are free to set them as you please. From this position (the so-called 'original position') you know you will go back to planet Earth, but you do not know what kind of being, capable of suffering, you will become. You can be 'born' in any possible form of existence. What you *can* do is create the institutions, laws, rules, customs of the world in which you know you are going to be 'born'. You are the lawgiver. You are in the 'original position', that is the position from which you have to decide what the institutions and laws will be like. From here you look at the world through a 'veil of ignorance' as John Rawls calls it in *A Theory of Justice*: you do not know what your position will be in the world. When you are done, you will be beamed back to the real world and you will find yourself in the society you have arranged. You have been beamed back in a random position. You may be a man or woman, handicapped, hetero- or homosexual, smart or not, having rich parents or be an orphan. Now, imagine if you are in a worst-off position. Imagine being a woman in a misogynist society. It is not just any woman; it is you. Can you voluntarily want to live as a woman in misogynist[5] society? If not, then you let yourself be beamed up again and change the social arrangements in society in such a way that it is friendly to women. This way you can check any worst-off position. By using the hypothetical social contract theory, you can work your way in optimizing all worst-off positions.

1.4 Worst-Off Positions
For example, imagine yourself being born into the world *physically handicapped*. You find yourself in a world with institutions, which you yourself from 'up there' had invented, but there are no ramps to get into malls, shops, and buildings. For you in a wheelchair this is a serious problem. There *could* be a world in which this problem was solved by the availability of wheelchair ramps. Therefore – hypothetically – you

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[3] Jamieson (2002: 33).
[4] Rawls calls the outcome of his theory of justice 'justice as fairness'. See Rawls (1999:10)
[5] See Holland (2006) on misogyny.

go back up there, change the institutions to include ramps, and go down again. You cannot exclude the possibility of ending up in a wheelchair, because there *are* people in the world who are physically disabled. Hypothetically it could have been you. What you can do is to try to help society accommodate as best as possible the needs of the physically disabled. In a utopia one could imagine no people being disabled, but that's not how reality is. The second best option – optimizing the conditions and accepting the contingencies of fate – is the most rational thing to do.

This time you find yourself as a *woman*. More specific, you find yourself as a woman in a misogynist society, like Saudi Arabia. You probably want to get out of this position as soon as possible and change the conditions again in order that no society will oppress women.

Imagine yourself being born into a *deeply religious family* who impose the religious dogma's, traditions, taboos and customs on you, whether you like it or not, because you are born into that family. According to Islam scholar and critic Ibn Warraq no one could freely and rationally want to be a Muslim, especially when you are a woman. If you – from behind the veil of ignorance – would want to exclude positions in which there is religious indoctrination, then this tells us that there is something deeply wrong with parents and teachers trying to impose a particular religion upon a child. If you think this is over the top, then imagine yourself to be born in a fanatical (fundamentalist) religious position and imagine you yourself to be someone who happens to hate this religious environment without escape routes. Or imagine yourself being a homosexual, a woman, an apostate, a libertine, a freethinker et cetera, being stuck in a fundamental religious social setting.

You happen to enter the world as a *homosexual*, but you 'created' a society in which homosexuality is forbidden and socially disapproved of. It is not somebody else, but it is *you* who happens to be a homosexual. Society therefore should not discriminate against homosexuals. The denial of one's emotional and sexual flowering as a person does have severe consequences for psychological wellbeing and happiness. For die-hard homophobics, who hate or fear homosexuals, it will be hard to go through this thought experiment because they would have to imagine themselves to be a homosexual.

One should also include in the thought experiment the option that you yourself happen to be a fervent anti-homosexual for whom it is not seen as a problem that homosexuality is forbidden. But it is those who discriminate against homosexuals who interfere with the life of homosexuals, not the other way around. The homo-discriminator will probably reply that he is personally deeply offended by the homosexuality of others. In liberal theory that's just how it is: you might be upset, offended and grieved by how others behave, but as long as they do not directly interfere with your life, you will have to cope, and be grieved and offended. Just like Muslims will have to cope with cartoons and critique which they find offensive.

Imagine you see the world through the eyes of a *cow*. This cow is confined to harsh and cruel conditions in factory farming. It might stretch the imagination to think of yourself as a cow, but it makes moral sense, because cows too have an ability to suffer and the ability to suffer is what makes an entity fit for moral concern. I am not sure if I can vividly imagine what it is like to be a cow, but I *can* imagine the difference of being a cow in a lush meadow and a cow kept in dark confinement. So

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you probably go back and change the world into a world without factory farming. And I can also try to imagine what it would be like to be a dolphin that is entangled in a fishing net and fighting for its life thereby breaking its nose. If I were a dolphin, I would want to have fishing methods that would leave me, and whales for that matter, alone. Peter Singer writes: 'The question, "What is it like to be a possum drowning?" [due to a dam build in a river – FvdB], at least makes sense, even if it is impossible for us to give a more precise answer than "It must be horrible".[6]

Now take into account *future generations*: there will be more people in the future than there are now. Imagine being born into the future, on a barren planet. The chances of being what you are here and now in this comparably privileged position are tiny.

In the previous example I presumed there was a future, but if we do 'business as usual' we will experience the human-made collapse sooner or later. Ecological economist Herman Daly writes: 'How big can the economy possibly be before it overwhelms and destroys the ecosystem in the short run? We have decided apparently to do an experiment to answer that question empirically!'[7] In order to think about what a (just) future society would look like, there has to be a future for humankind on this earth. You can't share a pie when there isn't one. The problem of sustainability, and the exponential growth rate of the population of human beings ensure that we will ruin the planet. All moral and political thinking should have as top priority thinking about the future of humanity and the sustainability of the planet. Would you want to live in a world with 6 billion people or would you want to live in a world with 16 billion people or more? In the case of a scenario of 16 billion people, the pressure on the environment will be immense and there is a limit to what the planet can sustain.

The model of universal subjectivism is a procedure one can do oneself at any time. To do this rationally one should consider the worst possible positions, the so-called 'worst-off' positions. It is irrational to maximize positions, which are already good at the expense of those in a worst-off position. Taking into account the *chances* of these positions, it is not rational to bet on ending up wealthy and therefore maximizing this position. What is rational is to try optimizing the worst-off position, whatever that may be. Ideologically this is what the welfare state is about: the state tries to make life better for those worst-off in society, no matter the reason of their predicament.

The procedure is that one should pick one's 'favorite' worst-off position, go hypothetically behind the veil of ignorance and change the world as one thinks optimizes the conditions for this particular worst-off position. Then, one descends mentally, imagines how it works and adjusts if one thinks it can be better. Universal subjectivism is a dynamic process of mentally jumping into different existential possibilities. This theory will be a mental moral journey.

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[6] Singer (1993: 277).
[7] Foreword to Tim Jackson, *Prosperity without Growth. Economics for a Finite Planet.*

1.5 Practical Ethics

In *Ethics into Action* Peter Singer writes about the animal right's activist Henry Spira, who in turn was inspired to activism by Peter Singer's *Animal Liberation*. Spira:

> I guess basically one wants to feel that one's life has amounted to more than just consuming products and generating garbage. I think that one likes to look back and say that one's done the best one can to make this a better place for others. You can look back and say that one's done the best one can to make this a better place for others. You can look at it from this point of view: What greater motivation can there be than doing whatever one possibly can to reduce pain and suffering?[8]

In their preface to *A Companion to Applied Ethics* Frey and Wellman remark: 'Substantive concerns and argument do not have to be alien to each other.'[9] Within academia there seems to be a gap between science and (political and moral) activism. Feminist scholar-activist Phyllis Chesler remarks: 'Most academics and activists do not actually *do* anything; they read, they write, they deliver papers. They may not be able to free slaves or prisoners the way an entering army might, but they can think clearly, and in complex and courageous ways, and they can enunciate a vision of freedom and dignity for women and man.'[10]

Science is the organized cosmopolitan human endeavor to gain knowledge about the world and human culture in *order to make the world a better place*. What would be the use of medicine, if not to make people healthier? What would be the use of law, if not to organize how people cooperate smoothly with each other? What would be the use of psychology, if not to make people happier and healthier? What would be the use of sociology, if not to find out how people could live together in more harmonious ways? The uses of physics, mathematics and biology are somewhat more abstract: but they support medicine and technology. Science is a search for knowledge and, as a whole, this body of knowledge should be used to improve the human condition for now and in the future.

Swedish philosopher Torbjörn Tännsjö writes in *Understanding Ethics:* 'One gets the impression that ordinary, decent people, in their relation to the atrocities of their time, must have been suffering from moral blindness. When they were not themselves among the victims, they allowed all sorts of evil to be perpetrated. It is as if they had never been aware of the existence of any moral law.'[11] Universal subjectivism is an attempt to find and overcome the moral blind spots of our times. Intensive farming and environmental pollution that will harm future generations are two enormous moral blind spots. Will ethical reasoning be powerful enough to overcome these moral blind spots? Tännsjö notices that it is easy to judge the past, like the institution of slavery as evil, but hard to evaluate the present:

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[8] Singer (1998: 198).
[9] Frey, Wellmann (2003*:* xvii).
[10] Chesler (2006: 8.: 'For me ' [...] a vision of freedom for wo/man' would be enough. Reference to dignity seems unnecessary. See paragraph 6.4.
[11] Tännsjö (2008: 1-2).

It is easy, however, to pass moral judgments on the past. But what about our present age? One burning question for us is the following. Are there practices in advanced, industrialized 'civilized' societies that are just as evil as the practices of the past that we do not hesitate today to call crimes?[12]

Tännsjö continues to point out three areas as 'examples of how terrible things are allowed to go on relatively unnoticed: (1) our repression of other species; (2) our complacency in our relation to the destruction of our environment […]; and (3) our tolerance of famine and abject poverty in the poor parts of the world.'[13] All these three areas are addressed to in the theory of universal subjectivism as expounded in this book.

What is the use of (moral) philosophy? 'Science can tell us what is going on, but not what we should do about it. What we should do depends largely on what we value and how we think about value.'[14] Moral philosophy is reflecting about values. Philosophy reflects on fundamental issues: What is justice? What is good? What is right? How should we live? Philosophy within academia tends to be an inward and backward looking discipline, detached from social and political affairs. With some exaggeration psychologist Susan Blackmore remarked that philosophy is 'feeding on itself and going nowhere.'[15] Due to Logical Positivism and Ordinary Language Philosophy a large part of twentieth century philosophy became a platitude that 'the job of the moral philosopher is not that of the moralist.' In the last twenty years, practical philosophy or applied ethics is a new branch of philosophy. But even within this discipline the discussions tend to be abstract and inward looking.

Applied philosophy is an academic specialization of philosophy, but it can be applied to live ethically and to improve society. Peter Singer,[16] for example, is a scholar activist who pleads for an ethical life, including veganism.[17] Philosopher Michael Fox remarks that: 'Everyone who is concerned about making the world a better place in which to live must consider, among other things, the food he or she eats.'[18] And should be a vegetarian (or better: vegan), as Fox concludes. Moral reflection can and should lead to changes in personal life style: 'by being vegetarians we become part of the solution to global injustice rather than part of the problem of it.'[19] Philosopher John Harris remarks: 'All these philosophers [e.g. Russell, Bentham] place philosophy at the service of humanity, for what use is knowledge and understanding without using that understanding to try to change things for the better?'[20]

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[12] Ibid.: 2.
[13] Ibid.: 2.
[14] Garvey (2008: 33).
[15] Floris van den Berg, 'Memes, Overpopulation and the End of the Word. Interview with Susan Blackmore', in: *The Open Society,* Summer 2007.
[16] See Singer's essay 'Philosophers are Back on the Job', in Kuhse, *Unsanctifying Human Life.* See also the Youtube film 'Peter Singer philosophizing in the city': http://www.youtube.com/watch?v=-169NzCvw_U.
[17] *Free Inquiry* April/May 2007 features Peter Singer's 'A Case for Veganism'.
[18] Fox (2006: 296).
[19] Ibid.: 307.
[20] Harris (2007: 3).

This study is a philosophical and, more in particular, applied ethical reflection on how to make the world a better place with less harm. Since the 1960's applied ethics has been developed as a new branch of ethics, both in teaching and research. In the first part of the twentieth century in the analytic tradition of philosophy 'the role of the moral philosopher was (…) restricted to the meta-ethical task of analyzing the meaning of moral terms.'[21] Singer defines applied ethics as 'applying reason to practical problems; and since many of these problems are unavoidable, it seems clear that it is better for us to reason about them, to the best of our ability, than not to reason at all.'[22]

Philosophers like Jeremy Bentham, John Stuart Mill, Thomas Paine, Condorcet, Peter Singer, A.C. Grayling, Paul Kurtz, Phyllis Chesler, John Harris, Michael Allen Fox, Clive Hamilton, Dale Jamieson, Marc Bekoff, Etienne Vermeersch, Tom Regan and James Rachels are examples of this kind of philosophers. They are philosopher-activists, because they take a moral stance on the issue they discuss. Paul Kurtz coined the term *eupraxsophers*: '*eu*' is Greek for good, '*praxis*' is practice, and '*sophos* is wisdom; so a *eupraxsopher* is a person who searches for good practical wisdom. They are (academic) philosophers, as well as activists; without keeping the door shut between those activities. '*Eupraxsophy* differs from antiseptically neutral philosophy in that it enters consciously and forthrightly into the marketplace where ideas contend. Unlike pure philosophy, it is not simply the *love* of wisdom, though this is surely implied by it, but also the *practice* of wisdom.'[23]

Applied ethics is, as Singer notes, the application of reason to practical problems. Peter Singer himself uses his version of preference utilitarianism[24] to apply to many different fields of applied ethics, like animal welfare, the environment, medical ethics and famine.

Applied ethics needs input from the world. This input is knowledge about what the problems are (a diagnosis), what the causes of the problem are, and what possible solutions are. Philosophers should start their moral inquiry with the best possible knowledge about the problems they are reflecting upon. In this study, many problems will appear on stage. When the problem is particular or (relatively) small, I make use of (investigative) journalism, when it comes to large and fundamental problems, most notably the environmental crisis; I make use of a wealth of (popular) scientific sources. Though it may seem that some of the problems that I introduce are exaggerated, these are from scientific sources. This study is based on the best available scientific knowledge,[25] especially about the ecological crisis.

According to philosopher Dale Jamieson a watershed in the history of philosophy, the (re-)birth of applied ethics, is the year 1975: 'For me the crucial year was 1975. The first publications that made me think that there might be a place for

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[21] Peter Singer, 'Applied Ethics', in Honderich (1995: 42).
[22] Ibid.: 43.
[23] Kurtz (1994: 20).
[24] Preference utilitarians define a morally right action as that which produces the most favorable consequences for those involved. Preference utilitarians interpret the best consequences in terms of 'preference satisfaction'. This means that 'good' is described as the satisfaction of each individual's preferences or desires, and a right action is that which leads to this satisfaction. See Mautner (2005: 488)
[25] See also the paragraph: 'Naturalism'.

philosophers in the real world were Peter Singer's *Animal Liberation* and Tom Regan's "The Moral Basis of Vegetarianism".'[26] 'Since the 1960's academic work in ethics dealing with practical or 'applied' questions has become a major part of both teaching and research in ethics.'[27] '[…] once we reflect carefully on our choices, we discover that many might profoundly affect others, and therefore, that we ought to evaluate them morally. […] Unfortunately many of us are individually and collectively nearsighted: we fail to see or appreciate the moral significance of our choices, thereby increasing the evil in the world. Often we talk and think as if evil resulted solely from the conscious choices of wholly evil people. I suspect, however, that evil results more often from ignorance and inattention: we just don't notice or attend to the significance of what we do. A central aim of this book [*Ethics in Practice*] is to improve our moral vision: to help us notice and comprehend the moral significance of what we do.'[28] Thus writes Hugh LaFollette in the introduction to his anthology *Ethics in Practice* stressing the importance of linking ethics to real world problems and the role of applied ethics in helping to overcome nearsightedness. Brenda Almond, co-founder of the Society for Applied Philosophy, defines applied ethics as 'the philosophical examination, from a moral standpoint, of particular issues in private and public life that are matters of moral judgment.'[29] It is thus a term used to describe attempts to use philosophical methods to identify the morally correct course of action in various fields of human life. Bioethics, for example, is concerned with identifying the correct approach to matters such as euthanasia, or the allocation of scarce health resources, or the use of human embryos in research. Environmental ethics is concerned with questions such as the duties of humans towards landscapes or species. Business ethics is concerned with questions such as the limits on managers in the pursuit of profit, or the duty of whistle-blowers to the general public as opposed to their employers.

Dale Jamieson remarks that there is a difference between applied ethics and advocacy journalism, in that the latter is judged by its influence on public life. However, some books by philosophers working in applied ethics are both philosophical studies *and* advocacy journalism. The classic example of a philosophy book, which is also advocacy journalism, is of course Peter Singer's *Animal Liberation*, which brought about both a stream of academic publications about the human-non-human animals relations, *and* it brought about and inspired the animal liberation movement. The accessible writing style of Singer's book makes that it is also being read outside academic circles.[30] Jamieson concludes that: 'Philosophers have a duty to bring their expertise to bear on the problems of real life.'[31] I hope to do just that.

Environmental ethics is a branch of applied ethics. Environmental ethics is just one of the many new fields of applied ethics. In his introduction to the subject

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[26] Dale Jamieson, 'Is Applied Ethics Worth Doing?, in: Jamieson (2002).
[27] 'Applied Ethics' by Peter Singer in: Honderich (1995).
[28] LaFollette (2007: 1).
[29] Mautner (2005).
[30] My book *Filosofie voor een betere wereld* is mainly advocacy journalism. *Harming Others* expounds the same ethical theory, but is intended as an academic dissertation.
[31] Dale Jamieson, 'Is Applied Ethics Worth Doing?', in Jamieson (2001: 46).

DesJardins defines environmental ethics as: 'a systematic account of the moral relationships between human beings and their natural environment.'[32]

In this study I develop an ethical theory called *universal subjectivism*, which can be applied to deal with problems in applied ethics. I am not focusing on one problem or application in particular. The applications are examples of how and where universal subjectivism can be applied. The outcome of universal subjectivism seems to be almost completely in harmony with Peter Singer's application of utilitarianism to ethical problems. But the problem Singer cannot answer is: 'Why should *I* be moral?'. Universal subjectivism aspires to be an ethical theory which can motivate people to act upon and which yields just outcomes to (many) ethical and political problems.

1.6 The Enlightenment Project

Is it possible to strive for moral progress? Intellectual historian Peter Gay writes about the Enlightenment as a program of 'secularism, humanity, cosmopolitanism, and freedom, above all, freedom in its many forms.'[33] 'The men of the Enlightenment united a vastly ambitious program, a program of secularism, humanity, cosmopolitanism, and freedom, above all, freedom in its many forms – freedom from arbitrary power, freedom of speech, freedom of trade, freedom to realize one's talents, freedom of aesthetic response, freedom, in a word, of moral man to make his own way in the world.'[34] A.C. Grayling, as a 'New Enlightenment' philosopher, characterizes the project of the Enlightenment succinctly: 'The key Enlightenment concepts are reason and progress, the latter being the product of the former. The marks of progress are the growth of scientific knowledge and improvement of the condition of mankind through science's applications via technology; a correlative reduction of superstition and religious belief; and the replacement of tyranny both temporal and ecclesiastical by more and just democratic institutions of government.'[35] Campaigner and activist Henry Spira puts it more down to earth: 'If you see something that's wrong, you've got to do something about it.'[36]

There can be moral progress: the less suffering and the more freedom the higher a society scores on the moral scale, if one agrees on the criterion. Philosopher Karl Popper writes in the preface of his book *In Search of a Better World* 'about the success of the search for a better world during the eighty-seven years of my life, a time of two senseless world wars and of criminal dictatorships. In spite of everything, and although we had so many failures, we, the citizens of the western democracies, live in a social order which is better (because more favorably disposed to reform) and more just than any other in recorded history. Further improvements are of the greatest urgency.'[37] Popper then mentions two things that have improved: 1) The eradication of mass poverty in the West, and 2) reform in criminal law. Popper is an optimist who sees the dust of light in a sea of darkness. Through piecemeal social engineering

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[32] DesJardins (2006: 274).
[33] Gay (1966: 3).
[34] Ibid.: 3.
[35] Grayling, (2007: 131).
[36] Motto in Singer (1998).
[37] Popper wrote this in 1989. Popper, (1992, viii-ix).

Popper wants to strive for a better world. In the end Popper is an optimist who believes that through feedback mechanisms we can improve our societies: 'But have we not destroyed the environment with our natural science? No! We have made great mistakes – all living creatures make mistakes. It is indeed impossible to foresee all the unintended consequences of our actions. Here science is our greatest hope: its method is the correction of error.'[38] It seems Popper might not be well enough aware of the nature of the environmental crisis and that the focus on science (and technology) to help overcome the mistakes we have made might not be enough. It seems that Popper thinks 1) that when we know about our mistakes we will work to undo them (which does not seem the case for many environmental problems, most notably climate change), and 2) that science and technology will be able to fix it (this is the popular hope/myth of a *technofix*, the hope that future technology will solve all our problems and that there is no need to try hard now, because future technology will solve it). Popper hopes for and beliefs in the possibility of making a better world: 'A shaping of our social environment with the aim of peace and non-violence is not just a dream. It is possible, and from the biological point of view obviously necessary, objective for mankind.'[39]

Universal subjectivism, the moral and political theory, which is proposed in this study, provides a criterion to measure how a society scores on the moral scales *and* universal subjectivism shows how a society can be morally improved. There can be moral progress, but it won't come on its own. People need to strive 'toward the light of liberty' – as is the title of one of A.C. Grayling's book. *Sapere aude* is considered to be the slogan, which captures the essence of the Enlightenment. Kant's maxim is focused on knowledge. In order to attain moral progress there needs to be action: social engineering.

I hope, as Grayling does with his work, to contribute with this study to the fulfillment of the promise and project of the Enlightenment; I am much more gloomy and pessimistic about the prospect of success. My purpose is to develop a procedural normative theory, which can - in principle - generate universal consensus about a great many moral issues. The theory *universal subjectivism* combines social contract theory (mostly Rawls and Nussbaum), with Peter Singer's notion of the expanding circle of morality relying on the capacity for suffering. It is my hope that universal subjectivism can help 1) to solve moral and political philosophical problems, 2) motivate people to do the good and doing no harm, and 3) to find new moral blind spots and overcome them. 'Whatever does indeed happen, my hope is that the intelligence and access to knowledge enjoyed by future people will allow the enlightenment project to triumph at last.'[40]

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[38] Ibid.: viii.
[39] Ibid.: 29.
[40] Grayling (2004: xi).

2. Preliminaries to Universal Subjectivism

The purpose of universal subjectivism is making the world a better place. So let's have a look at things that can go better.

2.1 Inconvenient Truths of Harming Others

Who are others? Ethics, and especially political philosophy, have been largely concerned with the *human-human* relationship; more specifically about humans *here* (in this country) and *now* (present). In our globalized age, our way of life affects people all over the world *and* future generations. The human-human relationship should be cosmopolitan and include concern for future generations (intergenerational justice). The *human-non-human animals* relationship, and the *human-nature* relationship are recent topics in (applied) ethics and political philosophy. A moral theory should encompass all dimensions of the good. The basic framework of this book is three moral relationships:

1. humans-humans;
2. humans-non-human animals;
3. humans-nature.

What are the most important ethical questions of our times? 'I don't believe that anyone can read this book and not be moved to act. We do still have time to avert disaster, but there is not a moment to lose.' Thus writes Robert Purves, president of WWF Australia in July 2005 in the foreword of Tim Flannery's eco-alarm book *The Weather Makers*. Even UN Secretary General Ban Ki-Moon remarked on September 3rd 2009 about global climate change: 'Our foot is stuck on the accelerator and we are heading towards an abyss.' Environmental social scientist Lester Milbrath writes in his essay 'Envisioning a Sustainable Society':

> Without intending to, we have created a civilization that is headed for destruction. Either we learn to control our growth in population and in economic activity, or nature will use death to control it for us. […] Once we have a vision of the future, every decision becomes a moral decision. Even the decision not to act becomes a moral judgment. Those who understand what is happening to the only home for us and other species are not free to shrink from the responsibility to help make the transition to a more sustainable[41] society. […] *We have no choice but to change, and resisting change will make us victims of change*.'[42]

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[41]Sustainability: 'Economic development that takes full account of the environmental consequences of economic activity and is based on the use of resources that can be replaced or renewed and therefore are not depleted.' Allaby (2006: 423). 'A practice or social system is sustainable if it is capable of being practiced or maintained indefinitely, regard being had to ecological limits. Sustainable practices and systems must also be possible parts of a sustainable world system; hence as well as not undermining themselves, they will not undermine other practices or systems that would otherwise be sustainable.' Attfield, (2008: 201).

[42] Tyler Miller (2002: 750-1).

Milbrath emphasizes the moral duty for environmental activism, especially for environmental scientists.

It is much easier to point out what is wrong, unjust, evil or bad, than to define exactly what is good and just. Hitler, Stalin, Poll Pot, Mussolini, Mao were evil; no one sane (and with knowledge of history) can doubt that. Large-scale environmental degradation is wrong. That people are dying from starvation and lack of medicine is bad and unjust. Slavery is evil. Female circumcision, and many other cultural traditions that cause suffering, are evil. Factory farming is evil.[43] Jonathan Glover outlines a bleak moral history of human caused evil and misery during the 20th century in his book *Humanity: A Moral History of the Twentieth Century.*[44] Mark Lynas outlines a bleak picture of human caused evil and misery in the 21st century in his book *Six Degrees. Our Future on a Hotter Planet.*[45] In a way, I, and probably you, have escaped many of the evils of our times and perhaps we will have left this world before collapse, at the end of the great oil binge. We are the lucky ones, living in peace in modern technological welfare states. There are oases of partial just and open societies in the world – this is a unique occurrence in history, because only from the late 20th century onwards have there been societies that treat *all* its citizens (more or less) as equals and which guarantee a minimal level of welfare for all citizens. We could live our lives in one of these oases and not care much about the world at large or future generations. We could, and mostly we do. Of course, it is not easy to uplift other countries towards liberal democratic welfare states, as the examples of Afghanistan and Iraq make horribly clear.

'Humans murder something on the order of a million and a half people each year. We kill another for every imaginable, unjustifiable reason. Tens of million of humans are held in some form of modern slavery (bonded labor, forced labor, child labor, forced prostitution, sexual exploitation of children, forced marriage, chattel slavery). About one billion people (one-sixth of the world's population) and almost half the world's urban populations live in slums. At present, we don't even operate in a way that guarantees that our species will survive on the planet over the long haul. We have no qualms about making our air, water and land less friendly to supporting life. We regularly fish stocks to the point of depletion. Our species does not act often enough as though we value our own lives.'[46] Thus writes Thomas I. White on harming others in his book *In Defense of Dolphins,* which is a plea to enlarge our circle of morality to include dolphins because of their cognitive and social skills and thus their ability to suffer from (human caused) harm.

The book *50 Facts that Should Change the World* (2004) by BBC journalist Jessica Williams lists many of the absurd injustices in the contemporary world, for example:

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[43] This moral bold conjecture will be elaborated upon. For a quick persuasion: www.themeatrix.com.
[44] Or see any general history of the world, for example: R.R. Palmer, Joel Colton, Lloyd S. Kramer, *History of the Modern World.*
[45] See also eco shock-docs as *The Age of Stupid,* and eco alarm books as George Monbiot, *Heat,* Fred Pearce, *The Last Generation,* Harald Welzer, *Klimaatoorlogen. Waarom in de 21ste gevochten wordt,* and James Garvey, *The Ethics of Climate Change.*
[46] White (2007: 222).

- In more than 70 countries, same-sex relationships are illegal. In nine countries, the penalty is death.
- More than 12,000 women are killed each year in Russia as a result of domestic violence.
- There are 44 million child laborers in India.
- Every day, one in five of the world's population – some 800 million people – go hungry.
- Two million girls are subjected to female genital mutilation each year.
- There are 27 million slaves in the world today.
- Children living in poverty are three times more likely to suffer from mental illness than children from wealthy families.

The 2006 eco shock-doc *The Planet* by Stenberg, Söderberg and Torell shows that humans are rapidly depleting and ruining the global bio-system.[47] The world population is growing explosively; the world economy is growing steadily; natural resources are limited and resources are being overexploited. We all know that. If we do not take drastic steps we will reach the limits. It is five to twelve and we should do our utmost best to prevent what happened to the people on Easter Island, who had ruined their island by chopping down all the trees. And then, we humans will die, like the Easter Islanders. In the series *The Planet* Jared Diamond[48] tells what happened with the Easter Island people. Today the island is completely barren. Once upon a time the island was covered with tall trees and forests. The Easter islanders cut down the trees, for building, making canoes, clearing fields for farming and using wood to erect their famous statues. Then, one day someone cut down the last tree. Not even cannibalism could in the long run help to sustain them. Their civilization perished, leaving a barren island and their famous statues as a symbol of their – what? Stupidity? After hundreds of years, nature has not recovered; there are still no trees on Easter Island. Can Easter Island be a lesson for us?[49]

2.2 Moral Nausea
Bring on the Apocalypse is a collection of columns from *The Guardian* by academic, writer, investigative journalist, activist, political activist, campaigner and maverick George Monbiot.[50] He is a passionate free thinker devoting, and even risking, his life by criticizing immoral behavior, often those who are in our midst. Monbiot takes three things very seriously: 1. Science and critical inquiry. Monbiot is a scientist and research journalist who tries to find the best scientific facts. Of course, he, as anyone else, is fallible, but he is trying a lot harder than most people to uncover the (often inconvenient) truth. 2. He takes seriously all human beings. He is an equalitarian, who is concerned about the needs of those worst-off, wherever they are. 3. He takes

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[47] See for example: Singer (2002).
[48] Diamond (2006: chapter 2, 'Twilight at Easter'). See also:
http://www.youtube.com/watch?v=IESYMFtLIis: *'We have a choice!'*
[49] There is some dispute among scientists about whether the ecological collapse on Easter Island has caused the downfall of the civilization on the island. But even if it is not true, the warning, as a parable, still stands.
[50] www.monbiot.com

seriously the outcome of his research and tries to overcome the immense injustices in the world, fighting a struggle that he knows cannot be won, but which is worth fighting. Monbiot has a moral searchlight; instead of looking for evil far away, he turns his light of reason towards our way of doing business, politics, our politicians and us. This is not a pleasant picture. But looking for the truth is no guarantee that we will like the truth. Religion is man's delusion to look away from the truth. Denial and feigned ignorance thrive on greed, selfishness, short-sightedness, or, for short, stupidity. 'Climate change is not just a moral question', claims Monbiot, 'it is the moral question of the 21st century. There is one position even more morally culpable than denial. That is to accept that it's happening and that its results will be catastrophic, but to fail to take the measures needed to prevent it.'[51] In 2007 Monbiot published *Heat: How to Stop the Planet from Burning*.

Bring on the Apocalypse has six chapters, devoted to six arguments, which can be interpreted as critical investigations of aspects of modern western society: on god, nature, war, power, money and culture. He starts out by reminding that 'our peace is a historical and geographical anomaly.'[52] War, struggle for existence, suppression are what is most common among men in history and around the globe. We wealthy westerners in the post WWII world are living in a resort for lottery winners. This small niche of peace – which is often not even appreciated -, according to Monbiot, results largely from a surplus of energy. 'By extracting fossil fuels, we can mine the ecological time of other eras. We use the energy sequestered in the hush of sedimentation – the infinitesimal rain of plankton on the ocean floor, the spongy settlement of fallen trees in anoxic swamps – compressed by the weight of succeeding deposits into concentrated time. Every year we use millions of years accreted in other ages. The gift of geological time is what has ensured, in the rich nations that we have not yet reached the point at which we must engage in the struggle for resources. We have been able to expand into the past. Fossil fuels have so far exempted us from the violence that scarcity demands.'[53] This seems an adequate description of the way the Western world works: using up the accumulated natural capital and ruining the possibilities for future generations and people in developing countries. 'The central quest of our lives appears to be to find new ways to use fossil fuels. The enhanced efficiency of our machines makes no difference to our consumption: we use any savings we make to power some other delightful toy. [...] We exchange our light bulbs for less hungry models, then buy a flat screen TV almost as wide as a house. [...] It is as if, by enhancing our consumption of energy even as we become more aware of the dangers of climate change and peak oil, we are persuading ourselves that these problems cannot be real ones. If they were, surely someone would stop us?'[54]

Monbiot remarks chillingly: 'Some of the troops sent abroad to secure and control other people's energy supplies will die. Otherwise we have outsourced the

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[51] Column in *The Guardian*, 31 October 2006 – not in *Bring on the Apocalypse*.
[52] Monbiot (2008: 2).
[53] Ibid.: 5.
[54] Ibid.: 6.

killing.'[55] At first, remarks like these seem exaggerated, but in his columns Monbiot justifies his bold moral conjectures with evidence. What Monbiot is doing is to make a moral diagnosis of how the West works and a moral scrutiny of the ideas and ideals that lie behind it. Behind the façade of welfare and consumerist affluenza[56] of the Western world, lies institutionalized global injustice, greed, and environmental destruction heading for global collapse. Monibiot's columns are a guided tour back stage of our affluence. This is worse than you could have imagined. The truth turns out to be a horror story in which we westerners turn out to be the bad guys. But Monbiot is an optimist and an activist. He urges us to take action and to take personal responsibility. His columns are part of his activism; he runs organizations, campaigns and speaks out as often and as loud as he can. Though his voice is heard, and there are people listening, even acting, it is still a minority standpoint. It seems his voice is to some extent tolerated. Of course, that depends on how we, readers, respond to the injustices of the world and of our way of doing things.

In his quest for global justice Monbiot encounters many obstacles; religion being one of them. In a piece about the rise of power of 'Christian Taliban' in the US, Monbiot gives a poetic, but science based view on what life is: '[We are] assemblages of complex molecules that, for no greater purpose than to secure sources of energy against competing claims, have developed the ability to speculate. After a few score years, the molecules disaggregate and return whence they came. Period. […] The atoms of which we are composed, which we have borrowed momentarily from the ecosphere, will be recycled until the universe collapses. This is our community, our eternity. Why should anyone want more?'[57] This scientific naturalism is beautiful and inspiring. This scientific view on life can be an ingredient of ecology; that is the political ideology of striving for a harmonious sustainable human-nature relationship. We, westerners especially, have strayed a long way from sustainable equilibrium. The Holocene is the geological epoch that began approximately 12,000 years ago, in which the climate has been fairly stable and friendly to life and which enabled to develop the greatest biodiversity of the history of the Earth (so far). It is been said that the Holocene is now succeeded by the Antropocene in which we humans influence the biophysical life support systems. The Antropocene is an age of extinction, the sixth great extinction is happening right before our eyes and due to our way of life.

Monbiot is best known as an eco-activist ('What the IPCC[58] report shows is that we have to stop treating climate change as an urgent issue. We have to start treating

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[55] Ibid.: 2.

[56] Affluenza: 'a painful, contagious, socially transmitted condition of overload, debt, anxiety, and waste resulting from the dogged pursuit of more.' (John de Graaf, e.a., *Affluenza: The All-Consuming Epidemic,* quoted in: Cooke (2006).

[57] Monbiot (2008: 20)

[58] The Intergovernmental Panel on Climate Change (IPCC) is a scientific intergovernmental body tasked with evaluating the risk of climate change caused by human activity. The panel was established in 1988 by the World Meteorological Organization (WMO) and the United Nations Environment Programme (UNEP), two organizations of the United Nations. The IPCC shared the 2007 Nobel Peace Prize with former Vice President of the United States Al Gore. The IPCC does not carry out its own original research, nor does it do the work of monitoring climate or related phenomena itself. A main activity of the IPCC is publishing special reports on topics relevant to the implementation of the UN Framework Convention on Climate

it as an international emergency.')[59], but his moral scope is much broader. He is actively searching for victims of our actions, our way of life, and, unfortunately, he finds many. Most of the victims are unknown by the general public. I will list some of the worrying cases brought to our attention by Monbiot. Against GMO crops and the monopolization of agriculture by corporations as Monsanto: 'The world has a surplus of food, but still people go hungry. They go hungry because they cannot afford to buy it. They cannot afford to buy it because the sources of wealth and the means of production have been captured, and in some cases monopolized, by landowners and corporations. The purpose of the biotech industry is to capture and monopolize the sources of wealth and the means of productions. [...] The great majority [of GM crops] are not being grown to feed local people. In fact they are not being grown to feed people at all, but to feed livestock, the meat, milk and eggs which are then sold to the richer consumers.'[60] Meat eating is a moral matter. In his column 'Asserting Our Right to Kill and Maim Civilians' Monbiot writes: 'If the money and determination expended on waging war with Iraq had been used to tackle climate change, our carbon emissions would already be in freefall.'[61] Monbiot's quest for global justice and analyzing its obstacles results in a critique of capitalism as it functions in practice: the haves get more, the have-nots get less. He writes cynically: 'An inability to distinguish between the risks to which people are exposed themselves and the risks to which they expose others appears to be the defining disease of modern capitalism.'[62] Capitalism's only goal is ever-expanding growth, with profit as the only measuring stick, but ever expanding growth on just the one planet is impossible. But there are biophysical limits to the carrying capacity of the planet.

Because this book is a collection of columns, there is no overall conclusion. Each column brings more worrisome facts to light. The lives we live, and the societies we live in, are not as moral as we make ourselves belief it is. If we want ourselves to be good guys, we will have to change a lot in our way of doing things. Monbiot does not offer a general moral theory. But that doesn't matter. Many philosophers devote their lives to conjuring up theories and criticizing or applauding other philosophers without much concern for the suffering in world. Monbiot focuses on the victims, those in worst-off positions. Helping to uncover hidden injustices seems a lot more relevant than many petty philosophical debates in academia.

We are confronted daily with lots of misery and harm by the globalized media. This bombardment of suffering can easily lead to what is called 'empathy fatigue'. Many people watch the daily news faithfully, without taking any action to make the world a better place.

Change (UNFCCC), an international treaty that acknowledges the possibility of harmful climate change. Implementation of the UNFCCC led eventually to the Kyoto Protocol. The IPCC bases its assessment mainly on peer reviewed and published scientific literature. The IPCC is only open to member states of the WMO and UNEP. IPCC reports are widely cited in almost any debate related to climate change. See: www.ipcc.ch.

[59] Ibid.: 46.
[60] Ibid.: 62-3.
[61] Ibid.: 99.
[62] Ibid.: 169.

These are disturbing facts of evil in the world we are living in now. These are facts that motivate me to work in the field of moral philosophy – if the world were a better place; I would study art history or be a yoga teacher.[63]

Matt Ridley provides a completely different perspective in his book *The Rational Optimist. How Prosperity Evolves* (2010). 'Life is getting better, and at an accelerating rate. Food availability, income and lifespan are up; disease, child mortality and violence are down – all across the globe.' Thus is written on the cover of Ridley's curious book *The Rational Optimist*. One wonders if Ridley reads newspapers. There are people suffering from violence, subjection, starvation, and lack of medical care all over the world. There may be some local improvements, but the total human induced and easily preventable suffering in the world is still enormous, without any realistic hope that it will soon improve – despite Ridley's optimism. The back cover continues: 'Thanks to the ceaseless capacity of the human race for innovative change, and despite inevitable disasters, the twenty-first century will see both human prosperity and natural biodiversity enhanced.' Amen – one would add. Ridley takes reassurance from the fact that apocalyptic doomsayers have for a long time predicted collapse and horror. It seems Ridley in his well-off position does not see that he is on a island of good fortune in an ocean of suffering (both human and non-human), and he flatly denies that climate change will cause any serious danger. Human ingenuity and innovation will solve all our problems and make the world a better place, and thus, Ridley seems to imply, we should not be worried in taking too much environmental action, because the free market will solve the problem by itself.

Libertarian, science writer and businessman Matt Ridley is an optimist, and according to himself, a 'rational optimist', implying that pessimists are irrational. One can hear him humming 'always look at the bright side of life!'. 'Even allowing for the hundreds of millions who still live in abject poverty, disease and want, this generation of human beings has access to more calories, watts, lumen-hours, square feet, gigabytes, megahertz, light-years, nanometers, bushels per acre, miles per gallon, food miles, air miles, and of course dollars than that went before.'[64] What Ridley does not see is that the 20th century has been the bloodiest, most deadliest century ever. One obvious reason is that the human population has been growing exponentially in the 20th century. More people – more suffering. When looking solely from the perspective of the worst-off positions – those in positions with which you do not want to trade places – the world is a vale of tears. Even if the percentage of people better off might be higher than before the 20th century (which is doubtful) the number of people suffering is higher than ever before. Does is matter to those who suffer that those who are better off are better of than ever before? Ridley looks at the world from the perspective of those well off, from glamour land. And for those in western societies living conditions have significantly improved as well as the level of happiness, especially from 1945 till present.

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[63] John Harris writes in his 'Introduction' to *Enhancing Evolution*: 'If there is a theme which unites all my philosophical work, it is an exploration of the responsibility shared by all moral agents, to make the world a better place.' Harris 2007: 3).
[64] Ridley (2010: 12).

Another aspect that Ridley completely overlooks is that we are racing towards global environmental collapse. Ridley seems to think, being an optimist, that humans will save themselves. Ridley beliefs in technofixes for all problems. However, the signs are bad, despite 40 years of awareness of environmental problems, the total environmental degradation has increased, with enormous biodiversity loss, deforestation, fall of fresh water supplies, erosion, pollution, et cetera.

Ridley looks at the world through the eyes of the healthy happy rich westerner living in a peaceful liberal society. But what solace does his optimism have for those millions who have miserable lives, especially when their harm is caused, directly or indirectly, by western style consumerism? Ridley does not see the moral blind spots, he does not want to expand the moral circle, and he does not take the precautionary principle seriously. Ridley concludes that:

> So long as human exchange and specialization are allowed to thrive somewhere, then culture evolves whether leaders help it or hinder it, and the result is that prosperity spreads, technology progresses, poverty declines, disease retreats, fecundity falls, happiness increases, the environment improves and wilderness expands.'[65]

Does he really mean that in China and the USA for example, where 'prosperity spreads, technology progresses, poverty declines, disease retreats, fecundity falls, happiness increases, the environment improves and wilderness expands'? There is hardly any wilderness left in America and China is rapidly in environmental decline due to economic shortsighted 'progress'. It seems that Ridley pleads for neo-liberal free market capitalism and that that will be the cure for all problems. By implication he suggests that those that disagree, viz the environmentalists, are blocking the way to the utopian vision of progress he sketches. Ridley has thus the same message as Steve Milloy in his book *Green Hell. How Environmentalists Plan to Control Your Life and What You Can Do to Stop Them* (2009). Ridley is just a tad more polite.

'The twenty-first century will be a magnificent time to be alive.'[66] Let him tell that to all those who suffer from injustices, violence, starvation, lack of medical care, lack of means for development. I am sure all the animals in intensive farming are also wildly enjoying their magnificent time to be alive.

2.3 Why Moral Theory?
'[…] looking at things ethically is a way of transcending our inward-looking concerns and identifying ourselves with the most objective point of view possible – with, as Sidgwick put it, "the point of view of the universe".'[67] Moral philosophy should search for blind spots in morality.[68] Politics should overcome them.[69] Moral

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[65] Ridley (2010: 359).
[66] Ibid.: 359.
[67] Singer (1997: 334).
[68] See for example: Cliteur (2002: 227). En Cliteur, Ellian, *Encyclopedie van de rechtswetenschap. Grondslagen,* 'De notie van een 'morele blinde vlek' ['The notion of a "moral blind spot"']. Nussbaum says something very similar: 'Philosophy asks for public deliberation instead of the usual contest of power.' In: Nussbaum (2006b: 300.

philosophy should try to reduce suffering and improve the human condition. It should be a method to make the world a better place. Firstly, one should look for blind spots of morality. Or, even better, *find a method* to find blind spots in morality. Secondly, when blind spots have been found, people should become aware of these blind spots and consciousness should be raised[70]. How to do all that?

Could it be possible to share the world in such a way that everyone could live a good and fulfilling life? What is a just society in which there are just institutions and where there is a control system on the distribution of scarce resources? Or, as political philosopher Richard Brandt put it: 'What kind of moral system for his society would it be rational for an agent to support?'[71] The enigma of the just and sustainable society is the central question of this book.

Political philosopher and law scholar Bruce Ackerman argues that the legitimacy of any social ordering should always be possible to be justified by free and open dialogue: 'What would our social world look like if no one ever suppressed another's questions of legitimacy, where every questioner met with a conscientious attempt at an answer?'[72] I will try to find a model, which can justify questions of legitimacy by means of a thought experiment, which is a kind of dialogue.

Every society has its own traditions, moral codes and customs. There are different (sub-)cultures with different morals and values. The question is: Is every cultural tradition the best possible solution to the problem of living sustainably and harmoniously together? Are some traditions morally better than others? Cultures are experiments in living. If we have a moral criterion we can compare and evaluate cultures, societies and traditions. Some of these experiments in living turn out to be suicidal, like our own western consumerist fossil fuelled culture. In our so-called post(post)modern age, where religion as foundation for morality is no longer plausible[73], it is becoming harder to compare different traditions and cultures, because there are hardly any people who are absolutely, religiously sure of their own moral stance. Societies and cultural traditions are not morally equal, because it is individuals who are morally equal; and not all cultures and societies treat all individuals morally equal. Cultural relativism states that (1) all cultures are morally equal, (2) there are no universal moral norms (or, rather naively, (2A) in all cultures

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[69] David Miller defines political philosophy as: 'an investigation into the nature, causes, and effects of good and bad government.' Miller (2003: 2). The element which Miller's definition lacks is the intention to find the best possible system of good government. Economist Richard Layard writes about the aim of politics in his book *Happiness*: 'The aim of politics is to make the world a more friendly place and not an assault course.' Layard (2005: 232.

[70] Dawkins on consciousness raising: Dawkins (2006: 114-119).

[71] Brandt (1998: 1).

[72] Ackerman, (1980: 4).

[73] These are the so-called New Atheism books, the wave of books against religion after 9/11. The following New Atheist books are the most important and/or famous: Sam Harris, *The End of Faith*, Daniel Dennett, *Breaking the Spell*, Richard Dawkins, *The God Delusion* and Christopher Hitchens *God Is Not Great*. These books make it abundantly clear that ethics cannot and should not be based on religion. In his book *Moreel Esperanto* Paul Cliteur deals with the problem of religious, heteronomous ethics, and concludes that this is very dangerous and can support terrorism and cruelty. I won't repeat these arguments, but take the outcome ('Ethics cannot and should not be based on religion') as premise for my theory. See my paragraph: 'No Reliance on Religion.'

the basic moral norms are the same), and (3) cannot be judged from an outsider's perspective. The problem with cultural relativism is that groups are placed above individuals: individuals are sentenced (by cultural relativists) to the group in which they happen to find themselves. When looking though the spectacles of liberalism and individualism, cultures or societies which treat groups of individuals unequally, or even abuse or suppress people, are morally unequal to a tradition or society that recognizes and respects the equality of individuals.[74] Just imagine you yourself in the position of someone who is (violently) coerced to submit to the norms of the group, for example being a young woman who is going to be circumcised against her will.

There seems to be a relativistic turn in philosophy and public opinion. Postmodern philosophers are averse to theories with universal pretentions, because all universalistic and so-called based-on-Truth theories have been proven wrong. Nevertheless, I want to propose an ethical and political theory with universal pretentions, but, at the same time, a theory that does not need a transcendental foundation. It will be a procedural, secular, non-transcendental, naturalistic, universal theory.

My aim is to develop a practical theory that can be used to compare and evaluate different (sub-)cultures. The criteria are not transcendental, but embody a specific kind of universalism, which takes individual beings (subjects) as a possibility for many other positions. The subject is hypothetically universal; therefore this theory is called *universal subjectivism*. Universal subjectivism is a theory of justice: *justice has priority above happiness*. A society in which the majority of the people are completely happy, but where there is a small minority who is being suppressed (for example an ethnic minority, or homosexuals), is not a just society. Universal subjectivism focuses on the blind spots of justice.

Why are people morally equal? Because there is no moral hierarchical structure in the world, because the world is morally indifferent, because there is no reason why people are not morally equal[75].

The model I am also going to advocate is a liberal theory about how the state should organize its basic institutions as to guarantee a just and sustainable society. So far the theory is in the tradition of the (Rawlsian) theory of justice. 'What we want political actors to do, in a liberal state, is *just* to take care of basic justice, and not to be maximizers of overall good. We actively want them *not* to pursue the maximization of the overall good, because we don't want them to be in the business of defining what the good is in a comprehensive way. The right division of labor in a liberal society is for political institutions to take care of justice, and for individuals to be left free to pursue on their own other parts of their comprehensive conceptions of the good.'[76] Universal subjectivism will leave less room for cultures and customs than in other liberal theories, because it takes individuals seriously and does not grant

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[74] See Cliteur (2002).

[75] Moral equality is a special form of equality. It is clear that there are many differences between people and people's abilities. People are not equal in this general form. However excellent and bright one person might be and however stupid and weak another, they are *morally* equal. Moral equality can be translated in the discourse of rights: everyone has the same human rights. This idea has been institutionalized in for example the Universal Declaration of Human Rights in 1948.

[76] Nussbaum (2006: 341).

groups the right to be intolerant to members of their group. The principle of interchangeability leaves no room for coercive pressure on individuals from groups. Grayling writes about this: 'The only coercion should be that of argument, the only obligation that of honest reasoning. But when anyone tries to bully others into his own point of view, he should be brought up short.' [77]

According to philosopher Richard Brandt '[…] morality is a welfare-maximizing system of motivations […]'.[78] I agree with this opinion, but add: *without doing injustice to individuals, as far as possible.* Ethics should try to invent a moral code and political (distributive) sustainable system that maximizes welfare. An overall happy society, which holds a small group of slaves who do all the dirty work, though it maximizes the overall welfare, is not right (just), because the individual positions are not interchangeable. Those who are not slaves cannot reasonably (in the sense of seriously) want to change positions with slaves.

2.4 Basic Concepts
In the next four paragraphs, I will describe the basic concepts of universal subjectivism. The concepts are, of course, universalism and subjectivism. The *framework* of universal subjectivism is (ethical) scientific naturalism; therefore I will make a few reflective remarks about this. There are many different types of ethical theories. Universal subjectivism is a thought experiment and a (mental) construct. I will explain this in a short paragraph on constructivism.

2.4.1 Naturalism
The moral theory of universal subjectivism stands within the tradition of scientific naturalism. Philosopher Paul Kurtz describes this as follows:

> Naturalism in ethics is the thesis that similar empirical and rational methods of inquiry can be used to test claims to ethical truth and to resolve human problems. Although values cannot be deducted from facts in any simplistic way, the facts are relevant to our decisions and choices; at the very least, our ethical values and moral principles may be modified in the light of our knowledge of nature in general, human nature in particular, the means at our disposal, the causal conditions, and the consequences of our actions.[79]

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[77] Grayling (2004: 114).
[78] Brandt, (1998: 334).
[79] Kurtz, (1990: 7).

By ethical naturalism I do not mean that ethics is dependent on human nature (see above). Naturalism is opposed to supernaturalism, which can take many forms, for example theism, transcendentalism, and metaphysics. Ethical naturalism means two things. Firstly, that the theory of universal subjectivism is *not in contradiction* with science. And second, that universal subjectivism itself can stand critical inquiry from any scientific perspective. Universal subjectivism is open to criticism. One criterion is that it should be coherent. If universal subjectivism is not able to stand the tests of critical inquiry, than it is not a naturalistic theory.

Universal subjectivism can help to improve the fate of victims, those who are in the present or future world in a worst-off position. I aspire to have created a naturalistic ethical theory, which is in no way contradictory to science. Universal subjectivism is not in contradiction with Darwinism, because human animals have more reflective choices about how to live than other animals.[80] Universal subjectivism stays within the framework of science. Therefore it is a naturalistic theory. This theory leans heavily on scientific input on what the problems in the world are. I have tried to use the best available science as input for moral reflection. If the facts are wrong, the right facts can be inserted into the theory instead. For example, the part of the theory concerning the suffering of animals depends heavily on biological science.

It is important to discern two levels of universal subjectivism. On the one hand, universal subjectivism is a procedural, normative theory. This part of universal subjectivism is outside the scope of (descriptive) science, as long as it is not in contradiction with scientific facts. On the other hand, the application of universal subjectivism depends on knowledge about the world. Science can provide that knowledge. Modules can be inserted into the procedural theory of universal subjectivism. These modules are fallible and probabilistic. If it turns out that the facts are wrong, or different, then new knowledge can be inserted into the procedure. Scientific naturalism is the filter for the input into the procedural system of universal subjectivism. If there would be no filter, and you would insert nonsense into the system, the resulting normative statement would also be rubbish. For example, if you would say that there is no environmental crisis, or that the oil reserves will last indefinitely, than this changes the outcome.

2.4.2 Constructivism
Universal subjectivism is a thought experiment and a (mental) construct. The theory developed in this book is a *hypothetical* social contract theory. This theory is a thought experiment (and thus a mental construction) in the sense that it is: '[…] a controlled exercise of the imagination in which test cases are envisaged with a view to establishing their conceptual coherence or their compatibility with some proposed

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[80] In *The Robot's Rebellion. Finding Meaning in the age of Darwin* Keith E. Stanovich argues that human animals can use their mental capacities to break free from the evolutionary (genetic) blueprint of behavior. Human animals can for a large part choose how they want to live.

theory.'[81] It is meant to be a coherent fiction that can help to improve our moral intuitions about justice and morality.

Although universal subjectivism is a mental construction of the imagination, it is not relativistic. Universal subjectivism overcomes the pitfall of relativism through the procedural thought experiment of taking seriously the contingency of fate. Universal subjectivism makes clear that not all moral values are equal and relative to culture. The ultimate judgment for a specific position is whether you can want to be in that position yourself. In a misogynous society where men hold all power, you might not mind being a man, but can a man voluntarily change position with women, who are in a worst-off position? Can you want to change place with any kind of person in an underdog position? Some variants of cultural relativism argue that it is not possible to judge a different culture, and that, for example the Afghan society of gender apartheid in the 1960s (as it is described by Phyllis Chesler in her chapter 'My Afghan Captivity'[82]) cannot be criticized as immoral, unjust and evil? Universal subjectivism has the power to criticize evil wherever it is found.

Universal subjectivism is a *modular system*. It is possible to 'plug in or unplug' modules into the system without altering the main system. Universal subjectivism is a method to search for moral blind spots. The moral blind spots (worst-off positions) are modules. The reader is invited to find and plug in a new module and see how it works.

2.4.3 Universalism
Bertrand Russell once remarked that: 'The only way to make people's political judgments more conscious, more explicit, and therefore more scientific, is to bring to the light of day the conception of an ideal society which underlies each man's opinion, and to discover, if we can, some method of comparing such ideals in respect of the universality, or otherwise, of their appeal.'[83] For short, we should try if people's opinions can be universalized. Only humans, as compared to other biological species, have ethics, because ethical reflection means that a deliberative agent can choose between different options and that the agent can imagine what would be the outcome of the different options for acting. The universalizability of agency means that you will have to imagine that what you do, everybody should be allowed to do, and everybody might actually do. This idea of universalizability of agency has been developed by many philosophers, most notably by Immanuel Kant and Richard Hare: 'Moral judgments are, I claim, universalizable in only one sense, namely that they entail identical judgments about all cases identical in their universal properties.'[84] If you kill someone, every other human should be allowed to do the same. If you steal, everybody should be allowed to steal. Why should there be made an exception for you? By universalizability of action rational moral rules for living together can be derived. Universalizability is already part of 'folk ethics', as the

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[81] 'Thought experiments' in Honderich (1995: 875).
[82] Chesler (2006).
[83] Bertrand Russell, 'What Makes a Social System Good or Bad?, p. 116, in: *Bertrand Russell on Ethics, Sex and Marriage.*
[84] Hare (1981: 108).

famous (biblical) maxim: 'Do not do to others what you would not like to be done to you.'

People live together in groups. By nature man is a social animal, a *zoion politikon*[85], a political animal, as Aristotle called us. People do live in groups, communities. This can be an intimate and caring group or a more formal and individualistic life in a city. The number of people who want to live solitary and autarkically are small. Living together as a group creates many opportunities. Culture is the way in which these opportunities are being exploited. The ingenious infrastructure and welfare state in the Netherlands for example show that people can thrive as a well-organized group, i.e. society. We have cold and warm tap water, gas, electricity, highways, health care, education, public safety, entertainment, arts and the welfare of those in worst-off positions is comparatively well. The landscape has been furnished for our needs.

It is my hope that universal subjectivism can be Russell's 'method of comparing such ideals in respect of the universality.'

Universal subjectivism is a *universalistic* theory in a double sense. Firstly, *moral universalism*. Universal subjectivism claims to yield universal normative norms. The outcome of universal subjectivism is not relative to a particular time or place. It yields a moral claim for always and everywhere. For example: if universal subjectivism yields the normative claim 'Slavery is bad' (which it does, see below), then slavery is bad always and everywhere. If (involuntary) female genital mutilation is evil (which universal subjectivism yields), then it is not only an evil in our own society, but in all societies in all ages, past, present and future. The moral universalism of universal subjectivism is based on the premise that *no sentient being wants to be in a worst-off position*. This premise is based on how nature works. This premise makes universal subjectivism a naturalistic theory (see above). If there would be a sadomasochistic species in which all individuals want to suffer and to be suppressed, then universal subjectivism collapses *for that species*. Universal subjectivism is a procedural moral and political theory (a 'normative machine'), which is independent of time and place. Therefore, universal subjectivism is not a relativistic theory; on the contrary, it is an anti-relativistic theory.

Secondly, *inclusive universalism* is another dimension of universalism, namely universalism as contrasted with speciesism. Universal subjectivism is inclusive for all beings capable of suffering. Universal subjectivism is a moral theory for all sentient beings, not only human beings. Political philosophy has been primarily concerned with how people (usually of a certain rational kind) should live together in a certain time in a certain place. The relation with other animals, the rest of nature, people outside the territory, future generations were, and still are, neglected in much of political philosophy (and in most political dealings). Universal subjectivism is not speciesistic, it is universal in taking as a basic premise the *ability to suffer*. Nature comes into moral vision as a necessary precondition for the good life (see below).

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[85] Aristotle, *Politica* 1253a1-20, and in: *Ethica Nicomachea* 1097b11 and 1169b18.

2.4.4 Subjectivism

Universal subjectivism is *subjective* because it takes the individual human being as the basis for normative judgments. Each individual with enough mental capacity to perform the thought experiment is the basis of morality. The procedure of universal subjectivism is a guarantee against blind egoism, which harms others. Universal subjectivism is a paradox because it is both subjective *and* universal at the same time. The veil of ignorance is the device, which makes subjectivity universal: all positions in the real world are morally equivalent.

Universal subjectivism is not an *objectivist* moral theory. Objective usually means: ' [...] the feature a statement has when it is true (or false) independently of whether anyone believes it to be true (or false).'[86] Moral objectivism presupposes a moral structure in reality, independent of human beings. The concept cannot be applied to normative statement. Normative statements can be morally analyzed by focusing on the consequences it has for those concerned – the theory of universal subjectivism is a tool to analyze normative statements.

The subjectivism of universal subjectivism makes it an appealing and easy accessible moral theory, which can be explained to most human animals in about fifteen minutes. The anchor point of morality is any human animal capable of understanding this. Subjectivism (without the prefix 'universal') is different. Subjectivism in ethical theory usually means that there are no objective moral values and that the ultimate moral values come from individuals – if people disagree there is no external criterion to choose between rival positions. Moral values are seen as a matter of taste, which is beyond normative evaluation: 'Ethical subjectivism is the idea that our moral opinions are based on our feelings, and nothing more. On this view, there is no such thing as "objective" right or wrong.'[87] In universal subjectivism normative claims are not objective, nor a matter of taste; they are universal with each individual as reference point.

2.5 Rawls + Singer

Singer writes: 'I have a personal perspective on the world, from which my interests are at the front and center of the stage, the interests of my family and friends are close behind, and the interests of strangers are pushed to the back and sides. But reason enables me to see that others have similar subjective perspectives, and that from 'the point of view of the universe' my perspective is no more privileged than theirs.'[88] Singer gives a non-contractarian approach to ethics, which creates the same scope of morality as universal subjectivism. It is in universal subjectivism that Rawlsian hypothetical contractarianism meets Singerian neo-utilitarianism. Singer endorses as his basic moral principle: 'equal consideration of interests'. '[…] we should take all humans, or even all sentient beings, as the basic unit of concern for our ethical thinking.'[89] For every non-equal consideration of interests there has to be persuasive arguments (like the Rawlsian difference principle for example). This manner of

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[86] Oderberg (2000: 16).
[87] Rachels (1995: 31).
[88] Singer 1995: 74).
[89] Singer (2002: x).

reasoning is the same as in law where a suspect is considered not-guilty until proven otherwise.[90] The burden of proof is on the one who pleads a non-equal consideration of interests.[91] Creatures capable of suffering have interests. These interests may conflict with the interests of other sentient beings. If those other beings are human beings, then human beings should consider the equality of interests. There is no given to prioritize human needs and interests above those of other animals. Human beings, because of their capacity to think, have more and different interests than other beings. So when there is a clash of interest between you and a mosquito, it is not very wrong to swat the mosquito. But in the case of factory farming it is completely different: people are inflicting pain and suffering on animals for no other reason than gustatory pleasures. Grayling writes about these gustatory pleasures: 'Perhaps you like filling your mouth with rotting flesh full of injected hormones and vaccines, pullulating with microbes and covered in microbe diarrhea.'[92] The differences are: 1) mosquitoes have less capacity to suffer than farm animals, 2) in the case of the mosquito, there is a clear conflict of interests, and 3) farm factory is deliberately human made. When someone would breed mosquitoes in order to be able to swat them it would change the situation.[93]

Singer's moral analysis is based on the rational insight that interests of beings, for which suffering is a negative indication, are of equal importance from a universal point of view. Unfortunately it is difficult to persuade people to reason and act from an impartial universal stance. This is where Rawls comes in. The hypothetical original position helps to imagine the universal stance.

Whereas Rawls uses his model to evaluate the justice of social institutions in limited context, in the expanded version of universal subjectivism what people choose in the original position are ultimate values[94], because these are the only possible values that can be universalized. In the original position it is not rational to choose a value system, which incorporates discrimination against groups, such as homosexuals, transsexuals, women, disabled, mentally retarded, animals, because you could be one yourself. Only a value system, which does not discriminate, can be rationally chosen. To formulate it the other way around: the procedural deliberation of universal subjectivism using the original position cannot justify non-universable value systems, such as religions, nationalism or fascism.

Though I make use of the Rawlsian idea of the original position, I do leave his interpretation and elaborate use of creating a well-ordered society aside, because Rawls is specific about the limited use of his theory. Universal subjectivism is not a

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[90] The same for (a)theism. The burden of proof is on the theist's side, not on the atheist's. A theist should prove the existence of god. It is not an atheist's task to proof that god does not exist. An atheist can show that all theistic arguments are false or invalid. Cf. A.C. Flew, *The Presumption of Atheism*.

[91] Likewise in a discussion about the suffering of animals, it is not the vegetarian who has to substantiate his or her moral stance; it is the meat eater, who violates the interests of animals and is making them suffer unnecessarily, that has the burden of proof.

[92] 'Vegetarianism', in Grayling (2009: 367.

[93] The 'do not (unnecessary) harm' – principle in deontological ethics can make the difference clear: swatting a mosquito is *necessary* harm (because it bothers you), factory farming is unnecessary harming billions of farm animals on purpose. See: Beauchamp (2001).

[94] Pogge makes this point about ultimate value systems. Pogge calls this cosmopolitan interpretation of Rawls 'a value based world order'. Pogge (1989: 228).

Rawlsian theory with which Rawls or his followers would agree. The idea of the original position comes from Rawls and this is a powerful notion, which is central to universal subjectivism.

2.6 A Broad Reinterpretation of Rawls' *A Theory of Justice*

Every society is fictionally based on a contract. Even a country ruled by a dictator has a contract, a contract with bad terms for a large part of the people. Most people did not approve of the dictator coming to power, because nobody wants to be suppressed, I presume. This is, I repeat, the first premise of universal subjectivism: *Nobody wants to be suppressed*. Contract thinkers try to make this hidden premise explicit in order to improve the conditions by making rational calculations trying to make the best possible strategy for as many people as possible. This is a strategy of optimalization. Of course, different strategies are possible. One can be strictly equalitarian or one can choose classical (Benthamite) utilitarianism, i.e. the greatest happiness for the greatest number of people, with the possibility that a minority of people do not get what they want. Or a democratic principle where the majority decides what should be done for everybody. Fortunately most democratic systems are checked by a constitution in order to protect minorities.

The assumption of most contract models is that it is meant to create mutual advantage: '[…] as a matter of a bunch of similar "normal" people getting together to make a contract […]'.[95] This assumption is also built in Rawls' theory of justice. We shall see that the concept of mutual advantage neglects the needs of those that cannot contribute (economically) to human society. The idea of mutual advantage is not a good starting point for an ethical theory because its focus is too small; it leaves many sentient beings outside the scope of morality.

John Rawls developed in his *A Theory of Justice* (1971) a procedural political philosophy that gives a foundation and justification of the distributive welfare state. Rawls' theory is a system to compensate or neutralize the negative contingencies of fate and of unjust distributions, especially of wealth. Rawls 'describes natural assets as a social resource to be used for the advantage of the least well-off, and any differences in income and other resources enjoyed by the wealthy are not *deserved*, for nobody creates his or her natural assets – not even the propensity to work hard.'[96]

A procedural model determines the organization of the system in such a way that the outcome is necessarily just. There is a possibility that the outcome of this procedural method will differ from present day morality and moral intuitions. When one is willing to engage in philosophy, i.e. when one takes rational enquiry seriously, the directing of one's own life is a good thing. One wants to critically examine one's own life and the society where one lives. As Socrates[97] said: the examined life is part of the good life. A philosopher wants to adjust moral thinking and his or her worldview to critical inquiry. Everyone should.

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[95] Nussbaum (2006: 351).
[96] Graham, (2007: 3).
[97] Robert Nozick, for example, restated the Socratic ideal in his *The Examined Life*. 'I want to think about living and what is important in life, to clarify my thinking – and also my life', p. 11, opening sentence.

Rawls' theory comes down to this. Assume that you have to lay down what the institutions will be like of a society you will be living in, without knowing beforehand in what position you will enter that society. Your position can be anything; you do not know your sex, race, intelligence, sexual preference, bodily abilities, looks, talents, religion, social position, et cetera. Rawls calls this perspective the original position, from where one looks at society from behind a veil of ignorance:

> The idea of the original position is to set up a fair procedure so that any principles agreed to will be just. The aim is to use the notion of pure procedural justice as a basis of theory. Somehow we must nullify the effects of specific contingencies which put men at odds and tempt them to exploit social and natural circumstances to their own advantage. Now in order to do this I assume that the parties are situated behind a veil of ignorance. They do not know how the various alternatives will affect their own particular case and they are obliged to evaluate principles solely on the basis of general considerations.'[98]

I quote the key paragraph of Ralws' *A Theory of Justice* at length:

> It is assumed, then, that the parties do not know certain kinds of particular facts. First of all, no one knows his place in society, his class position or social status; nor does he know his fortune in the distribution of natural assets and abilities, his intelligence and strength, and the like. Nor, again, does anyone know his conception of the good, the particulars of his rational plan of life, or even the special features of his psychology such as his aversion to risk or liability to optimism or pessimism. More than this, I assume that the parties do not know its economic or political situation, or the level of civilization and culture it has been able to achieve. The persons in the original position have no information as to which generation they belong. These broader restrictions on knowledge are appropriate in part because questions of social justice arise between generations as well as within them, for example, the question of the appropriate rate of capital saving and of the conservation of natural resources and the environment of nature. There is also, theoretically anyway, the question of a reasonable genetic policy. In these cases too, in order to carry through the idea of the original position, the parties must not know the contingencies that set them in opposition. They must choose principles the consequences of which they are prepared to live with whatever generation they turn out to belong to.[99]

Richard Dawkins succinctly summarizes the basic concept of Rawls' theory as: 'Always devise your rules as if you didn't know whether you were going to be at the top or the bottom of the pecking order.'[100]

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[98] Rawls (1999: 118).
[99] Rawls (1999: 119).
[100] Dawkins summarizes Rawls in *The God Delusion,* p. 264.

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The question is: How can society be structured in such a way that basic social arrangements can be guaranteed, especially for those who happen to be in an unfortunate, worst-off position? This procedural method is a way of trying to find a constrained optimum for every moral position in a society. It will be wise to take in account a worst case scenario. The perspective from the original position is individualistic: *You cannot reasonably want to be in a position that is discriminated against by the group.*

In the original position you will have to imagine all possible different perspectives. Because this is impossible,[101] you should limit yourself to the worst-case scenarios and look from that perspective how you would want the institutions to be organized. In this manner you can find the preconditions of a just and sustainable society. The justice that is the outcome of the procedure from imagining being behind a veil of ignorance Rawls calls *fairness*. Everybody in this hypothetical just and sustainable society will have maximum possibilities and opportunities to improve oneself and to do what one wants. This procedure yields the maximum possibilities for the pursuit of happiness logically consistent with that of every other person. The negative contingencies of fate will be compensated as much as is possible by means of institutions. The model tries to maximize the worst-off positions; this is called the min-max strategy: maximizing the minimum.

Inspiring as Rawls' theory is, there are serious limitations to it. Are the limitations necessary or is it possible to expand his theory to different domains? Rawls' theory has a progressive emancipative potential. Rawls designed and applied his philosophical system as a plea for a more just welfare state in the United States in the 1970's. In so far as there is a universal tendency in his theory, Rawls has in his later works argued for a limited interpretation of his theory.

Rawls himself does not think, as he argues in *Political Liberalism*, that his theory can be expanded. According to Martha Nussbaum, there are four problems, which cannot be solved within Rawls' theoretical framework of justice as fairness: '[1] care for the disabled, [2] justice across national boundaries, [3] what we owe to non-human animals, and [4] the problem of future generations.'[102] Rawls concludes: 'While we would like eventually to answer all these questions, I very much doubt whether that is possible within the scope of justice as fairness as a political conception.'[103] Rawls thinks that justice as fairness might be expanded to include future generations and justice across national borders, but not non-human animals and disabled persons.

I consider Rawls' reserve unfortunate. It seems Rawls missed a chance. The broadening of the Rawlsian idea of deliberation in the original position from behind a

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[101] Reason is bounded, which means that it is often impossible to account for all possible options one has, when finding out which is the best one. This is a problem for utilitarianism, because one would have to calculate many different alternatives. To do this it would make action impossible. When this would be the ideal of reason the ideal is godlike and impossible to attain. However, while complete rationality might be impossible, irrationality is not the only alternative. One can try to make the best of it by using different strategies. See for example: Fred D'Agostino, 'To Live in Folly', public lecture at Groningen University, the Netherlands, 17 November 2004.
[102] Nussbaum, (2002: 435).
[103] Rawls, (2005: 21).

thick veil of ignorance does make expansions possible. Rawls does not use the potential power of his idea because he incorporates a (Kantian) notion of the essence of a human being. When one leaves these notions behind and instead focuses on the ability to suffer, plus the universalizability of each sentient being, the theoretical problems disappear. What is left are practical problems (see below).

2.7 Nussbaum's Expansion of Rawls' Theory
Martha Nussbaum holds a different opinion on what people need and want. Whereas the Rawlsian and universal subjectivist method are procedural – justice is the result of a just procedure – Nussbaum argues that it is possible to make a list of what is needed in order to guarantee a fulfilling life for all persons based on an account of human nature. She states: 'My approach suggests that we ought to do this in an Aristotelian/Marxist way, thinking about the prerequisites for living a life that is fully human rather than subhuman, a life worthy of the dignity of the human being.'[104]

What is *human dignity*? It seems to be a metaphysical concept, a residue of theological dogmatism.[105] Nussbaum does not tell what human dignity is or why it is important: 'living a life that is fully human is a life worthy of the dignity of a human being [synopsis]'. What does it mean to 'live a life that is fully human'? What Nussbaum calls a 'vivid intuitive idea'[106] seems no more than a personal opinion that has perhaps no universal appeal. Moreover, there is no human nature that defines the essence of human beings. Nussbaum's list of capabilities looks attractive – it might be the outcome of the universal subjectivist procedure – but she could be wrong. There is no a-priori possibility to make a list of what everyone wants or needs (except on a fundamental level of food, shelter and company). Nussbaum's view is therefore somewhat paternalistic. She starts with the outcome and gives an intuitive foundation for these notions, whereas the procedural account justifies the outcome from a hypothetical universalism. 'Humanity is under a collective obligation to find ways of living and cooperating together so that all human beings have decent lives.'[107] But why is this the case? Nussbaum has an intuitive foundation for her noble case. Universal subjectivism does not need a 'vivid intuition', but a vivid imagination in order to perform the universal subjectivist model, in order to imagine (in principle) all different positions of sentient beings.

Another notion of Nussbaum's that is rather vague is that of *decency*. What is a decent life? I have some vague ideas of what a decent life would be, but my intuition on what a decent life is might (and most likely will) differ from that of other people's. Nussbaum's capabilities approach does make it clear that special attention should be paid to those who are the least well off: 'The focus on capabilities reminds us that we

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[104] Nussbaum (2002: 435).
[105] Nussbaum wants to extend the notion of dignity. Rachels and Singer want to get rid of the notion dignity altogether. Rachels on dignity: 'The traditional doctrine of human dignity is speciesist to the core, for it implies that the interests of humans have priority over those of all other creatures.' See Rachels (1995).
[106] Nussbaum (2002: 473).
[107] Ibid.: 473.

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will need to make special efforts to address the unequal needs of those who begin from a position of social disadvantage.'[108]

2.8 An Astronomer's View on Ethics

Astronomer and skeptic Carl Sagan comes close to the theory of universal subjectivism in his book on science and skepticism *The Demon Haunted World*. Sagan does not take up the point he makes. He stops at the threshold of universal subjectivism: 'Still, it seems so unfair: Some of us starve to death before we're out of infancy[109], while others – by accident of birth – live out their lives in opulence and splendor. We can be born into an abusive family or a reviled ethnic group[110], or start out with some form of deformity; we go through life with the deck stacked against us[111], and then we die, and that's it? Nothing but a dreamless and endless sleep? Where's the justice in this? This is stark and brutal and heartless.'[112] Sagan embraces the idea of morality as an expanding circle: 'Some of the habits of our age will doubtless be considered barbaric by later generations – perhaps for insisting that small children and even infants sleep alone instead of with their parents; or exciting national passions as a means of gaining popular approval and achieving high political office; or allowing bribery and corruption as a way of life; or keeping pets; or eating animals and jailing chimpanzees; or criminalizing the use of euphoriants by adults; or allowing our children to grow up ignorant.'[113] Sagan's aim is to criticize unreason in (American) society. By using rational scrutiny of the beliefs and morals of society he outlines universal subjectivism. This theory is not a farfetched theoretical, or even less metaphysical, concept because universal subjectivism comes up naturally when one takes individual liberty and individual suffering seriously.

2.9 Singer's Utilitarian Ethics

'Moral philosophy has not yielded a generally accepted ethical philosophy.'[114] It is common to subscribe to the view that there is some universal ethical core to be distilled in many (all?) cultural traditions. This idea is central to the ideology of multiculturalism, which seeks to mix and mingle as many cultures as possible happily together. Hochsmann who writes on Singer in *On Singer* does exactly that: 'One of the virtues of Singer's approach to ethics is that without being discursive or didactic he integrates the moral insight of many perspectives. There is a common core of ethical values in the traditions ranging from Indian and Chinese to Islamic moral philosophy and this common core is also at the foundation of Singer's practical ethics.'[115] Paul Kurtz also espouses this idea; he speaks about the 'common moral decencies'[116] which are universal values shared by many cultural and religious

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[108] Ibid.: 474.
[109] That is: geographical expansion.
[110] That is: Rootism.
[111] That is: worst-off position.
[112] Sagan (1997: 268).
[113] Ibid.: 259.
[114] Singer 1981: ix.
[115] Hochsmann (2002: preface).
[116] Kurtz (1988: 63-96).

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traditions. This is a nice strategy to start a dialogue, but does it mean anything? Central to Singer's thought is the idea of equality of suffering which has many consequences. Central in many religious and cultural traditions is the non-equality of certain groups of individuals (women, homosexuals, physically disabled, race, other religions, and other ethnicities, animals). There is also a large consensus within religious traditions on topics as the legalization of abortion, same sex marriage, euthanasia, soft drugs, pornography et cetera. It seems that Singer's thought – which harmonizes with Paul Kurtz's secular humanism[117] - is to a large extent *opposed* to most religious, cultural, theological and even philosophical tradition.

Peter Singer's meta-ethics, and political philosophy can be strengthened by using the concept of a procedural hypothetical social contract. Singer is a moral philosopher who starts his inquiry about ethics from the Aristotelian perspective how to live a good life –as elaborated in his book *How are we to live*. Singer's philosophy is about an ethical way of living: 'to live not simply for the moment or only according to our individual preferences but to live with a broader conception of life that requires a commitment to the wellbeing of all sentient life and the preservation of the environment.'[118] Singer's 'challenge to traditional ethics is massive and radical.'[119]

2.10 Reflective Equilibrium

According to Nussbaum: 'We may revise our considered judgments, if the conclusions of an otherwise powerful theory entail this [...]. Nothing is held fixed in advance – not even how much weight to attach to formal principles such as simplicity and consistency. The best and only judge is the individual person, and the community of concerned judges.'[120] The outcome of the deliberation from the original position by the universal subjectivist method will be a coherent rational moral value system. In Rawlsian terms this coherency of beliefs is called *reflective equilibrium*: 'the end-point of a deliberative process in which we reflect on and revise our beliefs about an area of inquiry, moral or non-moral.'[121] The coherence account of justification[122] can be used in two different ways regarding universal subjectivism. Firstly, the outcome of the deliberation from the original position should be as coherent as possible by taking hypothetically into account as many possible (sentient) positions as possible. Because it will be a priori impossible for every sentient being to have the maximum satisfaction of needs, seen from an individual perspective because there are many conflicting needs, the coherence will be a matter of mathematical optimalization. This outcome is a reflective equilibrium.

Secondly, the method of reflective equilibrium can be used to show the incoherence of the considered judgments about particular cases. For example, Peter

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[117] Grayling (2009: 176) defines secular humanism as follows: 'Secular humanism, given its first full expression in the Enlightenment of the eighteen century, is functionally the basis of the triumph of the West in the succeeding two centuries in science, technology, progress in democratic systems of government, and conceptions of the rights of man.'
[118] Hochsmann (2002: preface).
[119] Ibid.: preface
[120] Nussbaum (2006: 353).
[121] Norman Daniels, 'Reflective equilibrium', p.1.
[122] Ibid.: 2.

Singer examines the considered judgments (that is the Christian inspired moral views) about medical ethics, especially on abortion and euthanasia. Let's, for example, look at the case of abortion from the two ways of using reflective equilibrium.

In *Rethinking Life and Death* Peter Singer examines traditional moral views on medical ethics and concludes that these are severely incoherent. If human life is sacred, as is the traditional religious view, than all life should be protected as long as possible. But why is it wrong to abort a seriously disabled fetus or euthanize a severely disabled baby, while on the other hand many Christians are advocates of the death penalty? This is a contradiction, an inconsistency.[123] Singer analyses many of them. Grayling points out this same inconsistency in Christian ethics: 'It is an oddity that those who invoke the sanctity of life are not as invariably opposed to war, arms manufacture and capital punishment as they are to euthanasia and abortion. Yet these latter are intended to help the living, while the former are designed to harm them.'[124] This is the method of reflective equilibrium used in a negative way: showing the incoherency of a set of moral beliefs.

In a positive way, reflective equilibrium can be used to make a set of beliefs as coherent as possible. As in the example of abortion, it is universable that the freedom to abort or not is an autonomous choice of the pregnant woman. The fetus itself is in a different, lower[125] position than the pregnant woman because the woman is a person, whereas the fetus is a human being in potential, not a person. When balancing the two positions then the moral importance of the woman outweighs that of the fetus because the range of needs and interests of the woman are far greater than that of the fetus (because the fetus is not yet a person).

Rawls uses the idea of reflective equilibrium to temper the outcome of the deliberation from the original position because 'the chosen principles must also match our considered judgments about judgment in reflective equilibrium. If they do not, then we are to revise the constraints on choice in the contract situation until we arrive at a contract that yields principles that are in reflective equilibrium with our considered judgments about justice.'[126] The progressive and revisionist power of the deliberation from the original position is severely tempered if the outcome should match considered judgments. Universal subjectivism, being an expansion of the Rawlsian original position, is not likely to meet a reflective equilibrium with the considered moral judgments. On the contrary it differs greatly from it, because it shows the blind spots of ethical concern. The method of reflective equilibrium can be used in the two different ways, which are mentioned above, but when it is used in the Rawlsian manner the moral scope of the theory is unnecessarily severely weakened.[127]

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[123] The Christian argument is to insist on the notion of innocence: fetuses are innocent, criminals are not. But then it follows that not *all* human life is sacred, but only innocent human life is sacred. But what is innocent? Some convicted criminals who have been executed were innocent as well…

[124] Grayling (2004: 164).

[125] Like a plant is lower, because of the range of feelings, emotions et cetera.

[126] Daniels (1989: 4).

[127] Cf. Richard Hare, 1973, 'Rawls' theory of Justice', *Philosophical Quarterly,* 23: 144-55; 241-51. In: Daniels (1989: 4).

Peter Singer criticizes Rawls in the same way: 'Rawls […] blunts the radical implications of his own starting point and so arrives at a theory of justice that justifies a kind of society apparently not so different from out own liberal-democrat free-enterprise system, and says almost nothing about the demands of justice in distribution between nation-states. So justice is made to accord with most of the moral intuitions most people already accept.'[128]

Ethical and political theories should answer three important questions. The first one is: For whom is the theory meant to be an improvement? Secondly, by whom are the (fundamental) decisions made? And thirdly, what is the use of the theory? Why bother?

2.11 For Whom?

Nussbaum lists the limits of contract theory in her book *Frontiers of Justice*: 'For the contractarian, the question "Who makes the laws and principles?" is treated as having, necessarily, structurally, the same answer as the question "For whom are the laws and principles made?" This is so because of the contractarian's whole picture of social cooperation: people under pressure get together to secure their mutual advantage, by accepting constraints that are dictated by equal respect for the other parties to the bargain. That initial device ensures that they will be considering themselves as the primary if not the only subjects of the principles of justice that they subsequently design. Other beings can enter only derivatively, through relations of concern and trusteeship.'[129]

Which entities have moral status? Mary Anne Warren defines moral status thus: 'To have moral status is to be an entity toward which moral agents have, or can have, moral obligations.'[130] In universal subjectivism, to have an obligation means that in the original position you should try to maximize any worst-off position. You are obliged to your own perspective that can hypothetically be actualized in the real world as any sentient being. Universal subjectivism takes into account the needs of all sentient beings anywhere at any time. All entities that are capable of suffering pain, are possible positions in which you yourself could happen to find yourself. Therefore, all entities capable of experiencing pain have moral status.

Philosopher James Rachels takes a similar starting point for moral reasoning: the individual without the borders of the species. He calls this view 'moral individualism'. The purpose of Rachel's theory[131] is to replace traditional moral and religious codes. Universal subjectivism also takes as starting point the individual, i.e. any sentient being. The veil of ignorance is an informational restraint, a means to make the contingencies of your particular existence explicit and to suppress the tendency to create a special position for one's own. In this model *you cannot reasonably want misery for yourself*. This is an important point, because if one takes seriously that you cannot reasonably want misery, then this is a severe critique of many cultural traditions and practices. It places a severe limit on the scope of

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[128] Peter Singer, 'Philosophers are Back on the Job', in: Kuhse (ed.), *Unsanctifying Human Life,* p. 62.
[129] Nussbaum (2006: 350).
[130] Mary Anne Warren, 'Moral Status', in: Frey (2003: 439).
[131] Rachels (1991).

pluralism and multiculturalism, because no traditions that enforce practices on individuals, who do not want their life to be interfered with (if they could make an autonomous well informed decision), can be justified from a universalizable point of view. Hypothetically you can be anyone, there is no moral justification why you are that particular existence; therefore you have to take into account different positions. That will create restraints on special pleading and privileges that in the real world are extorted by force. The model does not rely on altruism. It does not need compassion for others *as the other*, but it makes one take into account the position of others because this could be *your* position. Universal subjectivism is hypothetical rational egoism.

In the original position of Rawls' theory it is essentially important that you have no idea what your position in the real world will be. In practice, if you would play the game, you will most likely be inclined to think you will probably be in roughly the same position as you are now. When the chances for each existence are equal in all three dimensions - geographic, temporal, and biological - the chance that you would be a healthy wealthy westerner living now is incredibly small. This means that the position, which the healthy wealthy westerners are in, is an exceptional, privileged position. It is a privileged position that cannot be justified from the universal subjectivist position either.

This theoretical political and ethical model demands a lot of imagination and empathy. In practice people lack the power and the will to imagine being in a different existence. People believe obstinately in the necessity of their own existence. Ethicists usually argue that something has to change: people's opinions, religiosity, traditions, society, the economic system, beliefs, and the organization of power, behavior, and education. In order for universal subjectivism to work, people will have to broaden their empathic abilities. The weakness of universal subjectivism is this lack of empathic imagination and indifference to the suffering in other beings due to partial emotionality[132]. A lack of motivation will be the main obstacle for universal subjectivism to have any significant use.

Political thinker Dirk Verhofstadt analyses the ideal of individualism in modern politics and defends individualism against threats from collectivism, communitarianism and group-thinking in his book *Pleidooi voor individualisme* ['Plea for individualism']. 'Repression of the individual is of all times and places. To some extent it is present in all societies and communities whether for political, cultural of religious reasons. For centuries the individual has been subjected to the interests of the community.'[133]

Historian, writer and Canadian MP Michael Ignatieff shows that the importance of the human rights discourse is in the shift in who is protected by the law: 'Before the Second World War, only states had rights in international law. With the Universal Declaration of Human Rights of 1948, the rights of individuals received international legal recognition.'[134] Sadly enough, legal recognition is not the same as actual recognition of the rights of individuals.

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[132] See paragraphs: 'Rational Rationality' and 'Partial Emotionality'.
[133] Verhofstadt (2004: 7), [translated by FvdB].
[134] Ignatieff (2001: 5).

If you have doubts about individualism, imagine yourself in the position of the one who has to knuckle under to confirm to the wish of the group. Verhofstadt argues that individualism is often thought to be the same as nihilism, egoism and hedonism. Individualism is something different, Verhofstadt defines it as: 'Individualism is a very positive force that empowers individuals to take control of their own fate independent of conservative forces in societies.'[135]

The definition of 'individual' usually means individual human beings. Therefore, the concept of the individual has to be expanded to include non-human individuals. Individual therefore means: entities capable of experiencing pain.[136] Verhofstadt notices that individualism is not contrary to solidarity, but, on the contrary and perhaps paradoxically, a precondition for solidarity. Individualism means taking individuals seriously and accepting differences. Individualism is much more tolerant to individual differences than group ideology.

What remains to be answered is the free rider (or free loader) problem. One can say: 'I understand that people should act morally in order to improve the living conditions of all, but why should *I* be moral? I will probably be better of if I cheat.' At a party usually someone will turn up and say: 'Of course tax is a good thing, but why should I be honest?' Individual cheating pays, as long as you are not caught. Game theory also proves this. From the objective perspective everyone is best off when nobody cheats, from the individual's perspective you are best off when you are the only one who cheats. 'So, why should *I* be moral? Let *them* be moral!' 'Why should I be moral in those cases where acting morally will not be in *my* rational self-interest?'[137] The position of the cheat, the free rider, is not universalizable.

2.12 By Whom?

'For whom?' is about the question what entities have of should have moral status. 'By whom?' is about what entities are moral agents. Not all entities with moral status are moral agents. There is an asymmetry between moral entities on the one hand and those making up moral rules on the other. The veil of ignorance is the bridge, because you can *imagine* yourself to be in a position of an entity capable of experiencing pain, but incapable of participating in creating moral rules, for example imaging yourself to be a retarded person.

Although universal subjectivism is meant to be a universal theory that can arrange just institutions, the allocation of scarce resources and (re)distribution of primary goods, only a small part of all sentient beings can do the deliberation from the hypothetical original position. Similar arrangements are common in real life. Mentally disabled people cannot (are not allowed to) vote. Other people, caretakers, look after their finances, housing, and care. Mentally disabled are sometimes sterilized so they can have sex without reproducing, which would cause severe problems with child-raising. Children are also under care and guidance of their

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[135] Verhofstadt (2004: 8).

[136] Of course, an individual human being is much different from an individual rabbit. This is a matter of degree, not a fundamental difference. See my comments in the section on animals. The capacity to suffer is dependent on biological species, but not exclusive to human animals. Verhofstadt excludes non-human animals.

[137] Nielsen (1989, 176).

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parents or caretakers. These caretakers take decisions for others. But whereas in real life the caretakers own interests might influence decisions, in universal subjectivism it is the hypothetical concept of being somebody else. You do not have to think altruistically. Though the idea that only those who are able and willing to do the deliberation and imagination (theoretically) decide how a just society and human relations are to be ordered and organized has a paternalistic inkling, it is not. In a paternalistic situation other people decide what is good for you and this can be different from what is good for you. Universal subjectivism is restrained universal egoism.

2.13 What For?
Why would there be a need for a political theory anyway? And, why be moral to begin with? Philosopher Kai Nielsen devoted a book on the topic of *Why Be Moral?* (1996). He specializes in meta-philosophy, ethics, and social and political philosophy. Nielsen has also written about philosophy of religion, and is a leading advocate of atheism. He is also known for his defense of utilitarianism. Nielsen gives the common sense answer that morality promotes the larger common good: '[…] the best possible life for everyone is attainable only if people act morally; the greatest possible good is realizable only when everyone puts aside his own self-interest when it conflicts with the common good.'[138] John Rawls is clear about the purpose of society: '[…] although a society is a cooperative venture for mutual advantage, it is typically marked by a conflict as well as an identity of interests.'[139]

In many social contract theories the reason to cooperate is mutual advantage. It is reasonable to cooperate in order to gain mutual benefit. Social Choice Theory[140] has done research on how people make and should make rational choices in order to gain maximum benefit. But not all persons, and even less, sentient beings, can (economically) contribute to a mutual advantage. These social contract theories have blind spots for many possible existences. Universal subjectivism does not leave any sentient being outside of the scope of morality.

According to pragmatic humanistic philosopher Paul Kurtz it does not make sense to ask: 'But why obey any ethical principle at all? Why not reject them all? Why believe in morality? Prove to me that one ought to behave morally?'[141] Kurtz answers: '[…] obligations are concrete, and they grow out of our social roles, and our future expectations.'[142] It just doesn't make sense to ask 'Why ought I to be moral?', because all ethical questions are concrete and embedded in a social context. '[...] it is not a meaningful question unless given content by reference to a *specific* claim. […] It all depends on one's personal relationship to others and various occupations and roles within a social scheme. It is within that institutional framework that the *prima facie* general principles and the common moral decencies resonate.'[143] 'The basic moral rules are the lubricant that makes harmonious social transactions

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[138] Ibid.: 175.
[139] Rawls (1999: 109).
[140] See for example: Allingham (2002).
[141] Kurtz (1988: 152).
[142] Ibid.: 152.
[143] Ibid.: 152-3.

possible. Each of these rules is tested by its consequences in action. To deny them would lead to chaos and disorder.'[144]

It seems hard from this perspective to criticize the existing moral order. There seems to be a conservative tendency in this approach. How to find blind spots in morality? What if the common moral decencies of a particular society are not so decent? Kurtz makes a distinction between *reason* and *motive*, which seems helpful. There can be a good reason to comply with moral rules, but still the motive might be lacking. For example, there is a good reason why a student should do his or her homework, but the reason by itself might not be a powerful motive when there is so much fun out there. Philosophers tend to focus on reasons, not motives. It is psychologists who are concerned about motives for moral behavior. This is most probably a weakness of moral philosophy: it creates reasonable reasons for morality, but no compulsive or even appealing motives. This gap between reason and motive makes moral philosophy utopian. There is a necessary order: first one has to have the right reason before one can start with the motives. People can, and are, highly motivated to do the wrong things, like going enthusiastically to war. Here Russell's maxim is spot on: 'The good life is one that is guided by reason, and inspired by love.'[145] Or, translated to the occasion: there have to be good reasons for behavior, but without motivation it goes nowhere.

There are several reasons as to why there should be a political theory. Thinking about politics and ethics is to try to make things better, especially for those worst-off. Most political systems and moral traditions have been growing historically without any rational deliberation. It is the task of normative philosophy to try to develop a method in order to create a world in which every sentient being[146] can develop its capacities as fully as possible. The maximum equilibrium of total bliss for all sentient beings will not be possible, but normative theory tries how to find the maximum (practical) possible sustainable organization of society, including human-human relations, human-non-human and human-nature relations. Why there should be a normative theory is that the least well off are better off in a rational system and the fate of those least well off matter because *it could have been you*. You do not need god or any intuition, just a vivid imagination. *Happiness- in a minimal sense the avoidance of unwanted suffering- is what everybody strives for*. '[…] people do on the whole want to make something of themselves, and by doing so give their lives meaning.'[147] It doesn't have to be sublime intense moments of happiness all the time. Not being unhappy is also a form of happiness, in the Epicurean sense. Epicurus argued that in the long run it is better to avoid unhappiness than to actively pursue moments of intense happiness. Hedonism is nowadays often interpreted as the search for instant happiness and thrill-seeking. Happiness is the avoidance of pain, the satisfaction of primary needs and the pleasures of living. It is a state of contentment. One who is not in pain, not hungry, not pressed to do things against one's will, that person should consider his or herself happy. A well-ordered society cannot guarantee

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[144] Ibid.: 153.
[145] Russell (1995).
[146] As far as human-animal relations are concerned.
[147] Baggini (2004: 121).

an individual's happiness, but it gives the conditions under which happiness has a better chance. The sociology of happiness tries to define what the conditions of happiness are.[148] These conditions are negative conditions, i.e. negative freedom, provided by the state: law and order that guarantee that the laws are obeyed. This will result in a safe and stable, civil society. Furthermore the state can actively work to stimulate people's striving for happiness by facilitating and subsidizing the arts, sports, cultural and recreational facilities and activities, like building theaters, stadiums, fringe benefits and health and child care systems. The reason why the state should be concerned about actively facilitating happiness is that most individuals are better off when the state organizes and finances these conveniences. Without the welfare state most individuals would be worse off, even the rich because of a lack of infrastructure and safety.

The organization of the conditions of happiness, something like the list of human rights from the Universal Declaration of Human Rights (the right of life, inviolability of the person, et cetera) will be the topic of the model I am trying to develop.

2.14 Two Principles of Universal Subjectivism
Two general principles follow from the procedure of universal subjectivism, which form 'a set of beliefs that any reasonable person would, if given the chance, choose for his or herself'.[149]

1. Maximalization of individual freedom *without harming others*. This principle can be divided in two sub-principles:

    a. The institutions of (global) society should be arranged as to guarantee the largest possible individual freedom for each individual (*negative freedom*).
    b. Maximalization of freedom of opportunity for each individual (*positive freedom*).

2. Institutions should be ordered in such a way as to optimize the worst-off positions.[150]

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[148] On the sociology of happiness: Veenhoven (1984), Kurtz (1985), Singer (1995) on the good life and happiness: Grayling (2003).
[149] Humphrey (2002: 313)
[150] Jeremy Bentham's famous maxim that we should strive for 'the greatest happiness for the greatest number' is problematic, because what if, for example, meat eating makes many people very happy so that the total amount of happiness (even when the suffering of animals is subtracted) is larger than a world without meat eating and intensive farming, or if enslaving minorities to serve the interests of the majority would increase the total amount of happiness? However, Bentham's maxim can be rephrased as: striving for *the least unhappiness for the least number*. It seems this comes close to the principle of universal subjectivism of striving to optimize (=making them less unhappy) the conditions for those worst-off. See P. Sargant Florence in Ayer (1968: 231).

3. Universal Subjectivism and the Expanding Moral Circle

The English historian of ideas W.E.H. Lecky (1838-1903) devoted himself to the chief work of his life, *A History of England during the Eighteenth Century*. In *The Map of Life* (1899) he discussed in a popular style some of the ethical problems, which arise in everyday life. In Lecky's *History of European Morals from Augustus to Charlemagne* (1869) he writes optimistically about the expanding circle of morality: 'At one time the benevolent affections embrace merely the family, soon the circle expanding includes first a class, then a nation, then a coalition of nations, then all humanity and finally, its influence is felt in the dealings of man with the animal world …'[151]

Peter Singer's basic notion of ethics is that what matters most are the consequences of actions, not intentions. Singer looks, like Lecky, at morality as an expanding circle. Let's look briefly at the moral history of humankind. Imagine a group or tribe of hunter-gatherers living together on the savanna. Usually in a group of people, morality is about men. Morality is a strategy for those in power to get what they want and to stay in power. Morality, in the traditional sense, is about some kind of in-group: there are different standards of moral behavior. Morality all too often converges with 'might is right'. These moral codes have a limited domain. 'Women in much of the world lose out[152] by being women. Their human powers of choice and sociability are frequently thwarted by societies in which they live as the adjuncts and servants of the ends of others, and in which their sociability is deformed by fear and hierarchy. (…) The outrages suffered every day by millions of women – hunger, domestic violence, child sexual abuse and child marriage, inequality before the law, poverty, lack of dignity and self-regard – these are not uniformly regarded as scandalous, and the international community has been slow to judge that they are human rights abuses.'[153]

Philosopher Hugh McDonald succinctly describes the concept of the expanding circle of morality: 'The idea of moral progress envisions the expansion of moral considerability from a select few men to all humans, especially women, sexual minorities, future generations, and ultimately to all animals and other non-human nature. […] The hope is that humans can extend moral obligation from themselves to animals, other species, and the biosphere as a whole, just as they once extended it to those outside the tribe, is the core of environmental ethics. The goal is a humane ethics: all other living things are worthy of being treated justly with mutual recognition in accordance with the principle of reciprocity.'[154]

Traditionally most morality is discriminatory towards women or even outright misogynous. Jack Holland argues that misogyny is the world's oldest prejudice: 'No other prejudice has proved so durable, or shares those other characteristics to anything like the same extent. No race has suffered such prejudicial treatment over so long a period of time; no group of individuals, however they might be characterized,

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[151] Lecky (1869).
[152] That is: worst-off position.
[153] Thus Nussbaum concludes in her study *Women and Human Development,* p. 298/9.
[154] McDonald (2010: 37).

has been discriminated against on such a global scale. Nor has any prejudice manifested itself under so many different guises, appearing sometimes with the sanction of society at the level of social and political discrimination, and at other times emerging in the tormented mind of a psychopath with no sanction other than that of his own hate-filled fantasies. And very few have been as destructive.'[155]

In the course of history people became aware of some of their moral blinkers. At some point slavery was considered immoral. Slaves were drawn into the circle of morality. The emancipation of women in the western world is a process, which took place in the first half of the 20th century[156]. As the circle widened, more groups came in sight and within consideration, like children. In the 1970s there was a UN declaration on the rights of children. The domain of ethics is increasing. Peter Singer focuses on the process of ethics as an expanding circle and wants to search for unknown territory: maybe we unjustly exclude more groups from moral discourse. Singer searches the blind spots in the moral thinking of our times. He focused attention on animals and brought them into sight. Animal welfare and moral concern for animals are not (yet) common morality. Animals can suffer, just like human animals. This age is in transition, like the time when there was opposition to slavery, when it still was common practice. Singer argues that the basic assumption for morality is *the ability to suffer*. Besides animals, another blind spot Singer has found is future generations.

In the introductory chapter of a companion to applied ethics Hugh LaFollete stresses the importance trying to be aware of the possibility of moral blind spots: 'The resounding lesson of history is that we must scrutinize our beliefs, our choices, and our actions to ensure that we are informed, consistent, imaginative, unbiased, and not mindlessly repeating the views of others. Otherwise we may perpetrate evils we could avoid, evils for which future generations will rightly condemn us.'[157]

3.1 One World

Martha Nussbaum points out that: 'The world contains inequalities that are morally alarming, and the gap between richer and poorer nations is widening. The chance of being born in one nation rather than another pervasively determines the life chances of every child who is born.'[158] In order to overcome global injustice Peter Singer pleads for a form of world governance: 'Ultimately, the great global issue is that of global governance: how can a world community regulate its affairs so as to deter aggression, and foster other values, including the protection of human rights, but ultimately going beyond that to the protection of all sentient beings and of the global environment.'[159]

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[155] Holland (2006: 270-1).
[156] Benoite Groult describes some of the heralds of the rights for women in her book *Op de barricaden voor vrouwen* [On the Barricades for Women]. These heralds of feminism include according to Groult: Poulain de La Barre, Condorcet, Stuart Mill, Saint Simon, Enfantin.
[157] Hugh LaFolette, 'Theorizing about ethics', in *Ethics in Practice,* p. 5.
[158] Nussbaum (2006: 458).
[159] Peter Singer in Hochsmann (2002: 91).

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One of the areas to expand Rawls' procedural theory is cosmopolitanism. It is not necessary to limit the theory to the US alone or any other single nation.[160] Both Rawls' *A Theory of Justice* and *Political Liberalism* are about just liberal democratic societies, which seem to be 'autarkic national communities'.[161] Beitz and Pogge, both political philosophers in the Rawlsian tradition, have suggested applying the original position to the world as a whole.[162] If you do not know from behind the veil of ignorance in what nation you will be born, you will have to imagine the (worst case) possibility of being born, e.g. as a woman in a misogynic society as Afghanistan[163] or Saudi Arabia.[164] The country, the place, the social position, where you were born is contingent. Thus, from behind the veil you do not know where you will be born. The geographical expansion of this formal theory has many, dramatic ethical implications. Seen from the original position it is easy to see what's wrong in different societies. Imagine, you are a woman, homosexual, free thinker, or apostate in Saudi Arabia (or any other Islamic state) – would anyone reasonably choose to be in such a position?

Life is a 'natural lottery': you just happen to be in a specific position, there are some winners who have it all, some who have some, and many who are in worst-off positions. Therefore, existence is contingent. Contingency means, that it is not necessary that you are you. You could be someone else. It might be from a metaphysical point of view that you are necessarily you, but from a moral point of view it is not necessary, but contingent who you are. It is just moral luck that you are you. If one would be really aware of the contingency of one's existence this would change a lot about morality. Existence is contingent, not necessary. This is 'ethics from the point of view of the universe', which is borrowed from the 19th century utilitarian philosopher Henry Sidgwick.[165]

Awareness of the contingency of *fate* is the reverse of fatalism, the belief that the world, especially the hierarchical social order, is necessarily as it is. Illustrating this, I quote from the Japanese novel *The River with No Bridge* by Sue Sumii: 'Each of us comes into this world carrying Fortune's Box on our back. If you're lucky, you've got a king's crown in your box, but if not, and it's the life of a beggar, there's nothing you can do about it. Envying the king and grumbling won't change things.'[166]

No one wants to live in subordination and everybody wants to live free from want. Everyday many people, most notably in Africa, die from hunger, thirst, malnutrition, and easily preventable illnesses. Imagine being in the position of being poor, miserable and starved. You cannot reasonably want that. Therefore, it can be

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[160] Rawls' ideas on international affairs are in his *The Law of Peoples*. He does not use his own procedural contract theory for global affairs. Cf. Moellendorf (2002: 7): 'He [Rawls] defends a theory of international justice that requires respect for a minimal set of human rights but requires neither constitutional democracy nor limits on socioeconomic equality.'

[161] Lehning (2006: 111).

[162] Beitz (1979), Pogge, (1989).

[163] See Phyllis Chesler, 'My Afghan Captivity', in: *The Death of Feminism.*

[164] See Goodwin (1994).

[165] Sidgwick (1838-1900) was an English utilitarian philosopher, whose main works is *The Methods of Ethics* (1874). He was one of the founders and first president of the Society for Psychical Research, and promoted the higher education of women. Sidgwick has influenced the writings of Peter Singer.

[166] Sumoo (1989: 28).

concluded that there is something terribly wrong with the global distribution of wealth and rights. It might not be easy to overcome this problem, but at least this method shows that it *is* a moral problem for everyone. Peter Unger elaborated on the ideas of Peter Singer on famine in his work *Living High and Letting Die*. Ghandhi remarked that: Everything you eat unnecessarily, you steal from the poor.[167] Unger argues accordingly that rich people have a severe obligation to help the poor. Neither physical distance nor the fact that you are citizen of a specific (privileged) nation state has any moral relevance. The expanded Rawlsian perspective helps to see and feel why. How much are people morally required to do to help people who are much worse off than us? If one really takes seriously the contingency of one's existence, one is morally required to do as much as one can to help people who are worse off. Universal subjectivism does not yield a universal answer to the problem of the moral requirement of the best-off to assist the poor. Each individual can use universal subjectivism as a motivation to do something about the fate of those worst-off.

From this expanded Rawlsian perspective most Universal Human Rights can be derived, without having to invoke the vague (religious) notion of 'human dignity'. Rights are agreements between people, which can be justified depending on the extent they contribute to a happier and just society. From being a narrow-minded nationalist, the extended Rawlsian perspective is a means to become a citizen of the world, a cosmopolite, a *civis mundi*. Nation-states that favor their inhabitants without taking in account the needs of others – such as happens on the dark side of capitalism and globalization – should be controlled by some kind of global governance, like the UN.[168]

Nobel Prize Laureate, the economist and philosopher Amartya Sen works on famine, human development theory, welfare economics, the underlying mechanisms of poverty, gender inequality, and political liberalism. Sen ponders about a better possible world and the role of some kind of global government: 'The point is often made, with evident justice, that it is impossible to have, in the foreseeable future, a democratic global state. This is indeed so, and yet if democracy is seen [...] in terms of public reasoning, particularly the need for world wide discussion on global problems, we need not put the possibility of global democracy in indefinite cold storage. It is not an "all or nothing" choice, and there is a strong case for advancing widespread public discussion, even when there would remain many inescapable limitations and weaknesses in the reach of the process. Many institutions can be invoked in this exercise of global identity, including of course the United Nations, but there is also the possibility of committed work, which has already begun, by citizen's organizations, many nongovernment institutions, and independent parts of the media.'[169]

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[167] Mahatma Gandhi, in Savater (2006: 115).
[168] The liberal state is *not* the end of history as Fukuyama argued in 1989, but a global liberal democratic state *might be* the end of history, i.e. the best possible form of organization in order to live the good life for sentient beings. The UN is a global democratic organization but without much power as a peacekeeper, nevertheless the UN is a possibility for a global government, which could, in theory, spread wealth more justly. On world governance see for example: Coon (2004).
[169] Sen (2007: 184).

A different reason for a cosmopolitan ethic is the interdependency of modern society. Pollution in one country can do harm in many other countries. Climate change will affect us all. Modern technology has made the world a global village, which means that there is a lot of interdependency. Bertrand Russell argued for this line of argument and told the story of the cats: 'The point is that close interdependence necessitates common purposes if disaster is to be avoided, and that common purposes will not prevail unless there is some community of feeling. The proverbial Kilkenny cats fought each other until nothing was left but the tips of their nails: if they had felt kindly toward each other, both might have lived happily.'[170] In order not to end as the Kilkenny cats ended, it is best to cooperate.

In order to create a global 'community of feeling' people should universalize their thinking, by means of universal subjectivism. This is what ecological cosmopolitan citizenship entails.

3.1.1 Rooted Cosmopolitanism

If we take the stance of universal subjectivism and we imagine the possibility of being in any (for the time being) position as human being, what would that mean for the diversity of cultures, because many cultural traditions cannot stand the test of interchangeability[171]? This is a theoretical question that arises from a procedural model. Philosopher Kwame Appiah looks at cosmopolitan citizenship with much more pragmatism. In *Cosmopolitanism. Ethics in a World of Strangers* he argues that consensus by way of rational deliberation is not a realistic option. He stresses that people can live together in a *modus vivendi* that has as its motto 'live and let live'. Appiah has many examples, such as the Ottoman Empire, which tolerated (to some degree) the Jewish and Christian communities and Ghana where Appiah was born and where people of many different cultures lived peacefully together.

It is important to make clear that there are two different levels of tolerance; a distinction Appiah fails to notice. On the one hand groups can live peacefully together or as each other's neighbors without mingling in each others internal affairs. So within one nation state groups can live together without mingling in each other's affairs. Or, nations can live peacefully together even though they are violent, cruel dictatorships. Appiah seems to be thinking of the first (*modus vivendi*) version of cosmopolitanism.

Liberals want as much pluralism as possible without violating the freedom of each individual and do not like or want to criticize cultural traditions. I do not think this is just. Take for an example homosexuality. Imagine yourself from the original position (in the universal subjectivism's version) to be a homosexual and you can end up in any given cultural tradition. Could you be neutral as to which tradition you will land? Many cultural traditions do not allow homosexual relationships, so any of these traditions can't be regarded as just because they are not universable[172].

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[170] Bertrand Russell, 'The Expanding Mental Universe' (1959), in: *The Basic Writings of Bertrand Russell.*
[171] Many cultural traditions and cultures run counter to human rights as have been listed in the Universal Declaration of Human Rights. Cultural diversity and pluralism are morally justifiable only if they do not violate the universal ethical principles – of human rights and the outcome of universal subjectivism.
[172] Social screen tests say that the percentage of homosexual humans is a given percentage of the population and is not related to culture (homosexuality is to a large extend nature, not nurture). The

Appiah is a pragmatist and an optimist. He thinks that as people will know about different cultures by travel or by reading literature, they will turn into cosmopolitans. Many fundamentalists of many different types (Marxists, Christians, Jews, Muslims, Hindus) have been highly educated and have traveled around the globe.[173] Neither knowledge nor experience seems to lead automatically to a cosmopolitan ethos of tolerance. Unfortunately.

3.1.2 A Cosmopolitan Language

Universal subjectivism has been applied mostly to help avoid victims and to increase the living conditions of those worst-off. This is the *via negativa* of universal subjectivism. There is also a positive application of the method, the *via positiva*. Wouldn't it be wonderful if every human being could communicate with every other human being? To phrase it in the jargon of universal subjectivism: Can you reasonably want *not* to be able to communicate with somebody? Cosmopolitanism depends on a *lingua franca*. The language, which is by and large the *lingua franca* of the contemporary world is English. It is for that reason this book is written in English. But English as a *lingua franca* has moral difficulties. Imagine yourself being a nonnative speaker of English: the later in life you learn the language the harder it becomes to be as fluent as a native speaker. Native speakers thus have a great advantage and privilege. This injustice can be overcome if *everyone* had to learn a second language. This language should not be a natural language,[174] which will favor native speakers. Therefore is has to be an artificial language. Esperanto[175] is such an artificial language, invented by Ludwik Zamenhof (1859 - 1917) who was an ophthalmologist, and philologist.

The ideology of a universal artificial language is appealing. Everyone has to learn only one language, apart from his or her native language. This artificial language is much easier than any natural language, because it has a logical and transparent structure. The ideology of a universal artificial language has failed and will always fail due to the Tragedy of the Commons, because what is good from the perspective of each individual is different from what is good for all individuals. A bottom up strategy for implementing a universal language will always fail, because it will be much more opportunistic to communicate in a language which is de facto the *lingua franca*.[176] A top down theory would be an option. A world government, or the United Nations, could start to use only Esperanto and give large amounts of money - for example the money that now goes in translation costs - to spread knowledge of it.

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argument would hold also when this would be otherwise. As long as there is a possibility of being gay, a society cannot be just as it will not allow these relations. It is not only institutions; it is the attitude of the people as well.

[173] For example Sayyib Qutb the main ideologue of modern Muslim fundamentalism lived in New York for two years (1948-1950). See: Jansen (1997). Khomeini lived in Paris before his Islamic revolution in Iran. Unfortunately, freedom does not always rub off on those who experience it.

[174] In theory, a dead language like classic Greek, Chinese, Sanskrit or Latin could be used: but these languages are not politically, religiously and culturally neutral. And of course these languages do not have the logical and transparent structure of an artificial language like Esperanto.

[175] An interesting cultural history of Esperanto is: Oostendorp (2004).

[176] If this book would have been written in Esperanto, it would make no sense. Any advertisement for a universal language cannot be in that language.

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3.1.3 Rawls' Pragmatically Limited Scope

Rawls' ideas of justice for the world at large appeared in *The Law of Peoples* in 1999. He addresses the problem how to create a world community of liberal and civilized peoples. He does not make his *A Theory of Justice* universal by expanding the level of ignorance in the original position by geographical contingency. He creates new levels for the original position. Level 1 focuses on the people who live in one nation - they decide for themselves from behind a veil of ignorance what their society will look like. This is in accordance with the ideas in *A Theory of Justice*. The next level is about the cooperation between countries. The decision makers in this Second original position are diplomats who decide for their nation. Behind the veil of ignorance in the second original position there is equality of the participants: the deputies of peoples. This is somewhat similar to the formal equality of the United Nations where each nation has one vote. Rawls stresses the moral equality of peoples - not individuals.[177]

Rawls speaks of peoples, not countries or nations because some peoples, like the Kurds, do not have a nation. It seems somewhat strange that a liberal switches his main concern from individuals to peoples. Rawls seems to be more pragmatic than utopian on this point. His approach to international affairs might even be branded as 'global communitarianism'. Rawls sees individuals embedded in their native culture. Individuals seem to be 'encumbered selves' (Walzer). Though it is a given fact that most people identify themselves with their native people, and not as a citizen of the world. This is a pragmatic argument, which plays a role when it comes to implement political theory into political policy. Rawls rejects the expansion of his *A Theory of Justice* because he does not think there will (ever) be 'overlapping consensus' about the principles his thought experiment theory will yield, most notably the difference argument. In practice, there will never be overlapping consensus about the principles of *A Theory of Justice*. Rawls is looking for a minimum of consensus. But it does seem hard and harsh to exclude the contingency of being born in one people (country) or another. There is no justification of being limited in one's possibilities of freedom and primary goods just because of fate. Of course (wealthy, lucky) peoples (states) won't want to give up their special privileges; therefore there won't be overlapping consensus. Is Rawls skeptical about the aim of cosmopolitan distributive justice? Rawls argues that global distributive justice would limit the zeal of people to try and make the best for themselves. This argument can be used against distributive justice within a nation as well. Why would people work hard to make money if the state takes it all by progressive income tax? Rawls opposed this libertarian argument by claiming that the difference principle is about that the least well off are better off than without the larger difference. Why can't this difference argument be used in international affairs? Of course this only works when the national states are organized as some kind of federation in a world government so that there is one single shared

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[177] Five nations (China, France, Great Britain, United States and Russia) are 'more equal than other nations'. Each of these nations that compose the United Nations Security Council has a right to veto any UN resolution. These five are the 'aristo-nations'. One of the big flaws of the UN is that even though it is a democratic institution many of its members are not.

goal. Rawls is principally a nationalist who takes a basic unit of political (and moral) social organization states, which are historically contingent. He is a well-willing nationalist, who does want peoples to have harmonious relations.[178] But a nationalist he is.

American political philosopher Robert Nozick is best known for his book *Anarchy, State, and Utopia* (1974), a libertarian answer to John Rawls's *A Theory of Justice* (1971). Nozick argues in favor of a minimal state, 'limited to the narrow functions of protection against force, theft, fraud, enforcement of contracts, and so on.' When a state takes on more responsibilities than these, Nozick argues, rights will be violated. To support the idea of the minimal state, Nozick presents an argument that illustrates how the minimalist state arises naturally from anarchy and how any expansion of state power past this minimalist threshold is unjustified. In a libertarian, minimal state, there are worst-off positions (the poor). Can you want yourself to be in such a worst-off position? The libertarian approach, as elaborated by Nozick, is a rich men's philosophy. It is a strategy of maximizing the position of those best of, because they don't have to pay high taxes that would be redistributed among the worst-off positions (poor people, unemployed).

3.1.4 Critique of Cosmopolitanism
Iris Marion Young criticizes the ideal of cosmopolitan citizenship (Young uses 'universal citizenship') as the emancipatory momentum of modern political life from a pragmatic stance: '[…] when citizenship rights have been formally extended to all groups in liberal capitalist societies, some groups still find themselves treated as second-class citizens.'[179] Young argues that universal citizenship limits individual freedom: 'The ideal of a common good, a general will, a shared public life leads to pressures for a homogenous group.'[180] The perspective of universal subjectivism, although it is strictly egotistical, will lead to pressure for a homogenous group because the outcome of the thought experiment excludes options (that is cultural traditions) which cannot be universalized. Universal subjectivism is intolerant to intolerance. Young says 'an impartial general perspective is a myth'.[181] Not many people will be able or willing to adopt such a saintly perspective. 'People necessarily and properly consider public issues in terms influenced by their situated experience and perceptions of social relations.' Exactly, that is what they should do from the perspective of the *extended* original position. But, they should also be able and willing to adopt different perspectives and then work out an optimum strategy. Of course, people will not easily be willing to perform the hypothetical social contract theory, but that is a practical problem, not theoretical.

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[178] I can't help but see some correspondence between Rawls' theory of international relations and the actual foreign affairs of the US. The US sometimes is benevolent (sometimes not), but it is their own needs that come first. The US do not have a cosmopolitan ideology. Only very small countries of insignificant power can and do have (some) cosmopolitan aspirations, such as the Netherlands.
[179] Iris Marion Young, 'Polity and Group Difference: A Critique of the Ideal of Universal Citizenship', p. 248.
[180] Ibid.: 249.
[181] Ibid.: 252.

It is not clear what kind of government polity Young has in mind that would make group interest necessary and can't be justified from the individual's perspective. To make things clear, let's make a list of groups which are or have been a topic of group rights in political discussion and try to keep in mind if these rights necessarily are group rights: women, children, homosexuals, a religion or sect, animals, apostates, atheists, freethinkers, libertines, anarchists, pacifists, creationists, transsexuals, physically handicapped, mentally handicapped, foreigners, manual laborers and workers, gypsies, ethnicity, sexually abused, crime victims, convicted criminals, the unemployed, journalists, homeless, refugees, elderly people, the poor, non-native speakers, communists/Marxists, colored people, hippies, indigenous people, immigrants and whistle-blowers.

The domain of (this) discourse is the liberal democratic state, which respects (in principle) human rights. Now, which of the above mentioned groups are discriminated against or have unequal (Rawls: unfair) opportunities within the liberal democratic state?[182] As far as I can see: only animals do not have rights. Yet. None of the other members of the above mentioned groups are (officially) discriminated against. Young argues that individuals from some groups do not have equal opportunities for career or flourishing. Women, for example, still do not participate as much as men in paid labor, and when they do, earn less than their male peers. As long as there is no public discrimination against individuals, but some groups are nevertheless under represented in the higher echelons of society, it is not the groups that should get some special rights, but individuals of those groups should be empowered by education and coaching. From liberal perspective special policies that favor worst-off individuals from different groups can be justified, but not by positive discrimination of the whole group.

Let's have a look at a specific group: Islamic immigrants and their descendants. Political policy in the Netherlands from approximately 1960 to 2000 in the Netherlands aimed to help these immigrants maintain their own culture and identity by subsidizing education in their native language as well as financing groups, societies and cultural projects. Though she does not say so explicitly, it seems that these are the kind of policies Young has in mind.[183] In the Netherlands this kind of policy has not done much good for the process of acculturation and integration. It even has had reverse effects.[184] Perhaps some people do *not* want to stay in their group. The state should always take sides with the individual, not with the group. The liberal state should guarantee an escape exit for individuals who do not want to stay in the group (identity) in which they happen to find themselves. Using the

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[182] It should be mentioned that there is a difference between liberal democratic theory in which human rights are respected and the liberal democratic states as they are for real. My basic frame of reference is the contemporary liberal democratic state of the Netherlands. From the Rawlsian perspective of justice as fairness, the Netherlands seems pretty fair to me. Among (Islamic) Dutch immigrants there seems to be much *feeling* of injustice.

[183] And, if not, what kind of multiculturalism does she have in mind?

[184] Though a minority point of view, there are plenty of critiques about multicultural policies and lack of integration of (Islamic) immigrants in the Netherlands and other North European countries: Fortuyn (1997), Vink (2001), Hirsi Ali (2002 & 2004), Bolkestein (1991), Bawer (2007), Jespersen & Pittelkow (2006).

perspective of universal subjectivism: it could be you who is the one who is incarcerated in a culture by birth with no escape exit.

Young emphasizes the importance of empowerment of groups who do not share in equal opportunities of the dominant group, while on the other side liberal theory places emphasis on the escape exit for individuals from their culture and religion. Young: 'Though in many respects the law is now blind to group differences, society is not, and some groups continue to be marked as deviant and as the other.'[185] Young has as an example of a special right to a group: maternity leave. Women have (or should) have a right to (paid) maternity leave (shouldn't fathers also be allowed some kind of fraternity leave?). I do agree with Young, but I do not think this is in contradiction with liberalism's ideal of universal citizenship. Let's take the perspective of universal subjectivism. From the original position one can imagine to be either man or woman and being a parent. In taking the perspective of a woman, one would like to have paid maternity leave. Although maternity leave concerns only a limited group, it can be universally justified. From the perspective of the newly born, it can be argued that the newborn needs a good start, which his or her caretakers can provide him or her with. When the child is nursed, it will have to be the mother to take care of that aspect of caring. The same reasoning can be done for special arrangements for physically handicapped people.

In order to get clear the difference between Young's plea for a policy of group difference versus universal citizenship, it is helpful to distinguish between differences, which are a contingency of nature versus those differences, which are a contingency of culture. Contingencies of nature (race, gender, age, et cetera) can be taken into account from the original position. But what about the contingencies of culture? For example, a dialect. If you happen to speak a dialect which is considered by the dominant group to be backward and therefore you are limited in your career opportunities. From the original position you could imagine to come in such a position. What would you do? One option is to make sure school education helps to overcome your dialect; at least you should be able to speak without dialect as well.[186]

Young wants to institutionalize group differences in the liberal democratic state, to give a voice to the socially oppressed. I do not think this institutionalization can be justified top down, but it can from the bottom up. Within a democratic state, groups of individuals can associate themselves and make their wishes known or even participate in elections. Young wants a participative democracy, but it seems unlikely that one of her requirements can be met: 'Members of the group must meet together in democratic forums to discuss issues and formulate group positions and proposals.'[187] This procedure will have a chance in an organization of homosexuals in Amsterdam (like the COC, the Dutch Lesbian, Gay, Bisexual and Transgender organization[188]), but is unlikely to happen in an organization of Muslims in Western

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[185] Young, in Matraves (2003: 232).
[186] It would even be better if everyone spoke a neutral artificial language like Esperanto. See the paragraph on Esperanto.
[187] Young, in Matravers (2003: 231).
[188] www.coc.nl: 'Since its foundation [in 1946], COC has been instrumental in bringing about considerable social and legal changes for gays and lesbians in the Netherlands and abroad. As one of the

nations who do not even recognize equal rights for women, apostates and homosexuals. From the viewpoint of universal subjectivism some cultural traditions are not universable. Young does not make this distinction and her willingness to help the socially oppressed could lead to further oppression of individuals within the group, like women within groups of Muslims – which is exactly what happened in the Netherlands.

Young's perspective and concern for the oppressed can be incorporated within the universal subjectivism's version of liberal theory, *but it is oppressed individuals, not groups that count.* In the original position one should imagine oneself to be in the worst-off position, whatever that may be. Although this perspective is strictly individual it can justify a lot of social policy for special requirements for specific needs.[189]

3.1.5 Beyond *Rootism*

This is the view on education of the Jesuits: 'If I have the teaching of children up to seven years of age or thereabouts, I care not who has them afterwards, they are mine for life.'[190] Richard Dawkins reasons that children should be free from religion: 'There is something breathtakingly condescending, as well as inhumane, about the sacrificing of anyone, especially children, on the altar of 'diversity' and the virtue of preserving a variety of religious tradition.'[191] A cosmopolite is an autonomous agent, who is, in principle, free and able to make rational and reasonable decisions, however limited, on the basis of objective, honest information. A person should be able to choose his or her own outlook on life and pursue happiness to his or her own liking. Freedom and liberal, scientific education are a necessary prerequisite for a cosmopolitan outlook. From this it can be concluded that children should not be convicted to a narrow-minded outlook on life which is forced upon them by their parents and social group.

Belgian humanist philosopher Etienne Vermeersch argues that children should not be subjected to the cultural roots of their parents. To indoctrinate children with a narrow-minded ideology or religion by limiting their knowledge and to inculcate them with irrational taboos and rules can do them psychological damage. A liberal education is not the same as an education in a limited ideology or religion, because liberalism is fallibilistic and open to criticism, whereas most ideologies and all religions are not.[192] It is a practical problem for political liberalism to cope with the problem of 'rootism', because the state should interfere as little as possible with private matters. When there is a clash between individual rights (i.e. rules that can be

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largest lesbian and gay organizations in the world, COC is devoted to a society which does full justice to each individual irrespective of sexual preference.'

[189] In the Netherlands, especially government employees, have fringe benefits that can be tailored to one's specific needs.

[190] Humphrey (2002: 297).

[191] Dawkins (2006: 330).

[192] The argument is parallel to the argument that atheism, humanism and liberalism are fundamentalist ideologies. Philosopher Herman Philipse has written a short treatise showing that the fundamental difference between religious fundamentalism and philosophical notions of liberalism, humanism and atheism is that the latter are open and fallible systems, which do not accept authority nor dogma. Philipse (2005).

derived by universal subjectivism) and the freedom of parents to raise their children as they want, the state should protect the weakest, the children. 'Children, of whatever origin, have the right to be raised in such a way that the future is fully open. [...] Nobody has an ethical obligation for loyalty to a nation, descent, culture or religion *of their parents*.'[193] Government financed secular public schools, without religious indoctrination, is a possibility for children to break free from their parents' ideology and way of living. You cannot reasonably want to be raised and educated with blinkers. From the original position no one would opt for a strict religious upbringing no matter if it is Jewish, Mormon, Catholic, Hindu, Muslim, Jehovah's Witnesses, or communist for that matter, because political communism has a tendency to make truth subordinate to ideological interests.

Nussbaum's capabilities approach coincides with universal subjectivism in giving priority to the individual above the group or family. Her 'capability nr. 9' states: 'The family should be treated as a sphere that is precious but not "private."'[194] Nussbaum pays special attention to the position of women and girls within families: 'But the protection of the human capabilities of family members is always paramount. The millions of girl children who die of neglect and lack of essential food and care are not dying because the state has persecuted them; they are dying because their parents do not want another female mouth to feed (and other dowry to pay), and the state has not done enough to protect female lives.'[195] In a different place Nussbaum draws attention to the institute of the family, which should not be excluded from moral inquiry: '[…] the family is one of the most nonvoluntary and pervasively influential of social institutions and one of the most notorious homes of sex hierarchy, denial of equal opportunity, and also sex-based violence and humiliation. These facts suggest that a society committed to equal justice for all citizens, and to securing for all citizens the social bases of liberty, opportunity, and self-respect must constrain the family in the name of justice.'[196]

Dawkins argues that children should never be labeled as being religious. The public consciousness about this should be raised. 'The very sound of the phrase 'Christian child' or 'Muslim child' should grate like fingernails on a blackboard.'[197] Dawkins compares this with the public awareness of sexist speech for which the public consciousness has been raised due to feminism. In recent years there has been a shift in public opinion and consciousness about smoking and especially about passive smoking. Another shift in consciousness, which is now taking place, is the attitude towards vegetarianism. Vegetarians used to be regarded as social outcasts. Ten years ago in the Netherlands in restaurants hardly any vegetarian meal was served. Presently most restaurants serve some vegetarian dishes. Of course, the consciousness should be raised further till vegetarian (even better: vegan) meals available are the standard. I will come to that in my section on animals.

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[193] Vermeersch, 'Over de multiculturele samenleving' in: *Schepping, wereldbeeld en Levensbeschouwing*, p. 222 [translated by FvdB].
[194] Nussbaum (2006: 480).
[195] Ibid.: 481.
[196] Martha Nussbaum, 'Rawls and Feminism', p. 500, in: Freeman (2003).
[197] Dawkins (2006: 338).

3.1.6 An Intellectual and Social Dungeon[198]

'We ourselves live in a society where most adults – not just a few crazies, but most adults – subscribe to a whole variety of weird and nonsensical beliefs, that in one way or another they shamelessly impose upon their children.'[199] Thus writes Nicolas Humphrey in his Oxford Amnesty-lecture. Can you in the original position *not* care about what kind of 'weird and nonsensical beliefs' your parents 'shamelessly impose upon you'? Social research has shown that education in childhood has a lasting impression on the character of a person. '… the effects of *well*-designed indoctrination may still prove irreversible, because one of the effects of such indoctrination will be precisely to remove the means and the motivation to reverse it.'[200] A.C. Grayling remarks: 'For the continued existence of religions is largely the product of religious education in early childhood – itself a scandal, since it amounts to brainwashing and abuse, for small children are not in a position to evaluate what they are taught as facts by their elders.'[201]

It is not an option to say (like multiculturalists) that children should be raised in whatever bigoted cultural tradition their parents wish, and that the child can choose when he or she is of age whether or not to continue in that tradition. Amartya Sen is opposes faith-based schools: 'It is unfair to children who have not yet had much opportunity of reasoning and choice to be put into rigid boxes guided by one specific criterion of categorization, and to be told: "That is your identity and this is all you are going to get."[202] By the time you finish school, the damage is done: you cannot make a well-informed choice and you might have suffered injury (physically as well as mentally, by being shielded from knowledge). Religious and authoritarian upbringing is a form of brain washing. Can you reasonably want not to have an education based on the principles of reason? Can you want to be brain washed? Do parents and educators have a right to enforce ignorance on children? Humphrey is worried about 'communities where the situation is arguably much worse: communities where not only superstition and ignorance are even more firmly entrenched, but where this goes hand in hand with the imposition of repressive regimes of social and interpersonal conduct – in relation to hygiene, diet, dress, sex, gender roles, marriage arrangements, and so on. For example, of the Amish Christians, Hasidic Jews, Jehovah's Witnesses, Orthodox Muslims, or, for that matter, the radical New Agers: all no doubt different from the other, all with their own particular hang-ups and neuroses, but alike in providing an intellectual and cultural dungeon for those who live among them.'[203] Anthropologist Donald Kraybill, quoted by Humphrey, studied Amish culture in the United States and gives his view about the indoctrination of the young: 'Groups threatened by cultural extinction must indoctrinate their off spring if

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[198] Hitchens devotes one chapter about the influence of religion on education: 'Is Religion Child Abuse?' in Hitchens (2007). After reviewing many horrible and widespread practices and taboos of many different religions it won't come as a surprise that Hitchens answers 'yes' to his initial question. It is hard to disagree.

[199] Humphrey (2002: 295).

[200] Ibid.: 301.

[201] Grayling (2004: 94).

[202] Sen (2007: 118).

[203] Humphrey (2002: 296).

they want to preserve their unique cultural heritage.[204] Socialization of the very young is one of the most potent forms of social control. As cultural values slip into the child's mind, they become personal values[205] embedded in conscience and governed by emotions … The Amish contend that the Bible commissions parents to train their children in religious matters as well as the Amish way of life … An ethnic nursery, staffed by extended family and church members, moulds the Amish worldview in the child's mind from the earliest moments of consciousness.'[206]

Political philosopher Brian Barry quotes the official Amish doctrine about children and their education: 'In the eyes of the Amish, children do not belong to the state. They belong first to God, then to the parents, and then to the church through their parents.'[207] Humphrey is concerned about the blind spot in our society that makes us tolerate intolerance: 'We do live – even in our advanced, democratic, Western nations – in an environment of spiritual oppression, where many little children – our neighbor's children, if not actually ours – are daily exposed to the attempts of adults to annex their minds.'[208]

Groups with a strong religious identity try to shield their members from the rest of society. The Amish people in the US interact only minimally with the other citizens. Their culture is a prison for individuals who happen to be born into that culture. 'The Amish […] survive only by kidnapping little children before they can protest.'[209] In the 1960's Amish young men had to serve military draft. After two years many did not want to return to their hometowns. When these young men where confronted with other social traditions, they choose to defect.

Humphrey compares the case of female circumcision with religious indoctrination: 'Given the fact – I assume it is a fact – that most women who were circumcised as children, if they only knew what they were missing, would have preferred to remain intact. Given that almost no woman who was not circumcised as a child volunteers to undergo the operation later in life. Given, in short, that it seems not to be what free women want to have done to their bodies. Then is seems clear that whoever takes advantage of their temporary powers over a child's body to perform he operation must be abusing this power and acting wrongly. […] if this is so for bodies, it is the same for minds.'[210] If people would not voluntarily take up a faith, Humphrey argues, if it 'is not a faith a freethinker would adopt'[211], then it should not be imposed on children by their parents, guardians or community. Humphrey proposes a test for whether or not a belief system can morally defensibly be taught to children: '*only* if we know that teaching a system to children will mean that later in life they come to hold beliefs that, were they to have had access to alternatives, they would *still* have chosen for themselves, only then can it be morally allowable for

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[204] Cf 'social and intellectual dungeon'.
[205] This is what people call 'identity'.
[206] Kraybill (2001: 218).
[207] The whole concept of 'belonging' is something, which does not fit in with universal subjectivism: people do not belong to anyone. Kraybill (2003: 178).
[208] Humphrey (2002: 298).
[209] Ibid.: 307.
[210] Ibid.: 303.
[211] Ibid.: 303.

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whoever imposes this system and chooses for them to do so. And in all other cases, the moral imperative must be to hold off.'[212]

This test is like Ockham's razor – i.e. Humphrey's razor – for many belief systems and cultural traditions. When put to the test, only liberal belief systems would pass the test. It would be the end of almost all religious education – liberal Unitarianism and perhaps Alevitism (a liberal branch of Islam) would perhaps pass the test.

Humphrey's test is almost alike to universal subjectivism. In Humphrey's test one has to imagine if a person who has knowledge of the alternative would voluntarily choose to be brought up in the belief system that is put to the test. Universal subjectivism adds the hypothetical perspective, which makes it easy to imagine the test for yourself: would you choose the risk to be born in an Amish community? Humphrey's test limits the amount of cultural diversity. Cultural diversity does not have any value in itself. It is individuals who matter, not groups, nor cultural diversity. It is decadent to plea for cultural diversity if you are not prepared to change positions. When you say that cultural diversity has intrinsic value (as many anthropologists seem to believe), you have to be prepared to change positions with any of those cultural diverse traditions that you cherish – try for example the Dowayo people in the mountains in North Cameroon.[213] Some western new-agers flirt with non-western traditions. But they take only what they like. If you adore the Aboriginal way of life, you should be willing to change position with any of the aboriginals, not only the head man, but also those worst-off. If you flirt with Islam, you should change positions with a homosexual born in a Muslim family. 'We must not do it here [in the case of the Inca girl who was sacrificed], nor in any other case where we are invited to celebrate other people's subjection to quaint and backward traditions as evidence of what a rich world we live in.'[214]

Unfortunately, Humphrey's perspective is speciesistic, because he excludes non-human animals. But is seems natural to expand Humphrey's test to include non-human animals, like factory farm animals. I quote Humphrey, expanding his idea by including factory farm animals: 'Given, in short, that is seems clear that whoever takes advantage of their temporary power over a child's body[215] to perform the operation [like the castration of pigs without anesthetics] must be abusing this power and acting wrongly.'[216] Factory farm cows would not choose to live under the circumstances they are kept, if they were given a choice. If you let a cow choose between a lush meadow and a dark cowshed, it will not voluntarily choose for the cowshed. And that is Humphrey's point: if an individual (or, better, a sentient being capable of feeling pain) does not voluntarily choose some way of living that is being forced upon them by humans, it is immoral.

It is free choice that is the standard. Children are subjected to the authority of their parents and guardians and because of their immaturity are less able to make a free choice. Stephen Law makes a brilliant *Gestalt* switch: instead of talking about

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[212] Ibid.: 304.
[213] Barley (1983).
[214] Humphrey (2002: 306).
[215] That is: the bodies of factory farm cows, chickens, et cetera.
[216] Humphrey (2002: 303).

children, he refers to children as 'young citizens in your care.'[217] The standard of free choice could also be used *post hoc*: if Amish young men, who have been in contact with the outside world, choose to defect, this is a *post hoc* free choice that they would have preferred not to be brought up in the narrow culture of the Amish.[218]

Humphrey pleads for global compulsory scientific education to prevent that children are being subjected to a 'social and intellectual dungeon. The scientific outlook is special and superior to any belief system: 'I think science stands apart from and superior to all other systems for the reason that it alone of all the systems in contention meets the criterion I laid out above: namely, that is represents a set of beliefs that any reasonable person would, if given the chance, choose for himself.'[219]

Philosopher Anthony Flew defends the same position in his 'Against Indoctrination': '[…] parents (and others) have no moral right to indoctrinate (or to arrange for other people to indoctrinate), their (or any) children in a religious (or political) creeds of the parents' (or anyone's else's) choice. […] the onus of proof must lie on the indoctrinator to justify his practices, if he can. […] states – whatever their duties of toleration – have no right, much less a duty, to provide […] positive support for indoctrination.'[220] Flews elaborates on what he means with indoctrination: 'Indoctrination consists of implanting, with the backing of some sort of special authority, of firm conviction of the truth of doctrines either not known to be true or even known to be false.'[221] Importantly, Flew succinctly explains why it is immoral to indoctrinate, even if it would be with the best intentions: 'to indoctrinate a child is to deprive it, or at least to try to deprive it, of the possibility of developing into a person with the capacity and the duty of making such fundamental life-shaping judgments for himself, and according to his own conscience; and if anything is an assault on the autonomy and integrity of the human person this is it.'[222]

Parents do not have a right to use their children's minds and bodies at their own disposal. Parents have duties towards the young citizens in their care. Children have a right not to be indoctrinated, and many more rights. Children are young individuals under parental care. Neither the family, nor the group should be a mental or physical prison. Education is about helping young citizens to become autonomous free individuals.

3.1.7 Children Should Be Free From Religion

'Children should be brought up without allowing religion to influence them. […] Children should not inherit religion. […] Superstitions should not be taught under any circumstances.' These quotes from *Forced into Faith. How Religion Abuses Children's Rights* summarize the essence of Indian secular humanist thinker Innaiah Narisetti's appeal to free children from the bondage of religion imposed by parents and the social community. Imposing religion upon children is child abuse. In his

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[217] Law (2007: 35).
[218] People could also say: 'I would rather have been brought up in a wealthy upper class family'. Social justice is – in Humphrey's model – not under consideration.
[219] Humphrey (2002: 313).
[220] Anthony Flew, 'Against indoctrination', in *The Humanist Outlook,* p. 79-80.
[221] Ibid.: p. 80.
[222] Ibid.: p. 86.

succinct book Narisetti cuts to the heart of a much-neglected problem: the education and upbringing of children. For liberals this is considered mostly to be a private matter and therefore not a topic for moral concern. But this is a grave mistake. Liberalism (and humanism) should take the individual as its core value. No individual has the right to limit the freedom of other individuals. Children are not the property of their parents. Parents have no right to force their children into their faith. Education, and upbringing[223], should be free from religion. Education can be secular by facilitating compulsory public education (*political secularism*); upbringing should be secular as well, but the state is limited to enforce this (*moral secularism*). There should be a widespread consensus that it is immoral to speak of religious children, just as it is immoral to speak of a child as belonging to a political party of ideology. Narisetti highlights evils done in name of religion by examples taken from Christianity, Islam, Judaism, Hinduism and Buddhism. The documentary *Jesus Camp* (2006) also comes to mind. This documentary is about a summer camp in the US that brainwashes children by instilling a frightful fear of god and Satan using obnoxious propaganda methods. Narisetti's moral beacon is the *Charter of Rights of Children* (1989). On paper the rights of children seem to be well protected, but alas, as with so many things, there is a seemingly unbridgeable gap between promises and reality. What is needed is a cultural *Gestalt* switch about children: children are not property, but individuals who have rights, like the right to good (science based) education that includes education about human rights and the equality of women and men, heterosexuals and homosexuals. Religion is a big obstacle for securing the rights of children worldwide. Laws that protect religion, like the First Amendment in the US (especially the Free Exercise Clause: 'Congress shall make no law respecting an establishment of religion, *or prohibiting the free exercise thereof*'), are used as an escape for those who violate human and children's rights claiming that it is their religion. Religion should not be a hide out for injustices and evil. Narisetti doesn't say it out loud, but it seems that religion should have the status of a personal opinion and a hobby[224], and not a privileged status that can be used to subject women and children. We all should be much more careful to protect the rights of children and not be put off by the smokescreen of religion. Narisetti remarks drily: 'We cannot expect religions to condemn themselves. It is like handling our house keys to a thief with a request to stand guard.' To remain silent about the injustices done to children in the name of religion is immoral.

It is an inconvenient liberal paradox: how to handle intolerance without resorting to intolerant means? Religious parenting and education limit children's freedom and expose them to falsehoods. Ignoring this tension between parents and children can lead to the subjection of children to closed-minded, illiberal parents. When one would argue that parents have a right to impose whatever nonsense they believe on their children and instill them with irrational taboos, then tolerance means tolerating intolerance. When there is awareness about the vulnerability of children, the question is: what to do about it? For secular humanists, totalitarian means are off limits, but nevertheless we should try to secure the freedom of individuals, including

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[223] McGowan (2009).
[224] See Van den Berg (2009).

children. There should be compulsory secular, science-based state-run education so that all children are equally free to learn about the world and objective knowledge disseminated about religions. Homeschooling, which often is an excuse for religious indoctrination should be forbidden.

It is hard to monitor family life, and the state should not try to do that (except in brutal cases of, for example, (female) circumcision), but there should be a cultural *Gestalt* switch that is thrown when people say they raise their children religiously. It is not religion that should be respected but the freedom (and well-being) of individuals, including children.

According to biologist E.O. Wilson: 'It is not so difficult to love non-human life, if gifted with knowledge about it.'[225] Education should provide knowledge about (non)human life. Youngsters should be encouraged to watch David Attenborough's magnificent BBC television series about the natural world.[226] Knowledge about different (cultural) life styles could make it easier for people to tolerate and perhaps respect them (in so far as the positions are interchangeable). In addition to Attenborough, we could watch (and enjoy) Michael Palin's BBC series traveling around the world and focusing on local culture. Knowledge about the world helps to broaden the moral circle.

3.1.8 A Blind Spot in Liberal Democracies: Muslim Women
The wealthy liberal democracies of the western world are to a large extent open societies in which social justice has been improved during the last decades due to emancipation movements and the welfare state. The living standards and freedom of expression for women, homosexuals, nonreligious people, mentally and physically disabled have been improved tremendously. But there remain several blind spots in western societies. Due to the increase of wealth and the modernization of farming, the living conditions of farm animals decreased. I will deal with that later.

Dirk Verhofstadt, Ayaan Hirsi Ali[227], Phyllis Chesler[228], Bruce Bawer[229] among others focus on a blind spot in western liberal democracies: the fate of women and children of Islamic descent who are subjected to mental and physical violence. Chesler speaks of 'Islamic gender apartheid'. Verhofstadt analyzes the problem of intolerant communities in a liberal and tolerant society. In his book *De Derde Feministische Golf* ('The Third Wave of Feminism'*)* Verhofstadt interviewed six women who all have been raised Muslim, and who have lived a long time in western societies (five of them in the Netherlands, Irshad Manji[230] in Canada). All six women have liberated themselves from their narrow minded back ground. Only Ayaan Hirsi Ali[231] has become an outright atheist, the other five consider themselves liberally religious. These women all have published, fiction and nonfiction, about the

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[225] Wilson, *The Future of Life,* p. 134.
[226] The uncut version, not like the one broadcasted in 2007 by the Dutch Evangelical Broadcast Company ('Evangelische Omroep') in which all references to evolution were removed.
[227] *Infidel*
[228] *The Death of Feminism*
[229] *While Europe Slept*
[230] In *The Trouble with Islam* Irshad Manji pleads for liberal reform of Islam.
[231] See her autobiography *Infidel.*

subjection of women in the Muslim community. Hirsi Ali has written two concise volumes of essays, which powerfully analyze the tragic position of Muslim women and girls in Dutch society[232] Hirsi Ali and the other interviewees give a voice to unheard cries. Their writings show a blind spot in western societies. There is all whole list of problems: arranged marriages (usually young girls with elderly men), dowries, female genital mutilation, physical and mental violence, sexual abuse.

In many cultures, including Somalia, women are not equal to men. No man would want to change positions. Hirsi Ali describes the way women are supposed to behave in Somalia: 'A women who is *baarri* is like a pious slave. She honors her husband's family and feeds them without question or complaint. She never whines or makes demands of any kind. She is strong in service, but her head is bowed. If her husband is cruel, if he rapes her and then taunts her about it, if he decides to take another wife, or beats her, she lowers her gaze and hides her tears. And she works hard, faultlessly. She is a devoted, welcoming, well-trained work animal. This is *baarri.*'[233] Can you voluntarily choose to be *baarri*?

The point of this study is that you cannot want yourself to be in the position of these women. Social and political institutions therefore should help these women. And, though in practice hard to do, these cultural practices should change fundamentally. Verhofstadt pleads in his concluding essay for a change in cultural attitude: instead of being labeled with a small religious identity, he recommends a cosmopolitan humanist outlook in which the individual, protected by rights, takes the central place. Verhofstadt pleads for a third wave of feminism which takes seriously the individual rights of women, including Muslim women in order to help them break free from the shackles of their social (religious) group.

'Cosmopolitan humanists see themselves and others not as a member of a specific nation, a specific group, or a single religion, but above all as citizens of the world. Cosmopolitan citizenship takes some fundamental values as universal and equal for everybody: the freedom of expression, the separation of church and state, the right to self-determination and the equality of all humans. […] The right of individuals prevails over the rights of groups, even if they are contrary to customs and traditions.'[234] Of course, the injustices done to women in Islamic societies as Afghanistan and Iran[235] are on a much larger scale than what happens inside subcultures in western societies. Literature helps to bring to attention the injustices and atrocities committed in these countries. See for example Azar Nafisi's *Reading Lolita in Teheran,* Roya Hakakian's *Journey from the Land of No*, and Khaled Hosseini's *The Kite Runner* (which has been turned into a movie). These books '[…] all describe the savage curtailment of private life and thought – and of life itself – by radical Islamists.'[236]

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[232] *De zoontjesfabriek* ['The Sons Factory'], *De maagdenkooi* ['The Virgins' Cage'].

[233] Hirsi Ali, *Infidel,* p. 12.

[234] Verhofstadt, p. 221 [translated by FvdB].

[235] Political activist from Iran Mina Ahadi points out the dangers of religious involvement in political affairs. She stresses the importance of secularism. She also established the German Central Council of Ex-Muslims. See, for example: http://en.wikipedia.org/wiki/Mina_Ahadi.

[236] Books and quote from Phyllis Chesler, *The Death of Feminism,* p. 57.

3.2 Mentally and Physically Handicapped

'Children and adults with mental disabilities are citizens. Any decent society must address their needs for care, education, self-respect, activity, and friendship,'[237] writes Nussbaum. Many modern (Rawls, Gauthier) and pre-modern (Locke) social contract theorists envisioned rational autonomous agents to be deliberating on the content of the social contract, i.e. 'free, equal, and independent' (Locke), or 'fully cooperating members of society' (Rawls).[238] This does not leave room for mentally disabled persons. Gauthier even thinks that there is a problem in social contract theory for physically disabled persons because they 'have not paid their benefits by productive activity.'[239] 'The primary problem is care for the handicapped. Speaking euphemistically of enabling them to live productive lives, when the services required exceed any possible products, conceals an issue which, understandably, no one wants to face.'[240] In other words, the disabled only cost money and do not make (enough) money. Why should others pay for their expenses? Mentally disabled persons can not partake in the deliberation on the social contract and physically disabled cannot be productive to contribute to society, therefore Gauthier excludes them from participation in the making of the social contract: 'Such persons are not party to the moral relationships grounded by a contractarian theory.'[241] This classical notion of social contract theory is a straightforward version: a group of working men sits around a table and decides together, what institutions society should have.[242] Nussbaum states: 'Children and adults with mental disabilities are citizens. Any decent society must address their needs for care, education, self-respect, activity, and friendship.'[243]

Yes, but why? What is a compelling reason to include (mentally) disabled within the scope of morality or the social contract? Nussbaum argues for her 'capabilities approach', which starts from the conception of the person as a social animal and each person being endowed with dignity. Libertarians will not be persuaded by her argument, because libertarians believe they are entitled to their income and see no reason why the state, or any institution, should be allowed to take that from them. Libertarians want to decide for themselves whether or not to support or share.

Moreover, dignity is a theological-metaphysical notion, which can not be of any use in moral philosophy because there is no human dignity[244]. Dignity is not in

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[237] Nussbaum, *Beyond the Social Contract,* p.420.

[238] Nussbaum, p. 420.

[239] Gauthier, *Morals by Agreement.* Cited from: Nussbaum, *Beyond the Social Contract,* p. 418.

[240] Ibid.: 418.

[241] Gauthier, p.18, in: Nussbaum, p. 435. 'Such persons' refers to those who are disabled in such a way that they are not able to contribute economically to society.

[242] Before there was universal suffrage, suffrage was restricted to men who earned some amount of money. The idea was that only people who had money could make responsible decisions. Women were denied suffrage because they did not earn enough money and they were considered mentally unstable ('mentally disabled'). In western democracies suffrage includes the unemployed, women and physically disabled, only (severely) retarded people are excluded. Some social contract thinkers still are not used to the idea of universal suffrage.

[243] Nussbaum, p. 420.

[244] According to *Oxford Advanced Learner's Dictionary* dignity is: 'quality that earns or deserves respect; true worth.' But why would humans earn or deserves respect? Why do humans have true worth?

nature, but is a category of moral thinking. People make or create dignity, just as they make laws.

Nussbaum suggests taking physical disability into account in the original position: 'So: let the parties in the original position not know what physical disability they may or may not have. Then, and only then, will the resulting principles will be truly fair to people with disabilities.'[245] It is of course possible to take mental disability in account in the original position as well. From the original position one should imagine the possibility to come in any existence. The universal subjectivist approach goes beyond the social contract. People able to make rational empathetic deliberation create the institutions for a well-ordered just society. For example, most mental asylums are humane institutions designed for the benefit of the mentally retarded without their consent. The same should be true for the design of farms on which the needs of animals should be taken seriously (see next paragraph).

Because Nussbaum focuses of disabilities, she brings into focus the needs of the people who take care of others. Care taking is in many economically minded liberal democracies not highly esteemed and at least not well rewarded. Nussbaum brings in a new group of people within the domain of ethical consideration: 'A just society, we might think, would also look at the other side of the problem, the burdens on people who provide care for dependents. These people need many things: [1] recognition that what they are doing is work; [2] assistance, both human and financial; [3] opportunities for rewarding employment and for participation in social and political life. This issue is closely connected with issues of gender justice, since most care for dependants is provided by women. Moreover, much of the work of caring for a dependant is unpaid and is not recognized by the market's work. And yet it has a large effect on the rest of such a worker's life.'[246]

Not only are those with a disability in a worst-off position, paradoxically, and shamefully, those who take care for them happen to be in a worst-off position as well, at least comparatively, because if these caretakers could have used their time for a different career, they would have earned (more) money and even more respect and status. Care, in our society, is not in high esteem.

As an example of literary books which can help as consciousness raisers, which can contribute to organize society in order to facilitate. In Mark Haddon's *The Curious Incident of the Dog in the Night-Time* (2003) the main character, Christopher Boone, is fifteen and has Asperger syndrome. This is a wonderful book, which shows vividly the worldview of a person with Asperger syndrome. The book contributes a lot to the social understanding of Asperger syndrome, which will hopefully lead to help people with a mental impairment like this to live a decent life in society. Books, like *An Anthropologist on Mars* and *The Man Who Mistook his Wife for a Hat,* by neurologist Oliver Sacks about people with mental disabilities are also enlightening and fascinating. These books expand one's imaginative horizon. Reading can broaden the imagination.[247] In his historical novel *De grote wereld* (2006) ['The Big

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[245] Nussbaum, p. 432.
[246] Nussbaum, *Frontiers of Justice,* p. 100.
[247] Or severely limit it, if you stick to a very small section of books, like fundamentalists who tend not to read outside their ideology. Fundamentalism is a life devoid of curiosity.

World'] Dutch author Arthur Japin brings to life a forgotten episode of social history: the fate of small people, or midgets. Before World War II several circuses of midgets traveled through Europe, to make a living by being laughed at and even thrown around. These small people were social outcasts. Imagine yourself being four feet tall, and an outcast.

In his book *Happiness* Richard Layard points out a blind spot in welfare states: 'In the West the most miserable group of people are the mentally ill. We know how to help most of them, but only about a quarter are currently in treatment. We owe them better.'[248] Layard points out that psychiatric drugs and cognitive therapy can help: 'Psychiatry should be a top branch of medicine, not one of the least prestigious.'[249] Layard's point is an example of how universal subjectivism can be used: *if* it is the case that the mentally ill are the most miserable group – in my vocabulary: in the worst-off position - in our societies, *then* there is a moral obligation to try to improve their condition. If this is the case, then psychiatry should be a top branch of medicine. The example shows that if there is a blind spot, as with the mentally ill, then we should try to improve their condition. The modularity of universal subjectivism enables it to test any worst-off position. If someone comes up with a new worst-off (or just bad) position, then again there is a moral obligation to try to improve this position. This moral obligation comes from the fact that hypothetically you yourself could be in any of those worst-off positions. It could be you who is mentally ill and not treated as good as is possible.

3.3 Non-human Animals

3.3.1 Beyond Speciesism

In mainstream (academic) ethics and especially political philosophy animal ethics and environmental ethics are mostly ignored. A fine example of this is the work *Justice. What's the Right Thing to Do?* (2009), by the eminent political philosopher at Harvard University, Michael Sandel. In this book the central questions are concerned with 'doing the right thing'. However, there is nothing in the book on non-human animals, the environment and future generations. Another contemporary eminent political philosopher is Amartya Sen who published in 2009 his book *The Idea of Justice,* which he dedicated to John Rawls. In his book of 468 pages, only one paragraph is devoted to environmental issues: 'Sustainable development and the environment'.[250] Sen does not deal with non-human animals, and hardly with future generations.

Alasdair Cochrane writes in his *An Introduction to Animals and Political Theory* about why many philosophers do not want to expand the moral circle to include non-human animals:

> While the issue of whether justice is owed to animals may no longer be considered entirely absurd, it is nevertheless still considered as something of

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[248] Layard (2005: 231). See chapter 13 'Do drugs help?'.
[249] Ibid.: 233.
[250] Sen (2010: 248-252).

an oddity by many political theorists. This neglect of the animal issue by most political theorists, however, is hardly surprising. After all, political theorists work within and are informed by the societal norms and values of their day, and it is clear that the norms and values of most modern societies have little regard for the interests of animals. It is common to hear that concern for animals is somehow childish, emotional or trivial. Our ethical concern and energies, we are often told, are better directed towards the real harms suffered by human beings, because it is humans and humans alone that are of ultimate ethical importance. Given that political theorists want to be taken seriously, both as academics and as commentators on the pressing political issues of the day, it is little wonder that so few have dared to turn their attention to issues as allegedly trivial as the protection of animals.[251]

Why do humans treat non human animals differently (=worse) than human animals? Why do we breed chicken on immense scale under horrible circumstances, kill them and eat their flesh, but why don't we breed human animals for meat? Peter Singer has pointed out that there seems to be no reason to justify our cruel treatment of animals. Singer calls this speciesism: discriminating non-human species. According to Singer, because animals have the capacity to experience pain and pleasure, it is wrong to maltreat these creatures on purpose for trivial (gustatory) reasons. Singer is a utilitarian. He can weigh interests. Because animals have a smaller range of experience then most human animals, when there is a conflict between animals and humans, this difference should be taken into account. The reason why it is wrong to inflict pain on animals is because they suffer: 'It is wrong to kick me [or a dog/cow/chicken/sentient being], not because I am white, male, and human, but because it hurts.'[252]

There are two books, which have been especially influential in sparking the animal rights movement. The first one is Peter Singer *Animal Liberation* (1975) in which he argues that it is wrong to inflict pain on creatures that can experience pain. And Singer applies his philosophical conclusion on the current treatment of animals in industrial animal farming and testing on animals. This is applied ethics. 'When it comes to our treatment of non-human animals, our mathematics does not have to be sophisticated to see how much of what we do harms them [non-human animals] more than it benefits us'.[253] 'Speciesism provides the explanation for the pervasiveness of our blindness with respect to the treatment of animals. Many of our practices persist only because we do not give the interests of animals equal consideration. We discount their suffering or ignore it all together. In many cases, animals are almost entirely invisible from our moral deliberations. But once the prejudice of speciesism is overcome, we see that what we do to non-human animals is justified only if we are willing to do the same thing in the same circumstances to human beings as well. Most of us would rightly recoil in horror at such a thought.

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[251] Cochrane (2010: 146).
[252] Ibid.: 112.
[253] Ibid.: 115.

[…] many of our practices with respect to animals cannot be justified from a non-speciesist point of view. And that is to say, they cannot be justified at all.'[254]

The other book is Tom Regan's *The Case for Animal Rights* (1983). These two books are philosophically completely different, but their conclusion and application is much the same. Jamieson clarifies the different approaches schematically. Singer is a utilitarian. Regan is a Kantian who believes in absolute rights. Singer's moral criterion is sentience, for Regan it is 'subject of a life' (this covers at least a large part of the mammals). Regan is an absolutist about moral rules; Singer is not.

Regan defends the sanctity of human life and he extends this sanctity to some other animals using as his criterion the 'subject of a life', a weakened version of Kant's conception of a person as an autonomous rational being. If Regan is right, then some non-human animals, like cows, have equal inherent value as human animals, and thus have rights.[255] Slaughtering a cow then is first-degree murder. Applying Regan's view to society makes most people accomplices to continuing unabashed genocide. One wonders if Regan has many meat-eating friends.

Jamieson writes that 'Each year, globally, about 45 billion animals are killed for food.'[256] Pause a minute and think about the number of 45 billion animals. That is more than six times the population of human animals. Each year. Jamieson refers to the website www.meat.org[257] which vividly depicts what factory farms are like. It is unbelievable that this is happening. There is an economic logic: people want cheap meat and this is how to produce cheap meat. If a farmer produces more expensive meat by being friendlier to his animals, most people prefer the cheaper meat. Economics does not include ethics. The gap between knowledge and action - which is motivation – is the difference between philosophy and activism. Should philosophy not also be concerned with how to change people's behavior? 'Whatever reservations one may have about factory farming in an environmental ethics class tend to fade by dinnertime. The fact is, these practices continue because they have widespread political and consumer support (or at least acceptance).'[258] This is a true, but frustrating observation.

People raise, kill and eat animals because that is how they have done things in the past. But: '[…] if traditional values were always observed, we would be living in theocratic hierarchical societies. To some extent, moral progress and respect for traditional values are at odds with each other.'[259] This last remark is an understatement: many cultural values, like meat eating, female circumcision, opposition to homosexuality, opposition to science, are at odds with moral and scientific progress. Thinking about Jamieson's First Law of Philosophy, when you

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[254] Ibid.: 116.
[255] The rights discourse is not only applied to non human animals, but also to environmental rights and intergenerational justice, which takes the interests and needs of future generations into account. Richard Hiskes is an example of the expanding scope of the rights discourse in his book *The Human Right to a Green Future*: […] the rights to clean air, water, and soil should be seen as the environmental rights of both present and future generations.' Hiskes (2009: back cover).
[256] Jamieson (2008: 121).
[257] See also www.themeatrix.com.
[258] Jamieson (2008: 127)
[259] Ibid.: 143.

begin the journey of moral philosophy you might end up by seeing a lot more injustice than you had thought.[260]

When the search for trying to expand the circle of morality (as in the book by Peter Singer *The Expanding Circle*) has been started, it continues. Jamieson calls this dynamics *moral extentionism*. It goes from anthropocentrism, sentientism, biocentrism to ecocentrism. Has nature value in itself or has it only secondary value because nature is needed and valued by sentient beings like human animals? Many philosophers working in the field of environmental ethics are uneasy with the animal-centric approach as favored by Singer and Regan. The circle of morality can perhaps be further extended, from sentience (Singer) to life. This is called biocentrism: all that lives has intrinsic value. Paul Taylor has argued this way in his book *Respect for Nature. A Theory of Environmental Ethics* (1986). A further step of moral extension is ecocentrism, which '[…] recognizes the moral primacy of the ecological wholes of which we are part.'[261] A problem both for biocentrism and ecocentrism is how to judge conflicts between different life forms (in biocentrism), and in different ecological systems. Regan has pointed out that there is a risk of eco-fascism: individual sentient beings are submitted to the ecosystem.

Singer starts his moral thinking with the basic premise that: 'Pain is bad, and similar amounts of pain are equally bad, no matter whose pain it might be.'[262] And Michael Allen Fox substitutes this with the basic moral principle that: 'Harming others is bad because it's harmful, and what's harmful is bad.'[263] Apparently humans are not the only beings capable of experiencing pain (suffering). Singer writes: 'Humans are not the only beings capable of feeling pain or of suffering. Most non-human animals – certainly all the mammals and birds that we habitually eat, like cows, pigs, sheep, and chickens – can feel pain. Many of them can also experience other forms of suffering, for instance, the distress that a mother feels when separated from her child, or the boredom that comes from being locked up in a cage with nothing to do all day except eat and sleep. Of course, the nature of the beings will affect how much pain they suffer in any given situation.'[264]

In order to prevent semantic confusing, I will start out with clarifying the notions 'animal', 'suffering' and 'pain'. An animal is a 'living thing that can feel and move voluntarily'.[265] For a philosopher this definition will not suffice: a paralyzed animal is still an animal. A human animal in coma is still a (human) animal. For the sake of my argument I will define animal as: Animal: a living entity,[266] which is capable of experiencing suffering.[267]

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[260] Lord Ritchie-Calder writes in his essay 'Putting ethics to work': 'As humanists we believe in reason, but we also believe knowledge is not just a hedonistic luxury in which privileged individuals can indulge, but which must be put to work for the benefit of humanity.', in Ayer (ed.), *The Humanist Outlook*.

[261] Jamieson (2008: 149).

[262] Singer (2001: xv).

[263] Fox (2006: 298).

[264] Singer (2001: xv).

[265] *Oxford Advanced Learner's Dictionary* (1989)

[266] I use 'animal' and 'sentient being' as synonyms. *Oxford Advanced Learner's Dictionary* says about 'sentient': capable of perceiving or feeling things. For all practical purposes, 'sentient being' and 'animal' are interchangeable throughout my argument.

[267] The online *Encyclopedia Brittanica* offers the following description of 'animal': 'Any member of the

I will not try to outline a phenomenology of suffering. I will just say what I mean with suffering: Suffering: capacity of experiencing pain, either physically or mentally.

The next question will be: What is pain? Pain[268]: subjective experience which the subject experiences as urgent need (not necessarily consciously) to get rid of. Some cases in the argument, which follows might slip through the mazes of the definitions I have given. It is biologists (foremost ethologists) who should answer the above questions. The structure of the argument of universal subjectivism does not collapse when the definitions are somewhat refined. The most important thing is that you yourself have to imagine what it is (using scientific knowledge as tools for the imagination) to be a non-human animal that suffers due to human action.

What if you find yourself as one of the billions of animals that are being treated cruelly in factory farms? You are doing the hypothetical thought experiment and in the original position you are making the institutions and laws of society. When you are finished with doing this by thinking of as many worst-off positions as you can and trying to optimize these positions, you happen to find yourself in a factory farm, as an animal. You did not think of farm animals as a possible worst-off position. But, *because animals have a capacity to suffer*, they too should be taken into account. Presumably, if you know you could be a farm animal, you would try to make that worst-off position as good as possible. What exactly that means is a matter of discussion and research, but it will certainly exclude factory farming.

Human beings are not the only sentient beings who can suffer; therefore morality includes human-non-human animal relations. It is unnecessary limited to apply the model of universal subjectivism to humans only. Animals can suffer too; they suffer from pain. Furthermore, animals have needs and interests and when these are not met, they suffer from hunger, thirst, boredom, anxiety. Moreover many animals seem to have joyful experiences, like a cat purring in the sun. There is no objective, transcendental, reasonable argument *not* to consider the needs of animals. There is no reason why morality should be speciesistic.[269] Michael Fox answers the question why we should care about the pain and suffering of others, 'especially if we don't know them? […] Because it hurts, they don't like it, and it harms their well-being. To this, the response may be: "So what?" But if someone says, "So what?" then there's

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kingdom Animalia, a group of many-celled organisms that differ from members of the two other many-celled kingdoms, the plants and the fungi, in several ways. Animals have developed muscles, making them capable of spontaneous movement, more elaborate sensory and nervous systems, and greater levels of general complexity. Unlike plants, animals cannot manufacture their own food, and thus are adapted for securing and digesting food. In animals, the cell wall is either absent or composed of material different from that of the plant cell wall. Animals account for about three-quarters of living species. Some one-celled organisms display both plant and animal characteristics.'

[268] Online *Encyclopedia Brittanica Dictionary*: 'a: usually localized physical suffering associated with bodily disorder (as a disease or an injury) *also*: a basic bodily sensation induced by a noxious stimulus, received by naked nerve endings, characterized by physical discomfort (as pricking, throbbing, or aching), and typically leading to evasive action b: acute mental or emotional distress or suffering.'
[269] Rachels (1991) pleads for a 'Morality without Humans being Special' because there are no moral differences between humans and other animals. Darwin made explicit that humans *are* animals, descended from apes and, eventually, the same living organisms as all existing species. Rachels thinks the moral implications of Darwinism through. There are no objective grounds for a morality with human beings being special.

nothing else we can offer by way of persuasion.'[270] The point of universal subjectivism is to offer a way of persuasion: it could be you yourself in that miserable position. Of course, people can adamantly refuse to take the hypothetical changing of positions seriously.

Animals cannot speak for themselves, fetuses and mentally retarded people neither, but whereas humans, from fetus to comatose, are generally considered to be within the scope of traditional morality, animals are not. Animals don't join the moral club. Speciesism is institutionalized discrimination, and maltreatment of animals is deemed just on the basis of them belonging to a different species than humans. People have placed themselves on a throne high above the non-human animals.

Many religions have emphasized and strengthened anthropocentrism. For a long time people, including scientists and philosophers, most notably Descartes who argued that animals were mere machines, bluntly denied that animals could suffer. But animals *can* suffer, as anyone can notice his or herself. Humans make innumerable animals suffer terribly, due to the mechanization and industrialization of farming. This cruelty is institutionalized as factory farming. Fox describes the meat industry as 'the torture and indiscriminate killing industry.'[271] Morality requires moral beings, at least on one side. Mentally retarded people are, like non-human animals, not responsible for their deeds. What people do to animals is, or at least, should be, within the ethical scope.[272]

Christianity has tried fiercely to keep animals outside the scope of moral concern, because of their hierarchical normative perspective on nature, with God on top of the pyramid, followed by angels, saints, clergy, humans and then, low on the scale, animals created by god for the use of men, according to the Bible.

In his moral philosophy Kant excludes animals, because they lack rational capacity. Kant has one, psychological, argument against human cruelty towards animals: cruelty makes people cruel. In Kant's view, the value of animals is of a derivative kind and instrumental to man.[273]

Rawls, following Kant, states that the ones who do the deliberation in the original position should have two moral powers. The two moral powers are:

1. the capacity to form a life plan,
2. an overall conception of the good.

Taken together, Rawls calls these 'the capacity for moral personality.'[274] The social contract theory of universal subjectivism replaces these two moral requirements by only one: *the ability to suffer*. Of course, not all beings with an ability to suffer have the mental capacity to do the deliberation required for universal subjectivism, only persons who have the two moral powers have the capacity to do the deliberation in the original position: they are guardians of those who do not have

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[270] Fox (2006: 298).
[271] Fox (2006: 297).
[272] Peter Singer is one of the first philosophers to pay serious attention to cruelty towards animals in his groundbreaking book *Animal Liberation* (1971). In this book he elaborates on the idea of speciesism.
[273] See: Nussbaum (2006: 330).
[274] Rawls (1999: 442).

that capacity. But because the persons doing the deliberation do not know their place in the real world, this guarantees fairness.

Rawls does plea for a humane treatment of animals, but, as said before, he excludes them from his model for justice: 'The capacity for feelings of pleasure and pain and for the forms of life of which animals are capable clearly impose duties of compassion and humanity in their case. I shall not attempt to explain these considered beliefs. They are outside the scope of the theory of justice, and it does not seem possible to extend the contract doctrine so as to include them in a natural way.'[275]

Rawls does not see a possibility to extend the contract doctrine in a natural way: 'They are outside the scope of the theory of justice', Rawls wrote. In order to include animals in the contract doctrine, some of the basic premises of his theory would have to be changed. However, it seems possible that animals *can* be taken into account within the Rawlsian theory. Rawls himself asks: 'On what ground then do we distinguish between mankind and other living things and regard the constraints of justice as holding only in our relations to human persons?'[276] Rawls unnecessarily excludes animals out of his model by constructing arbitrary criteria: 'The natural answer seems to be that it is precisely that moral persons who are entitled to equal justice. Moral persons are distinguished by two features: First they are capable of having (and are assumed to have) a conception of their good (as expressed by a rational plan of life); and second are capable of having (and are assumed to acquire) a sense of justice, at least to a minimum degree. [...] Equal justice is owed to those who have the capacity to take part in and to act in accordance with the public understanding of the initial situation.'

Rawls seems to want to include mentally retarded people who do not meet these requirements into the model by the notion of *potentiality*: '[...] the capacity for moral personality is a sufficient condition for being entitled to equal justice.'[277] He claims: '[...] to say that human beings are equal is to say that none has a claim to preferential treatment in the absence of compelling reasons. The burden of proof favors equality: it defines a procedural presumption that persons[278] are to be treated alike.'[279] What are the compelling reasons to exclude animals? You can, after all, imagine that instead of being human you come from behind the veil of ignorance into the world as a cow confined to a small dark box in a factory farm. You can imagine what it is like to live as a chicken in a battery cage and to have your beak cut off. Or to be a pig chained to the floor on a grid where your hoofs cannot stand. Innumerable examples can be given of animal suffering purposely caused by humans; in each case you will have to imagine that it is *you*, that *you* are that animal, the creature that is suffering. As a human being it might be hard to imagine what it is like to be a chicken or a pig, but it is not difficult to understand that many farm animals suffer immensely.[280] It is the *suffering* you have to imagine, not the worldview of a pig.

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[275] Ibid.: 512.
[276] Ibid.: 441.
[277] Ibid.: 442.
[278] That is: sentient beings.
[279] Ibid.: 444.
[280] Dawkins (1980), Rollin (1998).

Rawls' exclusion of animals from the moral circle of his political theory reminds me of this quote from an interview with J.M. Coetzee: 'I am impatient with questions that imply that creatures have to pass some kind of test concocted in a philosophy department before they can be permitted to live.'[281]

3.3.2 Non-Human Animals in Contractarianism

A central problem in contractarianism (or contractualism) is the tension between the ones who make up the social contracts (*moral agents*) and those who are affected by the outcome of the social contract (*moral patients*). Contractarianism is primarily concerned with moral agents, both as recipients and as the contractors. Social contract theorists may make provision for *some* moral patients by granting them indirect moral status. Contractarianism is thus anthropocentric, speciesistic and rationalistic (because moral agents have to meet criteria of rational capabilities). The category of moral patients is broad. Felipe makes a list: 'animals, babies, children, old people, mentally disabled people, inanimate kinds of life like natural landscapes, still unborn living beings of any kind, and even such subjects capable of contracts, who were no longer in good health.'[282] These moral patients 'can suffer consequences of an unfair distribution of rights, though they are not able to protect their own interests.'[283] 'Contractarian approaches, it is assumed, are unable to underwrite the granting of direct moral status to the extent that animals hold some sway in the affections of human beings, the bearers of direct moral status.'[284]

It is possible to apply contractarianism to directly incorporate a broad category of moral patients (though less broad than Felipe proposes). In order to do that Rawls theory of justice can be used as an heuristic device, thereby dropping a part of his theory. In order to get grip on the concept of moral patients, a theory of pathocentrism (suffering as moral standard) will be inserted in contractarianism. First, I will examine different ways in which Rawls' theory has been proposed to be extended.

Contractarianism is 'the view that the rules of justice, or morality generally, governing private conduct and political structures must derive their validity from actual agreements between the parties concerned or from agreements they would have entered into under certain hypothetical conditions.'[285] I will be considering *hypothetical* contractarianism only. It is helpful to make a distinction between *thin* and *thick* contractarianism. Thin contractarianism is the mainstream political philosophical interpretation, like in Rawls' *A Theory of Justice*. Thick contractarianism also encompasses ethical theory. A thick contractarian theory is both a political and an ethical theory. John Rawls, and many others, is mainly concerned with the political dimension, whilst acknowledging that there are comprehensive ethical theories, which lie outside the domain of political theory. But if normative philosophy is about finding moral blind spots and trying to overcome

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[281] Quoted in Leist and Singer (2010: 113/4).
[282] Felipe (2005: 28).
[283] Felipe (2005: 28).
[284] Rowlands (1997: 235).
[285] Mautner (2005: 125).

them, it seems not helpful to leave ethics out of political philosophy. The reason being that it is possible to construct a well-considered thin contractarian political theory that leaves out important moral issues. And that is exactly the case with Rawls' theory of justice: human-animal, and human-nature relations are beyond its scope.

3.3.3 Rawls on Non-Human Animals

In his *Theory of Justice* Rawls excludes non-human animals from the scope of his political philosophy:

> The capacity for feelings of pleasure and pain and for the forms of life of which animals are capable clearly impose duties of compassion and humanity in their case. I shall not attempt to explain these considered beliefs. They are outside the scope of the theory of justice, and it does not seem possible to extend the contract doctrine so as to include them in a natural way.[286]

A 'first generation' of commentators have pointed out that Rawls theory excludes animals.[287] A 'second generation' commentators, using input from biology and applied ethics on non-human animals, attempt to revise Rawls' theory of justice in order to do justice to non-human animals. Martha Nussbaum's *Frontiers of Justice* is an example of incorporating non-human animals in a political philosophy using her capabilities approach. I will evaluate some of these attempts, and argue that there is a possibility to directly incorporate non-human animals in contractarianism.

In contemporary political ideologies anthropocentrism is still dominant at the expense of (farm) animals and other victims in the blind spots. 'The dominance of anthropocentrism in ideological discourse is a reminder of the fact that ideologies are a reflection of power structures in society and, in this case, the pre-eminence of human beings.'[288]

I will argue that it is possible to apply contractarianism to directly incorporate a broad category of moral patients. In order to do that, Rawls theory of justice can be used as a heuristic device, although dropping a large part of his theory. In order to get grip on the concept of moral patients, a theory of *pathocentrism* (suffering as moral standard) will be inserted in contractarianism. First, I will examine different ways in which ways Rawls' theory has been extended to incorporate non-human animals.

In the most influential version of the social contract theory (contractarianism), Rawls' *A Theory of Justice,* direct moral status depends on personhood. Is Rawls' social contract theory necessarily dependent on his Kantian conception of personhood? If Rawls' theory is not dependent on granting moral status to persons with the two moral powers, then by what can this replaced? Peter Singer's pathocentrism seems a viable option.

'Each person possesses an inviolability founded on justice that even the welfare of society as a whole cannot override. Therefore in a just society the rights secured by

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[286] Rawls (1971: 512).
[287] Vandeveer (1979), Feinberg (1974).
[288] Garner(2003: 233).

justice are not subject to political bargaining or to the calculus of social interests.'[289] But what is a person? What is personhood? And what is the reason to give moral standing only to persons? What about the personhood of: (1) infants, (2) embryos, (3) coma-patients, (4) mentally handicapped, (5) people asleep, (6) people under narcotics, (6) drunken people, (7) future people, (8) primates, (9) dolphins, (10) dogs, (11) prisoners, (12) criminals, (13) species, (14) trees, (15) ecosystems, (16) pest animals, (17) farm animals, (18) pets?

Rawls gives the following criteria for personhood. Only those who have these capabilities are allowed to enter the (hypothetical) social contract and have direct moral standing, all other beings have indirect moral standing and, implicitly less right of moral consideration in various degrees. Rawls states that the ones who do the deliberation in the original position (moral agents) should have two moral powers.

Rawls' theory of justice as fairness, as expounded in *A Theory of Justice* is a contractualist theory, which construes morality to be a set of rules that rational individuals would choose under certain specified conditions to govern their behavior in society. Rawls believes that the best conception of a just society is one in which the rules governing that society are rules that would be chosen from behind a veil of ignorance. The veil of ignorance is a hypothetical situation in which individuals do not know any particular details about themselves, such as their sex, race, intelligence, abilities, et cetera. Rawls excludes non-human animals from his model of justice[290], but he pleads for a humane treatment of animals: 'The capacity for feelings of pleasure and pain and for the forms of life of which animals are capable clearly impose duties of compassion and humanity in their case. I shall not attempt to explain these considered beliefs. They are outside the scope of the theory of justice, and it does not seem possible to extend the contract doctrine so as to include them in a natural way.'[291]

Unfortunately, it is not clear what Rawls thinks these duties of compassion and humanity entail and he never elaborated on this point. Rawls does not see a possibility to extend the contract doctrine *in a natural way* to include animals, because in order to do so, some of the basic premises of his theory would have to be changed. Rawls himself asks:

> On what ground then do we distinguish between mankind and other living things and regard the constraints of justice as holding only in our relations to human persons?[292]

Rawls excludes animals out of his model by constructing speciesistic criteria:

> The natural answer seems to be that it is precisely that moral persons who are entitled to equal justice. Moral persons are distinguished by two features:

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[289] Rawls (1999: 3).
[290] Animals are outside the scope of mainstream liberal political theory. For example in Freeman (2007) monograph about the philosophy of John Rawls there is no mentioning at all of animals (or the environment).
[291] Rawls (1971: 512).
[292] Rawls (1971: 441).

First they are capable of having (and are assumed to have) a conception of their good (as expressed by a rational plan of life); and second are capable of having (and are assumed to acquire) a sense of justice, at least to a minimum degree. […] Equal justice is owed to those who have the capacity to take part in and to act in accordance with the public understanding of the initial situation.

3.3.4 Extending Contractarianism beyond Humans

Several 'second generation' commentators argue for ways to extend Rawls' theory to incorporate non-human animals. I will reflect on some of their attempts.

3.3.5 Nussbaum's Capabilities Approach

The publication of Nussbaum's book *Frontiers of Justice* (2006) brings non-human animals in mainstream political philosophy. With Nussbaum's book concern for non-human animals surfaces. Nussbaum incorporates the capabilities approach, as developed by herself and Amartya Sen[293], into Rawlsian contractarianism, *and* applies the capabilities approach across the species frontier to include non-human animals.

Rawls does not think, as he argues in *Political Liberalism*, that his theory can be expanded. There are four problems, which cannot be solved within the theoretical framework of justice as fairness according to Nussbaum: '[1] care for the disabled, [2] justice across national boundaries, [3] what we owe to non-human animals, and [4] the problem of future generations.'[294] Rawls concludes: 'While we would like eventually to answer all these questions, I very much doubt whether that is possible within the scope of justice as fairness as a political conception.'[295] Rawls thinks that justice as fairness might be expanded to include future generations and justice across national borders, but not non-human animals and disabled persons.

'It wants to see each thing flourish as the sort of thing it is.'[296] In *Frontiers of Justice* Martha Nussbaum tries to expand Rawls' theory of justice to three domains: disability, nationality and species membership.

Nussbaum traces the roots of the neglect of empathy for animals in western thought back to the stoics:

> […] for Stoic views, like Judeo-Christian views, taught that the capacity for reason and moral choice is the unique source of dignity in any natural being. Beings that lack that source of dignity are in an important sense outside the ethical community. Christians, Jews, and Stoics can still hold that we have duties not to abuse animals; indeed, they can also hold that we have duties toward inanimate objects. But animals are not regarded as participants in the

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[293] Nussbaum (1993).

[294] Nussbaum (2002: 435).

[295] Rawls (2005: 21).

[296] Nussbaum (2006: 349). Should lethal viruses, which kill animals, be allowed to flourish, or should humans fight viruses if they can and therefore block the viruses from flourishing? And what about a plague of grasshoppers?

ethical community, creatures in partnership with whom we ought to work out our ways of living.[297]

In order to expand Rawls, Nussbaum stresses the importance of compassion: 'The emotion of compassion involves the thought that another creature is suffering significantly, and is not (or not mostly) to blame for that suffering. […] It would seem that analyzing the harms we do to animals in terms of duties of compassion alone entails blurring the important distinction between the compassion we might have for an animal who dies of a disease that is nobody's fault and the response we might have to the sufferings of an animal who is being cruelly treated by humans.'[298]

Nussbaum's capabilities approach treats 'animals as agents seeking a flourishing existence'.[299] 'When I say that the mistreatment of animals is unjust, I mean to say not only that it is wrong *of us* to treat them in that way, but also that they have a right, a moral entitlement, not to be treated in that way. It is unfair *to them*.'[300]

Yes, but why is it unfair to them? We, humans can either say it is fair or unfair to them. We humans can either grant animals rights or not. By nature no one has rights. I agree with Nussbaum that humans should not mistreat animals, but I disagree why. Nussbaum's analysis has no justification other than that she would like to grant animals rights. From the perspective of universal subjectivism it is different: the reason why animals should not be mistreated is that *you could be that animal*. Positions should be interchangeable. In the case of mistreatment, the positions are not interchangeable.

Nussbaum emphasizes the importance of individual wellbeing, but it is not clear whence the importance comes: 'The idea that human beings should have a chance to flourish in their own way, provided they do no harm to others, is thus very deep in the view's whole approach to the justification of basic political entitlements.'[301] '*Why* should human beings, and other animals, have a chance to flourish?', we might ask Nussbaum.

Nussbaum wants to expand social contract theories, especially Rawls', by incorporating her capabilities approach about the flourishing of all creatures, whether human or not. Social contract theories used to leave animals out. She is therefore drawn towards utilitarianism. The utilitarianism of, e.g., Bentham and Singer, focuses moral attention on pleasure and pain; qualities that are not exclusively human. Nussbaum thinks the utilitarian perspective is too limited; her capabilities approach, which stresses the concept of flourishing, is much broader. Her capabilities approach reminds one of Abraham Maslow's humanistic psychology of self-actualization. Maslow describes human flourishing as a hierarchical pyramid of human needs. First, humans have basic needs in order to survive, like food and shelter. On top of the pyramid is the realization of one's talents. It seems that Nussbaum puts animals into Maslow's pyramid. Nussbaum neglects the fact that the pyramid is about *human*

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[297] Nussbaum (2006: 329).
[298] Ibid.: 336.
[299] Ibid.: 337.
[300] Ibid.: 337.
[301] Ibid.: 347.

animals, and that concepts of flourishing, self-actualization are dependent of the human species, for most other animals it makes sense to incorporate the two bottom layers of Maslow's pyramid.

Political philosophers should work towards creating (the idea of) institutions with the conditions under which humans and other animals can flourish, *according to their abilities*. The outcome of universal subjectivism will be to create institutions, which try to enhance social opportunities for the deprived and underdogs, in short those in worst-off positions.

Like happiness: you cannot strive for happiness directly. Happiness and human flourishing cannot be institutionalized, but it can be facilitated and the amount of suffering can be minimalized institutionally.

Both in the capabilities approach (Nussbaum, Sen) and utilitarianism (Singer, Rachels) it is crucial to imagine the perspective of animals. This corresponds with the need for imagination and the change of perspectives in universal subjectivism. 'It does not seem impossible for the sympathetic imagination to cross the species barrier – if we press ourselves, if we require of our imagination something more than common routine.'[302] Perhaps John Lennon should have sung: *Imagine all the sentient creatures...*

As an example of her capabilities approach Nussbaum tells the story of Bear. Bear is a 'highly intelligent and loving German shepherd'. As is common among shepherds, Bear got severe problems with his hips and he had to drag his hindquarters along. His 'family' pitied him and made him a wheelchair that supported his hindquarters, so that he could run again. The wheelchair helps him to 'fulfill his natural capabilities'. Of course, this is a heart breaking Christmas story (imagine the family not having enough money for the wheelchair …). What's wrong? There is something wrong with priorities. A utilitarian perspective shows what's wrong: on the one hand the beloved disabled pet dog, on the other hand millions of animals tortured in factory farms. If a moral theory is more concerned with wheelchairs for pet animals, than for the unnecessary suffering of animals in factory farms, then this is a grave shortcoming of moral theory.

Nussbaum has a *pathocentric*[303] way to look at animals: only animals for which we can easily feel empathy have moral value. Therefore the first animals she notices are pets, not the farm factory animals that are thoroughly hidden. Utilitarianism points to the importance of the *amount* and *degree* of suffering.

Is it an ad hoc construction to embrace utilitarianism at this point? When one reflects on all possible existences in the original position, it is reasonable to take into account the chances of all possible existences and especially those existences whose suffering and well being depends on humans (who are the ones that create just or unjust institutions). Compare the chances of becoming a pet dog to the chances of becoming an animal in one of the many factory farms.

Of course, if you were Bear, you would want to have a wheelchair – that is what his 'family' must have realized in the first place. But in order to make the world a

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302 Ibid.: 355.
303 Wilson (2003: 133).

better place it is not a good priority to start with funding wheelchairs for dogs, but to get rid of the suffering in animal factories.[304]

3.3.6 Carruthers and Rational Agency

In his anti-animal rights book *The Animals Issue* (1992) American philosopher, specializing in philosophy of mind, Peter Carruthers remarks that even if we do extend Rawls' conception, animals will still have no direct moral standing. The result is that rational human beings will be directly protected, while animals will not. Carruthers concludes that

> [...] there is no basis for extending moral protection to animals beyond that which is already provided. In particular there are no good moral grounds for forbidding hunting, factory farming, or laboratory testing on animals.[305]

He argues that animals do not have rights, nor direct moral standing. Carruthers examines first the animal rights perspective, which he rejects because of moral intuitionism. Then he examines utilitarianism, which he rejects because it would yield results that would contradict much of common sense judgments concerning animal use. He then examines the possibility to incorporate animals in contractualist theories, and concludes that it is not possible to derive moral standing for animals from this moral theory:

> No version of contractualism will accord moral standing to animals. There may, nevertheless, be indirect duties towards animals, owed out of respect for the legitimate concerns of animal lovers. But the protection thus extended to animals is unlikely to be very great. [...] Contractualists also face the challenge of extending direct moral rights to those human beings who are not rational agents.[306]

Because no animal counts as rational a agent, no animal could do the deliberation and negotiation of making a social contract, hypothetical or real. For (most) contractualists, like Hobbes, Rousseau, Locke, Rawls, Gauthier, and Carruthers, the necessary and sufficient prerequisite for moral status is rational agency. This may cause a problem for those human beings who are not rational agents (anymore).

Carruthers argues that there are two reasons to grant that non-rational human beings do, and non-human animals do not have direct moral status. First, the *slippery slope argument* ('if we grant rights to some non-rational animals, we end up giving rights to trees'). His second argument is the *argument for social stability*. He concludes that 'No animals count as rational agents, in the sense necessary to secure

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[304] It seems that Nussbaum from the capabilities perspective would agree as well: animals in factory farms are more severely limited in fulfilling their capabilities than Bear.
[305] Carruthers (1992).
[306] Ibid.: 27.

them direct rights under contractualism.'[307] And that 'Contractualism withholds direct moral rights from animals, while at the same time granting them to all human beings. Yet contractualism can explain our common-sense belief that animals should not be caused to suffer for trivial reasons, since causing such suffering is expressive of a cruel character.'[308] 'Contractualism certainly provides no support for those who would wish to extend still further the moral protection already available to animals.'[309]

Carruthers is opposing to philosophers like Peter Singer and Tom Regan who argue that (some) animal do have direct moral status: '[…] it might be more reasonable to do without any theory of morality at all, than to accept one that would accord animals equal moral standing with ourselves.'[310]

Carruthers protests against the possibility that rational agents speak on behalf of animals because: 'Why should there not be people detailed to defend plants and micro-organisms, or indeed mountains and ancient buildings?'[311] What Carruthers neglects is that utilitarians like Peter Singer take as criterion for moral standing the capacity to suffer. Thus, only those sentient beings that are capable of perceiving of feeling do have moral status. When we would apply this perspective to contractualism it makes sense to include animals, and not to include plants or mountains in the social contract, or at least not directly.

Carruthers thinks that the people behind the veil of ignorance could be representatives of animal interests. But that is a different, indirect form of extending contractualism, than the more forward, direct method of making the veil of ignorance so thick that the rational agents in the original position do not know what kind of species they will be (only that is will be a species capable of suffering).

Carruthers agues that '[…] those who are committed to any aspect of the animal rights movement are thoroughly misguided.'[312] This is a quite bold statement, especially so because it is Carruthers concluding sentence. What exactly does he mean with the animal rights movement? This is a large and diverse ideology, which wants to extend some rights to some/all animals. Some animal rights thinkers/activists want to increase the living conditions of animals in factory farms, others want to abolish the farming of animals altogether. Does Carruthers really mean that even concern for the mild amelioration of cruelty to and pain inflicted upon (farm) animals is 'thoroughly misguided'? If so, Carruthers can be called 'the industrial farmer's philosopher', an apologist for cruelty on animals and the unrestricted use of animals by man.

'Morality is viewed as constructed *by* human beings, in order to facilitate interactions *between* human beings, and to make possible a life of co-operative community.'[313] This is an explicit statement in favor of anthropocentrism and speciesism Animals do not themselves have the status of rational agents because:

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[307] Ibid.: 145.
[308] Ibid.: 169.
[309] Ibid.: 169.
[310] Ibid.: 195.
[311] Ibid.: 100.
[312] Ibid.: 196 (Concluding sentence).
[313] Ibid.: 102.

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'[…] there really is a sharp boundary between human beings and all other animals. [not intelligence] But there is not the same practical threat to the welfare of rational agents in the suggestion that all animals should be excluded from the domain of direct moral concern.'[314]

Peter Carruthers makes use of a thought experiment, in which astronaut Astrid feeds her dead grandfather to her cat, even when nobody will ever know about this, and the grandfather had conceded that he did not care what would happen with his body after his death.[315] 'What Astrid does is wrong because of what it shows about *her*. Her action is bad because it manifests and expresses a bad quality of character, and it is an aspect of her character that it is bad in the first place. While there is perhaps no precise name for the defect of character that her action reveals, it might variously be described as 'disrespectful' or 'inhuman' – though each of these terms is really too broad for what is wanted.'[316] But what is this moral problem? Why is it disrespectful to feed a human dead body to a pet? To whom is it disrespectful? Of course, social custom opposes to use a human body in this way, especially when you have a close relationship with the diseased, but social custom is not the same as moral justification.[317] Carruthers seems to have the intuition that it is morally wrong that Astrid feeds her dead grandfather to her cat, but others might have a different intuition, or they might argue that there are stronger reasons than intuition. Moreover, ethics can go against commonly hold intuitions.

Carruthers continues: 'That she can act in the way she does shows either a perverse hatred of her grandfather in particular, or a lack of attachment to humanity in general.'[318] Why does Astrid's act show a 'hatred for her grandfather or a lack of attachment to humanity in general?' How different would it be if Astrid killed her grandfather in order to feed her cat. Morally more problematic (to my intuitions at least) would it be if she had fed her deceased grandfather to her cat if the man had expressed himself against being fed to a cat. Funeral traditions are widely diverse among cultures. Some peoples leave dead bodies for the vultures to eat. Among the Inuit it was supposedly not uncommon that the elderly parents were left behind to die. Carruthers holds strongly to his intuitions: 'It seems to be a universal feature of human nature that the treatment of corpses reflects something of our attitude toward the living.'[319] This might in general be the case, but one might argue next what kind of treatment of a human body is morally best: what about organ donation, or giving your body for use of scientific study (like Jeremy Bentham did)? What would be wrong if we in some way could make use of human corpses, for medicine or, to mention something provocatively, animal food? We need a deeper, more fundamental criterion to judge right and wrong. If we are to justify commonly hold beliefs of the moral majority, it is possible to refer to commonly shared moral intuitions. But 300 years ago, the majority of people holding power were in favor of slavery. This moral belief was also in reflective equilibrium with their other moral

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[314] Ibid.: 115.
[315] Ibid.: 145-6.
[316] Ibid.: 147.
[317] I suppose you would have to be really starved in order to consider consuming your dead grandfather.
[318] Ibid.: 147.
[319] Ibid.: 147.

beliefs. How would it be possible to condemn slavery if we depended on considered beliefs? Carruthers might respond to this that contractualism includes all rational agents, thus including slaves and that therefore slavery should be abolished. But there could be put two arguments against this. First, there was the common opinion that slaves had no or lesser degree of rational agency (like women), and thus lesser moral status.

John Rawls and Peter Carruthers both use two separate theories. On the one hand the idea of a (hypothetical) social contract and on the other hand reflective equilibrium, in which moral judgments are balanced with the coherence with all other moral judgments and intuitions. Reflective equilibrium seems to act as a brake on (progressive) social contract theory. This can be seen with Peter Carruthers, who uses reflective equilibrium to prevent giving animals moral status, because that would go against common moral intuitions and considered moral judgments of the majority of people. These are actually two arguments. First, many people do not think animals have or should have moral status. The majority of people is against it, therefore, Carruthers concludes non-human animals should have no moral status. Second, the reason why people are against granting non-human animals moral status is that they intuit that animals have no moral status. But, in many cultures, a majority (of males) has the intuition that women and homosexuals have no moral status. Intuition just does not seem to be a good enough reason to justify moral judgments. Ethics should look for reasons, not intuitions. Carruthers and Rawls include commonly hold intuitions about the inferior moral status of animals in their social contract theory through reflective equilibrium.

3.3.7 Coeckelbergh's Co-operation Approach
Coeckelbergh argues that it is possible to include non-humans into Rawls contractarian theory of justice, not based on what the entities for whom the contract applies are, but by co-operation and social relations. Humans have relations with their pets and this brings pets, according to Coeckelbergh into moral consideration. Coeckelbergh also leaves room for non-human agents such as robots with whom there is co-operation.[320] Coeckelbergh speaks of a hybrid world of social co-operation between humans and non-humans. What are the consequences of bringing those animals with whom humans have a co-operative relationship into the social contract? '[…] if we breed animals for (our, human) consumption *and* treat them very badly in the course of that process, then these cases (1) fall within the scope of problems of justice […] and (2) would warrant the application of a difference principle since increases in the advantages humans get from the co-operation (we are clearly highly dependent in them for sustaining our consumption habits) do nothing to maximize the position of these animals, which can be considered 'worst-off', the

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[320] It is not immediately clear if Coeckelbergh's mentioning of robots as moral agents/patients is fiction or not. Viewed from a pathocentric perspective is: Can they suffer? Suffering can of course also be mental suffering. Biologists and or psychologists have to figure out what entities can suffer. The outcome will be the input in a pathocentric moral theory. If robots can suffer, then they have direct moral status. Depending on their cognitive capabilities they might also have moral agency as well. If biologists would proof that (some) plants can suffer, this has profound moral consequences for their treatment. For now, the suffering of robots and plants seems fairly unlikely.

most disadvantaged in human/animal society. I conclude that [...] better treatment of such animals can be justified by reference to the difference principle as a principle of distributive justice.'[321]

It seems that Coeckelbergh's approach would lead to a better treatment of farm animals, because we treat farm animals badly in the course of the process. Coeckelbergh argues that: 'What matters for inclusion into the sphere of morality and justice is (the extent to which) humans and non-humans depend on one another and co-operate, that is, do things together.'[322] It is not clear what the co-operation approach would entail for the principles of justice. Would this lead to the emancipation of (farm) animals? It seems that by focusing on co-operation it is not clear how those in the worst-off positions benefit from this approach. By focusing on co-operation (which, in the case of factory farming, seems a euphemism) it seems that two sides of the co-operation should be weighed and this could lead to not maximizing the position of those worst-off (maximin strategy). By focusing on co-operation it is not clear who are worst-off. There are other criteria needed for deciding who are worst-off. So then, there seems to be a need for ontological criteria, like the capacity for suffering. But Coeckelbergh does not want to rely on ontological criteria. Thus, although Coeckelbergh acknowledges the fact that Rawls unnecessarily limits his social contract theory to human beings, Coeckelbergh's approach does not make clearly visible what the worst-off positions are, and what should be done to maximize these.

3.3.8 Felipe's Biocentric Contractarianism
Sonia Felipe chooses the biocentric approach, following people like Albert Schweitzer and Paul Taylor. The originality of Felipe's approach is that she incorporates biocentrism in contractarianism. Felipe extends the Rawlsian contract theory by incorporating not only animals, but all living beings directly. She pleads for a non-speciesist *biocentric contractarianism*. She points out that human beings are dependent for their subsistence on the natural environment, and what she calls 'natural environmental goods', such as 'unpolluted water, air and food, fertile land, freedom to move in order to access basic goods, bodily freedom, to establish social relationships and to choose companionship.'[323] In other words, Felipe brings in the ecological perspective, which has been neglected in much of political philosophy: 'Regarding it as a moral and political duty to respect equally *basic needs* of humans, mammals, animals of all other kinds, plants and even the need of the whole biological community of interacting organisms in their physical environment or ecosystems, imposes a revision of our anthropocentric point of view of ethics and justice.'[324]

Felipe poses an important question: 'Should rational subjects [i.e. rational agents] be allowed to *destroy natural environmental goods*, if such goods are essential to

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[321] Coeckelberg (2009: 82).
[322] Ibid.: 79.
[323] Felipe (2005: 30).
[324] Ibid.: 24.

sustain all kinds of life in the present and in the future as well?'[325] If the veil of ignorance would be thickened to exclude knowledge as to what generation you belong (present or future), this will pose severe limits on the principles of justice and institutions that will be chosen. Felipe seems to extend contractarianism not only to include non-human animals, but also future generations, both humans and non-humans, but also to include care for the environment (natural environmental goods) because all life is dependent on that. Felipe argues that the outcome of excluding knowledge of species from the original position will result in one fundamental moral principle: 'the utilitarian principle of minimization of pain should always apply before any other principle of justice.'[326]

'The political, economic and social institutions in any democratic society are responsible for degrading the natural environment and for expropriating natural resources to the point of exhaustion.'[327] Mainstream political theory, including Rawls, has not addressed these issues. Animal welfare/rights and care for the environment have been blind spots in (mainstream) political philosophy, and, to a lesser extent, ethics. Felipe concludes that 'we have to consider the interests of all forms of life in natural expression beyond any argument of utility. (…) The principles of *equal environmental protection* results in abolition of all privileges traditionally reserved to allow private interests to be put above general ones when animals, plants and ecosystems are destroyed in the name of human well-being.'[328]

It seems Felipe's approach is too broad, because she includes so much into the sphere of justice that she renders the theory inert. How can moral agents decide how to balance the needs of ants with the needs of humans? It seems Felipe needs a criterion to use when decisions have to be made. Felipe does bring into focus the blind spot of the dependence of life on environmental goods. Acknowledging this by the rational agents in the original position poses serious limits on the possible outcome – all institutions and principles of justice would have to be in the limits of environmental sustainability. I agree with Felipe's 'principle of minimization of pain should always apply before any other principle of justice',[329] but this is smaller than biocentrism.

Thus, whereas Rawls's theory is too small and therefore speciesistic, Felipe's biocentric approach seems too broad. We have to look for a more nuanced and fine tuned view on what entities to incorporate into the moral circle, and specifically into contractarianism.

3.3.9 Garner's Argument From Marginal Cases

Garner points out the danger of the suppression of animals in liberal theory, especially under liberal pluralism: 'In so far as animal welfare becomes an issue of morals rather than justice (…), then the protection of animal interests (…) becomes

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[325] Ibid.: 26.
[326] Ibid.: 28.
[327] Ibid.: 29.
[328] Ibid.: 34.
[329] Ibid.: 28.

subject to moral preferences rather than obligations.'[330] Only for moral agents there is a necessary and sufficient criterion of moral personhood dependent rationality.

'(…) There is no reason why animals cannot be incorporated into a liberal theory of justice,' argues Garner.[331] 'Without thickening of the veil to exclude knowledge of species membership, the participants in the original position know they will be humans when the veil is lifted. As a result, there is absolutely no incentive for them to consider the interests of animals. Without the incorporation of animals, then, Rawls' theory of justice provides a justification for their ceaseless exploitation, thereby negating the claim that we have some moral duties towards them.'[332] 'The problematic nature of the relationship between liberalism and the protection of animals, highlighted in Rawls' theory, means that we probably should look elsewhere in a search for the most appropriate ideological location for animal protection,' writes Garner.[333] In his paper Garner proposes a way to incorporate animals in contractarianism. Garner approvingly mentions and quotes earlier philosophers about extending Rawls' theory of justice to include animals.[334] According to Rowlands contractarianism 'provides the most satisfactory theoretical basis for the attribution of moral rights to non-human and non-rational individuals.'[335] By thickening the veil of ignorance the category of moral patients includes 'defective' humans and non-human animals. Vandeveer points out the practical consequences of this approach that 'would entail that many widespread, standard ways that animals are treated are grossly unjust.'[336] If the criterion of moral status is personhood based on rationality and autonomy, as is the case in Rawls' theory, then what about those human beings that do not fit these criteria, like babies, mentally disabled et cetera? Garner: 'The consequence of invoking the rationality criterion then is that if we are to remain consistent we must treat marginal humans as morally inferior to normal humans, and equally, we ought to grant an equivalent moral status to marginal humans and the many animals with levels of autonomy broadly the same as them.'[337] Rawls wants to include some marginal cases, for example children, because they have the potential for rationality. Rawls argues that within the framework of his political theory (what he calls 'the realm of justice') animals cannot directly be incorporated, but that in the moral discourse ('the realm of morality') more can be said about the moral status and treatment of animals:

> (…) it is wrong to be cruel to animals (…) The capacity for feelings of pleasure and pain and for the form of life of which animals are capable clearly impose duties of compassion and humanity in their care.[338]

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[330] Garner (2003: 238).
[331] Ibid.: 14.
[332] Ibid.: 14.
[333] Ibid.: 20.
[334] Rowlands (1998), Wenz (1988), Vandeveer (1979).
[335] Rowlands (1998: 3).
[336] Vandeveer (1979: 373).
[337] Garner (2003: 6).
[338] Rawls (1972: 512).

Garner remarks to the point 'What this lesser degree of protection consists of, however, we are not told, and in particular Rawls does not reveal whether he thinks that the interests of animals should take precedence over those of humans.'[339]

3.3.10 Abbey: Away From Contractarianism

Abbey proposes an alternative animal friendly reading of Rawls' theory of justice. 'Garner, Rowlands and Regan are correct to suggest that if a thought experiment were conducted in which individuals had to imagine the sort of society they would rationally agree to live in, and if species membership were among the characteristics of which they were ignorant, the contractors would be architects of a very different society from the one we live in today. After all, while many might be happy to affirm a society in which they ended up as a pampered domestic pet, what rational being would willingly endorse a world in which they might be a battery hen or a sheep at sea as part of the live export trade.'[340]

Abbey optimistically argues that humans' duties to animals belong 'to the stock of considered belief'.[341] If this is true, then it is only a tiny minority whose considered moral beliefs take animals into account. Abbey neglects the fact that in contemporary (western) societies, despite some regulations and intentions, the institutionalized cruelty towards animals is larger than ever before. Rawls' approach is certainly not directly helping the cause to reduce animal suffering and in extending the circle of morality. According to Abbey, in his book *Political Liberalism* Rawls concentrates on the political conception of justice, which leads 'to the detriment of animal welfare.'[342] Political pluralism can lead to a cultural diversity including culturally legitimated cruelty to animals. Contractarianism could and should be used to optimize the position of the worst-off. In *Political Liberalism* Rawls might run the risk of tolerating in-group intolerance (thus not optimizing those worst-off positions), including the position of animals. Pluralism should never be used to legitimize worst-off positions. Reasonable pluralism should protect and optimize worst-off positions: 'what we should celebrate, and struggle for, is the existence of practices that are both diverse *and* good.'[343]

If we want to use Rawls' theory for animals, we'd better stick to his earlier work *A Theory of Justice.* Abbey concludes that it would be better not to include animals in contractarianism and to look elsewhere for a moral theory that does take animal welfare seriously. 'If we stop trying to squeeze all ethical issue into rights language, we are more likely to be receptive to alternative ways of thinking about the well-being of animals.'[344] What Abbey fails to see is that contractarianism, if applied as a heuristic device, does not necessarily leads to a rights discourse. Animal welfare does not necessarily have to be framed into a rights discourse. The contractors (moral agents) in the original position could for example make regulations promoting animal welfare, without having to grant rights to (all) animals.

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[339] Ibid.: 11.
[340] Abbey (2007: 4).
[341] Ibid.: 6.
[342] Ibid.: 9.
[343] Casal (2003: 22).
[344] Abbey (2007: 13).

3.3.11 Rowlands' Extentionism

Rowlands, like Abbey, finds a way to read Rawls more favorably towards animals. He quotes the following passage: 'We see, then, that the capacity for moral personality is a sufficient condition for being entitled to equal justice. Nothing beyond the essential minimum is required. Whether moral personality is also a necessary condition I shall leave aside.'[345] Rowlands concludes that: 'Unless, Rawls is willing to claim that possession of moral personality is both a sufficient *and* necessary condition of being entitled to equal justice, there is nothing in his theory as such which rules out non-human beings entitled to equal justice.'[346] Although Rawls makes several remarks about keeping animals out of theory of justice as fairness, it seems to Rowlands, that it would be much more logical to include non-human animals.

Rowlands argues for a straightforward extension by incorporating animals directly in moral theory by the requirement that 'all unearned properties be similarly excluded behind the *veil of ignorance*.'[347] Animals should belong to 'the moral club': 'If you are in the club, then you count morally. […] If you are outside the club, on the other hand, then you don't count morally, and no one is under any obligation to consider you and the impact their actions will have on you.'[348]

3.3.12 Conclusion: *Pathocentric Contractarianism*

In aforementioned attempts to extend contractarianism to include animals, the authors speak about animals *generally*. But what animals should we take into moral consideration? And should we include all animals, from insect to chimpanzee equally? Jeremy Bentham famously stated: 'The question is not, Can they reason? Nor Can they walk? but, Can they suffer?'[349] Peter Singer philosophizes in the same way: 'Pain is bad, and similar amounts of pain are equally bad, no matter whose pain it might be.'[350] And: 'The capacity for suffering and enjoyment is a *prerequisite for having interests at all*, a condition that must be satisfied before we can speak of interests in a meaningful way. It would be nonsense to say that it was not in the interests of a stone to be kicked along the road by a schoolboy. A stone does not have interests because it cannot suffer. Nothing that we can to it could possibly make any difference to its welfare. A mouse, on the other hand, does have an interest in not being kicked along the road, because it will suffer if it is.'[351]

Canadian philosopher Michael Allen Fox, was once an outspoken advocate for animal experimentation[352]; he has since repudiated that view and has published numerous articles in support of vegetarianism and animal rights, including his book *Deep Vegetarianism,* which seems a compelling argument for a vegetarian life-style. Fox puts the suffering central in his moral reflections: 'Harming others is bad because

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[345] Rawls (1971: 505-506).
[346] Rowlands (1997: 244).
[347] Ibid.: 69.
[348] Ibid.: 26-7.
[349] Bentham (1789).
[350] Singer (1990: xv).
[351] Ibid.: 7-8.
[352] Fox (1988).

it's harmful, and what's harmful is bad.'[353] As I indicated earlier, placing suffering at the centre of moral theory is pathocentrism (Greek *pathos* means 'suffering'). Pathocentrism overlaps with sentientism. Sentience is the capacity of feeling and perceiving things. In philosophical discourse there are a small and a broad interpretation of sentientism. The broad interpretation, by utilitarians as Bentham and Singer, refers to consciousness of pleasure and pain especially. The small interpretation, by Regan[354] and Feinberg[355], emphasize the aspect of consciousness which makes 'animals' moral standing depend on their consciously striving for things in the future.'[356] In order to avoid ambiguity about what sentientism entails, I propose to use the concept op pathocentrism (which is broad sentientism), meaning the capacity for consciousness of pain. When one focuses on the aspect of suffering, then one more easily perceives the blind spots of suffering of animals in, for example, factory farming. Moral status is dependent on the capacity for suffering.

The broadening of the Rawlsian idea of deliberation in the original position from behind a thick veil of ignorance seems to make expansions possible. Rawls does not use the potential power of his idea because he incorporates a (Kantian) notion of the essence of a human being. When one leaves these notions behind and instead focuses on the ability to suffer, plus the universalizability of each sentient being, the theoretical problems disappear. What is left are serious practical problems.

There are two kinds of contract models. One is the straightforward idea of autonomous moral persons making a direct or indirect (procedural) contract for themselves as moral persons.

The second model takes into account that in practice not everybody is able to do the deliberative reasoning required in order to find the just rules for the contract, because they are (temporarily) disabled, but could do the reasoning potentially themselves. In this manner the needs of the disabled, children and coma patients can be taken into account. This is what Rawls argues for. In a similar way, animals could be represented by autonomous moral persons, who are willing to take the needs of animals into account.

But *why* take the needs of animals in account? Because, when the veil of ignorance is thick, it could be *you* who ends up in such a worst-off position. Only a tiny percentage of the total number of sentient beings can actually do the deliberative reasoning, these persons[357] argue that they themselves could be in any other position, including those of animals. In the original position there can only be moral persons who can reason, but in the real world they can become any kind of sentient being, now, in the past or in the future. A thought experiment is limited to *logical possibility*, not by what is actually the case. In this specific manner, those in the original position represent all possible existences. Rowlands points out that 'the property of being a human being' is 'something over which we have no choice', and that it is, in Rawls' sense 'morally arbitrary', because 'it is something over which we have no control',

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[353] Fox (199: 298)
[354] Regan (1983).
[355] Feinberg (1974).
[356] Varner (2001: 192)
[357] By 'person' I mean: a sentient being capable of rational deliberation. Here I am using the Kantian/Rawlsian perception of the person.

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and therefore 'knowledge of one's human status is knowledge that should be bracketed in the original position.'[358]

Concerning the sentient being's ability to suffer, it is morally relevant to consider the naturally evolved central nervous system of animals. Plants do not have a central nervous system, so for plants there can only be secondary moral considerations, such as ecological or aesthetic value. *If* ethologists would show that (some) plants can suffer, then this has moral implications. If plants can suffer, then they should be taken into the circle of moral concern, because then it would make sense to imagine you yourself to be that plant that suffers from human caused suffering. Primates[359], like the chimpanzee and *homo sapiens* have both a developed nervous system and brains, which enables them to experience a wide range of suffering, both physically and mentally, as compared to other living beings. To kill a bug is not morally equivalent to killing a horse. The capacity for suffering is a scale, with on the far left entities which have no capacity for suffering (stones), little capacity for suffering (invertebrates) to mammals, primates and dolphins, and humans. The quick and painless killing of animals for human consumption is a different matter. It is different from the cruel treatment of (farm) animals. In practice it is hardly possible to treat farm animals well in such a manner that their needs are fulfilled without seriously harming them. Not only should a hog not be tortured; it should be able to meet its natural needs like rooting in the mud, which is impossible in a sterile sty. In practice the only possible realistic solution for this ethical problem is a vegetarian life style in which products from factory farming are not used.[360]

Peter Singer[361] argues that the role of the moral philosopher is to help to expand the circle of morality that has been limited to specific categories of human beings. The history of philosophy shows a trend towards the expansion of morality: the recognition of the rights of colored people, women, and homosexuals has become almost universal in the (western) world.[362] The expansion of the moral circle is moral progress. Moral philosophers should keep searching for moral blinkers in order to expand morality. It seems that in the present age we are hopefully in the transition to incorporate animals within the scope of morality. Our whole society and economy are based on not recognizing animals morally; this will require radical transitions

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[358] Rowlands (1997: 243).

[359] See for a detailed study on great apes (=primates) and a plea for full-moral status for great apes: Koen Margodt, *The Moral Status of Great Apes: an Ethical and Philosophical-Anthropological Study,* Ghent University, 2005.

[360] In rich western countries meat and leather are not necessary for living a healthy, comfortable life. Though human animals are biologically evolved omnivores, a balanced and healthy diet does not necessarily include meat. Animal protein can be supplied by vegetable proteins, for example from nuts. For vegans, only vitamin B12 cannot be easily obtained from vegetables, but these can be easily taken as pills (made from algae). See: Neal Barnar, Kristine Kieswer, 'Vegetarianism. The Healthy Alternative': 'For individuals following a diet free of all animal products [vegans], vitamin B12 needs can easily be met by consuming a variety of vegan foods such as fortified breakfast cereal, fortified soymilk, and fortified meat analogues.', Sapontzis (2004: 50).

[361] Singer (1981).

[362] See Grayling (2007).

and, therefore, is likely to meet resistance.[363] The abandonment of slavery[364] worldwide was met by large resistance and it took many years.

The two Rawlsian moral requirements for moral status – (1) life plan and (2) an overall conception of the good - can be replaced by only one: *the ability to suffer*. Of course, not all beings with an ability to suffer have the mental capacity to do the deliberation required, only persons who have the two moral powers have the capacity to do the deliberation in the original position: they are guardians of those who do not have that capacity. But because the persons doing the deliberation (moral agents) do not know their place in the real world, this guarantees fairness. Guardianhood is more important than personhood.

Although Rawls holds on to anthropocentrism, it seems possible to consider putting the ability to suffer central in the theory instead of belonging to the human species.[365] This theory is human-made, because only people with the capacity of imagination can conceive of themselves from a different perspective. Sensitivity to the suffering of other beings (empathy) is crucial for pathocentrism to work. Human action has a moral dimension; therefore moral action is to be applied to creatures that can suffer, since there is no reason whatsoever to neglect the suffering of non-human animals.

Animal-animal relations are beyond morality, because a prerequisite for moral reasoning is the ability to choose between options and to deliberate about it. Non-human animals do not care about the suffering they cause in other animals. They can't. If they have some emotional abilities, it is by and large for their own species.[366] Morality is not about trying to make lions vegetarians, but about humans becoming vegetarians. Although humans are evolutionary evolved as omnivores, humans do not need meat in order to obtain a healthy diet. Lions are carnivores. Besides that, humans have a moral choice to kill or not to kill animals for food. Humans have a choice; lions do not.

Let's apply universal subjectivism: what if you find yourself as one of the billions of animals that are being treated cruelly in factory farms? You are doing the hypothetical thought experiment and in the original position you are making the institutions and laws of society. When you are finished with doing this by thinking of

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[363] In the Netherlands the Partij voor de Dieren ['Party for the Animals'] has gained in 2006 two seats in parliament, which is unique in history. This single issue party focuses on animals and make other political parties aware of the need to reform farming methods and to rethink the human-animal relationship. www.partijvoordedieren.nl/content/view/129 There are more animals in factory farms than ever before.

[364] Spiegel (1988) makes an explicit comparison between slavery and the exploitation of animals in farm factories.

[365] Because only human beings have these moral powers and animals do not, therefore it is indirectly speciesistic.

[366] Of course, there are exceptions, like the wolves-children – children that have been raised by wolves (if not urban legends). But the degree of potential deliberation in non-human animals differs quite a lot in this ability among (most) humans. As a matter of thought experiment: *if* ethologists discover that animals do have the ability for moral reasoning, then they can be held responsible for their actions. Moral lions might try some vegetables. If animals kill other animals only for food and there is no other food available, then a lion can argue that it is moral to eat meat. Humans can also argue that is not morally wrong to kill animals for food when there is no other food available, or, and this is a point for discussion, to kill an animal that has lived a 'decent' life painlessly.

as many worst-off positions as you can and trying to optimize these positions, you happen to find yourself in a factory farm, as an animal. You did not think of farm animals as a possible worst-off position. But, *because animals have a capacity for suffering*, they too should be taken into account. Presumably, if you (as a moral agent) know you could be a farm animal (moral patient), you would try to make that worst-off position as good as possible. What exactly that means is a matter of discussion and research, but it will certainly exclude factory farming.

A problem for moral extentionism is: where to stop? If animals are included, why not include plants, cars, and landscape into the sphere of justice, like Felipe's biocentric approach? The answer is dependent on which entities have (or are attributed) moral status. A clear answer seems to be: the capacity for suffering: or pathocentrism. Cars, landscapes and plants then fall beyond the scope of (direct) morality.

Animals cannot speak for themselves, fetuses and mentally retarded people neither, but whereas humans, from fetus to comatose, are generally considered to be within the scope of traditional morality, animals are not. Speciesism is institutionalized discrimination, and maltreatment of animals is deemed just on the basis of them belonging to a different species than humans. Peter Singer defines speciesism as follows: 'Species is in itself, as irrelevant to moral status as race or sex. Hence, all beings with interests are entitled to equal consideration: that is, we should not give their interests any less consideration than we give to similar interests of members of our own species. Taken seriously, this conclusion requires radical changes in almost every interaction we have with animals, including our diet, our economy, and our relations with the natural environment.'[367] People have placed themselves on a throne high above the non-human animals.

Rawls' model of justice seems to imply symmetry between the original position and the real world, which is separated by a veil of ignorance. The persons doing the actual deliberating about the principles of justices and the sort of institutions which will best render their cause will necessarily have to be rational beings, and thus presumably be human animals. In the real world there are many beings who are not rational beings, including non-rational human beings. Rawls seems to imply that on both sides of the veil of ignorance it is rational beings who matter most. Non-rational beings in the real world only have *indirect* moral status. Rawls' conception of the veil of ignorance is not so thick as to include species membership.

If the veil of ignorance would be thicker, and would include the possibility that rational beings in the original position (moral agents) might enter the real world as a non-human animal (moral patients), there would be asymmetry between the original position and the real world, which would benefit those who are in worst-off positions. By maintaining, as Rawls seems to intend, symmetry, Rawls excludes worst-off positions from his moral theory.

If Rawls' limitation of moral status to a Kantian notion of personhood, depending on the two moral powers, were exerted from his social contract theory and replaced by Benthamite-Singerian pathocentrism, then it follows that animals do have direct moral status. Carruthers, who concedes that animals can have moral status in social

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[367] Singer, 'Singer, Peter', in: Mautner (2005: 572).

contract theory, limits the consequences of this approach by resorting to considered moral judgments of the majority of people about animals. Nussbaum includes animals in social contract theory, but because of her capabilities approach, does not draw conclusions from this about the treatment of animals. Coeckelbergh includes animals in the social contract by introducing a co-operative scheme, but this scheme does not clearly indicate what are the worst-off positions.

I follow Rowlands who concludes that contractarianism *can* be extended to include non human directly: 'If a contractarian position is consistently applied, the recipients of protection offered by the contract *must* include not only rational, but also non-rational agents.'[368] Rowlands uses Rawls' theory as a heuristic device and as a broad theory of ethics, 'a framework for the assignation of moral rights' and 'general principles of morality'[369] not limited to a political framework.

By changing the Kantian notion of personhood by the non-anthropocentric pathocentrism, the social contract can be broadened to incorporate a broad category of human and non-human animals who have the capacity to experience suffering. The resulting Rawlsian-Singerian social contract theory of universal subjectivism reveals that the position of most farm animals is a worst-off positions with much human caused suffering.

There is an asymmetry between *moral agents*, who do the moral deliberation in the original position, and *moral patients*, who, along with the moral agents, are the recipients of the outcome of the social structure. The moral implications are clear. Non-human animals are moral patients and it is thus a moral imperative to stop the human caused suffering of (farm) animals. The abolishing of farm factories is one thing; moral vegetarianism, as Fox argues, is another. Moral vegetarianism can be deduced from pathocentric contractarianism (or any other contract theory which takes moral patients into account and acknowledges that (farm) animals are moral patients). If you do the deliberation in the original position behind the veil of ignorance you have to take serious the option of the worst-off positions, like farm animals. Can you want to be eaten? If not, then that is a strong argument for vegetarianism. Can you want to be maltreated? If not, then that makes the argument stronger and this makes the vegan life style morally just, because a vegan life style tries not to use any animal products and thus is not responsible for the suffering of animals for human usage.

3.4 The Expanding Moral Circle in Contemporary Literature

'That is the great service of attentive and thoughtful reading: it educates and extends the moral imagination, affording insights into – and therefore the chance to be more tolerant of – other lives, other ways, other choices, most of which one will probably never experience oneself, ' writes A.C. Grayling.[370] And in the essay 'Moral education' educational psychologist James Hemming points out the importance of

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[368] Rowlands (1997: 236).
[369] Ibid.: 236.
[370] Grayling (2004: 228).

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literature for moral education and, what he calls, 'moral literacy': 'Through English[371] literature children can be given greater understanding of themselves and others and be confronted, in their imagination, with a variety of moral situations. Literature is about people and their relationships, their behavior and the consequences of their behavior – the very stuff of morality. Literature ranges over feeling from lyrical delight to darkest foreboding. In all moods it can stir wonder, excitement and curiosity about the human condition.'[372]

Martha Nussbaum also argues that literature can and should play a role in training emphatic capacity: 'Citizens cannot relate well to the complex world around them by factual knowledge and logic alone. The third ability of the citizen, closely related to the first two, is what we can call the narrative imagination. This means the ability to think what it might be like to be in the shoes[373] of a person different from oneself, to be an intelligent reader of that person's story, and to understand the emotions and wishes and desires that someone so placed might have.'[374] Nussbaum recommends an education 'that activates and refines the capacity to see the world through another person's eyes,'[375] an education that cultivates imagination. Nussbaum also mentions the role literature can play in pointing out moral blind spots: 'For all societies at all times have their particular blind spots, groups within their culture and also groups abroad that are especially likely to be dealt with ignorantly and obtusely. Works of art (whether literary or musical or theatrical) can be chosen to promote criticism of this obtuseness, and a more adequate vision of the unseen.'[376] Nussbaum sums up what is essential to moral education and what should be the role of the arts in schools and colleges:

1. cultivating capacities for play and empathy in a general way, and
2. addressing particular cultural blind spots.[377]

In their anthology *The Moral of the Story. An Anthology of Ethics through Literature* Renata and Peter Singer devote a chapter to 'Animals and the Environment'. In their introduction to this chapter they emphasize the importance of the imagination for ethics and especially for the expanding circle of ethics: 'One way of establishing that an interest is morally significant is to ask what it is like for the entity affected to have that interest unsatisfied. Imaginatively, we can put ourselves in the place of that being, and ask: how would I like it if I were in that situation?'[378]

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[371] I disagree with Hemming that we should limit our reading to our country. I think there is benefit in having a more cosmopolitan book list.

[372] James Hemming, 'Moral education', in Ayer (ed.), *The humanist outlook,* p. 125.

[373] A large part of the population does not wear shoes but is either barefoot or wears flip-flops. Non-human animals also don't wear shoes. And Nussbaum herself wants to include non-human animals within the moral scope as she does in *Frontiers of Justice*.

[374] Nussbaum (2010: 95).

[375] Ibid.: 96. I would say: through the eyes of another sentient being (even if that being has no eyes, or can't see like a mole).

[376] Ibid.: 106/7.

[377] Ibid.: 108.

[378] Singer (2005: 403).

Searching for novels in which main characters have a physical handicap I haven't found much. Experts might know novels which do, but it is certainly not mainstream contemporary literature in which the protagonists wheelchair around for example.[379] It seems to be a taboo in literary circles.

I will discuss five contemporary popular literary works that address important moral issues and thus might help to raise awareness and can be useful for moral education. John Coetzee's *The Lives of Animals* and Ian McEwan *Saturday* address animal suffering, as does, very explicitly, the non-fiction book, *Eating Animals* by novelist Jonathan Safran Foer. *Solar* by Ian McEwan addresses global warming and *Freedom* by Jonathan Franzen human induced environmental degradation and the dangers of population growth. There might be an awakening moral consciousness in contemporary literature, like feminist literature some decades ago.

3.4.1 *Saturday*

In Ian McEwan's novel *Saturday* (2005), main character Henry Perowne, a neurosurgeon, reflects, while doing groceries and buying fish, on the fish's ability to suffer:

> It's fortunate for the fishmonger and his customers that sea creatures are not adapted to make use of sound waves and have no voice. […] It was once convenient to think biblically, to believe we're surrounded for our benefit by edible automata on land and sea. Now it turns out that even fish feel pain. This is the growing complication of the modern condition, the expanding circle of moral sympathy. Not only distant brothers and sisters, but foxes too, and laboratory mice, and now the fish. Perowne goes on catching and eating them, and though he'll never drop a live lobster into boiling water, he's prepared to order one in a restaurant. The trick, as always, the key to human success and domination, is to be selective in your mercies. For all the discerning talk, it's the close at hand, the visible that exerts the overpowering force. And what you don't see… That's why in gentle Marylebone the world seems so entirely at peace.[380]

Perowne does acknowledge that animals, including fish can suffer. He himself is unwilling to throw a live lobster in boiling water. This attitude is a step forward from the position in which the suffering of animals is plainly denied. For the lobster it makes no difference. Perowne's personal unwillingness to make animals (lobsters) suffer is also a step towards including animals 'in the expanding circle of moral sympathy'. What Perowne lacks, *like many people,* is the *will to act* upon the moral knowledge he has. Perowne is neither ignorant about the capacity of animals to suffer (and who is?), nor about the fact that animals used for human consumption have suffered for this. Perowne willfully ignores the suffering of the animals he buys.

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[379] Bill Cooke drew attention to some examples: Thomas Mann's short story 'Little Herr Friedemann'. And a fantasy trilogy in which a leper features a protagonist: Stephen Donaldson, *Lord Foul's Bane, The Illearth War,* and *Power that Preserves.*

[380] McEwan (2006: 127).

In buying these animals he is guilty of their suffering. In the fragment above he has a meta-analysis about his behavior which acts as an excuse: only *visible* suffering has a strong appeal to moral sympathy, he claims. One could wonder if there would be large screens at the butcher's depicting the maltreatment and suffering of animals this would decrease the sales of meat. Perowne does not want to take animals into the expanding circle of moral sympathy. This is a form of partial ethical reasoning: he willfully leaves animals out. From the perspective of universal subjectivism, Perowne should have taken the contingency of his position as a human being seriously and should in his imagination change place with the suffering creature for whose suffering he is responsible by buying and eating them. It does not seem rational that Perowne could want to change places with these creatures. If he would find himself as the lobster, he is boiled to death in the kitchen – Perowne would presumably in this thought experiment go back to the original position and change the world in such a way that lobsters are not boiled for human consumption, et cetera.

We may be experiencing a change in the cultural outlook on the human-non-human animals relationship. Maybe in 200 years from now people will look back at our time and be astounded by how we treated animals and how we institutionalized the harming of animals on an immense scale. We find it hard to believe that enlightened men as Thomas Jefferson and George Washington were slave owners.

3.4.2 *The Lives of Animals*
Nobel Prize-winner J.M. Coetzee published his short novel *The Lives of Animals* in 2000.[381] This work is a treatise on animal suffering in the literary form of a novel.[382] The message is not new, but the scope of readers, who might not be familiar with the works of Peter Singer and Tom Regan[383], is much wider. John Banville of *The Irish Times* comments on the cover of the book: 'A stimulating and worrying book. It is hard to imagine anyone coming away from it without a new perspective on our relation not only to animals but to the natural world in general, and, indeed ourselves.'

The story is about the (feminist) novelist Elisabeth Costello who is invited to give two lectures at a university in the US, where her son happens to teach physics. Costello lectures on the human treatment of animals and shocks her audience to compare the treatment of animals in farm factories - she speaks of 'production facilities'[384] - with the Holocaust. This makes the formal dinner that follows her presentation awkward. The different responses by the dinner guests, which reminds one of Plato's *Symposion*, give an outline of many common responses and defenses to animal liberationists.

In her lecture Costello notices that 'production facilities' are well hidden:

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[381] This book Coetzee later included in his novel *Elizabeth Costello* (2003).

[382] There is much discussion whether or not the views of the protagonist, Elizabeth Costello, are the views of Coetzee himself. In their essay 'Converging Convictions' Karen Dawn and Peter Singer argue that Costello's views on animals are in fact Coetzee's views. I don't think it matters much. The arguments stand for themselves. See: Leist; Singer (2010: 109-118).

[383] Erno Eskens is a Dutch philosopher and follower of Tom Regan's animal rights philosophy. See his book *Democratie voor dieren. [Democracy for Animals]*.

[384] Coetzee (1999: 17).

I was taken on a drive around Waltham this morning. It seems a pleasant enough town. I saw no horrors, no drug-testing laboratories, no factory farms, no abattoirs. Yet I am sure they are here. They must be. They simply do not advertise themselves. They are all around us as I speak, only we do not, in a certain sense, know about them.

Let me say it openly: we are surrounded by an enterprise of degradation, cruelty, and killing which rivals anything that the Third Reich was capable of, indeed dwarfs it, in that ours is an enterprise without end, self-regenerating, bringing rabbits, rats, poultry, livestock ceaselessly into the world for the purpose of killing them.[385]

I quote Costello's comparison of factory farming with the Holocaust and the psychology of cruelty, what I call 'partial emotionality' in full:[386]

The question to ask should not be: Do we have something in common – reason, self-consciousness, a soul – with other animals? (With the corollary that, if we do not, then we are entitled to treat them as we like, imprisoning them, killing them, dishonoring their corpses.) I return to the death camps. The particular horror of the camps, the horror that convinces us that what went on there was a crime against humanity, is not that despite a humanity shared with their victims, the killers treated them like lice. That is too abstract. The horror is that the killers refused to think themselves into the place of their victims, as did everyone else. They said, 'It is *they* in those cattle-cars rattling past.' They did not say, 'How would it be if I were in that cattle-car?' They did not say, 'It is I who am in that cattle-car.' They said, 'It must be the dead who are being burnt today, making the air stink and falling in ash on my cabbages.' They did not say, 'How would it be if I were burning, I am falling in ash.'

In other words, they closed their hearts. The heart is the seat of a faculty, *sympathy that* allows us to share at times the being of another. Sympathy has everything to do with the subject and little to do with the object, the 'another', as we see at once when we think of the object not as a bat ('Can I share the being of a bat?') but as another human being. There are people who have the capacity to imagine themselves as someone else, there are people who have no such capacity (when the lack is extreme, we call them psychopaths), and there are people who have the capacity but choose not to exercise it.[387]

During dinner afterwards there is discussion about the mental capacities of animals, especially about consciousness which seems more or less exclusively human. In the following remarks Costello defines speciesism without mentioning the term:

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[385] Ibid.: 21-2.
[386] See paragraph 5.14 'Partial emotionality'.
[387] Ibid.: 47/48.

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They have no consciousness *therefore*. Therefore what? Therefore we are free to use them for our own ends? Therefore we are free to kill them? Why? What is so special about the form of consciousness we recognize that makes killing a bearer of it a crime while killing an animal goes unpunished?[388]

Someone concludes for her:

Therefore all this discussion of consciousness and whether animals have it is just a smoke screen. At bottom we protect our own kind. Thumbs up to human babies, thumbs down to veal calves. Don't you think so, Mrs. Costello?[389]

Her opponent the fictional professor of philosophy (to whom I will refer as the Philosopher) comes up with moral relativism:

When it comes to human rights […] other cultures and religious traditions quite properly reply that they have their own norms and see no reason why they should have to adopt those of the West. Similarly, they say, they have their own norms for the treatment of animals and see no reason to adopt ours – particularly when ours is such a recent invention. […] As long as we insist that we have access to an ethical universal to which other traditions are blind, and try to impose it on them by means of propaganda or even economic pressure, we are going to meet with resistance, and that resistance will be justified.

To which Costello replies:

Kindness to animals has become a social norm only recently, in the last hundred and fifty of two hundred years, and in only part of the world. You are correct too to link this history to the history of human rights, since concern for animals is, historically speaking, an offshoot of broader philanthropic concerns, for the lot of slaves and children, among others.[390]

The relativist Philosopher, in trying to respect cultural differences and especially paying respect to non-western cultures, turns a blind eye to intolerance and cruelty. In terms of universal subjectivism one should ask: 'What are the worst-off positions?' This is independent of what cultural tradition is under moral scrutiny. The western world has invented animal factoring which is spreading rapidly worldwide, just when in the West a (marginal) counter-culture is beginning to get cultural acceptance to bring animals within the moral scope.
      The Philosopher has another critique: animals and the fear of death:

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[388] Ibid.: 67.
[389] Ibid.: 103.
[390] Ibid.: 105.

I do not believe that life is as important to animals as it is to us. There is certainly in animals an instinctive struggle against death, which they share with us. They do not *understand* death as we do, or rather, as we fail to do. There is, in the human mind, a collapse of the imagination before death, and that collapse of the imagination […] is the basis of our fear of death. That fear does not and cannot exist in animals, since the effort to comprehend extinction, and the failure to do so, the failure to master it, have simply not taken place.

For that reason, I want to suggest, dying is, for an animal, just something that happens, something against which there may be a revolt of the organism but not a revolt of the soul. And the lower down the scale of evolution one goes, the truer this is. To an insect, death is the breakdown of systems that keep the physical organism functioning and nothing more.[391]

Of course, the Philosopher is right to notice a gradual difference in the capacity to grasp one's own death and to be afraid of it – especially in the manner how one's life comes to an end. What the Philosopher neglects is the evolutionary scale of the capacity for suffering, in which the fear of one's own death is only one parameter. A cow might not fear its own death (though cows do not like to enter the slaughter house), cows *can suffer*, and it is the suffering caused by human beings that matters morally.

Someone in the audience by the second lecture of Costello gives a sociology of the common attitude towards animals:

If I were asked what the general attitude is towards the animals we eat, I would say: contempt. We treat them badly because we despise them; we despise them because they don't fight back.[392]

Her son John ponders about what he thinks his mother will say when someone in the audience asks: 'What led you, Mrs Costello to become a vegetarian?':

The response in question comes from Plutarch's moral essays. His mother knows it by heart; he can produce it only imperfectly. "You ask me why I refuse to eat flesh. I, for my part, am astonished that you can put in your mouth the corpse of a dead animal, am astonished that you do not find it nasty to chew and swallow the juices of death-wounds."[393]

If one takes the perspective of animal suffering, it changes the perspective of our civilization drastically: the peaceful 'civilized' countries of the West appear

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[391] Ibid.: 110.
[392] Ibid.: 101.
[393] Ibid: 38. In an interview Coetzee himself answers to this question whether or not he is a vegetarian: 'Yes, I am a vegetarian. I find the thought of stuffing fragments of corpses down my throat quite repulsive, and I am amazed so many people do it everyday. […] As for vegetarianism, it is hard to understand why people should want to chew dead flesh.' Quoted in Leist and Singer (2010: 115).

barbarous and cruel societies in which almost all citizens are 'willing executioners'[394] Costello remarks to her son:

> It's that I no longer know where I am. I seem to move around perfectly easily among people, to have perfectly normal relations with them. Is it possible, I ask myself, that all of them are participants in a crime of stupefying proportions? Am I fantasizing it all? I must be mad! Every day I see the evidences. The very people I suspect produce the evidence, exhibit it, offer it to me. Corpses. Fragments of corpses that they have bought for money.

It is to be hoped that Coetzee's novel will cause a moral *Gestalt*-switch. But, as Ian McEwan's character Perowne shows, there is a difference between knowledge and acting upon that knowledge: moral dissonance.

Dawn and Singer quote the literary scholar Cora Diamond who has managed to do some astonishing hermeneutic magic. Diamond argues that *The Lives of Animals* is *not* primarily on the human treatment of animals: 'One can hardly, I think, take for granted that the lectures can be read as concerned with that 'issue', and as providing arguments bearing on it.' According to Diamond the book is 'centrally concerned with the presenting of a wounded woman.'[395] This kind of hermeneutics is enough to make one despair. In the same fashion *Harming Others* might be interpreted as 'an exercise in going to extremes – no one can take it really seriously, and the author can't be serious.' Theologians, by the way, have specialized in this kind of magical hermeneutics: some of them manage to read the bible as a plea for peace, pacifism and tolerance.[396]

3.4.3 *Eating Animals*[397]

Jonathan Safran Foer set his reputation as a novelist by writing two best selling novels *Everything is Illuminated* and *Extremely Loud and Incredibly Close*. He surprised his readers with the non-fiction book *Eating Animals*. One would have hoped that the practices Foer describes in *Eating Animals* (2009) were fiction. Foer makes clear that we as consumers and citizens have a choice and can make a difference. Consumers actually could make the horrible stories of factory farming a story of the past. It would take a considerable effort of a significant percentage of consumers to stop buying those omnipresent products from factory farms. Foer's interest in food and wanting to know where the food, and especially meat, comes from, aroused when he was to become a dad. Wanting to give his child the best possible food, he wanted to know

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[394] Daniel Goldhagen argues in his book *Hitler's Willing Executioners* that the majority of the Germans where not as innocent as they tried to look after the war. According to Goldhagen they knew about the Holocaust and even helped to execute the program.

[395] Cora Diamond, 'The Difficulty of Reality and the Difficulty of Philosophy', in A, Crary; S. Shieh, eds., *Reading Coetzee,* 98-118, quoted from Leist; Singer (2010: 110).

[396] See Paul Cliteur's book *The Secular Outlook* on interpretations of the scriptures from Islam, Judaism and Christianity. Karen Armstrong is especially good in reading selectively and eccentrically interpreting religious documents.

[397] Foer (2009).

the moral and health issues concerning meat. He started an investigative project to find out where the animal products that surround us daily come from. His research takes him into the trenches of factory farm right into the hidden away hell. The illuminating results are extremely shocking and incredibly large.

Looking closer at the world around us, behind the scenes of the idyllic animal farm scenes as presented to us by marketers, we will find what we rather would not have known. The truth is in many ways inconvenient. When one knows, it loads the burden of responsibility on the shoulders of the knower. Ignorance is bliss, in many ways. Can one want to stay ignorant when the horrors could be known easily? If you do not want your food choices be loaded with moral issues about eating animals, don't read any further – even having read the previous sentences pointed out that there are moral issues at hand. The virgin ignorance has already been disturbed.

Foer repeatedly points out that his goal is not to convince readers to become vegetarian. Having read *Eating Animals,* it is hard not to draw the conclusion that stopping to consume animal products from factory farming is a moral obligation. In fact Foer's book is an *indirect* plea for *veganism* – not consuming animal products at all. Stressing that his book is not a plea for vegetarianism seems a strategic way not to scare of meat-eating readers.

The power of Foer's book is its style. He has written this non-fiction investigative journalistic book as if it were a novel. Foer writes about himself and about the food he ate when he was a child. The personal approach and the personal quest for the truth about meat increase the impact of the book. The literary style, and Foer's emphasis that his book is not a plea for vegetarianism, lure readers into the world of animal suffering. It would be interesting to survey the impact of this book on consumer behavior. The influence of the book is probably greater than only to those who have read the book cover-to-cover, because Foer gives many public talks and gets a lot of media attention. My guess is that due to his style and status of bestselling novelist, he might have a bigger impact on consumer behavior than philosophical treatises with the similar contend, like Michael Allen Fox *Deep vegetarianism*.

Foer's approach consists of three elements: (1) a personal dimension about his own eating habits and his reform to veganism; (2) his investigations to where meat comes from; and (3) a shocking display of facts (checked by two independent fact checkers). These are some of these facts: 'More than ten billion land animals are slaughtered for food every year in America.'[398] 'Modern industrial fishing lines can be as long as 75 miles – the same distance as from sea level to space. Animal agriculture makes a 40% greater contribution to global warming than all transportation in the world combined; it is the number one cause of climate change. On average; Americans eat the equivalent of 2,100 entire animals in a lifetime. Nearly one-third of the land surface of the planet is dedicated to livestock. Less than 1% of the animals killed for meat in America come from family farms.'

'*We* can't plead ignorance, only indifference. […] We have the burden and the opportunity of living in the moment when the critique of factory farming broke into the popular consciousness. We are the ones of whom it will be fairly asked, *What did*

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[398] Ibid.: 15.

you do when you learned the truth about eating animals?'[399], remarks Foer. His underlying assumption is that as soon as you will find out the truth about where our food comes from and how much (animal) suffering and environmental impact it causes, people will act upon this knowledge and stop consuming animal products and switch to animal and environmental friendly, and more healthy, (food) products. Grayling says the same thing in his essay 'Vegetarianism': 'Anyone who visited a factory farm, a livestock transport train and an abattoir on the same day would find it hard not to reflect a little on the treatment we mete out to our meat before we meet it on the plate in innocent and unrecognizable form as steak, chop or roast. Indeed the brutal facts of meat production should fill the normally reflective person with vastly […] nausea […].'[400] Grayling also introduces a new kind of footprint: the *slaughter footprint*, which measures the number of animals, which have been slaughtered for your sake. Vegetarians have a much smaller slaughter footprint than habitual meat-eaters; vegans have reduced their slaughter footprint to zero, which seems to be the moral default position where no other sentient beings have been unnecessarily harmed – that is: slaughtered.

Was it Socrates who remarked that moral failure is due to lack of knowledge? If Foer's book were to be compulsory reading at schools, and eco shock-docs like *FoodInc*, *Our Daily Bread* and *Meet your Meat* were to be regularly broadcasted at prime time on television, consumers would reconsider their food choices and become vegans? We all know that this is too good to be true.[401] Maybe Foer's book will influence *some* people's food choices, but probably not all readers. The question remains, if factory farming has been analyzed as evil of an immense scale, what should be done? Is it enough that *some* people become vegans, that there are *some* animal welfare improvements in *some* factory farms, while on a global scale the amount of animals in factory farms keeps growing and the population and green house gases caused by factory farms increases? Foer's book is a consciousness raiser about the many evils of factory farming – in fact the book forces you to reflect on your own eating habits. 'Our response to the factory farm is ultimately a test of how we respond to the powerless, to the most distant, to the voiceless – it's a test of how we act when no one is forcing us to act one way or another.'[402]

What actions should be taken to end all factory farming as soon as possible? As with so many of the problems about the environmental crisis, there is a chain of responsibility or the *responsibility chain*. Farmers, corporations, supermarkets, engineers, legislators, politicians, transnational organizations as the UN, restaurants, engineers, animal scientists, marketers, media cooks and, last but not least,

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[399] Ibid.: 252.
[400] Grayling (2009: 367).
[401] In my course Environmental Ethics at Utrecht University, I show the students *Meet your Meat* and they have to read David DeGrazia's *Animal Rights*. On average some 5 out of 40 students change their life styles and become vegetarians as they write in their evaluation form. What would help to influence the others to reconsider their life style from a moral and environmental point of view?
Jamieson writes about the role of philosophy professors: 'Given the institutional location of most philosophers, writing about individual responses to ethical problems makes good sense. We might succeed in changing the behavior of a few students and colleagues, but, if our goal is to change the world, our prospects as bleak.' Jamieson (2008: 41).
[402] Foer (2009: 267).

consumers. Farmers, for example, point out that they provide what consumers want: cheap meat and dairy products.[403] In a shopping market the prices of products turn out to be an important factor in deciding what to buy.

Veganism and vegetarianism seem to become more and more accepted. A significant minority of the people makes a commitment not to eat products from factory farms. But the evil continues. If most people would hold slaves, and some people would choose not to hold slaves, would that make that a just society? Is it enough moral commitment not to hold slaves, and not to strive to abolish slavery altogether? Generally, it is considered as a *faux pas* to bring up the topic during a dinner with friends on what is on their plates. You can say how delicious meet tastes, but you are not supposed to comment on the suffering inflicted on the butchered animal. If you would live in a slaveholder society, would you want to be friends with people who hold slaves?

If factory farming is a deeply immoral institution, what means are justifiable to end it? Becoming a vegan does help to end the malpractice, but only on a small scale. In the Netherlands you can vote for one party that wants to end factory farming: the Party for the Animals.[404] There seem to be three kinds of actions: (1) Striving to live your own life harm free by consuming morally (2) Striving as much as one can to try to change the system from within, influencing politics and policies or by influencing others and consumer behavior in general. (3) If this does not help one might consider to step outside the system and resort to civil disobedience. Much of the filmed material that shocks audiences has been acquired illegally. Foer also intruded one night in a poultry farm. Getting information illegally is a form of civil disobedience. But still, this has not helped a great deal in mitigating let alone abandoning factory farming. Some animal rights activists therefore resort to liberating animals, mostly fur animals like minks. Those fur animals do not have a viable chance to survive in the wild. Liberation actions have not (yet) lead to abandoning fur factory farming. It might have raised the awareness of the general public that such farms exist. At the same time, the general public does not like these sabotaging acts and brands animal rights activists, and not only those who actually free animals, as 'terrorists'. There is a small group of animal right activists who resort to violence by setting fire to cars and threatening people responsible for animal experimentation, especially using great apes as chimpanzees.[405]

Would it be effective if there would be a large-scale sabotage of factory farming in the long chain of production from animal to your plate? The question where to begin and what to do is a practical matter. The moral question is, is civil disobedience and the use of sabotage morally justifiable and pragmatically successful? It is good to keep in mind Popper's maxim that we should not strive for a better more humane world using inhumane methods, because that makes us ourselves inhumane and immoral. The means that can be used morally are limited.

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[403] See the eco shock doc *FoodInc.*

[404] Marianne Thieme, founder and leader of the Party for the Animals has written two books largely based on Regan's concept of animal rights: Thieme (2004, 2009).

[405] Enno Eskens lists civil disobedience, violence and 'terroristic actions' used by animal rights activists in the Netherlands in his book *Democratie voor dieren* ['Democracy for Animals'], which describes the history of the animal rights movement.

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This inevitably leads to the gruesome conclusion that billions and billions of animals will incredibly suffer and that the environment will be degraded due to factory farming methods, before it eventually comes to an end. Because it will stop. Either we will consume ourselves towards the abyss of ecocide, or we, as a global community, will become sane and abolish factory farming and intensive farming (monocultures) altogether in favor of environmental friendly extensive diversified farming methods.

It is not only the animals that suffer from factory farming, working conditions, for example workers in the huge slaughterhouses are regularly being exploited. They tend to be replaced often. Often they are illegal workers. In the documentary *FoodInc* it is shown how the workers in the USA are maltreated. But also the farmers complain, because they have sold their souls to the devil, who has taken the shape of large corporations. They have to borrow money in order to stay in business and they have to become more and more efficient at the cost of animal welfare, the environment, the landscape (monocultures versus diversity) and their own life satisfaction (being an independent farmer, versus being an employee of a large corporation). Consumers on the one hand profit from the cheap animal products, but the products are of a gross quality. Animals are fed lots of preventive antibiotics, hormones and cheap unnatural food.

Meat eating, especially factory farmed meat, which is about 99% of all meat, is morally wrong. Just plain wrong. If philosophy cannot show that this is a serious problem, than so much the worse for philosophy. Philosophy should help to make the world a better place by finding blind spots and trying to overcome them. Vegetarianism is a litmus test for the moral relevance of philosophy: if you say you are a philosopher, and you are not a vegetarian, what kind of philosopher are you? It is like a human rights activist who is a Holocaust denier and a promoter of *sharia* law.

What is morally wrong and what is illegal does not always overlap. The judicial system is not necessarily a moral system. In constitutional liberal democracies a large part of the legal system is morally justifiable because it protects the freedom of individuals. There are huge moral blind spots in the legal system: animals, the environment, obligation to people in developing nations, and future generations.

What justifies Foer's outrage about factory farming? Factory farming makes animals suffer, is what Foer argues. 'But can animals suffer?' a meat eating skeptic might ask. Foer replies this charge with a wealth of scientific literature on animal suffering of which the general conclusion is: animals can suffer and factory farming and modern fishing methods make animals suffer. But why should one care about the suffering of animals? Why should we have empathy, let alone have sympathy, with other animals? Peter Singer argues that suffering is bad and we should not inflict unnecessary suffering on other creatures. The meat-eating skeptic will answer that the suffering of animals in factory farming is *not* unnecessary because it feeds us and it tastes good. How can one convince someone who does not care about suffering of others? He or she might have some empathy, but his circle is limited to the human species and within the human species to some groups of humans. This is the moral outlook of most humans on the planet. They have a moral circle, which excludes farm animals, but does include certain pet animals. How can one expand the circle

of morality of those who do not want to expand their circle, but who are happy with the status quo which allows them to consume large amounts of factory farmed products?

If one would imagine oneself to be in the place of the other, as is the essence of universal subjectivism, then that would expand the moral outlook of most people. Who would want to change places with an animal in factory farming? Relations can be morally evaluated if one can change places. If you do not want to change places, then you probably have found an immoral relationship. Why would anyone imagine to change places all the time? Most people are content with the status quo and are not looking for blind spots in their moral outlook. It seems hard to make people do the thought experiment of the identity swap. Foer stresses the importance of moral imagination: 'compassion is a muscle that gets stronger with use, and the regular exercise of choosing kindness over cruelty would change us.'[406]

There is a huge gap between what moral reflection reveals about how we should act and on the other hand how we do act (and how this is written down in laws).

Should we stop with moral deliberation when we do not want to accept the outcome of it? Do we want to stay morally nearsighted and reject putting on moral glasses that would reveal the now blurred truth?

Foer, who studied philosophy, is not clear about what ethical theory he espouses. It seems that Singer's preference utilitarianism, which takes the ability to suffer as the touchstone of moral status, comes closest. Foer looks at the phenomenon of factory farming from the perspective of the individual consumer. In the long chain of responsibility for the gruesome practice of factory farming, Foer starts with his plate and the small plate of his son. At the end of the book Foer lists the arguments in favor of stopping to eat factory farmed products: '[it] will help (1) prevent deforestation, (2) curb global warming, (3) reduce pollution, (4) save oil reserves, (5) lessen the burden on rural America, (6) decrease human rights abuses, (7) improve human health, and (8) help eliminate the most systematic animal abuse in world history.'[407] How much more knowledge, arguments and pleas are needed to get this message across? 'One of the greatest opportunities to live our values – or betray them – lies in the food we put on our plate. And we will live or betray our values not only as individuals, but as nations.'[408]

3.4.4 *Solar*

The main topic of Ian McEwan's brilliant novel *Solar* (2010) is climate change. In this novel Ian McEwan brings science, literature and ethics together. He addresses the environmental crisis in a novel, but stays within the scientific framework. Amazon.com runs this quote from *Time:* 'McEwan's background research is so seamlessly displayed that scientists at the Massachusetts Institute of Technology - busy working on the same topic - might wonder if he's nicked their notes. But where *Solar* really succeeds - beyond the dark comedy - is the author's ability to reveal the nature of the climate conundrum in the very human life of his protagonist.' The main

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[406] Foer (2009: 258).
[407] Ibid.: 256.
[408] Ibid.: 258.

character of this novel is Nobel Prize winning physicist Michael Beard who becomes involved in the quest for green renewable energy. Beard is definitely not an environmentalist, let alone an activist. Actually Beard is a repellent character, living an unsustainable life style. He happens to stumble on the opportunity to develop a geo-engineering solution for the biggest problems of all times. This is what Beard thinks about climate change – it does not seem to be so much different from what the general public thinks:

> Beard was not wholly skeptical about climate change. It was one in a list of issues, of looming sorrows, that comprised the background to the news, and he read about it, vaguely deplored it and expected governments to meet and take action. […] But he himself had other things to think about. And he was unimpressed by some of the wild commentary that suggested that the world was in 'peril', that humankind was drifting towards calamity, when coastal cities would disappear under the waves, crops fail, and hundreds of millions of refugees surge from one country, one continent, to another, driven by drought, floods, famine, tempests, unceasing wars fro diminishing resources.[409]

Tom Aldous, the real hero of the story, dies tragically. He was an environmentally concerned post-doc physicist working as a solitary genius scientist on the problem of how to catch the energy of the sun more efficiently than by the use of solar panels. Beard is not interested in the environmental talk of Aldous, nor in his ideas. Aldous tells Beard that: 'Coal and then oil have made us, but now we know, burning the stuff will ruin us. We need a different fuel or we fail, we sink. It's about another industrial revolution. And there's no way round it […].'[410] When Aldous dies, he leaves his files solely to Beard. Beard recognizes the brilliance of Aldous' work and he becomes involved in finding the technological solution for humankind's biggest problem, and thus 'Planetary stupidity was his business.'[411] In a lecture for financial support Beard points out the importance to invest now in research for renewable energy. This lecture is the climax of the climate problem theme:

> We have to replace that gasoline quickly for three compelling reasons. First, and simplest, the oil must run out. No one knows exactly when, but there's a consensus that we'll be at peak production at some point in the next five to fifteen years. After that, production will decline, while the demand for energy will go on rising as the world's population expands and people strive for a better standard of living. Second, many oil-producing areas are politically unstable and we can no longer risk our levels of dependence. Third, and most crucially, burning fossil fuels, putting carbon dioxide and other gases into the atmosphere, is steadily warming the planet, the consequences of which we are only beginning to understand. But the basic science is in. We

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[409] McEwan (2009: 16).
[410] Ibid.: 26.
[411] Ibid.: 111.

either slow down, and stop, or face an economic and human catastrophe on a grand scale within our grandchildren's lifetime. [...] And this brings us to the central question, the burning question. How do we slow down and stop while sustaining our civilization and continuing to bring millions out of poverty? Not by being virtuous, not by going to the bottle bank and turning down the thermostat and buying a smaller car. That merely delays the catastrophe by a year or two. Any delay is useful, but it's not the solution. This matter has to move beyond virtue. Virtue is too passive, too narrow. Virtue can motivate individuals, but for groups, societies, a whole civilization, it's a weak force. Nations are never virtuous, though they might sometimes think they are. For humanity en masse, greed trumps virtue. So we have to welcome into our solutions the ordinary compulsions of self-interest, and also celebrate novelty, the thrill of invention, the pleasures of ingenuity and co-operation, the satisfaction of profit. [...] Do not be tempted by the illusion that the world economy and its stock exchange can exist apart from the world's natural environment. Our planet earth is a finite entity. [...] The deniers, like people everywhere, wanted business as usual. They feared a threat to shareholder value, they suspected that climate scientists were a self-serving industry, just like themselves. [...] In fifteen years there have been three IPCC reports of mounting urgency. [...] Forget sunspots, forget the Tunguska Meteorite of 1908, ignore the oil-industry lobbies and their think-tank and media clients who pretend, as the tobacco lobby has done, that there are two sides to this, that scientists are divided. The science is relatively simple, one-sided and beyond doubt. [...] We've observed and we know the mechanisms, we've measured and the numbers tell the story, the earth is warming and we know why. There is no scientific controversy, only this plain fact. That may sadden you or frighten you, but it also should position you beyond doubt, free to consider your next move.'[412]

Melissa, one of his many lovers tells Beard: '[...] that to take the matter seriously would be to think about it all the time. Everything else shrank before it. And so, like everyone she knew, she could not take it seriously, not entirely. Daily life would not permit it.'[413] Isn't that exactly the case? As soon as one grasps the full scope of the environmental crisis, for example after watching *The Age of Stupid*, the feeling of despair might be overwhelming, but then daily life continues and the crisis subdues to the back ground. It is a (new) psychological problem how people should cope mentally with this problem. Forgetting and ignoring seem to be popular strategies. Not many people lie awake at night thinking about the dire prospects of the future.[414]

Climate skepticism is also addressed in the novel. Beard remarks: 'Suppose the near impossible – the thousand are wrong and the one is right, the data are all

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[412] Ibid.: 152.
[413] Ibid.: 165.
[414] After reading many books on environmental science and environmental philosophy, and especially after having watched dozens of eco shock docs, I ask myself if it was a responsible decision to have children knowing what I know now. The widespread ignorance and negligence of the problems is stunning and frightening.

skewed, there's no warming. It's a mass delusion among scientists, or a plot. Then we still have the old stand-bys. Energy security, air pollution, peak oil.'[415]

In the novel the geo-engineering solution fails. It was too good to be true. If there were a renewable source of energy that could replace fossil fuels, that would save us, or at least some of our pressing environmental problems. But as long as we do not have a replacement, and we are continuing to use huge quantities of nonrenewable fossil fuels, we are heading for disaster. The question is will a novel help to steer public discourse and individual action in the right direction? It is likely that *Solar* will have a larger audience than the IPCC reports, and will it have a bigger impact? Will it be a consciousness raiser, or will people say: 'But it is just a *novel*, fiction!' *Solar* is a grim, dark and pessimistic book. One would wish it was all just fiction.

3.4.5 *Freedom*
In Jonathan Franzen's bestselling novel *Freedom* (2010) the topics of environmental degradation and the danger of rapid overpopulation are addressed.[416] Walter, a lawyer and environmentalist, is one of the main characters of the novel. If you put together, as I will do, most of Walter's remarks on environmental issues, you get a bleak picture that could have been written by Bill McKibben. But Franzen's book is a popular book, read by a much wider circle of readers than those who are familiar with books on environmental issues. Perhaps popular literature like this can help to raise awareness to the dangers of environmental degradation and point out the importance of individual (environmental) responsibility. If freedom is not curtailed within environmental limits, freedom will result in the tragedy of the commons.

> Mainstream economic theory, both Marxist and free-market, Walter said, took for granted that economic growth was always a positive thing. A GDP growth rate of one or two percent was considered modest, and a population growth rate of one percent was considered desirable, and yet, he said, if you compounded these rates over a hundred years, the numbers were terrible: a world population of eighteen billion and world energy consumption ten times greater than today's. And if you went *another* hundred years, with steady growth, well, the numbers were simply impossible. So the Club of Rome was seeking more rational and humane ways of putting the brakes on growth than simply destroying the planet and letting everybody starve to death or kill each other. […] So there's this small group of intellectuals and

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[415] Ibid.: 216-7.

[416] Sam Tannenhaus, who reviews *Freedom* for the *New York Times Book Review,* does not acknowledge the importance of Walter's environmentalism. In an extensive review, this is Tannenhaus only remark about it: 'Himself a confirmed and well-informed environmentalist, Franzen gives full voice to Walter's increasingly extreme preachments on the subjects of overpopulation and endangered species. "WE ARE A CANCER ON THE PLANET!" he declares at one point, in a rant that goes viral on the Internet as his dream sours into a nightmare vision of a land in which "the winners," who own the future, trample over "the dead and dying and forgotten, the endangered species of the world, the nonadaptive." It is telling that Tannenhaus calles this an 'extreme preachment'. Sam Tannenhaus, 'Peace and War', *New York Times Review of Books*, August 19, 2010.

philanthropists who are trying to step outside our tunnel vision and influence government policy at the highest levels, both in Europe and the Western Hemisphere. […] 'The whole reason we need something like the Club of Rome', he said, 'is that a rational conversation about growth is going to have to begin outside the ordinary political process. […] 'But *somebody* has to talk about it, and try to influence policy, because otherwise we're going to kill the planet. We're going to choke on our own multiplication.'[417]

Walter has more environmental contemplations:

Low-density development is the *worst.* And SUVs everywhere, snowmobiles everywhere, Jet Skis everywhere, ATVs everywhere, two-acres lawns everywhere. The goddamned green monospecific chemical-drenched lawns. […] The final cause is the root of pretty much every problem we have. The final cause is too many damn people on the planet. It's especially clear when we go to South America. Yes, per capita consumption is rising. Yes, the Chinese are illegally vacuuming up resources down there. But the real problem is population pressure. Six kids per family versus one point five. People are desperate to feed the children that the pope in his infinite wisdom makes them have, and so they trash the environment. […] In America alone the population's going to rise by fifty percent in the next four decades. Think about how crowded the exurbs are already, think about the traffic and the sprawl and the environmental degradation and the dependence on foreign oil. And that's just America, which can theoretically sustain a larger population. And then think about global carbon emissions, and genocide and famine in Africa, and the radicalized dead-end underclass in the Arab world, and overfishing of the oceans, illegal Israeli settlements, the Han Chinese overrunning Tibet, a hundred million poor people in nuclear Pakistan: there's hardly a problem in the world that wouldn't be solved or at least tremendously alleviated by having fewer people. And yet […] we're going to *add* the equivalent of the world's entire population when you and I are putting our pennies in UNICEF boxes. Any little things we might do now to try to save some nature and preserve some kind of quality of life are going to get overwhelmed by the sheer numbers, because people can change their consumption habits – it takes time and effort, but it can be done – but if the population keeps increasing, nothing else we do is going to matter. And yet *nobody* is talking about the problem publicly. It's the elephant in the room, and it's killing us. […] In 1970 it was cool to care about the planet's future and not have kids. Now the one thing everything agrees on, right and left, is that it's beautiful to have lots of babies. […] We just want to make having more babies more of an embarrassment. Like smoking is an embarrassment. Like being obese is an embarrassment. Like driving an Escalade would be an embarrassment if it weren't for the kiddie argument. Like living in a four-thousand-square-foot house on a two-acre lot should be an embarrassment.

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[417] Franzen (2010: 121-2).

[…] The problem now is that more life is still beautiful and meaningful on the individual level, but for the world as a whole it only means more death. And not nice death, either. We're looking at losing half the world's species in the next hundred years. We're facing the biggest mass extinction since at least the Cretaceous-Tertiary. First we'll get the utter wipeout of the world's ecosystems, than mass starvation and/or disease and/or killings. What's still 'normal' at the individual level is heinous and unprecedented at the global level.'[418]

In Walter's view, there was no greater force for evil in the world, no more compelling cause for despair about humanity and the amazing planet it had been given, than the Catholic Church, although admittedly, the Siamese-twin fundamentalisms of Bush and bin-Laden were running a close second these days. […] And it wasn't just the Walmarts and the buckets of corn syrup and the high clearance monster truck; it was the feeling that nobody else in the country was giving even *five seconds' thought* to what it meant to be packing another 13,000,000 large primates onto the world's limited surface every month. The unclouded serenity of his countrymen's indifference made him wild with anger. […] to Walter the message of every single radio station was that nobody else in America was thinking about the Planet's ruination.[419]

I meant that world population and energy consumption are going to have to fall drastically at some point. We're way past sustainable even now. Once the collapse comes, there's going to be a window of opportunity for ecosystems to recover, but only if there's any nature left. So the big question is how much of the planet gets destroyed before the collapse. Do we completely use it up, and cut down every tree and sterilize every ocean, and then collapse? Or are there going to be some unwrecked strongholds that survive?[420]

"It's all circling around the same problem of personal liberties," Walter said. "People came to this country for either money of freedom. If you don't have money, you cling to your freedoms all the more angrily. Even if smoking kills you, even if you can't afford to feed your kids, even if your kids are getting shot down by maniacs with assault rifles. You may be poor, but the one thing nobody can take away from you is the freedom to fuck up your life whatever way you want to." […][421]

Walter's friend Richard remarks:

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[418] Ibid.: 219-222.
[419] Ibid.: 314.
[420] Ibid.: 323.
[421] Ibid.: 361.

"Capitalism can't handle talking about limits, because the whole point of capitalism is the restless growth of capital. If you want to be heard in the capitalist media, and communicate in a capitalist culture, overpopulation can't make any sense. It's literally nonsense. And that's your real problem."[422]

Walter finally looses his cool by cynically addressing an audience of workmen in a factory for military body armor. The speech reminds one of Elizabeth Costello's dinner speech in Coetzee's *The Lives of Animals*. Speaking out the inconvenient truth seems not the best way to start dialogue or even to convince people. Walter:

> You, too, can help denude every last scrap of native habitat in Asia, Africa, and South America! You, too, can buy six-foot wide plasma TV screens that consume unbelievable amounts of energy, even when they're not turned on! […] I want to mention those big new eight-miles-per-gallon vehicles you're going to be able to buy and drive as much as you want. […]
>
> WE ARE ADDING THIRTEEN MILLION HUMAN BEINGS TO THE POPULATION EVERY MONTH! THIRTEEN MILLION MORE PEOPLE TO KILL EACH OTHER IN COMPETITION OVER FINITE RESOURCES! AND WIPE OUT EVERY OTHER LIVING THING ALONG THE WAY! IT IS A PERFECT FUCKING WORLD AS LONG AS YOU DON'T COUNT EVERY OTHER SPECIES IN IT! WE ARE A CANCER OF THE PLANET! A CANCER ON THE PLANET![423]

The audience responds in attacking Walter and almost lynching him. In his speech Walter both mentions the harmful impact of consumerism, and the problem of population growth. His concluding outrage is the holistic Gaia-perspective of planet Earth as one organism for which humans are the cancer. It seems Walter lets himself get carried away since his general approach is more ecocentric, trying, in an eccentric way, to protect ecosystems from human-induced degradation.

The central theme of the book seems to be the problem how to curtail individual freedom to avoid harm to others. Myopic freedom does not see that others are harmed. The whole American dream and the ideal of continuous material growth, powered by fossil fuels, backed up by military power, is unsustainable, harmful and, in the not so long run, lethal. Franzen shows the dark side of the American (modern, western) way of life. The most part of the book is about difficult family relationships, but, due to the character of Walter, the undertone of the novel is the looming environmental collapse, which almost nobody sees.

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[422] Ibid.: 361.
[423] Ibid.: 484. [Capitals in the original]

3.5 Future Generations

'If Earth's ability to support our growth is finite – and it is – we were mostly to busy to notice.'[424] 'The Earth has 'a limited carrying capacity (for population), productive capacity (for resources of types) and absorbent capacity (pollution).'[425] 'The earth is finite and growth of anything physical, including the human population and its cars and buildings and smoke-stacks, cannot continue forever.'[426] 'Once the limits to growth were far in the future. Now they are widely in evidence. Once the concept of collapse was unthinkable. Now it has begun to enter into the public discourse – though still as a remote, hypothetical, and academic concept. We think it will take another decade before the consequences of overshoot is generally acknowledged.'[427]

If there won't be tremendous changes in the way people live and procreate, there won't be many future generations left to care about. Instead of facing a bogus transcendental inspired apocalypse, we are now facing a real, scientific, evidenced based apocalypse. The pressure of the human species on the ecological system of the earth is racing towards a final countdown. Without a planet to live on, it makes no sense to indulge in politics. 'It makes no sense to value all things human if we place no value on the planet that sustains the species.'[428] The main concern of political philosophy is how people could and should live together from the perspective of one or the other ideology. But political philosophy, as most human endeavors, presupposes that there is a planet to live on. Without a planet with an ecosystem to support (human) life, there is no use of political philosophy whatsoever. As long as there is no problem with the supporting ecosystem, political philosophy does not have to care much about the underlying structure. Ecocentrism is the ideology that does this, as opposed to environmentalism. It is like having a healthy heart: normally you are not even aware of having a heart, but as soon as it falters, it is at the center of attention. The same with the natural environment, the ecosystem of the earth. Presently the signs of a collapse of the ecosystem are at hand. The problems of the environment should get full attention. Philosophers, and a large majority of the people, play ostrich: they do not want to see the seriousness of the problem, or they just do not care: *après nous le déluge*! While the Titanic was going down, the passengers continued to dance….

Political philosopher Svetozar Stojanovic coined the human tendency for self-created collapse and our pretending not to see it as 'humanic': Humanic is 'our inability to transcend our limited conceptions of power from their current nation state conceptions to a genuinely global understanding.'[429]

If people continue to have children and if people care about their children, and their children's children, then environmentalism is political philosophy. As biologist Edward Wilson remarks: 'It should be obvious to anyone not in a euphoric delirium

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[424] Wilson (2003: 22).
[425] Dobson (2003: 15).
[426] Meadows (1992: 7).
[427] Meadows (2004: xxii).
[428] 'Ecological values', in Cooke (2006: 161).
[429] 'Humanic', in Cooke (2006: 255).

that whatever humanity does or does not do, Earth's capacity to support our species is approaching the limit.'[430]

It is imaginable in the original position that you will not come into the real world at present, but at some other point in time. In other words: you could be born somewhere in the future. And not only that, you can enter the real world not tomorrow, but in say 500 years. If you are to be born in the far future you would not appreciate the fact that planet Earth looks like a rubbish dump with no natural resources left, where forests have disappeared for ages, rivers and seas are polluted and without fish. This is not a non-realistic apocalyptic prediction of the future. When one extrapolates the contemporary human impact on our planet, the future does not look bright. It is hard to set a date when human life on earth will become extremely difficult because of the rash use of scarce natural resources. In this manner the sustainability of the ecological systems on earth is endangered. From behind the veil of ignorance you will have to take in account the future, that there *is* a future to live in. Therefore, the needs of future generations should be taken in account. But while 'future generations' is an abstract philosophical notion, the thought experiment of one's own single existence somewhere in the future is more realistic, because it does not need the notion of altruism but only (enlightened) egoism. Not overusing scarce recourses is a logical consequence when taking into account the possibility of one's own future existence. This way of thinking is similar to the often used example of someone whose task it is to divide a cake equally: the person who is cutting the cake gets the last part. This will have as a consequence that all pieces will necessarily be equal, because only in this manner the host will be able to get the largest possible piece for his or herself.[431]

The moral of this cake story can be applied to the use of scarce resources while taking into account future users equally, because you will have to imagine that you are last in line. If the distribution and use of natural resources is like it is now, then there will be for you, the last in line, nothing left, because the people before you took large shares without caring about you. Society will have to be arranged in such a way that there is a durable existence of humanity in harmonious ecological balance with nature. A switch from an economical system based on growth towards some kind of stable state economy seems inevitable. This is under the assumption that people have children, because if people would collectively decide not to reproduce, then all natural recourses could be used. But *if* people decide to have children, *then* the world population has to stop growing and the consumption pattern in wealthy nations has to decrease, because there is an overuse of the natural resources – we take too large shares of the pie.[432] If there will be children, and it is unrealistic to think reproduction will stop, then contemporary generations will have to take into account the needs of future generations, if they want to live morally.

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[430] Wilson (2003: 33).
[431] Rawls (1999: 74).
[432] Innovative technology and sustainable development research can help to use resources more efficiently without polluting the environment. Technology is not a panacea for all problems; it only postpones the inevitable man made collapse.

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The size of the world population is an ethical question, because people can control it. There must be an optimum number of people, where all humans are comfortably well-off. Because universal subjectivism means you have to change position with every possible existence, can you want to change positions with a (human) being which does not come in existence because of birth control in relation to attaining the optimum seize of population? This option cannot be taken into account, because there is no one with whom you can change positions.

Would you opt for a miserable existence dying from starvation due to overpopulation? Particularly when, compared to your plight, other people are living pleasant lives. Isn't it better not to exist then to have a miserable existence?[433] The same arguments hold for farm factories. Isn't it better for the chickens in the factories not to have existed than to have a live in preparation of a meal at Kentucky Fried Chicken. Keep in mind that the situation changes for those who *do* exist. Morality applies (or should apply) to all existing sentient beings (in accordance with their ability to suffer). Would you have a child if you would know it would die from starvation?

It might feel weird to think that you might not have existed due to birth control or any accident of history. But you are here, you can read this text: you made it. The moral solution to overpopulation is *not* letting people die from starvation, warfare, or an easily curable disease. As soon as a being comes into existence, it has to be taken into account. From the original position you can be any of the existing creatures. It is the quality of life that matters (for the individuals themselves) not the quantity of life.[434]

The sustainability of the earth is dependent on two conditions. On the one hand the size of the human population. Exponential growth of the human population, which has been the case from the beginning of the 20th century, will necessarily lead to the exhaustion of the earth. Technological innovation may be able to ward off the inevitable human made collapse, but not infinitely.

On the other hand, the sustainability of the earth depends on the size of the ecological footprint. The sustainability of the earth is dependent on: the size of the human population multiplied by the average ecological footprint. Whenever there is a scarce resource - and the ecological system of the earth is a scarce resource - there is the risk of exhaustion. If there are less people, then the ecological footprint can be bigger than if there are more people. The rapid economical development of China is an ecological disaster. In China there are approximately 1.1 billion people. When many people can afford to buy a car and other consumer goods and will consume on the same level people in the rich west do, this creates an ecological disaster. It is not reasonable to expect the Chinese do not want to consume at the same level as the highly industrialized countries.

This is an example of the parable in political philosophy of the so-called 'Tragedy of the Commons'.[435] In a small farmer village each family has a cow that

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[433] This reflection can only be done in the original position, on a very abstract level, because if you would already have a life, no matter how miserable, you might still consider it better than not to exist.
[434] See Singer (1996).
[435] See Sachs (2008: 38), and: Schmitz, Williott, 'The Tragedy of the Common', in Frey (2003).

grazes on the common land around the village. When a family takes another cow, they are better off than those who have one cow. Then another family takes a second cow. And another. Maybe someone takes two extra cows. Till on a certain day there is no grass around the village for any of the cows to graze. And all families suffer from starvation.

This is what happens to fishing in the common waters.[436] And, on a larger scale, to the global ecology as a whole. 'When ecosystems are harvested faster than they can regenerate or recharge, the underlying resources (forest, freshwater, fish, pastureland, soil nutrients) are depleted, sometimes to complete collapse.'[437] Though individuals can make a difference, it is extremely unlikely that this problem will be solved by people who voluntarily restrict themselves. Tim Jackson puts it succinctly in his book *Prosperity without Growth*: 'In the pursuit of the good life today, we are systematically eroding the basis for well-being tomorrow.'[438]

There will always be free loaders. The bottom-up solution will never be able to stop the tragedy of the commons from happening. A top-down strategy could, in theory. Global governance, in theory, could enforce restrictions and limitations, on equal terms. It is not fair to maintain the status quo between 'the haves' in the west, and 'the have-nots'. These positions are not interchangeable. The rich do not want to be poor, but the poor want to be rich. That's why many people desperately try to cross the borders in order to enter the western world.

It is common to think that the politicians in western liberal democracies are decent people. Is that so? The western democracies are 'gated communities' trying to defend their freedom, privileges and wealth. Politicians do politics within a small conception of justice. Politicians who held office in times without universal suffrage and who were not campaigning for it, were they just? I do not think so. Compare this to the present: are politicians moral who hold office when there are farm factories on a large scale and who do not campaign against it? Are politicians moral when they support the unsustainable economic system?

What is just depends on what perspective you hold. A form of justice, which tries to have as few blind spots as possible is morally superior to conceptions of justice which can be shown to have blind spots. The Netherlands, which many people consider to be a decent and just democracy, is not, mainly because of four reasons:

1. The ecological footprint of the average Dutch citizen is destructive to a sustainable planet. The Dutch are harming future generations due to their life style.
2. There is animal industry (which on an incredible scale inflicts unnecessary pain on animals and contributes to climate change and deforestation).
3. The Dutch do not care substantially for people outside the Netherlands. ('Substantially' is a subjective term, what about 10% of the G.N.P.?).

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[436] See for example: Clover (2008).
[437] Ibid.: 37.
[438] Jackson (2009: 2).

4. The Dutch government fails to protect women and girls from immigrants (of whom many are Muslim) from involuntary marriages, violence and effective personal (sexual) freedom.[439]

Derek Parfit brings up the issue of the size of the population of human animals. The population of human animals is growing rapidly and exponentially. At a certain point the life quality of most (if not all) human animals will decrease because of the pressure the number of human animals put on scarce resources, including water and space. In 'Overpopulation and the Quality of Life'[440], Pafit compares two situations A and B. In A there are less people than in B. In A the average wellbeing (happiness, welfare) is better than in situation B. If we would do a Benthamite calculus in order to compute the 'greatest happiness for the greatest number'. Let's make it clear with some fictional numbers:

A: 100 people, 'average happiness': 9, thus total happiness (=Benthamite calculus)= 100 x 9 = 900;
B: 1000 people, 'average happiness': 6, thus total happiness = 1000 x 6 = 6000.

According to Bentham's 'greatest happiness principle' situation B, with a total happiness of 6000 'happiness units', is better than situation A, with 900 happiness units. But in B all people are worse off than in A. It seems that utilitarians will prefer situation B, thus maximizing the total amount of happiness, without taking into concern individual happiness.

From behind the veil of ignorance, what situation would you prefer: situation A, living with less fellow human beings, but living a life of higher quality, or situation B, living with more fellow human animals, but living a life of less average quality? The answer could be obtained by research polls. But it seems to me that people would prefer living a better life, thus choosing situation A. I would choose option A.[441]

3.6 Environmental Cataclysm

Why didn't we save ourselves, when we had the chance?

This is the key phrase of the dramatic eco shock-doc *The Age of Stupid* (2009). Scarcity and sustainability are the main problems of humankind. We are on the Titanic and we are cruising towards the iceberg. We *know* we are heading for a fatal collision, but we don't seem to care. 'Hopefully, the captain will manage to get us around it safely.' The difference is that in 1912 the captain of the Titanic did not see the iceberg, *but we do*. We see our ship cruising towards the iceberg of

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[439] See Verhofstadt (2006), Hirsi Ali (2002, 2004, 2007).
[440] In Singer (1986).
[441] Here we run to risk of going into metaphysical deep waters in trying to answer the question: would you choose to exist or not to exist? When choosing option A you run the risk of non-existence. From a meta-perspective I think option A is the better world: less people, more quality.

environmental cataclysm, but we are more concerned about business as usual on board and continue to live our lives, hoping that someone will change the course so that we will pass the iceberg. Of course, it was important that nobody stole jewelry or was being killed aboard. But much more important was what happened to the ship as a whole.

3.6.1 Universal Subjectivism and Environmentalism

The environmental crisis is a human caused threat to global safety. Humans are destroying the ecosystem of the earth; we know we are doing it and we continue doing it. It is not exactly clear what is the limit, but it is overwhelmingly clear that the end, in the sense of environmental collapse, is nigh. The Report of the Club of Rome *Limits to Growth* (1972) has been laughed at, ridiculed even, because their models proved wrong.[442] However, the general warnings of the Club of Rome were right: we are heading towards a human made collapse. But it is hard to focus on these troubles; it is much easier to neglect them. It is time, more than ever, to take action. Philosophy should, and possibly could, help to think about what action to take. The main problem of political philosophy is not only about social justice for everyone, but also (without neglecting social justice) about a sustainable way of living (economy). Unlimited growth, both of the economy and of the population is impossible in a limited system with scarcity.[443] The dogma about the necessity and blessings of economic growth could well be the most lethal idea in human history.[444] There are optimists who think, if we take the right action, the world will be saved and there can be 'peace, prosperity, and environmental sustainability.'[445]

There are many eco-alarm books, some of which I will discuss, and many eco shock docs.[446] As we all know, the UN Copenhagen conference in 2009, trying to curb CO2e[447] emission has failed. Some environmentalists, like Mark Lynas, author of

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[442] In *Groene Herfst* ['Green Autumn'] (2010) Egbert Tellegen, a pioneer of sociology of environmental science, and environmentalism in the Netherlands, overlooks the discovery of what is called 'the environment', as opposed to nature, in the early 1970's. He looks back on what has been done to solve environmental problems. On local scale some problems have been solved or meliorated, but, to his unpleasant surprise, Tellegen has to conclude that on global scale environmental problems have worsened.

[443] The 'cradle to cradle' (C2C) concept is somewhat hopeful. It is the idea that everything humans produce and build is in harmony with ecology, without any waste (all waste is beneficial to nature). Only if this concept works on a very large global scale then it could lessen the threat of the collapse. The growth of the population is another problem, which is not solved by cradle to cradle thinking. See: William McDonough, Michael Braungart, *Cradle to Cradle. Remaking the Way We Make Thinks*. See: www.mcdonough.com.

[444] I hope these moral outcries will seem naïve. In this case I'd rather be wrong then that I am right. If I am right, there might be no one to notice anyway.

[445] Sachs (2008: 314).

[446] Examples of shock docs:
The End of the Line, FoodInc, Home 2009, Planeten, The Age of Stupid, The Vanishing of the Bees, We Feed the World, Vue du Ciel series, The Eleventh Our, An Inconvenient Truth, Six Degrees, Dos Winkel, *Wat is er mis met vis, en visolie?* ['What is wrong with fish and fish oil?'] – More in the Mediagraphy.

[447] CO2e stands for Carbon Dioxide Equivalents. There are more greenhouse gases than the most famous CO2: methane (from farm factories), perfluorocarbons, nitrous oxide. Carbon dioxide equivalency is a quantity that describes the amount of CO_2 that would have the same global warming potential (GWP), when measured over a specified timescale.

Six Degrees. Our Future on a Hotter Planet, argue that the 2009 United Nations Climate Change Conference in Copenhagen is our collective suicide note. What is needed to make people act immediately and radically? I don't have an answer to that. This book is an eco alarm philosophy book, a theory of how we should live our lives and how to organize society and economy to avoid harming others. But there is a large gap between theory and practice. We, rich westerners, living our affluent decadent lives at the brink of extinction, are not only causing much harm, but also our own downfall and taking with us much of life, including that of our own descendants. These eco alarm books are harbingers of the decline and fall of modern civilization. E.O. Wilson, the famous naturalist, reflects on the green history of our planet: 'Civilization was purchased by the betrayal of nature.'[448]

In order to be able to live and to celebrate life, humans, and other animals, are dependent on a healthy planet. It is a paradox that just when global welfare is booming (at least for some) and the world population is growing rapidly, the consequences of human activities are ruining the planet. There is debate among scientists about the details of how bad things are, but there is consensus that human activities have a degrading influence on the ecosystems of the planet, to mention a few:[449] global deforestation, depletion of the ocean fisheries, water- and air pollution, plastic soup in the oceans, massive extinction of species, increasing CO2e levels causing global warming and climate change, rapid growth of the world population, depletion of nonrenewable natural resources and fossil fuels, of which peak oil[450] is a big topic of concern. Humans are using up more resources than the planet can sustainably give. We are facing a range of ecological crises. Especially those living in

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[448] Wilson, (2006: 11).

[449] Handbooks of environmental science list many of the environmental problems, examples of such handbooks are: Tyler Miller (2002), Chiras (2001). There are children's books that explain the basic problem just as well, like Michel (2009): 'When you look closely at our surroundings you'll notice all the changes humans have made to the natural environment. Over the last 150 years, industry, housing and farming have changed it more than any time in our whole history. The earth is in danger! Human activities use up a lot of water and energy. We also create vast amounts of waste – which ends up in the air, the soil and the water. What kind of planet are we creating for the people in the future?' (p. 6). 'How can we protect the environment? Every day we have to make an effort to do little things to care for our surroundings.' (p. 60).

[450] Peak oil is the point in time when the maximum rate of global petroleum extraction is reached, after which the rate of production enters terminal decline. The concept is based on the observed production rates of individual oil wells, and the combined production rate of a field of related oil wells. The aggregate production rate from an oil field over time usually grows exponentially until the rate peaks and then declines until the field is depleted. Peak oil is often confused with oil depletion; peak oil is the point of maximum production while depletion refers to a period of falling reserves and supply.

See on peak oil and oil depletion: Paul Roberts, *The End of Oil: On the Edge of a Perilous New World*; David Goodstein, *Out of Gas. The End of the Age of Oil*; Richard Heinberg, *The Party is Over: Oil, War and the Fate of Industrial Societies*; David Allen Pfeiffer, *The End of the Oil Age*; David Allen Pfeiffer, *Eating Fossil Fuels. Oil, Food and the Coming Crisis in Agriculture*; Paul Middleton, *A Brief Guide to the End of Oil*.

Of course not only oil, but all non renewable natural resources will sooner or later be depleted. Richard Heinberg on coal depletion: Blackout. Coal, Climate, and the Last Energy Crisis. And Heinberg on the depletion of non-renewable natural resources in general: Peak Everything. Waking Up the century of Decline in Earth's Resources.

the western world have a too large ecological footprint.[451] Humans are using up the capital, instead of living of the rent. This life style means that future generations will suffer from the consequences.

The essence of the human caused environmental disaster is a global tragedy of the commons: what is good for individuals is not good for all of us. 'Freedom in the commons brings ruin to all,'[452] writes Garrett Hardin, who was a leading and controversial ecologist, who warned of the dangers of overpopulation and whose concept of the tragedy of the commons brought attention to the damage that innocent actions by individuals can inflict on the environment. Take for example the depletion of the oceans by overfishing. In general, each fisherman will try to catch as much fish as possible, without taking sustainability into account. Overfishing will lead to the depletion of the oceans. The same with logging, which causes deforestation (which causes the rise of CO_2e levels and a decline of biodiversity). What is good for an individual at a given moment is not always good for the group as a whole. The tragedy of the commons can theoretically be overcome by making rules about how to use the commons.[453] 'One main purpose of social institutions, especially legal institutions, is to internalize externalities, preventing people from shifting the cost of their activities on to others. […] Institutional frameworks can be judged according to whether they put people in a position, first to recognize when they face a commons problem, and, second, to respond to that problem in a measured, effective, peaceful way.'[454] Sustainable arrangements depend on good international agreements.

'Why has climate change not prompted more alarm?' writes philosopher A.C. Grayling, and he answers himself: 'One reason is that we do not wish to believe it. Believing it means serious and inconvenient changes to our lifestyles. Another reason is that there are plenty of vested interests who do not encourage us to believe it, and do not encourage themselves to believe it either: they include commerce and industry, and governments aiming for the re-election are reluctant to impose inconveniences on voters. Also, we are all waiting for a miracle to happen, in the form of people in white lab coats coming up with a quick, easy, inexpensive technological fix. Or perhaps we hope to wake up one day and find it was all just a bad dream.'[455] Monbiot ponders about climate skepticism writing that: 'It is hard to convey just how selective you have to be to dismiss the evidence for climate change. You must climb over a mountain of evidence to pick up a crumb – a crumb that then dissolves in your palm. You must ignore an entire canon of science, the statements of

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[451] The amount of scarce resources and energy a person uses is called an 'ecological footprint'. This footprint can be calculated in soccer fields, and compared to the total availability of resources and the size of the world population. You can calculate your ecological footprint on the Internet, for example: www.bestfootforward.com. The (English) Wikipedia also lists ecological footprint calculators. Innovative technology and sustainable development research can help to use resources more efficiently without polluting the environment. Technology is not a panacea for all problems; it only postpones the inevitable man made collapse.

[452] Hardin (1968: 1243-8).

[453] See for example the book by Noble prize winning political scientist Elinor Ostrom, *Governing the Commons. The Evolution of Institutions for Collective Action*.

[454] David Schmidtz, Elizabeth Willott, 'The Tragedy of the Commons', in: Frey (2003: 672).

[455] Grayling (2010: 135).

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the world's most eminent scientific institutions, and thousands of papers published in the foremost scientific journals.'[456]

If philosophy has any pretension of being a friend of, and searching for, wisdom, it seems impossible to neglect the Biggest Problem of All Times: the human caused destruction of the planet Earth, in other words: the ecological crisis.[457] Environmental problems seem to be an elephant in the room. We are committing global suicide. We can even call it murder: many innocent human beings will die and live miserable lives due to our destructive life styles. We know, but we don't seem to care.

It is time, more then ever, to use all available brainpower for green innovations, green policies, green life styles and green technology to try to save the world. In World War II academics took their share in the war against fascism and the fight for freedom. Today philosophers and scientists should use their knowledge, skills and tools to help restructure human action and societies in order to make us live sustainably, healthy, peacefully and justly. We can't afford doing nothing. When the ecological system shuts down (like when the temperature rises too much), we will all go down.

There are just two options: 1) Fatalism. Accepting that we will go down and continue to live our comfortable lives as well as we can without caring about the environmental disaster. Hopefully the flood will come after us; or 2) we can try our utmost best, like in war time, and strive for our survival and future generations. Tyler Miller, author of a handbook on environmental science, is an outspoken optimist who sees the Biggest Problem of All Times as an exciting challenge: 'If I had to pick a time to be alive, it would be the next 75 years. Why? First, there is overwhelming scientific evidence that we are in the process of seriously degrading our own life support system. In other words, we are living unsustainably. Second, within our lifetime we have the opportunity to learn how to live more sustainably by working with the rest of nature.'[458]

What can a philosopher do? What can a philosopher do to help change the economic system based on growth and environmental depletion? How can she or he help to drastically reduce our ecological footprint? How can population growth be stopped? How can sustainable energy best be developed, promoted and implemented? How can we live ecologically? How can biodiversity be saved as much as possible? How can we stop deforestation and depletion of the oceans? '[…] the first law of philosophy is this: it cannot be the case that the only mistake in an argument is that the conclusion is false,'[459] writes ethicist Dale Jamieson, famous for his essay 'Against Zoos'.[460]

It is time for ecological activism. Much of philosophy is completely irrelevant to help solve the Biggest Problem of All Times. Philosophy should help by writing about it, not just in academic journals, but also in popular media, teaching courses, giving public lectures, pleading to politicians, stimulating scientists, thinking about

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[456] Monbiot (2008: 32).
[457] See for example: Jaeger, *Was vertraegt unsere Erde noch?*
[458] Tyler Miller (2002: 20).
[459] Jamieson (2008: 128).
[460] In his book *Moral Progress.*

solutions, and also set an example in living environmentally sound, living a moral life by being a vegan, flying as little as possible or not at all, reducing your ecological footprint and being involved in ecological activism. Philosophers should help to raise awareness of the ecological crisis and help to find solutions. Philosophers like Arne Naess and Peter Singer have set an example of combining philosophy, ecological activism and living ethically. 'You try to live in such a way that you are having the least harmful impact on others, that is on other people, on other sentient beings (animals) and on the planet. And, where possible, you go beyond that and you actually try and make things better. Trying to help others who need it.'[461] 'Don't harm others' – isn't that obvious? But how are we to live without harming others? '[…] we should care about the amount of pain and suffering in the world, and do what we can to make the world less, rather than more, full of these aversive experiences.'[462]

Mark Lynas' *Six Degrees* is a frightening book about the dire consequences of climate change: '[Climate change] is actually the key question facing humanity – far more important than terrorism, crime, healthcare, education or any other everyday concerns that fill up our newspapers and television screens.'[463] '[…] if we are to be confident about saving humanity and the planet from what could be the worst mass extinction of all time, […] *we must stop at two degrees*.'[464] '[…] we have less than a decade remaining to peak and begin cutting global emissions. This is an urgent timetable, but not an impossible one. It seems to me that the dire situation that we find ourselves in argues not for fatalism, but for radicalism.'[465] '[…] only by advocating 'politically' unrealistic' CO2 concentrations can extreme global warming be reliably avoided. But then what is politically realistic for humans is wholly unrelated to what is physically realistic for the planet.'[466]

Mark Lynas is a British author, journalist and environmental activist who focuses on climate change.[467] He also appeared in the film *The Age of Stupid* (2009). In 2004 Lynas published *High Tide: The Truth About Our Climate Crisis*. He has contributed to the book *Fragile Earth: Views of a Changing World* (2006), which presents before-and-after images of some of the natural changes which have happened to the world in recent years, including the Indian Ocean tsunami and Hurricane Katrina, alongside a bleak look at the effects of humankind's actions on the planet. In 2007 Lynas published *Carbon Counter. Calculate Your Carbon Footprint*, containing instruction to calculate people's personal carbon emissions and recommendations on how to reduce their impact on the atmosphere. In 2007 he also published *Six Degrees: Our Future on a Hotter Planet*, a book detailing the progressive effect of global warming in several planetary ecosystems, from 1 degree to 6 degrees and further of average temperature rise of the planet. Special coverage is given to the

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[461] Interview with Peter Singer, ACC Talking Heads: http://www.youtube.com/watch?v=-lu9sc4FWLw.
[462] Fox (2006: 299).
[463] Lynas (2008: 254).
[464] Ibid.: 252.
[465] Ibid.: 247.
[466] Ibid.: 256.
[467] www.marklynas.org

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positive feedback mechanisms, such as the albedo effect,[468] that could dramatically accelerate the climate change, possibly putting the climate on a runaway path. As a possible end scenario the release of methane hydrate from the bottom of the oceans could replicate the end-Permian extinction event. In 2008 National Geographic released a documentary film based on Lynas's book, entitled *Six Degrees Could Change the World*. In 2009, Mohamed Nasheed, President of the Maldives, appointed Lynas as government advisor on climate change. In *Six Degrees* science journalist Mark Lynas does what the IPCC does, but single-handedly: he surveys the state of the art of peer-reviewed literature on climate change and global warming. Lynas puts his outcome in an original and illuminating framework to present the large amount of knowledge on climate change. According to the IPCC Fourth Assessment Report (AR4), published in February 2007, the range of expected global warming is between 1.1 and 6.4 degrees. Lynas sorted out peer-reviewed papers on the subject and arranged them in the 1 – 6 degrees scale. This makes a clear structure: the book has a general introduction, the 6 chapters from 1 till 6 degrees and a concluding chapter, 'Choosing our future'. He depicts a worrisome picture of the future of life on Earth on a hotter planet. In his last chapter Lynas argues that the cause of the tragedy that is enrolling is our economic system: '[…] the whole economic system of modern Western society is founded on denial – in particular the denial of resource limitations.'[469] 'We humans, one species of animal amongst millions, have now become de facto guardians of the plant's climate *stability* – a service which used to be provided free (given a few ups and downs) by nature. Without realizing it, we have appointed ourselves janitors, our sweaty ape hands resting heavily on the climatic thermostat. A more awesome responsibility can scarcely be imagined.'[470] Lynas compares his journey into the future of a hotter planet with Dante's *Inferno*, the deeper the hotter, the more awful and gruesome. But Dante's work is fiction, whereas Lynas' picture is science based. Lynas' book is not a glass bowl for fortune telling: no one can predict the future, but he sketches realistic science based scenarios. It is hard to set a date; that was the problem with the Club of Rome Report *Limits to Growth* of 1972, not their analysis was wrong, but the dates. The date is not set, but the future looks gruesome. The good thing is that we can, to a certain extend, *choose* our future. The impact factor of humans on planet Earth grows continuously, both due to the growing population as due to the growing average ecological footprint. In their *Limits to Growth: The 30-Year Update* they write: '[… we are much more pessimistic about the global future than we were in 1972. It is a sad fact that humanity has largely squandered the past 30 years in futile debates and well-intentioned, but halfhearted, responses to global ecological challenge. We do not have another 30 years to dither. Much will have to change if the ongoing overshoot is not to be followed by collapse during the twenty-first century.'[471]

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[468] The ice-albedo positive feedback loop is an example of a feedback mechanism in climate change whereby melting snow exposes more dark ground (of lower albedo), which in turn absorbs heat and causes more snow to melt.

[469] Ibid.: 266.

[470] Ibid.: 254.

[471] Meadows (2004: xvi).

If you put a frog in a pan of water and you heat it up gently, it will boil to death. But if you throw a frog in boiling water, it will jump out immediately. (In the context of moral philosophy, I feel obliged to mention that both experiments with the frog are morally wrong – you probable don't want to change positions.) We are the frog and the water temperature (global warming) is heating up rapidly. To follow this analogy a little longer: we cannot leap out of the problem. The planet is slowly heating, and we don't take action. For us humans, there is no possibility to jump out, because climate change is a global problem. We have nowhere to escape to. We are stuck with this planet, the ecosystem that we are ruining. We have no choice but to try to stop the heating process. And we have to do it before the point of no return, before we have overshot a crucial tipping point. Lynas' book, as disturbing as it is, is only one aspect of a much larger problem, the problem of environmental destruction, or ecocide. We humans are ruining our planet, we are causing a mass extinction, and we are disturbing ecological equilibriums. Even if we would have solved climate change, that is, according to Lynas, if we would magically stay below the two-degree global heating line, there are still many problems left that threaten the ecosystems of the Earth. Lynas comments that 'many books on global warming end with some rather platitudinous sentences about renewable energy, as if the authors believe – rather like Disney's Blue Fairy – that simply wishing for something and believing in it is easy to make it come true.'[472] Lynas warns against the techno-optimists who believe in, or hope for, a quick technological fix. He also touches upon the psychology of denial. 'Our evolutionary psychology preconditions us not to respond to threats which can be postponed until later. We are good at mobilizing for immediate battles, less good at heading off challenges which still lay far into the future.'[473] 'Climate change is a classic 'tragedy of the commons' problem, where behavior which makes sense at an individual level ultimately proves disastrous to society when repeated by everyone.'[474] Lynas is pessimistic, but not fatalistic. According to Lynas, there is still a small window of opportunity for humanity to choose a less catastrophic future. But in order to achieve a sustainable low-carbon society we have to work hard and on several frontlines. The choice is ours.

Philosopher James Garvey writes in his book *The Ethics of Climate Change* about the need to take serious and immediate action to cope with climate change[475]: 'There is going to be a lot of death in the future, a lot of death which wouldn't have happened had we and those before us acted otherwise. There will also be a lot of extra suffering, disease, thirst, hunger, violence and the like, horrors which wouldn't have happened had we and those before us acted otherwise. What we do now and in the next few years is going to matter a lot […].'[476] We harm others. Do we want to continue harming others?

In 1972 Edward Goldsmith and Robert Allen published the article *A Blueprint for Survival* as a special edition of *The Ecologist* in January 1972, it was later published

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[472] Lynas (2008: 259).
[473] Ibid.: 262.
[474] Ibid.: 264.
[475] See also Gardiners e.a. *Climate Change. The Essential Readings.*
[476] Garvey (2008: 28).

in book form and went on to sell over 750,000 copies. The article has become an influential environmentalist text that drew attention to the urgency and magnitude of environmental problems. The *Blueprint* was signed by over thirty of the leading scientists of the day - including Julian Huxley, Frank Fraser Darling, Peter Medawar, and Peter Scott - who argued for a radically restructured society in order to prevent what the authors referred to as 'the breakdown of society and the irreversible disruption of the life-support systems on this planet'. The *Blueprint* recommended that people live in small, decentralized and largely de-industrialized communities. The *Blueprint* opens with the following alarming paragraph:

> The principal defect of the industrial way of life with its ethos of expansion is that it is not sustainable. Its determination within the lifetime of someone born today is inevitable – unless it continues to be sustained for a while longer by an entrenched minority at the cost of imposing great suffering on the rest of mankind. We can be certain, however, that sooner or later it will end (only the precise time and circumstance are in doubt) and that it will do so in one of two ways: either against our will, in a succession of famines, epidemics, social crisis and wars; or because we want to – because we wish to create a society which will not impose hardship and cruelty upon our children – in a succession of thoughtful, humane and measured changes.'[477]

3.6.2 The Precautionary Principle in Environmental Ethics

If you do not know whether or not your action will cause harm or if your purchase has caused harm, what should you do? If you strive for a live without causing harm to others, you shouldn't do it. Can you rationally want to exchange positions with the victims of your action? This is the precautionary principle. Tyler Miller defines the precautionary principle as follows: 'When there is (1) considerable evidence that an activity raises (2) threats of harm to (3) human health or the (4) environment, we should take precautionary measures to prevent harm even if some of the cause and effect relationships are not fully established scientifically.' Tyler Miller excludes harm to non-human beings and future generations. It seems that the principle is sound, but that Tyler Miller limits its application unnecessary. The consequences of applying this principle will be enormous, because, as I argued earlier, our (western) civilization is based on recklessly harming others.

Precaution may be defined as *caution in advance*; *caution practiced in the context of uncertainty*, *informed prudence* or *better safe than sorry*. Different definitions[478] of the precautionary principle have two key elements: (1) an expression of a need by decision-makers to *anticipate harm before it occurs*. Within this element lies an implicit reversal of the onus of proof: under the precautionary principle it is the responsibility of an activity proponent to establish that the proposed activity will

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[477] E. Goldsmith, e.a., 'A Blueprint for Survival', in: *Classics in Environmental Studies.*

[478] Robin Attfield defines the precautionary principle in *Environmental Ethics* as: 'The principle that [...] holds that where there are risks of serious or irreversible damage, lack of full scientific certainty should not be used as a reason against taking measures to prevent environmental or other degradation.' Attfield (2008: 199).

not (or is unlikely to) result in significant harm; (2) the establishment of an obligation, if the level of harm may be high, for action to *prevent or minimize such harm even when the absence of scientific certainty* makes it difficult to predict the likelihood of harm occurring, or the level of harm should it occur.

The Precautionary Principle is used in policy documents and treaties. The scope of harm seems to exclude harm to non-human animals:

- 1982: UN World Charter: 'When potential adverse effects are not fully understood, the activities should not proceed.'
- 1992: Rio Conference, or 'Earth Summit'. Principle 15 of the Rio Declaration: 'In order to protect the environment, the precautionary approach shall be widely applied by States according to their capabilities. Where there are threats of serious or irreversible damage, lack of full scientific certainty shall not be used as a reason for postponing cost-effective measures to prevent environmental degradation.'
- 1998: Wingspread Conference on the Precautionary Principle (environmentalists): 'When an activity raises threats of harm to human health or the environment, precautionary measures should be taken even if some cause and effect relationships are not fully established scientifically.'
- 2000 European Commission Communication on the Precautionary Principle: 'The precautionary principle applies where scientific evidence is insufficient, inconclusive or uncertain and preliminary scientific evaluation indicates that there are reasonable grounds for concern that the potentially dangerous effects on the environment, human, animal or plant health may be inconsistent with the high level of protection chosen by the EU.'
- 2000 Cartagena Protocol on Biosafety: 'Lack of scientific certainty due to insufficient relevant scientific information ... shall not prevent the Party of import, in order to avoid or minimize such potential adverse effects, from taking a decision, as appropriate, with regard to the import of the living modified organism in question.'
- 2000: *Earth Charter*: 'Prevent harm as the best method of environmental protection and, when knowledge is limited, apply a precautionary approach.'

It seems that the Precautionary Principle can be a guiding principle not only for policy makers, but also for individuals who want to live morally responsible and respectable lives.

Let's face it: we are in deep trouble facing global environmental degradation. Even though we might not see it yet. Do we want to do anything about it, or do we just let it happen and hope that it happens when we have had our time of plenty? For decades there have been eco-alarmists. Now the first doomsayers are publishing their work. Philosopher Clive Hamilton thinks we are already beyond the point of rescue

and that we will face major environmental degradation. Hamilton has already written *Requiem for a Species*:

> At present, the early mourners feel lonely and isolated, sometimes keeping their thought to themselves for fear of alienating those around them with their anxieties and pessimism. It is as if the doctors had declared there is no hope of recovery for a sick child, yet all around friends and family are saying: 'Don't worry, she will be fine.'[479]

'Anthropogenic climate change is now beyond dispute,' write Johan Rockström and colleagues in *Nature*. They have created a model to show the biophysical boundaries for (human) life on Earth.[480] 'This period of stability [the past 10,000 year] - known to geologists as the Holocene - has seen human civilizations arise, develop and thrive. Such stability may now be under threat. Since the Industrial Revolution, a new era has arisen, the Anthropocene, in which human actions have become the main driver of global environmental change. This could see human activities push the Earth system outside the stable environmental state of the Holocene, with consequences that are detrimental or even catastrophic for large parts of the world. […] Now, largely because of a rapidly growing reliance on fossil fuels and industrialized forms of agriculture, human activities have reached a level that could damage the system that keep the Earth in the desirable Holocene state.'[481] They discern nine biophysical systems that are planetary boundaries 'that define the safe operating space for humanity with respect to the Earth system', all of which are necessary for sustaining (human) life on Earth, and all of which are being affected by human action. The nine earth-system processes are: 1. Climate change, 2. Rate of biodiversity loss, 3. Nitrogen cycle, 4. Phosphorus cycle, 5. Stratospheric ozone depletion, 6. Ocean acidification, 7. Global freshwater use, 8. Change in land use, and 9. Chemical pollution. 'The boundaries of three systems (rate of biodiversity loss, climate change and human interference with the nitrogen cycle), has already been exceeded. […] Humanity may soon be approaching the boundaries for global freshwater use, change in land use, ocean acidification and interference with the global phosphorous cycle.'[482] 'If one boundary is transgressed, then other boundaries are also under serious risk.'[483] Living within the biophysical boundaries of planet Earth means that we have to seriously change our way of life. And it may already be too late, because when we have overshot the thresholds of the biophysical boundaries the damage might destabilize the ecological systems favorable for human existence. Rockström's research is a diagnosis of the ongoing ecocide. The tone of the paper is scientific, not alarmist, but can one be optimistic once one has grasped what it means?

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[479] Hamilton (2010: 214).
[480] Rockström (2009).
[481] Ibid.: 472.
[482] Ibid.: 473.
[483] Ibid.: 474.

Environmental philosopher Dale Jamieson concludes in his book *Ethics and the Environment* (2008)[484]: 'In my opinion, there are three broad scenarios for what the future may bring: [1] environmental catastrophe; [2] continuing and increasing global inequality and environmental degradation; or [3] a change in the way of life of the world's most privileged people. […] To some extent we are living in the midst of each of them right now, and the future may hold more of the same.'[485] If we do not take proper action now, it will either be option 1 or 2. If people listen to what Jamieson has to say (and if he is right) and take proper action right now, then option 3 might come true. Jamieson himself is skeptical whether philosophy can help to save the world: 'While moral philosophy can contribute to clear-headed activism, it is not the same thing, and should not be confused with it.'[486] All three of Jamieson's scenarios are responses to an environmental crisis, which we are all experiencing right now. 'But I don't see it!', someone might say. If you read the newspapers and watch television, bits and parts of the problem will pass by. You have to pay attention to the pieces, and assemble them into the big picture yourself. There is a lot of literature doing just that: making a diagnosis of planet Earth. A powerful and visual statement of this is the Scandinavian documentary *The Planet.*[487] Why do many people still not notice the problem? There may be two answers at least. Firstly, many people manage to live in their own western suburban subculture and are able to ignore the global environmental problems because it hardly affects their personal lives. Secondly, people really just don't notice it. By comparison, imagine a large wooden ship, like Noah's arch, and you are living on that boat. In order to make a fire you use wood from the arch. The boat is large, and you manage to make a fire for many times. But then, one day you remove some more wood, and the boat goes down… 'How stupid can you be!', people would exclaim. And they are totally right. But we are in exactly the same position: our boat is planet Earth and we are using up natural resources, polluting and ruining nature.

Jamieson sees three major challenges to morality as such: amoralism, theism and relativism. In meeting these challenges Jamieson is clearing the road for moral reasoning about environmental problems. Amoralism states, according to Jamieson 'that there is no such a thing as right and wrong. [...] The amoralist chooses to opt out of morality altogether.'[488] Jamieson shows that this position of 'anything goes' is unrealistic. An amoralist doesn't care either way to help even his closest friends if they are in peril: he or she might help or might not help, but he or she doesn't feel compelled to help. He or she doesn't care. Amoralism in its purest form probably is not unlikely to be widespread, but indifference towards the suffering of others is not uncommon. Perhaps this position could be called nihilism – but Jamieson doesn't mention it. Amoralism is different from immoralism. Immoral means that from your moral point of view some act is wrong. It might be that other people do not think it is wrong. They have a disagreement about what is the good. A Nazi might say that the

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[484] A review of Jamieson's book *Ethics and the Environment* by Floris van den Berg has been published in *Think,* 2009.
[485] Jamieson (2000: 198).
[486] Jamieson (2008: 75).
[487] See the list of eco-alarm docs in the mediagraphy.
[488] Ibid.: 31.

Holocaust is good for some obscure reason. Most people think it is very very wrong. An amoralist can't decide whether it is wrong or not. He or she doesn't know and/or doesn't care. Jamieson rejects religious ethics, especially the thesis that morality is based (and should be founded) upon religion. Jamieson remarks that the view that morality comes from religion is '[…] outside of a few pockets in which Enlightenment ideals continue to thrive, [...] probably the dominant view in the world.'[489] Quite shocking when you think of it: how can you debate with someone who somewhere in the conversation appeals to god in which you happen not to believe or even if you believe in a different god, or if you believe in the same god but think that god wants something else? Therefore, philosophy starts with atheism – at least in the 'few pockets in which Enlightenment ideals continue to thrive'. The third obstacle for morality Jamieson squares is relativism, which is the offshoot of the postmodernist turn in late twentieth century philosophy. The relativist denies the possibility of moral claims transcending the moral system of the speaker's own society. This deprives ethics of 'its critical edge.'[490] Is female circumcision wrong or not? Some relativists say: 'That depends, if female circumcision is an important cultural practice in some tradition, then who are we to judge that it is wrong?' The whole undertaking of ethics is to find out what is good and bad and why, independent of cultural traditions. If relativism holds, then there can be no ethics: questions of morality can be answered by appeal to culture.

Meta-ethics, as Jamieson sees it, is about the ontology of ethics: what entities are good or bad, and how do we know? This is the question of value. Is value subjective – that is individuals attach value to things. Or is value objective: some things are good/bad in themselves. Jamieson seems to entangle himself in this problem, due to how twentieth century analytical philosophy tried to solve the problem. Jamieson seeks an in between position, which he calls 'the sensible centre'. In environmental ethics the concept of 'intrinsic values' is often appealed to. The notion of intrinsic value is an application of moral realism: some things have value in themselves. A much-used argument to show that some things have inherent value is the so-called *last human argument*: Suppose there is a last person on the planet. Is it right or wrong if this person ruins the planet, for example by using an atomic bomb? It seems that it is morally wrong for this person to destroy earth, for two reasons: (1) this person destroys non-human sentient beings and (2) I think it is wrong to do it. But (2) is my opinion. If I were not there, it is not wrong. Jamieson seems to think that even if there is no one to think it is wrong, then it is wrong. Suppose there are two last people, call them Fred and Ed. Fred kills Ed. Is that wrong? It is wrong for Ed. And if I were hidden, I would think it wrong too (because I can imagine to be Ed). The wrongness is not in the killing, but in the perception of the victim and possible onlookers.

In Jamieson's introduction to normative ethics he outlines three major strands of normative ethics: consequentialism, virtue ethics and Kantianism. Jamieson is sympathetic towards consequentalism because it is historically linked with moral activism: 'Historically, consequentialists [like Jeremy Bentham] have a strong claim to being on the side of moral progress rather than being on the side of sexists, racists,

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[489] Ibid.: 33.
[490] Ibid.: 39.

and those who spoil the environment. Furthermore, when it comes to concerns about the moral statement of animals, consequentialists – even utilitarians [like Peter Singer] – have been in the forefront.'[491] In Kantianism the conception of a rational person plays a central role. According to Kant there is a categorical imperative, which is a universal law to everyone who has the ability to understand it. This is (one formulation) of the categorical imperative by Kant: 'act only according to that maxim through which you can at the same time will that it should become a universal law.'[492] The problem is that this imperative only appeals to persons who can reasons. Not all human beings can reason, and most non-human animals can't reason. Kant has various tricks to apply his theory towards animals in a friendly way. But it does not come naturally. Nature is even more difficult to incorporate in a Kantian theory.

It is good to realize how easy we compartmentalize our thinking. The difficulty of environmental ethics is that you have to see the big picture of the impact of human agency on the planet. When focusing on one (important) problem, one can easily loose sight of the big picture. 'Environmental organizations often specialize in a single issue while ignoring its neighbors.'[493] The relation between human and non-human animals is morally problematic, to say the least, especially when it comes to farm animals, megafauna and fish. It is all connected; there is an ecological equilibrium that we human are about to disturb.

Jamieson points out that humans have an enormous impact on the earth. It matters what we decide to do or not to do. We humans can choose how to live and what we value. Environmental ethics is more than an academic course, it helps to sort out how we should live and interact with nature: 'The real final examination will not be a test at the end of the semester, but how we choose to live.'[494] Jamieson mentions some way to estimate the impact of an individual on the earth. One method is the ecological footprint analysis as developed by Mathis Wackernagel and William Reese.[495]

Charles Hall and colleagues measured what the consumption of natural resources of an average American citizen born in the 1990's will use in his or her entire life: '[…] 22 million pounds of liquid waste and 2.2 million pounds each of solid waste and atmospheric waste. He will have a lifetime consumption of 4,000 barrels of oil, 1.5 million pounds of minerals, and 62,000 pounds of animal products that will entail the slaughter of 2,000 animals.'[496] 'The planetary impacts of the highly consumptive lifestyles practiced in the industrialized world cannot be generalized: the fact is that the planet simply cannot stand many people who consume like Americans, and this raises important questions of justice.'[497] And what are we going to do about it? Who is going to do something about it? Governments, intergovernmental organizations like the United Nations, nongovernmental

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[491] Ibid.: 85.
[492] Ibid.: 93.
[493] Ibid.: 181.
[494] Ibid.: 180.
[495] You can measure your own footprint at: http://myfootprint.org. My outcome is: 2,60 Earths – that is embarrassing.
[496] Jamieson (2008: 189).
[497] Ibid.: 190.

organization like Greenpeace, multinationals, technology, environmental scientists and philosophers, consumers? If we do not act we are heading straight for the iceberg.

3.6.3 Minimal Ecological Consensus
The problem of anthropogenic ecological collapse can be explained by using a simple analogy. Put a skippy ball in a large cardboard box in which it has plenty of room. That is how humans have existed since dawn within the ecological boundaries. The biophysical boundaries were so far away that they were out of sight. Now however, the skippy ball has been inflated and is crammed in the cardboard box. But the box still holds. For now. The skippy ball however continues to be inflated, and the rate of inflating increases. No one exactly knows *when* the box will crack, but inevitably it will collapse.

The environmental impact (I) is a product of the size of the population (P) multiplied by the average ecological footprint (AE):

$$C > I \ (=P \times AE)$$

This equation can be called *the equation of stupid*, because this simple equation is what constitutes the biggest problem humanity ever faced, and the solution is incredibly simple. The carrying capacity (C) of planet Earth has to be bigger than the ecological impact on the bio-systems of the earth (I). The population (P) has to go down and/or the average ecological footprint (AE) has to go down. The size of the ecological footprint can be decreased by decreasing consumption, or by using green technology. However, the population (P) keeps increasing, and the Average Ecological footprint (AE) keeps increasing, despite all green policies and green technology, and thus the total impact factor (I) increases. The skippy ball keeps expanding. The box shows cracks.

The box is the carrying capacity of planet Earth defined by the ecological biophysical boundaries. The skippy ball is the impact of human activities on the ecological systems of the Earth. Since the start of the industrial evolution of around 1850, the skippy ball has begun to expand exponentially. In the 1970's there were the first warnings about the unsustainability of - continuous physical economic growth and impact - by the Club of Rome in their Report *Limits to Growth*:

> Once the limits to growth were far in the future. Now they are widely in evidence. Once the concept of collapse was unthinkable. Now it has begun to enter into the public discourse – though still a remote, hypothetical, and academic concept. (*Limits to Growth. The 30-Year Update*).

Clive Hamilton adds: '[…] industrial progress has been transforming the physical environment in a way that threatens the demise of the world that liberal capitalism

promised to create.'[498] Despite the rise of a green movement, the overall environmental impact on the Earth since the 1970s has continuously expanded.

In order to take up the global challenge in trying to ward off the danger of a human caused environmental disaster, there is an urgent need for a global rescue plan. There are three things needed for this. (I) Raising worldwide awareness to the problems of environmental disasters, most notably climate change. (II) There is an urgent need to create an environmental synthesis, a more holistic view towards the human relations with the environment. Many scientists and NGOs tend to focus on a fragment of the total problem. Thus, (III) there is a need for a worldview, based on the best scientific knowledge, which takes sustainability, (global) justice and individual suffering seriously. The most fundamental question is, what kind of world do we want to live in, and what can be done to create such a world? Is there a possibility to reach a widespread consensus about a sustainable world in a world dominated by conflicting worldviews? Ecosophy is the minimal worldview that is necessary for a sustainable and social just world. Pluralism is possible within a framework in which there is consensus about the most fundamental values.

In order to be able to live and to celebrate life, humans, and other animals, are dependent on a healthy planet. It is a paradox that just when global welfare is booming, and the world population is growing fast, the consequences of human activities are ruining the ecosystems of the planet. Living on this planet in such a way that all people have a decent life without ruining the planet depends on two factors: (1) the average ecological footprint, and (2) the number of people. It is the quality of life that counts, not the quantity. People should be aware that having more than one child per person, will contribute to population growth.

There is debate among scientists about the details of how bad things are, but there is consensus that human activities have a degrading influence on the ecosystems of the planet, to mention a few: global deforestation, depletion of the ocean fisheries, water- and air pollution, massive extinction of species (Bender calls this a 'biological Holocaust')[499], increasing CO_2e levels causing global warming and climate change, rapid growth of the world population, depletion of fossil fuels. Humans are using up more resources than the planet can sustainably give. We are facing a range of ecological crises. Especially those living in the western world have a too large ecological footprint.[500] Humans are using up the natural capital, instead of

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[498] It should be noted that the socialism/communism also promoted industrial growth and that in the USSR and China pollution and environmental degradation were at least as bad as in the western capitalist economies, if not worse. The problem is not capitalism only, but unsustainable industrial production, which leads to an expanding environmental impact.

[499] Bender writes in *The Culture of Extinction* about 'the anthropogenic elimination of biodiversity': 'A *holocaust* results when modern technology and administrative methods are systematically applied, first to reduce a subject population to objects and then to exploit, brutalize, and exterminate them.' Bender (2003: 45/6).

[500] Steven Vromman from Belgium, who calls himself 'lowimpactman', is an example of voluntary simplicity. Vromman decided to radically reduce his ecological impact. He is a living example of how we all should live. Although he receives media attention (for example he featured in the *Vue du Ciel* series), his lifestyle is not followed by the majority. See: www.lowimpactman.be. In the Netherlands ecovegan Joop Boer goes still a bit further by living almost autarkically by growing his own vegetables and fruit. See: www.leefbarewereld.nl

living of the rent. This life style means that future generations will suffer from the consequences. Future generations get the waste and none of the goodies (nonrenewable resources) are left for them. It is like arriving late at a buffet for which you were invited and only finding some leftovers and piles of waste.

The essence of the human caused (anthropogenic) environmental disaster is a global tragedy of the commons: what is good for individuals is not good for all of us. 'The worldview underlying conventional economics is that an economy is a system that is essentially isolated from the natural world and involves a circular exchange of goods and services between business and households. This model ignores the origin of natural resources flowing into the system and the fate of wastes flowing out of the system. It is as if a biologist had a model of an animal that contained a circulatory system but had no digestive system that tied it firmly to the environment at both ends. The steady state economic view recognizes that economic systems are not isolated from the natural world but are fully dependent on ecosystems for the natural goods and services they provide.'[501]

'[…] science alone cannot help us with the answers we need' writes James Garvey[502] and the IPCC (which consists of scientists) says about science: 'Natural, technical, and social sciences can provide essential information and evidence needed for decisions on what constitutes "dangerous anthropogenic interference with the climate system". At the same time, such decisions are value judgments determined through socio-political progress, taking into account considerations such as development, equality, and sustainability, as well as uncertainties and risks.'[503] Complementary to science are values and goals: what kind of world do we want to live in? We need values that are *in accord with* science. Values like present-day carbon-based consumerism, will run aground according to empirical scientific findings about the carrying capacity of the planet. Values that are in accord with (ecological) science can be the foundation of a worldview.

3.6.4 Anthropogenic Climate Change

Climate change is one of the ecological biophysical boundaries, which is under great pressure. If this one boundary is overshot, the climate will change in a dramatic way, which endangers life, as we know it. 'There are many uncertainties in how climate change will play out over this century and beyond, except that each decade will be marked by greater disruption to every day lives.'[504] The conclusions of the IPCC's third report of 2007 still stand even after a round of severe criticism and re-evaluation by the International Academy of Sciences.[505] This is what the transnational consensus is among (climate) scientists:

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501 Herman E. Daly, 'The Steady-State Economy in Outline', in: Tyler Miller (2002: 698).
502 Garvey (2008: 1).
503 IPCC, 'Synthesis report, summary for policymakers', TAR, available at: www.ipcc.ch.
504 Hamilton (2010: 217).
505 http://reviewipcc.interacademycouncil.net/

Warming of the climate system is unequivocal, as is now evident from observations of increases in global average air and ocean temperatures, widespread melting of snow and ice, and rising global average sea level.

Greenhouse gases are accumulating in the Earth's atmosphere as a result of human activities, causing surface air temperatures and subsurface ocean temperatures to rise.

Climate scientist James Hansen[506]: '[…] continued unfettered burning of all fossil fuels will cause the climate system to pass tipping points, such that we hand our children and grandchildren a dynamic situation that is out of their control. […] We […] still have the opportunity to preserve the remarkable life of our planet, if we begin to act now. […] The most essential actions are, first, a significant and continually rising price on carbon emissions, as the underpinning for a transformation to eventual carbon-free global energy systems, with collected revenues returned to the public so they have the resources to change their lifestyles accordingly. […] Second, the public must demand a strategic approach that leaves most fossil carbon in the ground. Specifically, coal emissions must be phased out rapidly, and the horrendously polluting "unconventional" fossil fuels, such as tar sands and oil shale, must be left in the ground.'[507]

How many more warnings do we need before we take serious action in trying to avoid global collapse? The problem is: we do not want to hear that *we are part of the problem* and we do not want to change our way of living. We do not want to give up flying and driving and all the other fossil fuel based consumption patterns. Alongside the alarmist messages there is also a wave of skepticism and denial. How can lay people, thus including politicians, figure out who is right and who is wrong? Scientists are humans, and thus are fallible, and, as we all know, they do make mistakes. So, before focusing on how to solve the problems and what to do, we have to think about how we as layman could find the best possible knowledge in a playing field of dissenting voices. Because, if there is no problem, we can use time and money differently.

Perhaps we should first look at a less controversial topic than climate change. For example, AIDS. I don't think many people exactly know what AIDS is and how it works. One needs to have in-depth medical and biological knowledge in order to grasp what the virus does to the human body, how the exact process of transmitting works, and how the medicine to stop it works. How do we know about AIDS? Well, we listen to what scientists say about it as communicated by scientists and science journalists. Science is more than individual scientists. Science is essentially a dynamic group process. Scientists monitor each other. As a scientist you can score

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[506] Since 1981, James Hansen (1941) heads the NASA Goddard Institute for Space Studies in New York City, a part of the Goddard Space Flight Center in Greenbelt, Maryland, Earth Sciences Division. He is also an adjunct professor in the Department of Earth and Environmental Sciences at Columbia University. Hansen is best known for his research in the field of climatology; his testimony on climate change to congressional committees in 1988 that helped raise broad awareness of global warming, and his advocacy of action to limit the impacts of climate change. In 2009 his first book, *Storms of My Grandchildren*, was published.
[507] Hansen (2009: 269).

enormously by proving a famous scientist to be wrong. If you proof that Einstein is wrong, you can go straight to Stockholm to get your Nobel Prize of physics. How does the general public react on the scientific knowledge about what AIDS is? We know it is a sexually transmittable disease and you can protect yourself by safe sex, like using a condom. If you have HIV/AIDS, you know there are medicines, which can suppress the AIDS to develop. A lot of money has been invested to find a cure for AIDS. And sex education hopefully includes pointing out the dangers of unsafe sex.

So, the public and politicians base their actions on the knowledge generated by science. Science is the best method to gain knowledge. The general public, informed about science through science journalism, should know about the scientific consensus.

What about climate change? There is broad consensus in science that due to humans emitting greenhouse gasses, like CO_2, the temperature rises and that the rising of temperature has detrimental effect on the climate. But, for the public, it seems that there is reason for doubt because of the claims of the deniers and skeptics. You have to ask yourself: do I trust scientific knowledge in general? If yes, then why shouldn't I trust science about anthropogenic climate change? Or, yes, I trust science in general, but there seems to be reasons to doubt. Some decades ago scientists found out that smoking, including secondary smoking, increases the risk of long cancer. But there were some doctors who were skeptical about these claims. Those skeptics of course were brought to the foreground by the tobacco industry. So, although there has been scientific consensus about smoking causing long cancer, it took several decades for the public to grasp the message and for politicians to act upon it.

In the preface of *Storms of my Grandchildren* Hansen speaks out about what he thinks is why there is no action to combat climate change:

> I believe the biggest obstacle to solving global warming is the role of money in politics, the undue sway of special interests.'[508] 'Politicians think that if matters look difficult, compromise is a good approach. Unfortunately, nature and the laws of physics cannot compromise – they are what they are.'[509] 'The scientific method, in one sense, is a handicap in a debate before a nonscientist audience. It works great for advancing knowledge, but to the public it can seem wishy-washy and confounding: "on the one hand, this; on the other hand, that."[510]

Hansen's book is complicated because he addresses the topic of anthropogenic climate change on several different levels. Firstly, he gives an overview of the science of anthropogenic climate change. He is one of the pioneers of the science of climate change and its, anthropogenic, causes. Secondly, he tells the story about how he has been trying to communicate this message to the public, including politics. Thirdly, he reflects on why the scientific message does not lead to political and social action. Fourthly, he tells about his own increasing role as an environmental activist. Sixthly,

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[508] Hansen (2010: x).
[509] Ibid.: xi.
[510] Ibid.: 12.

his tells his story as a granddad to his children. His grandchildren play an important role in his book. He is concerned about future generations, especially his own grandchildren.[511]

One the first level, the scientific overview of climate change, Hansen compares planet Earth with planet Venus. Hansen is an expert on climate and atmospheres on different planets, especially Venus.

The second level of Hansen's book is the most disturbing: he tells about his encounters with colleague scientist Richard Lindzen, who is one of the few scientist who is high on the academic hierarchy, and who has done important research, and at the same time is a denier (earlier in his life he was also denying the correlation between smoking and cancer). For layman it is hard to make up ones mind about the disagreements between Lindzen and Hansen. But, as I explained above, the scientific consensus on the topic is that Hansen is right and Lindzen is wrong.

In 2008 interviews with *ABC News*, *The Guardian*, and in a separate op-ed, Hansen has called for putting fossil fuel company executives, including the CEOs of ExxonMobil and Peabody Coal, on trial for 'high crimes against humanity and nature', on the grounds that these and other fossil-fuel companies had actively spread doubt and misinformation about global warming, in the same way that tobacco companies tried to hide the link between smoking and cancer. Hansen takes anthropogenic climate change driven by green house gases emissions seriously because it imperils the livability of the planet. But if CEO's are criminals, we are all criminals. Western consumers are living a life based on harming others.

Author of the book *Green Hell. How Environmentalists Plan to Control Your Life and What You can Do to Stop Them* Steve Milloy remarks: 'For extremist greens, doubting global warming is worse than a heresy – it's a *crime.* […] In a naked effort to silence dissent, greens frequently label skeptics, including scientists, as "deniers" – an attempt morally to equate the questioning of global warming alarmism with Holocaust denial.'[512]

Hansen's book is about the relation between science and politics. And that is problematic. Science is descriptive: it tells about how the world is, and how things work. Ethics and politics on the other hand, is about what should be done. This is normative. Scientists have no special knowledge or method about how to deal with normative matters. Philosopher James Garvey writes in *The Ethics of Climate Change:* 'Science can tell us what is going on, but not what we should do about it. What we should do largely depends on what we value and how we think about values.'[513] Therefore many people say that scientists as scientists should stick to their job of

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[511] I have noticed when people speak about future generations; they usually speak about their own children and grandchildren; not about future generations of Bangladeshi for example. Future generations generally means: 'future generations rich westerners'.

[512] Milloy (2009: 122/3). Anthropogenic Climate Change (ACC) denial has been compared to creationism and ID (=denial of evolution), Holocaust denial, and Flat Earthers. Blewitt, author of the handbook *Sustainable Development,* for example, writes in the introduction of his book: 'We have known about climate change for many years but refused to acknowledge that we were mainly responsible for it. […] It is as ridiculous to be a climate change denier as it is to believe the Earth is flat. […] Sustainable development is a process that requires us to view our lives as elements of a larger entity. It requires a holistic way of looking at the world and human life.'

[513] Garvey (2008: 33).

doing science, thus being descriptive and not normative. But now there are two problems: first, scientists, especially those paid by the government, have an obligation to make scientific knowledge public and well-understood. Hansen's book is an attempt to make up for the failure to get the message across. Secondly, shouldn't scientist help to find a solution for a problem they have uncovered, or should they just stand back? In medical science, it is common for researchers (though usually not the same persons) to both find out what the problem is, and to find a cure/medicine against it. Should climate scientists only publish papers in peer-reviewed journals? Or should they become environmental activists, who, in the eyes of the deniers, go for left political propaganda?

Climate and environmental skeptics seem to gain ground. The Copenhagen 2009 was a great success for them. There is no agreement on large-scale transformation of global society, energy resources and production processes in order to reduce CO2e emissions. This means that the environmental problems, of which climate change is just one (though in itself lethal), are worsening.

There is a gap between rational understanding the problem and emotionally coming to terms with it. For some years, I have grasped the enormous scope of the environmental problem, but it didn't keep me awake at night. Recently, it does, occasionally. Because, life goes on, and there are no visible signs in our way of living of the coming collapse. We do not know when it comes. Science journalist Mark Lynas in his book *Six Degrees*, vividly depicts the horrors of what scientists say what will happen when global temperature rises. But, for now, everything seems fine. We are busy with business as usual. There are many other concerns. The global population is growing and at the same time the average ecological (including CO2) footprint is rising. Some Cassandras have given up. Most writers on environmental issues are (or at least present themselves as) optimists, because people don't like pessimists and doom mongers. For example Mark Lynas (*Six Degrees*), Al Gore *(An Inconvenient Truth)*, George Monbiot (*Heat)* have taken that stand. If a writer has a pessimistic and alarmist message, the skeptics immediately point to the Club of Rome and their alarmist Report *Limits to Growth*, and to Paul Ehrlich book *The Population Bomb* (1967). The apocalyptic scenarios have proven wrong, at least on the time scale they themselves used. Skeptics point out that apocalyptic prophets will always say when doomsday has expired, that the prophecy was right, but the date wrong. And, in general, that is a non-scientific immunization strategy. But the big difference is now, presently, that the apocalyptic scenarios do not come from some crackpot messiahs, but from topnotch scientists. The eternal skeptic will lament that science itself has deteriorated.

3.6.5 Everything Won't Be Fine

Bill McKibben in *Eaarth* (2010) and Clive Hamilton in *Requiem for a Species* (2010) say it is too late to ward of climate change; we have to prepare for impact. Hamilton, in a video interview[514], stresses that because it is too late, we have to do what we can to save as much as possible and that it is not a call for fatalistic inertia. McKibben and Hamilton are pragmatic realists: they urge for drastic political and social action,

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[514] http://www.youtube.com/watch?v=1VaTUAGOMoM

but they know it is not going to happen, which means that the results will be even more dramatic. They are like doctors urging chain smokers to stop smoking and change their life styles – they know that, as long as they have only consultatory power, the chance a chain smoker will quit smoking is small. Chain smokers usually only listen when they are suffering from their self imposed ailments and doctors refrain from treating them if they do not stop smoking. But the green Cassandras lack that power.

Environmentalist Bill McKibben[515] is one of those tolling the alarm bells of the ongoing environmental cataclysm. Climate change, caused by emitting CO2e, brings humanity and the ecological system in which we could thrive rapidly towards the abyss of collapse. 'Global warming is no longer a philosophical threat, no longer a future threat, *no longer a threat at all*. It's our reality. We've changed the planet, changed it in large and fundamental ways. And these changes are far, far more evident in the toughest parts of the globe, where climate change is already wrecking thousands of lives daily.'[516] Planet Earth as we knew it, no longer exists. 'The world hasn't ended, but the world as we know it has – even if we don't quite know it yet.'[517] 'By burning every gallon of oil and cubic meter of gas and ton of coal we could find, we've managed to end the climate stability that's marked human civilization. We've also managed to bet our entire economy on the belief that these supplies will last forever, a bet we're now in the process of losing.'[518]

We live on a new planet; McKibben calls it unpronounceably 'Eaarth'. The new planet is a lot less hospitable to life, including human life, than the previous Earth. It has been dramatically changed starting with industrial habits of the last 150 years, with an accelerating degrading pace. According to McKibben, we are beyond the tipping point, beyond the point of rescue, and we will have to prepare for collapse of our societies. We have to prepare to life on a hotter, tougher, inhospitable planet. A planet where the physical boundaries that sustain life have been overshot. Our societies are not sustainable. Bill McKibben urges that 'we'll need to figure out what parts of our lives and our ideologies we must abandon so that we can protect the core of our societies and civilizations.'[519] 'But if we don't stop pouring more carbon into the atmosphere, the temperature will simply keep rising, right past the point where *any* kind of adaptation will prove impossible.'[520] So, we should do three things at the same time, according to McKibben, first stop pouring more carbon into the atmosphere, and, secondly, reorganize our societies and, thirdly, adjust our mindset. However, when one takes a look at the world right now, the amount of CO2e we pour into the atmosphere collectively increases, and hardy anyone is radically transitioning their life style and the organization of their community, let alone society. So, although McKibben does leave room for some hope, it is hard to see where the evidence for that comes from. But from this fatalism should not be

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[515] See his official website: www.billmckibben.com.
[516] McKibben (2010: xiii).
[517] Ibid.: 2.
[518] Ibid.: 183.
[519] Ibid.: xiv.
[520] Ibid.: xv.

concluded that we should continue business as usual. On the contrary, we should try, to the bitter end, to strive for less suffering.

The assumption of the idea of philosophy for a better world was that there was a world upon which to make things better. 'All things living are in search of a better world', writes Karl Popper as the opening sentence of his book *In Search of a Better World*. As is turns out, we already live on a different anthropogenic planet, Eaarth, on that world we can still strive for less harm, but it won't be as good as it was or could have been if we had taken the early eco-alarmists seriously. McKibben concludes:

> We'll need to change to cope with the new Eaarth we've created. We'll need, chief among other things, to get smaller and less centralized, to focus not on growth but on maintenance, on a controlled decline from the perilous heights to which we've climbed.'[521] '[…] we will keep fighting, in the hope that we can limit that damage. […] Eaarth represents the deepest of human failures. But we still must live on the world we've created – lightly, carefully, gracefully.[522]

So, according to Bill McKibben we already live on a different anthropogenic planet, Eaarth as McKibben calls it, on that world we can still strive for less harm, but it won't be as good as it was or could have been if we had taken the early eco-alarmists seriously. McKibben concludes: 'we'll need to change to cope with the new Eaarth we've created. We'll need, chief among other things, to get smaller and less centralized, to focus not on growth but on maintenance, on a controlled decline from the perilous heights to which we've climbed.'[523] '[…] we will keep fighting, in the hope that we can limit that damage. […] Eaarth represents the deepest of human failures. But we still must live on the world we've created – lightly, carefully, gracefully.'[524]

Philosopher Clive Hamilton ponders: 'Sometimes facing up to the truth is just too hard. When the facts are distressing it is easier to reframe or ignore them. Around the world only a few have truly faced up to the facts about global warming. Apart from the climate 'skeptics', most people do not disbelieve what the climate scientists have been saying about the calamities expected to befall us. But accepting intellectually is not the same as accepting emotionally the possibility that the world as we know it is heading for a horrible end. It is the same with our own death; we all 'accept' that we will die, but it is only when death is imminent that we confront the true meaning of our mortality. […] The Copenhagen Conference in December 2009 was the last hope for humanity to pull back from the abyss.'[525]

In a lecture discussing Hamilton's book *Requiem for a Species* and expounding the arguments for the danger of ecological collapse someone in the audience remarked to me: 'I don't care about the danger of environmental collapse'. When I

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[521] Ibid.: 204.
[522] Ibid.: 212.
[523] Ibid.: 204.
[524] Ibid.: 212.
[525] Hamilton (2010: x).

pointed out that it was not only his own life that is threatened, and depending on the time scale, some of us might be out of here before the ecological collapse, but also that of his younger family members, and their children, he responded bluntly: 'That it collateral damage!' Even though I do not see any hope for a peaceful, prosperous, happy and sustainable future, shouldn't we do our utmost best to save what we can save? The answer should be yes, I guess, but I too continue living as if everything is fine and only incidentally do I do something which might be called striving for a sustainable future. My own lifestyle, although I am trying to curb my environmental impact, is still unsustainable.

Hamilton psychologizes about the despair of coming to terms with The Problem: 'Climate disruption will require that we change not only how we live but how we conceive of ourselves; to recognize and confront a gap between our inner lives – including our habits and suppositions about how the world will evolve – and the sharply divergent reality that climate science now presents us.'[526]

G. Tyler Miller is the author of a handbook environmental science *Living in the Environment. Principles, Connections, and Solutions,* and he is an optimist:

> We live in an incredibly challenging era. There is a growing awareness that during this century we need to make a new cultural transition in which we learn how to live more sustainably by not degrading our life-support system. I hope this book will stimulate you to become involved in this change in the way we view and treat the earth that sustain us, other life, and all economies.
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> Try to be a "glass is half-full" rather than a "glass is half-empty" person. Pessimism, fear, anxiety, and excessive worrying (especially about things you have no control over) are destructive and lead to inaction. Try to keep your emerging feelings of realistic optimism slightly ahead of any immobilizing feelings of pessimism. Then you will always be moving forward.

Denialist Steve Milloy seems to live on a different planet, even in a different universe. On his planet there are no environmental problems, on the contrary according to him the environmentalists are the problem. From his point of view, the greens have it all wrong and the only thing the green want is to undermine the American way of life and the American dream of free enterprise and libertarianism. For Milloy the greens are all the same, and they all want to force a green life style on all of us: 'All these admonitions have something in common – you living a smaller, more inconvenient, more uncomfortable, more expensive, less enjoyable, and less hopeful scale. And the greens' moral hectoring is just the beginning. Green ideologues are bursting with an impatient zeal to begin dictating, through force of law, your mobility, diet, home energy usage, the size of your house, how far you can travel, and even […] how many children you can have.'[527] That is the Green Agenda according to Milloy. Well, that's right! Many greens, and I consider myself to be one of them, urge that people's life styles change from unsustainable towards sustainable. And unfortunately the main stream American/western life style is grossly

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[526] Ibid.: 211.
[527] Milloy (2009: 2).

unsustainable. By living the life we live we harm others; we harm future generations, we harm people in other countries, and we even harm our fellows. Libertarianism is a license to harm others. But, according to Milloy, who is a pathological skeptic, not only a climate skeptic, but a wholesale environmental skeptic, the greens got it all wrong: there is no climate change, there are no large scale environmental problems; and if there were some tiny environmental problems, the market will solve them. Milloy is also not concerned about finite resources, because the market will solve it. The market and technological innovations will solve everything, and when the market fails it was because the way was blocked by the greens. Milloy is founder of the website www.junkscience.com. The name is well chosen, but in reverse. What he is doing is junk science. But he thinks he is exposing science, especially climate science and environmental science, as junk science. His blog is not a peer reviewed scientific think tank, but a conspiracist republican, anti-liberal free enterprise oil company sponsored outlet. He published the book *Green Hell. How Environmentalists Plan to Control Your Life and What You Can Do to Stop Them* (2009). Milloy many times has it right when he writes about greens, but he just can't believe it: 'If you think your diet is nobody's business but your own, then you're in for a surprise. According to the greens, the food you choose to eat has dramatic ramifications for the environment – and therefore your diet is the rightful focus of public policy. The animals that provide your meat, the way your food is transported to the supermarket, how your food is grown and harvested – all these issues are of intimate concern to those seeking to mitigate the ravages of human existence on Earth.'[528] Yes, he is right. Completely right. But he can't grasp that harming others by your food choice is a moral problem. The suffering of animals is probably still further removed beyond his American dream consumerist libertarian horizon. The idea that veganism is a moral duty[529], not a voluntary choice, will probably make him grasp for breath. Milloy's scientific and moral horizon is severely and dangerously limited. Unfortunately, Milloy is not an exception, but the rule. The choir of Cassandras is generally listened to politely, but at the same time considered to be a ship of fools. Soothing books like Milloy's or Bjorn Lomborg's books *The Skeptical Environmentalist* and *Cool it*, are a sigh of relief because they give at least reason to doubt the eco alarmists, and doubt means going on with business as usual.

Another example of blunt denialism is the British journalist Melanie Philips in her essay 'The Myth of Environmental Armageddon': 'The theory of anthropogenic global warming is perhaps the single most dramatic example of scientific rationality being turned on its head.'[530] Apparently she knows better than the scientists in their field of expertise (and not just one scientist, but the consensual community of environmental and climate scientists). She concludes: 'Manmade global warming theory lies in shreds, and yet this fact is denied and ruthless attempts are made to suppress it, even as the counterargument has gained ground and exposed the hollowness of its claims. That is because the theory is not science. […] it is a quasi-religious belief system; and

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[528] Ibid.: 83.
[529] See for example Michael Allen Fox, *Deep Vegetarianism.*
[530] Philips (2010: 15).

the only reason it was sustained for so long was through the abuse of authority and intimidation of dissent.'[531]

3.6.6 Universal Subjectivism and Deep Ecology

The Norwegian philosopher Arne Naess developed the idea of *ecosophy*, which is an attempt to create an ecological worldview, connecting philosophy, science and a life stance that can motivate (individual and collective) action. Since Naess proposed his concept of *ecosophy* in 1972, there have been a lot of changes, both in (environmental) philosophy and in ecological studies, but his holistic approach is still inspiring and a beacon to strive for in dark times of ecological crisis.

In 1973 Naess introduced the distinction between *shallow* and *deep* ecology. Shallow ecology, according to Naess, is a movement committed to 'fight pollution and resource depletion'. Deep ecology takes a 'relational, total-field', holistic and nonanthropocentric approach to nature. It is the difference between finding a cure for the *symptoms*, as in the case of shallow ecology, and trying to remove the *cause* of environmental destruction, as is the mission of deep ecology. Shallow ecology is like a smoker, who, upon hearing that he has lung cancer, tries to cut back the amount of cigarettes he smokes a day, changing from Gauloises to Light cigarettes, taking some physical exercise, and eating lots of fruit. This tactic might help somewhat. The best thing to do would be to stop smoking altogether (it would have been even better not to smoke in the first place). Even this is no guarantee for a cure and good health, but it is the best thing to do, given the circumstances. Ecological scientists have made a detailed analysis of the health of the ecosystems of the earth and there is a wide consensus that the ecosystems of the earth are rapidly degrading due to human action. Shallow ecology, which seems to be the dominant form of ecology, tries to find cures for the worst symptoms of ecological degradation, for example acid rain, the hole in the ozone layer, the effects of DDT usage. Presently, most ecological focus is on more technology to fix symptoms of ecological degradation. Most energy is put into trying to fight the effects of global warming. We should use the best scientific information and technology to reclaim the natural world while ensuring the welfare of all human beings. All products should be sustainably produced, that is (1) without depleting nonrenewable resources, and (2) without producing toxic, dangerous waste, which degrades the environment. All new technology should be sustainable. It should be off limits to develop unsustainable technology. Science and technology must be used responsibly. Arne Naess' concept of ecosophy combines (ecological) science and values of social justice (now and in the future). 'In general, however, people do not question deeply enough to explicate or make clear a total view. If they did, most would agree with saving the planet from the destruction that's

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[531] Ibid.: 32. For a critique of climate skeptics, deniers and contrarians see Naomi Oreskes and Erik M. Conway, *Merchants of Doubt. How a handful of scientists obscured the truth on issues for tobacco smoke to global warming* (2010): 'For the past 150 years, industrial civilization has been dining on the energy stored in fossil fuels, and the bill has come due. Yet, we have sat around the dinner table denying that it is our bill, doubting the credibility of the man who delivered it.' (p. 266). 'Research produces evidence, which in time may settle the question (as it did as continental drift evolved into plate tectonics, which became established geological theory in the early 1970's). After that point, there are no "sides". There is simply accepted scientific knowledge.' (p. 268)

in progress. A total view, such as deep ecology, can provide a single motivating force for all the activities and movements aimed at saving the planet from human exploitation and domination.'[532] Shallow ecology is more focused on short-term solutions, deep ecology is concerned about long-term solutions.

It might be helpful to compare the difference between shallow and deep ecology on the issue of global warming. A philosopher, not a scientist specialized in areas that are relevant for the analysis of climate change, depends on the best available scientific evidence, like the findings of the IPCC, in order to make a considered normative judgment. Though there seems to be skepticism in the popular press about the role of CO_2 and other greenhouse gases for global warming, there is overwhelming evidence that beyond reasonable doubt the way humans are treating the environment is not sustainable in the long run.[533] The problems of depletion, pollution, deforestation, desertification, fresh water shortage, rising sea levels, population growth and a rapid growth of the average ecological footprint in developing nations as China and India, are so serious that environmental skepticism is like continuing to smoke, or even to smoke more, when lung cancer has been diagnosed and maintaining skeptical about the relationship between smoking and lung cancer.

Shallow ecology has approximately the following strategies: (1) Looking for alternative renewable energy sources, like wind and solar energy, (2) bio-energy; using different kinds of biomasses like palm oil for energy use, which leads to deforestation, monocultures and massive pesticides usage (3) storing CO_2 underground, (4) making higher dikes against the rising sea levels, but (5) not taking measures to radically reform society, the economy, farming and consumption. Deep ecology goes deeper, to the root causes of the problem of the human impact on nature. Due to technology, the growth of human population and globalization the impact of human action upon the ecosystems is more profound than ever before in history. The extinction rate of species in the last hundred years has grown so rapidly that it seems to be a mass extinction of species. In contrast with the five earlier mass extinctions in history, this 6th mass extinction is solely due to human action.[534] It does not seem likely that shallow ecology will succeed to reach equilibrium between a durable life style and the natural environment. Deep ecology looks for the causes of the rapid human caused degradation of nature. For example, Bill McKibben analyzed in his book *The End of Nature* that the human impact on nature is vast and profound in such a degree that nothing in nature, from the deepest seas to the highest mountain is untouched by human action.

'The essence of deep ecology is to ask deeper questions. The adjective 'deep' stresses that we ask why and how, where others do not. For instance, ecology as a science does not ask what kind of a society would be best for maintaining a particular ecosystem – that is considered a question for value theory, for politics, for

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[532] Devall (2007: 74).

[533] 'But by now it is an intellectual fraud to continue spreading the notion that global warming is one more theory that may or may not prove true.' Writes Bill McKibben in 2005 in his new introduction to his book *The End of Nature*.

[534] See Wilson (2002).

ethics. As long as ecologists keep narrowly to their science, they do not ask such questions. What we need today is a tremendous expansion of ecological thinking in what I call ecosophy. *Sophy* comes from the Greek term *sophia*, 'wisdom', which relates to ethics, norms, rules, and practice. Ecosophy, or deep ecology, then, involves a shift from science to wisdom. For example, we need to ask questions like, Why do we think that economic growth and high levels of consumptions are so important? The conventional answer would be to point to the economic consequences of not having economic growth. But in deep ecology, we ask whether the present society fulfils basic human needs like love and security and access to nature, and, in doing so, we question our society's underlying assumptions. We ask which society, which education, which form of religion, is beneficial for all life on the planet as a whole, and then we ask further what we need to do in order to make the necessary changes. We are not limited to a scientific approach; we have an obligation to verbalize a total view.'[535]

The question is: what matters? What kind of things matter? And matters to whom? It makes a huge difference if there are entities in nature that have intrinsic value as is proposed in deep ecology. And what entities have intrinsic value? It could be that only humans have intrinsic value, or all animals, or nature as a whole. Humans have to use nature for living – cutting down trees, killing animals directly or indirectly, changing the landscape. How should we balance human interests with the intrinsic value of the rest of nature? The most important of these three arguments is number two, the justification of intrinsic value. The scientific outlook on life, scientific naturalism, tells us that there are no values in nature. Nature is morally indifferent.[536] There is no good and bad in nature. Without a god, without a transcendental realm (for which there is no scientific evidence of credibility), there can be no intrinsic value. Value is a human made concept. Humans value things. There is a lot of disagreement about what things are valued. Deep ecologists value nature more than average people do. Thus they apply the concept of intrinsic value to nature as a whole. But, in nature itself, there is no intrinsic value. To say 'X has intrinsic value' seems to mean 'I value X very much'. It seems that the concept of intrinsic value is a reminiscence of a religious worldview in which some things are holy, like the sanctity of human life. That means that those people, who belief in the sanctity of life, value human life more than anything, that is, more than non-human life, and more than the quality of life.[537] Without transcendental justification, there can be reasonable debate about which things we human animals value.[538]

A problem for those deep ecologists and biocentrists, like Paul Taylor[539], who apply the concept of intrinsic value to the whole of nature, is how to overcome conflicts between human needs and the intrinsic value of the rest of nature. In extreme, if taken to its deadly consequence, deep ecology would lead to suicide. There are some deep ecologists, like the Finnish philosopher and radical ecologist

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[535] Devall (2007: 74).
[536] See for example Dennett (1995).
[537] See Singer (1996).
[538] It is possible to say that we human animals apply the concept of intrinsic value to those things we really value, whilst acknowledging that we do not use 'intrinsic value' in the literal sense.
[539] Taylor (1986).

Pentti Linkola,[540] who argue that it would be good for nature (and thus a moral good) if most of humanity would be wiped out. This is called *ecofacism*. The problem with this idea is that it seems to imply that we should not help people who need help and that war and epidemics are good. Ecofascists do have a point in bringing into focus that the number of people (the population of human animals) in itself is a severe problem. But if we take as a moral axiom individual suffering, then, we should strive to reduce suffering of those who are already alive. Reducing the human population should not be a result from misery and cruelty, but should be a result from birth control and family planning. There should be a global campaign for population control, educating people about population growth, sexual education and providing (free) contraceptives. Educating, emancipating and empowering women is of great importance for reducing the number of children per woman. Arne Naess: '[…] we have the goal not only of stabilizing human population but also of reducing it to a sustainable minimum without revolution or dictatorship.'[541] Herman Daly also stresses the importance of population control, a steady-state economy is: 'An institution for maintaining a constant population size within the limits of available resources. For example, economic incentives can be used to encourage each woman or couple to have no more than a certain number of children […].'[542]

Deep ecology is an ideology and worldview that places human beings *in* nature, not *opposed to* or *above* the rest of nature. Deep ecology emphasizes that the whole earth is a harmonious interdependent ecological system, which is being disrupted by human action. Deep ecology attaches much more value to nature than do most others ideologies. There are three major disadvantages of deep ecology. (1) In deep ecology the notion of inherent (or intrinsic) value is of crucial importance. This seems a vague and non-justifiable notion. Deep ecologists have a general consensus that nature has intrinsic value, that is, nature has a value in itself, apart from its instrumental value to human. But what things have intrinsic value, and how do you know? Where does this intrinsic value come from? What is the justification for intrinsic value? What arguments can one give for intrinsic value? And, if things have intrinsic value, let's say nature, how should we live? (2) Deep ecologists try to find inspiration in religious and spiritual traditions. The problem with this is that in bringing religion and spiritualism in, this can easily conflict with science, common sense or other religious views. (3) In deep ecology there is no clear criterion to make priorities when there is a clash of interest between humans and other species. If all species have inherent value, by what criterion can we solve clashes of interests? This is a serious problem for deep ecology.

Bill Devall and George Sessions have developed deep ecology into a rounded well-argued worldview, primarily based on the ideas of Arne Naess. In their study Devall and Sessions pay much attention to what they see as sources of the deep ecology perspective. '[Deep ecology] has strong parallels and shared insights with

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[540] 'Linkola is a misanthropist who blames humans for the destruction of the environment, and he has promoted ideas such as genocide for saving the environment and to keep the population in control. He strongly promotes deindustrialization.' (from: Wikipedia).
[541] Devall (2007: 75).
[542] Herman E. Daly, 'The Steady-State Economy in Outline', in: Tyler Miller (2002: 699).

many religious and philosophical positions of primal peoples.'[543] This might be the case, but it brings in a lot of philosophical confusion, because religious and spiritual traditions put forward stories about the world and reality, which are often in conflict with science. If deep ecology is to be part of scientific ecology, there cannot be a mix of spiritual and religious worldviews. And second, if deep ecology is also about social justice, then it has to take into account that there are huge moral differences between religious and spiritual traditions.

A revised version of ecosophy, is (1) based on Naess' ideas of taking into account the planet as a whole and valuing nature, but (2) taking science seriously, (3) not using the concept of intrinsic value, (4) implementing three moral axioms in order to be able to solve clashes of interest. This revised version could be a minimally shared set of values for all human beings, that is, a science based sustainable worldview, and a beacon for moral action.

In order to solve the problem of conflicting views of treating nature, including animals, it seems possible to borrow, or apply concepts from political and moral philosophy: Peter Singers utilitarian equalitarianism, John Stuart Mill's concept of individual liberty, and John Rawls' concept of a hypothetical social contract.

First, Peter Singers moral axiom: 'equal consideration of equal interest'. 'The essence of the principle of equal consideration of interests is that we give equal weight in our moral deliberations to the interests of all those affected by our actions.'[544] Randomly kicking a dog is just as bad as randomly kicking a human animal. Both the dog and the human suffer from being kicked. It is morally indifferent to what species the kick is inflicted, as long as the species is capable of experiencing pain. It does not make sense to say that it is wrong to kick at a rock, because the stone is inanimate and cannot experience pain.

But what about putting a big rock in a river (a dam), which causes the destructing of the habitat of lots of animals and plants as well as destroying the beauty (in the eyes of the human beholders) of the scenery? We can distinguish, as is common among deep ecologists, between instrumental and non-instrumental values. As noted before, it seems unclear that the notion of intrinsic value makes enough sense to use it. But then, what are non-instrumental values that are not intrinsic? These are aesthetic values: beauty, tranquility, awe, respect, sublime and the like. But there is no broad consensus among humans about these aesthetic appreciations; the economic perspective on nature, seeing nature as a free source of resources and dumping ground of waste, is dominant. Unfortunately it does not seem likely that there will come a major cultural paradigm change in the perception of nature.

Second, John Stuart Mill focuses on the individual: what matters is individual liberty. The primary task of the state is to protect the freedom of individuals. The only limit to individual liberty is the breach of the freedom of others: 'the only purpose for which power can be rightfully exercised over any member of a civilized community, against his will, is to prevent harm to others.'[545] James Garvey reiterates Mill's

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[543] Devall (2007: 80). *A Companion to Environmental Philosophy,* edited by Dale Jamieson, pays much attention to cultural traditions.
[544] Singer (1997: 21).
[545] Mill (1985: 52).

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perspective applied to climate change: 'How a person lives is always up to him, unless how a person lives has bad effects on others.'[546] And he continues: 'Irresponsible lives of high consumption have consequences beyond the short-term gratification of individual people.'

Applying Mill's liberalism to ecology – let's call this the 'green harm principle' - implies that people should not limit the possibilities of future generations by destroying nature. Positively, humans can leave the world better than how we found it leaving for future generations art and culture. Mill's liberalism can be applied to justice *across* generations (intergenerational justice) with the benefit of leaving the ecosystem of the earth just as good as it was, as well as to justice *among* people living now (intra-generational justice). By living and consuming we should not limit the liberty (and quality of life) of other individuals – human and non-human. Western people are living life styles with a big, unsustainable, ecological footprint.[547] Individual citizens have according to deep ecology a moral responsibility to live ethical, threading softly on the earth. Eating down the food-chain – that is eating crops instead of feeding crops to animals and then eating those animals – is much more efficient in water, food and energy use. This transition can be difficult and hard, facing all kinds of psychological and sociological barriers like group pressure. Driving a car, flying (especially for holidays), meat eating, air conditioners and consumerism in general are problematic. Voluntary simplicity is an individual moral duty. The good news is that sociological research shows that people, who are voluntarily living simply, are generally more content and happy as compared to their old way of living.

Third, Rawls' political theory is about trying to maximize the position for the worst-off. This seems a broad principle and does not seem useful to be applied to environmental concerns or animal welfare. If one expands the notion of the individual in a utilitarian way, using Bentham and Singer, then it does not seem just that humans cause farm animals to suffer on such a large scale as is done in present day intensive farming around the world. If one makes a utilitarian calculus, then on the one hand you have severe and enormous suffering of millions of animals, and on the other hand the gustatory pleasures of millions of humans.[548] Humans (at least in western societies) do not need meat for a healthy (and tasty) diet. So why should the freedom of human animals breach the freedom of farm animals to be free from human caused suffering and slaughter? If individual human beings (because only human animals can act morally) try to minimize their impact on the freedom of other individuals, then it seems reasonable to take future generations in account as well.

When you have invited friends and family to your birthday party do you leave some cake for those who are late, or do you just give those who are already present a somewhat larger piece? When the people show up and there is no cake left – what do you say to them? 'We are sorry, we knew you were coming, but we couldn't restrain ourselves.' What will future generations think of us living now, eating the capital of the natural resources and producing waste and pollution, which will affect

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[546] Garvey (2008: 145).
[547] Reese (1998).
[548] See Singer (1995).

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the quality of life of future generations? Future generations will suffer from present day life styles. Thus, present day (western) life style is deeply unjust towards future generations.[549]

When we recognize the moral importance of the ability to suffer, this is not limited to human animals only, but extends in different degrees to other animals. Due to the rise of intensive or factory farming in the second half of the 20th century, there are exponentially more farm animals than ever before. In the Netherlands there are 16 million people, and 450 million farm animals. Some difficult problems have easy solutions. The problems of factory farming (animal suffering, water usage, deforestation for animal food, emission of green house gases by the farm animals) can be easily overcome by eating less or no meat. Meat eating is, to say the least, ethically and sustainably problematic.

What is morally relevant is the capability to suffer, both physically and mentally. Human animals have by and large a broader capacity for suffering, because of their mental capacities. When there is a conflict between a non-human animal and a human animal, the fundamental needs of human animals counts more. For example, when there is no food for humans, but a pig, humans can eat the pig. But using animal fur when there is no essential need for it (our ears will not freeze off without a fur hat), we should respect the needs of fur animals. A utilitarian method like this, where needs, pains and gains, have to be balanced, does not give a general answer to all clashes of interests. But it does give a method or tool. Public reason is needed to solve clashes of interest. Even if there will remain hard cases, this method also renders clear answers. Take for example, intensive farming (a euphemism for factory farming). Intensive farming methods have increased the yield of agricultural products enormously, but these methods have disastrous side effects on the environment and animal welfare. Pollution, deforestation, water shortage, large-scale monocultures that threaten biodiversity, and animal factories, all are examples of side effects of intensive farming methods. This is not sustainable farming. We have to rethink farming, not going back to pre-industrial times, but by using technology sustainably. As a result the yield will probably be lower. Sustainable farming uses methods of crops growing and raising live stock (if at all) based on organic fertilizers, soil conservation, water conservation, biological control of pests and minimal use of nonrenewable fossil-fuel energy.

3.7 Judging the Past
Philosopher A.C. Grayling emphasizes the moral relevance of the study of history: 'No person can be educated or civilized who does not make a study of history, and a habit of reading history. This is because it stands alongside literature and the arts as one of the richest and best sources of understanding human experience and the human condition, and it equips us to understand ourselves, to organize our lives and societies, and to meet the future as the best we may. As the saying derived from Thucydides has it, history is philosophy teaching by examples.'[550] Apart from geographical, biological and future issues, the model of universal subjectivism has

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[549] See Singer (2002).
[550] Grayling (2009: 172).

more potential, namely temporal expansion. In the universal subjectivist model as far as it is developed to this point, justice is applied to a possible existence anywhere on this planet, somewhere now or in the future as a sentient being. A different possibility is to incorporate the time dimension of justice into the past. This makes it possible not only to make moral judgments of situations in the present and possible situations in the future, but also in the past. Many ethicists are skeptical about the possibility, and need, of morally judging the past from their contemporary perspective.[551] 'It is a commonplace that historians don't judge statements from past times by the standards of their own.'[552] It has been said for example that the immoral stories and sermons in the Bible and the Koran must be understood in the context of the period when they were created. In those times they were perhaps an improvement compared to traditional moral values. This is a moral judgment as well, a mild and relativistic judgment, but a judgment nevertheless. From the universal subjectivist point of view it is possible to judge the past. You can after all imagine that you are not born in the present, nor in the future, but that you were born hypothetically somewhere far away in the past.[553] What would it be like to be a slave, free thinker, homosexual, serf, woman, disabled, or have a different religion somewhere on the time line before the present? The dominant moral values from the past from any culture always excluded some people from the moral discourse; animals were always excluded. Maybe some moral codes were an improvement compared to even more cruel and unjust codes, but seen from the universal subjectivist perspective there has not been a just society anywhere. In the contemporary world there are nations, which make a good start in this direction, welfare states like Norway, Denmark, Sweden, Germany, New Zealand and the Netherlands. These are oasis of (partial) justice as fairness in the contemporary world for the first time in history. In this sense, we are unique.

Thus, for example, Islam, Judaism or Christianity might have been a liberation to women relative to even more brutal times, as is often mentioned by religious apologists, but it is still far removed from universal subjectivist justice, especially from the perspectives of (Muslim)women, girls, freethinkers, libertines, apostates and homosexuals. It is like you are being brought to a different prison, may be a little bit more humane, but still a prison where freedom is far away.[554]

Philosopher Paul Cliteur argues that it is common to think the other way around, like people wearing a T-shirt with the text 'What Would Jesus Do?'[555]: What would earlier generations have thought about *our* morals?[556] Cliteur continues that this line

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[551] The Holocaust is the most notable exception, although in December 2006 there was a Holocaust-denial conference in Teheran, Iran.

[552] Dawkins (2006: 266).

[553] Of course, we are all born in the past; I mean further back than that.

[554] Another way to expand the Rawlsian theory would be to include *aliens*. I presume that alien are some kind of sentient beings (I think we would not recognize aliens as aliens if they were not sentient beings). Life on a different planet can be morally evaluated using universal subjectivism. Cf. Daniel Dennett argued in his book *Darwin's Dangerous Idea: Evolution and the Meanings of Life* (1995), that Darwinism is a universal theory, which applies to any system with the basic ingredients, including different life forms anywhere in the universe. Dennett calls evolutionary theory 'Universal Darwinism'. Universal Darwinism is concordant with universal subjectivism.

[555] No kidding: www.whatwouldjesusdo.com.

[556] Cliteur (2002: 227).

of thought can be extended to the question what future generations would find about our morals: do we have blind spots? Cliteur explains the existence of blind spots by incoherency of principles, e.g. the principle of equality. People do not universally extend their moral principles. People (man) in power usually do not extend moral rights to those who are powerless. Morality is more often than not, not about good and just, but about power. Often morality is a cloak for justifying privileges and thus morals are conservative about keeping the status quo. Ethics changes the perspective on morality, by shifting from the power discourse,[557] to the discourse of the good and the just, and, when considering universal subjectivism, the subjective perspective of the individual. Future generations will probably look back at our times in wonder: 'Just like in Greece at the time of Plato, or America at the time of Thomas Jefferson, our society will appear to be one in which civilization and barbarity are inextricably intertwined.'[558]

3.7.1 Killing Civilians with Allied Area Bombing in WWII

In *Among the Dead Cities. History and Moral Legacy of the WWII Bombing of Civilians in Germany and Japan* British philosopher A.C. Grayling morally evaluates a notoriously hard case where 'good guys' commit crimes against humanity. He analyzes the bombing by Allied Forces on German and Japanese cities during World War II. His study about area bombing by the Allied Forces during World War II in Germany and Japan which killed thousands of civilians and destructed complete cities, including important cultural heritage, differs from many histories of World War II, because Grayling want to come to a moral conclusion: '[…] I wished to view the matter [area bombing] solely from the standpoint of someone in one of the victor nations, who inherited the benefits of victory, but hopes that by now there is enough perspective available for a frank acknowledgement of the wrongs done in the course of how it was won.'[559] It is clear that the position of the civilians that were bombed, is a worst-off position. Can you want to change place with the victims of those bombings?

In the appendix of the book there is a list of facts: 'Schedule of RAF bombing attacks in Germany, with civilian casualties caused and RAF losses sustained.' Grayling's book can be characterized as moral history. Grayling takes seriously the folk wisdom that we can learn from the past. His goal is not to start a new (posthumous) war trial against those who were responsible for the area bombings, but he wants to find out if there are good arguments to morally justify area bombings. Grayling distinguished between *explanation* on the one and *justification* on the other hand. The bombing of Dresden in February 1945 for example can be explained with the following reasons: (1) to help the Russians on the eastern battlefront, (2) to show the Russians what the British and American bombers could do to a city, because the alliance with Stalin was deteriorating rapidly. And 3 there was hardly any anti-aircraft

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[557] Foucault was right to focus on the relation of power and morality. He did not think there was a way to overcome the dilemma. Of course in a democracy the power is to the people and they want to keep that power for themselves. But democracy is for the common people far better than any other system. Foucault seems not to make comparative distinctions.
[558] Cliteur (2002: 234) quotation translated by FvdB.
[559] Grayling (2007: 274).

artillery, but a lot of American and British bombers ready to use. This is the push of technology and military drift. Perhaps there are more reasons, but none of these reasons seems to justify the death of tens of thousands of civilians and the destruction of a city rich in culture. The destruction of cultural heritage has been called 'culturicide'.

Who could decide what is good? Grayling uses many different criteria and strategies to evaluate the possible justification of these area bombings. Firstly, he explores the international treaties prior to WWII that all make clear that killing civilians and the purposefully destruction of non-military targets is condemned. Secondly, Grayling looks at what British politicians and high-ranking military officials said before and at the beginning of the war. It turns out that they vehemently disproved of and condemned the Nazi's for bombarding cities, like the bombardment of Rotterdam in 1940. Thirdly, Grayling looks at what has been said at the Nuremberg Trials in 1945/46 about the killing of civilians. Despite plainly disproving of the killing of civilians, the victorious nations could not themselves be brought to trial, because they had immunisized themselves. Fourthly, Grayling looks into international treaties about the codes of war that have been drafted after WWII. These treaties condemn area bombing. Fifthly, Grayling studies dissenting voices from public discourse during the area bombings in WWII. There were brave civilians, and even high-ranking military official, who opposed area bombings. As an example Grayling mentions the writer Vera Brittain who vehemently protested against area bombing and who published in Spring 1944 (so before the notorious area bombing on Dresden) the pamphlet *Seed of Chaos: What Mass Bombing Really Means* in which she exposed facts on the consequences of area bombing on German cities. The pamphlet aroused a lot of stir in the United States. Sixthly, what was the opinion of survivors of German bombings on Great Britain about area bombing the enemy? Perhaps surprisingly, the *lex talionis*, 'an eye for an eye, a tooth for a tooth', does not seem to hold. The majority of survivors of German bombings on English cities were against the bombing of German cities. On the other hand, people who had not for themselves experienced bombing, like in the United States, were in majority in favor of area bombing. Grayling uses the criteria of those who were responsible for the bombing, and he concludes that they themselves should have found in morally wrong. Air marshal Arthur Harris, who was directly responsible for area bombings, was a fervent supporter of it, did not receive a military decoration after the war. Despite the fact that Harris did not get a military decoration, there was no public condemnation of him or of area bombings. There was silence. From a save distance in time, Grayling looks back for a moral evaluation.

Were area bombings effective? Has area bombing helped to win the war or help to end the war sooner? Grayling takes a close look at the available evidence. The military top, most notably Arthur Harris, argued that area bombing was a highly effective means to wage a war. But that proved wrong, because (1) area bombings did not have a negative influence of the morale of the Germans, and (2) area bombings had little influence on military operations – anti-aircraft artillery was mostly manned with elderly men who were not missed at the battlefronts. Precision bombing, on the other hand, caused serious trouble for the Nazi's. At the end of the war the USAAF was capable to do precision bombings on special selected targets,

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especially oil refineries. These precision bombings caused severe problems for German military operations; for example, the Luftwaffe had a serious shortage of fuels and could hardly fly.

Grayling distinguishes several phases in the war. The first phase was the phase when Nazi Germany was on the winning hand and Great Britain had to its utmost best not to be conquered (the Battle of Britain). In the second phase, after the German defeat at the battle for Stalingrad, and when the USA entered the war, it became evident that Germany would loose the war. Why did the RAF in the last months of the war, when it was abundantly clear that Germany would loose, organize a huge area bombing in German cities, like Dresden? Grayling does not find any good reasons and none justifications and therefore concludes that this is indeed a war crime.

About the reason why an analytic philosopher as Grayling would make a detailed historical study he himself remarks: '[…] only if civilization looks back at itself frankly and accepts what it sees, can it hope to learn from the exercise, and progress in the right way and direction thereafter.'[560] Grayling concludes:

> Was area bombing necessary? No.
> Was it proportionate? No.
> Was it against the humanitarian principles that people have been striving to enunciate as a way of controlling and limiting the war? Yes.
> Was it against general moral standards of the kind recognized and agreed upon in Western civilization in the last five centuries, or even 2,000 years? Yes.
> Was it against what mature national laws provide in the way of outlawing murder, bodily harm, and destruction of property? Yes.
> Very wrong? Yes.
> […]
> Should airman have refused to carry out area-bombing raids? Yes.[561]

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[560] Ibid.: 274.
[561] Ibid.: 276-7.

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4. Applications of Universal Subjectivism

According to bio-ethicist Tom Beauchamp: 'Moral philosophers have traditionally formulated theories of the right, the good, and the virtuous that are set out in the most general terms. A practical price is paid for this theoretical generality: it is usually hazy whether and, if so, how theory is to be applied to generate public policy, settle moral problems, and reduce controversy in controversial cases.'[562] Universal subjectivism can be applied in at least three different ways: (1) as a political theory for cosmopolitan justice, (2) moral guidance, and (3) social criticism. Peter Singer is one of the founders of a shift in ethical theory from theory to practice.[563] In ethical theory practical ethics has been booming since the late 1970s. Now most philosophy departments have specialists in practical ethics/applied ethics who study topics like abortion, animal rights, gay rights, euthanasia. In political philosophy as well there has somewhat later been more focus on the application of theories.

An example of the latter is Thomas Pogge's *Realizing Rawls*. Universal subjectivism is more than a meta-ethical and political philosophy: it is about making the world a better place. It might even be – and this is a utopian temptation – 'a complete change of our way of life for the better.'[564]

4.1 Political Philosophy

According to Mark Malloch Brown, former UN advisor to UN secretary-general Kofi Annan: 'We have to create a global social security system.'[565] In the first place universal subjectivism can be applied in the same manner as John Rawls used his political theory as a way to organize a just (national) society. The Rawlsian model is to be applied to government policy and institutions that arrange the distribution of goods and services, like health care, insurance, infrastructure, conditions of employment.

In the documentary *Sicko* (2007) film maker and social critic Michael Moore[566] criticizes health care and health insurance in the United States. A significant percentage of the population is un- or under insured. Health insurance is a private, nongovernmental business in the United States. Profits, not people, are the main target of the health insurance industry. Michael Moore remarks in the documentary: 'A society can be judged in how it treats those who are worst-off'. Moore shows that people who need medical treatment but cannot afford the costs, are much better off in many others countries than the US: Canada, France, United Kingdom and even Cuba all have free public medical services. *Sicko* vividly shows what it is like to be in the worst-off position in the United States when it is about medical care and medical costs.

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[562] Tom L. Beauchamp, 'The Nature of Applied Ethics', in: *A Companion to Applied Ethics,* p. 1.
[563] See Singer's article 'Moral Experts', 1972, in: *Writings on an Ethical Life.*
[564] Hochsmann (2002: preface).
[565] Juurd Eijsvoogel, 'We moeten een social vangnet voor de wereld opzetten', *M (NRC Handelsblad,)* June 2007, interview with Mark Malloch Brown, former UN advisor to UN secretary-general Kofi Annan. www.un.org/News/ossg/sg/stories/dsgbio.asp
[566] For more facts see: www.michaelmoore.com.

Politicians, policy makers and civil servants can use the universal subjectivist perspective to check if their policy is just, that is if it takes into account the needs of everybody. Universal subjectivism is intended as a means to improve the position of the least well off. Universal subjectivism is an insurance strategy for the worst-off positions, some of which, even the well off, might someday encounter.[567] An example of using universal subjectivism as a tool in political theory: in the United States government policies should under Rawlsian guidance work to eliminate discrimination against African-Americans and Latin-Americans.[568] Government should try to reduce thresholds that hinder the emancipation of oppressed groups. For a world government – the United Nations – this task will be far more difficult, because it means that there will have to be a global and universal guarantee for primary goods (like freedom, education, infrastructure, healthcare facilities) in order to attain global justice as fairness. The Universal Declaration of Human Rights is a good guide for what minimal level should be guaranteed to all citizens of the world.[569]

Nussbaum's capabilities approach has more or less the same outcome and is a moral reform theory and, when taken seriously, is likely to demand a 'large-scale personal change,'[570] vegetarianism being one of the changes.[571] Many contemporary philosophical political theories tend to be conservative or only mildly reformative of the existing moral, social and political order. Marxism and communism were political philosophies, which tried to change and reform the political and social order, with catastrophic results. One has to be careful to avoid the totalitarian temptation at the heart of moral idealism and utopianism.[572] There are (at least) two safety measures, which can be taken to avoid moral evil as a result of striving for the good. First is *moral individualism*: it is individual suffering that matters. Therefore moral individualism clashes with moral relativism ('all cultures are equal') and multiculturalism ('tolerate and support cultural diversity without criticizing intolerance'). In the process of attaining a just society, individual suffering should be avoided. The path to the good and just society should not be worse than the existing moral, political and social order. This is a utilitarian strategy. The path towards the just society (a well ordered society, in the Rawlsian vocabulary) should be piecemeal engineering, instead of radical reform. In the case of piecemeal engineering the process can be evaluated and readjusted on the way. Karl Popper made this point clear in his famous work *The Open Society and Its Enemies*. So, universal subjectivism will ask for a radical change of society (top down) and of personal morals (bottom up). The personal change is even more important because it is the basis for political change. When people will become ethical consumers and stop

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[567] The rich can become poor. The healthy can fall ill. The powerful can fall in disgrace. Natural disaster can ruin the lives of many.

[568] Ralph Ellison wrote a novel about this social issue of discrimination of Afro-Americans in the early 20th century and the invisibility of the underdog, *Invisible Man* (1952).

[569] Yes, this sounds very utopian and unrealistic. But alas, a just world is unfortunately unrealistic.

[570] Nussbaum (2006: 410).

[571] Nussbaum, surprisingly, is reserved about promoting vegetarianism. She emphasizes that animals should have a 'decent life'.

[572] See for example Lyman Tower Sargent, *Utopianism* (2010).

buying animal products, the market will change.[573] Radical reform can be brought about bottom up, which is much safer than a top down method that can result in totalitarian methods.

4.2 Ethics

The theory of universal subjectivism might be put in the form of an adapted version of the Golden Rule.

> Level 1: In the original position: worst-off positions check. This is the strategy of maximizing the worst-off positions (max-min strategy):
>
> > a. Organize the institutions of the world in such a way that the worst-off positions - in which you could find yourself - are as good as possible.
> >
> > b. Organize the world in such a way that you could cope with living in any of the worst-off positions.
>
> Level 2: Social interaction: interchangeability
>
> > c. Act so that you can change positions with those that are involved by your actions, or lack of it.

Universal subjectivism is more than a political theory. Universal subjectivism can be used as a moral guideline, an ethical maxim, in one's personal life. Universal subjectivism is a moral 'multi-tool'. Using it might be hard; because there could appear moral obligations, which you didn't know were there. Applying Universal subjectivism to your personal life can be demanding. Richard Layard in his book *Happiness* quotes his uncle Pip: 'I always see the other person's point of view – it can be a damn nuisance.'[574]

The theory is an expanded version of the moral Golden Rule[575]: 'Do not do to others what you would not like to be done to you.' Universal subjectivism differs from this rule of thumb, because it offers a practical tool for empathy (being in a different position) and universal subjectivism has a much broader scope. In daily life universal subjectivism can be used as a rule of thumb, a successor of the Golden Rule.[576] The Golden Rule has both a positive (GR+) and a negative version (GR-).[577] The negative version is also called the *Silver Rule.* The positive version is as follows:

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[573] See Singer (2006) and Foer (2009).
[574] Layard (2005: 95).
[575] Cooke gives a concise outline of the philosophical relevance of a 'supreme moral rule'. See Cooke (2006).
[576] Universal subjectivism could therefore be called the New Golden Rule (NGR).
[577] Rob Wiche, 'Wat Gij niet wilt dat U geschiedt… Over de Gulden Regel als ultiem wapen tegen het morele kwaad', in Wiche (2005).

Do unto others what you would want others to do unto you.[578] The GR+ is problematic because it depends on what notion someone has about the good life. If someone is a believer in one or the other religion, that person could want to be circumcised, because, that person would say: 'I would want to be circumcised too!' George Shaw wrote: 'Do not do unto others as you would that they should do unto you. Their tastes may not be the same.'[579] This makes clear the difference with universal subjectivism as a new GR: it is always imaginable that you are the person who does *not* want to be circumcised. In the GR+ there is a serious risk of paternalizing individual freedom. GR- (*Do not unto others what you would want other not to do unto you.*) is too small: can it find and oppose to moral gaps? Not if the theory has a limited domain. Who are 'the others'? When the domain is actively opened to incorporate sentient beings over time, then GR- = GRnew. Universal subjectivism can be used as moral spectacles to contemplate both your own personal activities and society as a whole. The model is a political and ethical theory in one.

In the chapter 'In the Other Person's Shoes' Jeffrey Wattles examines psychological research, which might be relevant for the use of the Golden Rule. He notes many psychological aspects of the Golden Rule:

1. observing the other,
2. imagining how one would feel in the other's situation,
3. imagining what the other is feeling,
4. imagining the world from the perspective of the other,
5. imagining the effect of an action on the other,
6. imagining how the fairness of an act would be judged by the other,
7. and taking the other's perspective vividly into account in moral decision-making.[580]

These are all aspects relevant for universal subjectivism. Even if psychological research would show (which I do not expect to happen) that application of the Golden Rule is contrary to human nature, still the philosophical justification is sound. It is hoped that psychological research about moral behavior and sympathy, empathy and altruism, can result in tools as to how to improve the human ability for moral behavior.

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[578] The precept of the Golden Rule can be found in the Gospel of Matthew (7:12): "In everything, do to others what you would have them do to you." Also in Matthew 22:39, and Luke 6:31. (This rule of conduct is a summary of the Christian's duty to his neighbor and states a fundamental ethical principle. In its negative form, "Do not do to others what you would not like done to yourselves," it occurs in the 2nd-century documents *Didache* and the *Apology of Aristides* and may well have formed part of an early catechism. It recalls the command to "love the stranger (sojourner)" as found in Deuteronomy. It is not, however, peculiar to Christianity. Its negative form is to be found in Tob. 4:15, in the writings of the two great Jewish scholars Hillel (1st century BC) and Philo of Alexandria (1st centuries BC and AD), and in the *Analects* of Confucius (6th and 5th centuries BC). It also appears in one form or another in the writings of Plato, Aristotle, Isocrates, and Seneca. The 'Do unto others' wording first appeared in English in a Catholic catechism around 1567, but certainly in the reprint of 1583. (*Encyclopedia Brittanica*).
[579] *Maxims for Revolutionists*, 1903.
[580] Wattles (1996: 106).

Wattles is skeptical that the ability to change positions with other persons can be the foundation of morality: 'Let it be noted that imaging oneself in the other's situation is not literally required by the golden rule, nor is it a necessary or sufficient condition for sound moral judgment. In other words, sometimes one performs the imaginative exercise but remains unenlightened through ignorance or self-deception, and sometimes one grasps intuitively what is to be done without any explicit act of imagination.'[581] Wattles concludes that: 'The fact that empathy and perspective taking often fail to motivate altruism is in itself an important result, for it suggests that we look for moral motivation beyond sympathy.[582] […] Clearly there is more to the golden rule than putting oneself in the other person's shoes. […] Thus not only sensitivity to the other's perspectives but also moral reason and spiritual insight are required for an appropriate sense of self and other.'

Wattles applies the Golden Rule to persons only. The religious tradition of the Golden Rule is speciesistic to the core. One cannot use the Golden Rule without (mentally) changing positions. In practice it can be hard to change positions with other positions: so much more work for moral education. '[…] sometimes one grasps intuitively what is to be done without any explicit act of imagination'. Of course, one can't spend all one's time imagining oneself in another's place. But in theory all moral actions should be justifiable by the New Golden Rule. Moral intuitions are psychological short cuts. It is of the utmost importance that moral intuitions themselves are morally scrutinized. Wattles is aware of the lack of motivation of plain knowledge of what it is like to be in another person's place. By using the hypothetical idea of the original position in order to make one realize the contingency of one's actual existence, universal subjectivism has an extra appeal for moral behavior: Universal subjectivism can play the role of 'moral reason' which Wattles relies on as moral motivation. It is not clear if 'spiritual insight' which Wattles invokes for help by moral motivation has any meaning. But he is right that moral appeal can be ignored. It is to be hoped that a just social order - in which the New Golden Rule has been institutionalized - protects society from people who refuse to act morally.

4.3 Social Criticism

The universal subjectivist perspective can be used to morally criticize society.[583] Originally I thought of this model in order to find a way to compare and judge utopian drafts for an ideal society like *Utopia* (1516) by Thomas More, *Walden Two* (1949) by B.F. Skinner and *Ecotopia* (1975) by Ernest Callenbach.[584] Utopias have the best intention for their inhabitants at heart. A utopian draft strives to order society in such a way as to guarantee universal happiness. The (social) structure of society is rigid in most utopias.[585] Whoever looks at a utopia from the perspective of the dissident will notice that utopia turns into a dystopia, a hell. When someone in a so-

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[581] Ibid.: 106.
[582] Ibid.: 120.
[583] I mean the German notion of '*Kulturkritik*' (critique of society/culture).
[584] Van den Berg (2004).
[585] Cf. Kumar (1987).

called utopia wants something different from the prescribed way to live, for example to choose his or her own partner, to live in a house of his or her choice, to choose what job he or she wants; for such a person utopia turns out to be dystopia, he or she is crushed by the rigid terror of good intentions. In utopia there are always dissidents, persons who do not agree with everything that is planned for them. In a free society there are no dissidents; 'dissidents' are called free thinkers and they write in newspapers or magazines. By means of a *Gestalt* switch, utopias turn out to be dystopias. Individual freedom is not admitted. This is a serious hindrance for happiness.[586]

Social critics tend to look at their own contemporary society gloomily. Yesteryear was always better in one way or another, they lament. One aspect of contemporary cultural criticism consists in mourning the decline in social etiquettes and politeness.[587] Political philosophy and social criticism tend to be two different branches of thought. It seems universal subjectivism can combine these two lines of thinking in the same model. In social interaction people should be able to imagine themselves in the other person's position: waiter and customer should hypothetically change position. People waiting in line should imagine being in a different position: how would you feel if you were pushed roughly aside? Social interaction is one aspect, which easily can be incorporated in the model of universal subjectivism. Why be polite? Would you want to be treated rudely? I guess not, therefore, you, and everybody, should be polite and well behaved. Universal subjectivism is dynamic; it is not a conservative plea for social etiquettes.

The Virtual Museum of Offensive Art is about people being offended by the freedom of expression of others.[588] Why should there be a museum to exhibit art that some people find offensive, disturbing, shocking, insulting, vile, distasteful, pornographic, blasphemous or ugly? Before answering that question, we should note that such a museum already exists – the Virtual Museum of Offensive Art – with free access for all (that is to say, if the internet has not been censored). It is a personal choice to decide to enter the Virtual Museum of Offensive Art and run the risk of being insulted, offended or shocked. The museum consists of a collection of thumbnails showing artworks from different times and places, but primarily contemporary western art. If you select an artwork, the piece is enlarged and there appears – albeit in Dutch – a short description of the work and an explanation of what happened: why is or was this work of art offensive and to whom? As you browse the collection, which presently consists of hundreds of pieces, you ask yourself: why is this offensive? There seem to be easy ways to offend: religious satire

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[586] Ruut Veenhoven (Erasmus University Rotterdam) studies happiness empirically. In his sociological study *The Conditions of Happiness* Veenhoven argues, based on empirical evidence, that individual freedom is an important constituent of happiness: the more freedom, the happier people are.

[587] See, for example, Harry Kunneman, *Voorbij het dikke-ik* and Theodore Dalrymple, *Life at the Bottom*. Apart from his gloomy view of contemporary culture and his conservative agenda, Dalrymple's book is fascinating because it gives a vivid picture of life in the (English) underclass (a worst-off position) and the failure of the government, in spite of the money invested, to increase the quality of life: the institutions of the welfare state fail in this aspect and, according to Dalrymple, leading left wing politicians turn a blind eye.

[588] http://verlichtingshumanisten.web-log.nl/museum_kwetsende_kunst/. Floris van den Berg is one of the creators of this museum.

is a successful strategy, especially when nudity is involved; pornography; homosexuality, when associated with bulwarks of homophobia like the army and the church. But it is now hard to see why in the 19th century works by Rodin and Manet, like *Dejeuner sur L'Herbe* (1862/3) were scandalous. Throughout history, societies have reacted to scandals in art by calling for censorship and self-censorship. Most of the works on display here have been censored. But censorship is always temporary: *Dejeuner sur L'Herbe* can now be seen in all history of art textbooks. And the Danish cartoons, too, will enter the history books thanks to the demand for censorship by Muslims. Social conventions change. The ethos of the museum is in keeping with liberal views on society: freedom should be as large as is logically consistent with the freedom of other individuals. Use of violence and incitement of violence are the clear boundaries of freedom. The legal right of freedom of expression logically entails the right to offend and insult. Social conventions establish boundaries of propriety, but social conventions can be discarded; that is what many artists and writers, who are now considered canonical, have done. In an open society people have the freedom to create their own lives as much as possible without restriction by others. As such, it is possible that you can be offended or even insulted by the artistic creations of other people. Taking a closer look at the collection of the Virtual Museum of Offensive Art, one notices that the subjects of the artworks mostly concern ideologies that are unfree. Many works are a statement, a protest, against the taboos and moral commands of religions and authoritarian ideologies. Seen from this perspective the majority of the exhibited artworks are an appeal or even a cry for freedom. This is a Museum without censorship and thus all offensive art is welcome. The collection makes one reflect: what are the limits of tolerance? What is art? What is freedom? Why is this offensive? Why do people get angry about this? Why do people make this? It is a place for the artistic contemplation of freedom and the ideal of the open society.

Moral and political philosophy can be seen as 'realistic utopianism', this is not utopianism 'disconnected from historical experience, but it is reformative:'[589] creating ideas and critique for making the world a better place.

4.4 A Philosophy of Freethought
The history of freethought, more than the history of philosophy, shows the moral blinkers of the time. Not all philosophers are freethinkers. Freethinkers are people who think rationally and criticize ideas, social customs and taboos. Freethinkers are often fiercely opposed by the moral majority, those in power and those whose privileges are being questioned. Books on the history of freethought like *God noch Gebod* [590] ['Neither God, nor Authority. History of Organized Freethought in the Netherlands'] and *Freethinkers. A History of American Secularism*[591] exemplify this. From 1856 onwards Dutch Freethought organization 'De Dageraad' has campaigned for e.g. universal suffrage, the right for cremation, secular education at schools, rights for conscientious objectors, birth control, sexual education and liberation. Each of

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[589] Graham (2007: 6).
[590] Gasenbeek (2006).
[591] Jacoby (2004).

these issues has been criticized and opposed. From the perspective of universal subjectivism it is immediately clear that each of these issues can be yielded by this method. These were, and some still are, blind spots in (Dutch) society. Freethought is an (organized) attempt to find blind spots in morality and flaws in the body of knowledge and opinions of society. Universal subjectivism is thus a tool for freethinkers.

Dissidents are social and political critics who are not tolerated by a (non-democratic) government.[592] Dissidents point out (social) injustices, but instead of listening to the message, the government (dictator) silences the messenger. Dissidents often point out worst-off positions and as a result often end up in a worst-off position themselves. Freedom of expression is a necessary precondition for a good and just society in order to keep an eye on (social) justice, in order to evaluate the worst-off positions in a particular society.

Whistle-blowers, those who report dishonest or illegal activities within an organization to someone in authority,[593] are dissidents in democratic societies. Blowing the whistle about corruption tends to make the whistle-blower a victim – though usually not as bad as compared to the fate of dissidents. Imagine you are that whistle-blower and you lose your job and job opportunities, because no one wants to hear you, you are broke due to legal costs, you have to sell your house, you are a social outcast and your husband leaves you due to psychological stress? A society needs whistle-blowers in order to keep corruption and (social) injustice under control. Feminist psychologist Phyllis Chesler stresses the importance of whistle-blowing for feminism in order to expose violence to women and children: 'A whistle-blower is an insider who risks everything in order to expose an injustice that, but for her, would remain covered up and would also continue. Whistle-blowers cry incest, rape, racism, embezzlement, police cover-up, economic discrimination, sexual harassment, torture, genocide, and so on. Democracy and ideas cannot flourish without whistle-blowers.'[594]

Whistle-blowing therefore is a worst-off position, which should be optimized by making policy to protect and (financially and psychologically) help whistle-blowers. Public intellectuals can help by publicly supporting whistle-blowers. The Enron affair (USA) makes clear that society would benefit if people would dare to blow the whistle and know they could count on (moral and financial) support.

4.5 Setting Priorities

What moral problems are most urgent? What moral problems deserve the most attention, including attention from philosophers? In order to decide what problem is important, a criterion is needed. David Oderberg thinks abortion is an important moral problem: '[…] the intensity of feeling still generated by abortion in all

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[592] A person who criticizes the government publicly without fear of punishment is a journalist or public intellectual. In a free and open society there are many journalists, public intellectuals and free thinkers, but no dissidents. According to the MacMillan online dictionary as dissident is 'someone who disagrees publicly with a government, especially in a country where this is not allowed.'
[593] MacMillan online dictionary.
[594] Chesler (2006: 42).

quarters[595] means that moral philosophers must continue to have it at or near the top of their list of most important issues.'[596]

Universal subjectivism has a clear criterion: individual suffering which could hypothetically happen to you, due to the contingency of fate and the interchangeability of sentient beings. It does not seem that fetuses suffer much from being aborted (this depends on how old the fetus is and what method is being used). Priority should be given to where the most suffering (quality multiplied by quantity) is.[597] Hunger, lack of medical care and poverty cause immense suffering. The fight against deprivation therefore should be high on the list of moral (and political) problems. Where is the most suffering in western welfare states? The millions of animals in factory farms are in the worst-off positions. Fighting factory farming should therefore be high on the priority list of moral problems. Another blind spot is the suffering of fish. Fish do have a central nervous system and can experience pain and distress. There are no laws about the treatment of fish. Fishing methods cause incredible amount of fish and whales, to suffer long and hard. Imaging yourself to be a dolphin[598] that is entrapped in fishing nets and cannot reach the surface. Many books on (applied) ethics and political philosophy do not address these problems,[599] or, when they do, do not give them high priority. The moral problems of euthanasia, abortion, and capital punishment in western welfare states are small in comparison to the suffering due to poverty and factory farming.

The population of human animals is growing exponential. The number of humans is larger than ever in the history of humankind and it will be more everyday. May be the percentage of people living in sheer misery is less than before the industrial take off, but the number of people living in misery is larger than ever, because there are so many humans. It is better for all individuals concerned that less humans exist who can live without suffering as much as possible, than to have incredible large numbers of humans for whom living is foremost suffering. Therefore, population control, that is stopping the growth, is one of the most important political and moral concerns. Though it is not exactly clear what the absolute maximum seize of human population is that the earth can sustainably support, is cannot be unlimited. May be the earth can support 10 billion people though it is highly unlikely), but it can certainly not support 20 billion people. The point is that morality is about the suffering of individuals (human and non-human animals), and therefore numbers

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[595] In the USA.

[596] Oderberg (2000a: 2).

[597] Anti-abortionists look at the problem from a wrong (religious) point of view. The freer a society is about sexual morals, the less abortion. In the Netherlands for example there are fewer abortions than in the USA. Religious moralists usually combine two contradictory moral rules: do not abort, and, no sex outside marriage and (therefore) a taboo on contraception. If contraception is easily accessible, there tends to be a decline of abortion rates. Anti-abortionists usually do not distinguish between abortion in the case of unwanted pregnancy ('the woman wants to enjoy skiing' – you will find this example in most anti-abortion texts – see Oderberg (2000a: 3) and a medical abortion in case of (severe) disability of the fetus or a danger to the health of the woman. Anti-abortionists seem to think that people think lightly about abortion. But, as is the case in the Netherlands, when women have control of their sexual life, they tend not to use abortion as a means of contraception.

[598] See White (2007).

[599] The suffering of fish is not commonly dealt with, not even in books on animal welfare.

matter. Population control - to stop the growth - is a *moral and political* issue of the highest importance.

5. Problems of and Obstacles to Universal Subjectivism

Let's puts some difficult coins in the machine of universal subjectivism and compare the outcome with our moral intuitions and considered judgments.

5.1 Some Critiques on the Project of the Enlightenment

5.1.1 John Gray

John Gray (1948) is a British political philosopher who was professor of European Thought at the London School of Economics and Political Science until his retirement from academic life in 2008. As a public intellectual Gray contributes regularly to *The Guardian*, *New Statesman*, and *The Times Literary Supplement*, and has written several influential books on political theory, including *Straw Dogs: Thoughts on Humans and Other Animals* (2003), an attack on humanism, a worldview which he sees as originating in religious ideologies. Gray sees morality as an illusion, and portrays humanity as a ravenous species engaged in wiping out other forms of life. In *Straw Dogs* Gray writes that 'humans […] cannot destroy the Earth, but they can easily wreck the environment that sustains them.'[600] He held posts as lecturer in political theory at the University of Essex, fellow and tutor in politics at Jesus College, Oxford, and lecturer and then professor of politics at the University of Oxford. He also held many visiting professorships. He was an advocate for the New Right in the 1980s, and then of New Labour in the 1990s. Gray now sees the conventional political spectrum of conservatism and social democracy as no longer viable. Gray has perhaps become best known for his work, since the 1990s, on the uneasy relationship between the value-pluralism and liberalism of Isaiah Berlin, which has ignited considerable controversy, and for his strong criticism of neoliberalism and of the global free market. More recently, he has criticized some of the central currents in Western thinking, such as humanism, and has tended towards Green thought. He has drawn from the Gaia theory of James Lovelock, among others, but he is very pessimistic about human behavior changing to prevent environmental decay, and he predicts that the 21st century will be full of wars as natural resources become increasingly scarce.

John Gray's *Gray's Anatomy* is a selection of essays covering 30 years and a range of topics.[601] Looking for a theoretical or ideological framework, which connects and organizes these writings, one looks in vain. Gray is an agonistic writer, a public intellectual who comments on politics and political thinkers, without himself developing or having a general theory or an ideal. Gray criticizes others and rows against the current, whatever direction the current goes, thereby not noticing that sometimes the current was going in his own direction. Reading the collection of essays one wonders: what does Gray want and what is his problem? When he is commenting on politics, what kind of social structure and government is he striving for and by what criteria can these be judged?

In the first part of his book, 'Liberalism: an autopsy', Gray, who comes from a liberal intellectual background, analyses why. The question is, even if it could be

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[600] Gray (2003: 12).
[601] See my review of *Gray's Anatomy* in *Philosophy Now,* Nov./Dec. 2009.

reasoned that liberalism is dead, what would be a better alternative? A recurrent mistake in Gray's analyses is that he does not make a difference between *description* and *normativity*. In what sense does he think liberalism is dead? Does he mean that liberalism is waning in the world, or does he mean that liberalism is normatively dead? Compare this with human rights: there are many human rights violations occurring all over the world, so descriptively one could argue that human rights are dead law. But, on the other hand, the human rights discourse is animated and plays an important role in international affairs. By the way, Gray is not so much in favor of human rights, though he mentions that there should be a minimal morality, which is universal, but which seems to be smaller than the Universal Declaration of Human Rights. Gray is not clear about this important matter. In his opening essay '*Modus vivendi*' (which is a passage taken from his books *Two Faces of Liberalism*) Gray addresses the problem of pluralism within a liberal political framework. The problem is this: a liberal state tries to guarantee freedom for individuals to live as they please. The state does not mingle with how people should live as long as they stick to the basic rules (like paying taxes). But what about people who fundamentally disagree with these liberal assumptions? Religious fundamentalists, Jews, Hindus, Christians and Muslims, et cetera, do not accept the liberal arrangement. Should a liberal state enforce people to be liberal, and if so, to what extent? 'The liberal state originated in a search for *modus vivendi*. Contemporary liberal regimes are late followers of a project that began in Europe in the sixteenth century. The task we inherit is refashioning liberal toleration so that it can guide the pursuit of *modus vivendi* in a more plural world.'[602] But, ideologically and normatively there is no problem with the liberal ideal of *modus vivendi*. Gray seems to have forgotten how John Stuart Mill places individualism at the centre of liberal ideology: it is not about different groups living peacefully together ('peaceful coexistence'), but, according to Mill, about the freedom of individuals that should be protected and facilitated by the state. This last version Gray calls 'universal regime'. But he is wrong about what it means. Gray seems to think that liberals want a universal regime where there is consensus on values that support liberalism. But the liberal state places pluralism at its centre: individuals are free what to do and what to think as long as they do not harm others. This is Mill's harm principle, i.e. individual liberty is bounded only by the liberty of others. One's actions should not harm others. When liberalism is interpreted as a *modus vivendi* of groups (multiculturalism), as Gray does, there is the problem of intolerance within the group. Women, homosexuals, infidels are examples of individuals who are possibly suppressed within groups who could live together in a *modus vivendi* in a liberal state. The *modus vivendi* interpretation of liberalism is opposed by Mill's individualistic interpretation of liberalism. The *modus vivendi* interpretation has a blind spot for injustices, suppression and unfreedom within the group. Individualism places the individual first and tries, ideally, to protect the individual from suppression, even if it is the spouse or parent. Gray begins his essays with a delusion, a straw man fallacy: '[...] the ideal of toleration [....] embodies two incompatible philosophies. Viewed from one side, [1] liberal toleration is the ideal of a rational consensus on the best way of life. From the other, [2] it is the belief that

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[602] Gray (2009: 21)

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human beings can flourish in many ways.'[603] There are not many liberals, if any, who hold [1] that 'liberal toleration is the ideal of a rational consensus on the best way of life.' Liberals of the Millian version hold that it is individuals that matter and that how individuals flourish varies greatly [2]. Pluralism is bounded by the liberal ideal of toleration. Gray seems to think that it is a contradiction that pluralism is restricted by the basic liberal rules of toleration and that liberal pluralism cannot encompass intolerance. But not everybody in a liberal state has to agree with these basic rules, as long as they stick to the rules (laws). There is no need for a liberal consensus on the best way to live.

'We do not need common values in order to live together in peace. We need common institutions in which many forms of life can coexist.'[604] Is it true that we do not need common values to live together in peace? If the majority of the people are against democracy, and against human rights, it will be hard to keep up the open society of liberal democracy. Gray seems to think that when there is no war, there is peace. But is there peace in Saudi Arabia where there is hardly any freedom for the individual, especially not for women? An open society needs support from civil society. A majority of the population needs to have consensus on the basic values of society. The problem with (Islamic) terrorists is, that those fundamentalists do not agree with the basic values of the open societies and do not eschew to use violence to further their opposition against liberal values. Gray emphasizes that *modus vivendi* is underpinned by value pluralism, but the width of this pluralism should be limited by Mill's harm principle. And that principle severely limits the scope of (cultural) pluralism: all misogynistic and homophobic cultures should be opposed by the liberal state, US Christian fundamentalism and Islamic fundamentalism equally. Gray has a blind spot for the problems of unbounded pluralism. Fortunately Gray is not being consistent and in the same essay he remarks that: '[…] not all ways of life allow humans to live well. There are universal human goods and evils. Some virtues are needed for any kind of human flourishing. Without courage and prudence no life can go well. Without sympathy for the suffering and happiness of others, the artifacts of justice cannot be maintained.'[605] Thus there is a criterion to evaluate different cultures. I am not sure what Gray means with courage and prudence, but 'sympathy for the suffering' is clear. And many culture make people in their group suffer severely, without any sympathy. The *modus vivendi* ideal of Gray is therefore a lot less pluralistic then he seems to think.

In his essay 'Evangelical atheism, secular Christianity' Gray opposes the New Atheists and the wave of critique on religion. He singles out Richard Dawkins as his enemy, or victim. But, notice that Gray is an unbeliever himself. He does not belief a word of any religion whatsoever. And he is a secularist, who remarks that: 'Liberal toleration has contributed immeasurably to human wellbeing.'[606] That kind of toleration is exactly what the New Atheists, who are all liberals, stand for. Gray

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[603] Ibid.: 21.
[604] Ibid.: 25.
[605] Ibid.: 28.
[606] Ibid.: 21.

writes that liberal toleration 'cannot be valued too highly.'[607] He argues that everything is a religion: religion is a religion, atheism, secularism and humanism are religions and political ideologies from liberalism to communism, are religions. This is analytically not helpful. Here is an example of Gray's disability to grasp the difference between 'is' and 'ought': 'Dawkins, Hitchens and the rest may still believe that, in the long run, the advance of science will drive religion to the margins of human life, but it is not an article of faith rather that a theory on evidence.'[608] The New Atheists don't think there is a historical necessity that with the advancement of science, religion will dwindle. They work on the project of the Enlightenment and hope science, and especially scientific education, will help to free people from religious nonsense and subjection. 'The mass political movements of the 20th century were vehicles for myths inherited from religion, and it is no accident that religion is reviving now that these movements have collapsed,'[609] writes Gray. Gray, despite his name, doesn't acknowledge nuances, he is a dualistic, manicheistic thinker: it is either black or white. The New Atheists[610] are liberals, humanists who are vehemently opposed to the supposedly secular totalitarian myths of the 20th century. Again, Gray commits the straw man fallacy: he is criticizing a nonexistent enemy. There are no New Atheists who want to substitute religion by other irrational myths and illiberal regimes. Gray is plain wrong. 'Proselytizing atheism renews some of the worst features of Christianity and Islam.'[611] Thinking about 'some of the worst features of Christianity and Islam', I think of killing unbelievers, *sharia* law, suppression of women, homosexuals, children, infidels, opposing to tolerance and scientific progress, and democracy. Is Gray serious, or just eager to discredit and anger the New Atheists? It is good to keep in mind that the New Atheists are scientists and philosophers who write books and blogs and who debate believers. This is the so-called public reason: civilized public debate, without violence. When it comes to violence and the threat of violence, it is from the side of the believers. 'It is entirely reasonable to have no religious beliefs, and yet be friendly to religion,' writes Gray. But what about *sharia* law? What about creationism and ID at schools, what about theocratic societies, what about the victims made in name of religion? Should we neglect those victims and should we not respond to the assault on reason by religion? Gray is, what New Atheist Daniel Dennett calls, a 'believer in belief'. Gray thinks religion is opium of the people, and if we take that away, something worse will come in its place. That makes him a doom-mongering cynic. 'Science is the best tool we have for forming reliable beliefs about the world [so far so good], but is does not differ from religion by revealing a bare truth that religions veils in dreams. […] Religions have served many purposes, but at bottom they answer to a need for

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[607] Ibid.: 21.
[608] Ibid.: 293.
[609] Ibid.: 293.
[610] This is a list of the most prominent New Atheists: Richard Dawkins, Christopher Hitchens, Daniel Dennett, Sam Harris, Victor Stenger and A.C. Grayling. They are all liberal, secular humanists.
[611] Ibid.: 294. In the essay as it was published in *the Guardian* Gray wrote 'zealous atheism', which he changed in *Gray's Anatomy* in 'proselytizing atheism'. See: www.guardian.co.uk/books/2008/mar/15/society.

meaning that is met by myth rather than explanation.'[612] '[...] Dawkins seems convinced that if it were not inculcated in schools and families, religion will die out.'[613] Gray thinks not. But this is an empirical question. Dawkins opposes religion and religious indoctrination, and he hopes it will help if children were to be free from religion.[614] Dawkins does not believe that his cure for religion will work - he just hopes it will. Gray argues that the New Atheists neglect that the liberal values have roots in Judeo-Christianity. There are roots and seeds, but the growing and blossoming started when, in the Enlightenment, the bondage of religion was thrown off. Some Christians had fairly liberal ideas; some Christians oppose the subjection of women and homosexuals, and some Christians are pro science. But, at least historically, most believers, and fore mostly those in power, have always been against the expanding circle of morality, including slaves, nonbelievers, women, homosexuals and animals. The manicheistic tendency in Gray's non-thinking makes him write sweeping statements that cannot hold critical scrutiny.

When debating believers, there surely is always someone who remarks that Hitler, Stalin, Mao and Pol Pott were atheists in favor of secularism and opposing religion. Gray is one of them: '[...] most of the faith-based violence of the past century was secular in nature.'[615] Again: the New Atheists are liberal secular humanists and democrats, they not only oppose religion, but also oppose other oppressing regimes. Gray was a vehement anti-communist in favor of the open society (with a conservative flavor). There is no one among his opponents who disagrees wit him on the bad aspects of communism. Gray's realism (the only -ism in which he says to be in favor) has a good point: 'The issue is one of proportion. Ridden with conflicts and lacking the industrial base of communism and Nazism, Islamism is nowhere near a danger of the magnitude of those that were faced down the 20th century. A greater menace is North Korea.'[616] Yes, and no. Korea can be a danger when they have nuclear power. But Iran, Islamic Iran, also seems to develop nuclear weapons. It seems western societies are threatened by illiberal Islamic minorities who suppress individuals in their own group and who also are a potential danger to liberal values as freedom of the individual and freedom of speech. 'Religion has not gone away. Repressing it is like sex, a self-defeating enterprise.'[617] But where, in the liberal West, is the repression? Religion is under critique, but far from repressed. In nations where one religion has the power monopoly, unbelief and other religions are being repressed, like in Saudi Arabia. 'The attempt to eradicate religion, however, only leads to it reappearing in grotesque and degraded forms.'[618] Are humanism and liberalism degraded forms of religion? Freedom from religion is not enough; one needs an alternative life stance (*Weltanschauung*).

In his book *Straw Dogs* Gray attacks yet another straw man. Gray is a real Don Quixote who loves fighting windmills, without seeing the enemies lurking behind.

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[612] Ibid.: 295.
[613] Ibid.: 296.
[614] See Narisetti (2009).
[615] Ibid.: 300.
[616] Ibid.: 301.
[617] Ibid.: 302.
[618] Ibid.: 302.

Gray thinks the essence of both religion (in general) and humanism is the belief in progress. He writes: 'Secular thinkers imagined they had left religion behind, when in truth they had only exchanged religion for a humanist faith in progress that was further from reality.' Again, there are no present day humanists who have a faith in progress. There are humanists who hope and work for progress, and therefore oppose heteronomous, religious, morality.

Underlying Gray's pessimism for the possibility of moral progress is a philosophical anthropology about human nature: 'Humans are violent animals; there is nothing new in their fondness for killing.'[619] Gray only sees the dark side, but there is also a good side to human nature, the capacity to care, have sympathy and altruism. A social-political structure can either promote the good side or the dark side of human nature. It seems that peaceful, liberal societies promote and encourage the good side of human nature, while curbing the dark side by institutions and police force.

The best theme in his book is his ecological concern in his essay 'An Agenda for Green Conservatism' (1993). Gray make two good points, both of which are either neglected by ignorance, or evaded because of their taboo. Firstly, Gray points out that the idea of continuous growth of the economy is self-destructive within a limited system as is planet Earth where there are limited resources. He pleads for a steady state economy; an idea that goes back to John Stuart Mill. For the conservative, who Gray is, this is a pretty large turnover in the whole basic structure of our societies and economies. His second point, borrowing the analysis from Malthus, is that unlimited population growth is a recipe for disaster, not only for the human population, which runs the risk of a horrible natural check, but also for the ecology of the Earth, because the biodiversity will drastically decline. Things have only gone worse since he wrote his essay in 1993 (21 years after the publication of *Limits to Growth*), though the public and political awareness of ecological problems has grown. Gray suggests that privatizing the commons will protect these from being degraded due to overexploitation. He argues that the oceans and natural resources should be privately owned. This seems a naïve and utopian solution. For example, should the oceans be divided into a grid, of which parts can be sold to the highest bidder? Will this protect migratory fish? Also, a system of private ownership does not take into account future generations. Imagine that I own an oil well, why shouldn't I pump up as much as I can? May be leave somewhat for my children, but why should I bother about future generations, who won't have any oil, but who will suffer from the consequences of fossil burning due to global warming?

The ongoing acceleration of population growth over the last century is the reason for the pending ecological disaster, which is unfolding right before our eyes. The impact on the Earth is the multiplication of the average ecological footprint multiplied by the number of people. And both are growing. If there were only 200 million people, as Gray muses would be a fine number, there would hardly be any ecological problems, not even with a large ecological footprint. Gray argues that we should strive for stabilization and preferably a decline in the human population. He recommends a policy of actively promoting planned parenthood, sexual education

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[619] Ibid.: 3.

and availability of birth control and abortion. It even looks like an Enlightenment project, a program to make the world a better place, a utopia of few people and a stable state economy. Why is he opposed to the idea of meliorism and trying to improve to human condition? Because he thinks it won't work, and trying to make things better only makes things worse. It is a pity that Gray has not elaborated on his Green Conservatism since 1993. There is only one essay on environmental problems in the selection of essays. Most other essays are on concrete politics and political theorists. Gray flirts with James Lovelock's Gaia theory[620] of the Earth as a living organism. He does not see alternatives. He sees either non-anthropocentric Gaia or present day destruction. With consent Gray cites a horrible passage from Lovelock's book: 'Our humanist concerns about the poor of the inner cities or the Third World, and our near-obscene obsession with death, suffering, and pain as if these were evils in themselves – these thoughts divert the mind from our gross and excessive domination of the natural world.'[621] There is a gross and excessive domination of the natural world, but how can one not see that untimely death, suffering and pain are evils that we must try to avoid or ameliorate? That is exactly what the Enlightenment project of liberal humanism is all about: trying to reduce suffering, enlarge individual freedom, and, hopefully, indirectly, happiness. Lovelock and Gray are right that anthropocentrism, and the myth of economic growth, are disastrous for nature, but the alternative is not non-anthropocentrism, but mild anthropocentrism, that is: humans still strive for their happiness but without damaging the natural environment so that future generations have equal opportunities, and harming as less sentient beings as possible. It is hard to grasp what Gray considers to be the recipients of the benefits of his ideal morality. If he is serious about Lovelock, it is not the poor. And, as we have seen earlier, it is not victims suffering from oppressive cultures and societies either. Thus, who are the objects of morality according to Gray?

John Gray is a liberal secular humanist in disguise. Because he does think homosexuals should have rights, he does think women should not be suppressed, he does think that tolerance is important, he does think there is a universal minimal morality, and he does want to meliorate the human condition by restricting population growth and creating a steady state economy. It is possible to make an essay consisting of quotes by Gray, which shows him to be a liberal secular humanist. The ultimate test would be to make him choose where to live: in a liberal state or in an illiberal state? But he eschews beings called what he is, but instead likes to flirt with the opponents of liberalism. It seems like a pose, which fits him in his role of French style public intellectual. But is it not good philosophy. Who does he help with his cynicism, fatalism and flirt with nihilism and paternalistic conservatism?

5.1.2 Roger Scruton
Philosopher, writer and composer Roger Scruton (1944) is a self-acclaimed conservative. He is currently a scholar at the American Enterprise Institute and the Visiting Professor of aesthetics at the philosophy faculty of the University of Oxford. He opposes the ban on fox hunting. In his book *Animal Rights and Wrongs* (1996), he

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[620] See Lovelock (2009).
[621] Gray (2009: 382) quotes Lovelock's *Ages of Gaia,* p. 211. (2000, first edition 1988).

argues that hunting and meat-eating are not immoral, but that factory farming should be opposed. He also believes that it is, at present, wrong for a Briton to eat several kinds of fish as factory fishing is threatening their continued existence and damaging the oceans. Scruton holds Burkean political views. In his book *A Political Philosophy: Arguments for Conservatism* Scruton espouses a conservatist political philosophy. I have never understood conservatism, and after reading Scruton's *Arguments for Conservatism*, I still don't. The same with the ideal of progress. What would be the word for the opposite of conservatism? Progressivism? Conservatism says: 'Old is good'. Progressivism is its antithesis: 'New is good'. Here (and I presume only this once) I propose a Hegelian synthesis: some old things are good, and some new things are good.

A criterion is needed in order to evaluate goodness. Conservatism does not give a criterion; conservatism is an appeal to authority – the authority of the past. Scruton is precise in what he means by the past: it is 'good old England'. Reading this book I tried to imagine what Scruton's England looks like. Perhaps something like the children's series *Postman Pat*: a small, quiet rural society in which everybody is friendly and everyone knows each other, with modernity kept at bay. In wanting this Scruton longs for a utopia of the past that has never existed. He has been longing for it for a long time: in 1980 he published *The Meaning of Conservatism*.

Scruton uses religious language for a nonreligious philosophy (not secular, because he pleads for the influence of the Church of England). But what do words like 'piety', 'spiritual', 'innocence', 'holy', 'desecration', 'sacrament', 'mystery', 'blessing' etc mean for non-religious people? These words have meaning within a religious discourse. To apply a Wittgensteinian concept – Scruton uses words from one language game in a different language game. It is like using tennis terms to describe a football match. But religion without God is like a vegetarian steak.

Scruton seems to lament the waning of the religious worldview of the Church of England, without being a believer himself, as far as I can tell. Scruton's essay 'Religion and the Enlightenment' does not enlighten the reader at all. He concludes that we are all deeply religious, atheists included: 'we should learn that religion, properly understood, is an immovable part of the human condition, manifest as much in 'free spirits' who sneer at it as in the pious souls for whom it is the fount of consolation.'[622] Scruton seems to want to extend the influence of religion on public life. He calls believers victims of the Enlightenment:

> But we can strive to be gentle with its victims – to recognize that ordinary people, when they ask that prayers be said in their children's schools, that offensive images be removed from TV screens and hoardings, that the outward signs of the religious life be publicly endorsed, are giving voice to feelings which we may think we have grown out of, but which, in fact, at the unconscious level where they thrive, we still experience.

In other words, there should be prayers in schools, religious censorship of the media and burkas in public spaces. Why not also teach Creationism, withdraw sex

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[622] Scruton (2007: 142).

education (which indeed Scruton pleads for), separate boys and girls, reintroduce physical punishment? Scruton's conservative agenda has much in common with religious traditionalism. He has traditional views on sex, marriage, abortion and euthanasia, in harmony with Christian teaching. Scruton is a fervent moralizer: he wants to decide how other people should live. I wouldn't care if his ideas about euthanasia, abortion, same sex marriage were his private opinions, but he wants to impose them on society. He is not an enlightenment thinker, because he does not take individual freedom seriously. Scruton is more a Rousseauian moralist who wants to impose his ideas and his ideals of the good life on everybody.

Scruton has good points on several issues when criticizing contemporary Western societies, but his remedies are fundamentally wrong because he goes down the road of authoritarianism – paradoxically, because he claims to be opposed to totalitarianism.

In some ways Scruton's thinking resembles the gloomy apocalyptic visions of John Gray in *Straw Dogs* and *Black Mass*, in blaming the project of the Enlightenment and secular humanism for all social evils.

Gray is a fatalist who does not seem to believe in trying to make the world a better place. Scruton does want to make the world a better place: his panacea is 'no new policies, let's turn back the clock, and keep only some of the comfort of modern technological society'. Theologian Richard Swinburne who really thinks God exists, and that evil is necessary in the world for people to do good; apocalyptic prophet John Gray; and conservative moaner Roger Scruton – three prominent English academics. What is happening to academia in the UK? Fortunately there are beacons of reason as well, like Richard Dawkins, Anthony Grayling and Susan Blackmore.

Not everything Scruton says is rubbish. One has to evaluate the topics he discusses with normative criteria. My criteria are individual freedom and (cosmopolitan) social justice. So which chapter would I most recommend? 'Newspeak and Eurospeak', probably: 'Newspeak occurs whenever the main purpose of language – which is to describe reality – is replaced by the rival purpose of asserting power over it.'[623] 'The purpose of Eurospeak is not to protect an ideology, but to protect a system of privileges.'[624] Scruton warns us about large, anonymous, abstract bureaucracies which endanger individual freedom. Here is a cynical, Kafkaesque quote by Scruton on bureaucracy: 'The human individual is the single most important obstacle that all bureaucratic systems must overcome, and which all ideologies must destroy.'[625]

The chapter 'Eating Our Friends' is the most disturbing and dishonest. It is a crusade against animal rights activists like Peter Singer:

> The conflict over eating animals has indeed become a test case for moral theory in Western societies, not least because of the vigorous campaigns by Peter Singer, the Australian philosopher who has applied an uncompromising utilitarianism to the problem, concluding not merely that

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[623] Ibid.: 162.
[624] Ibid.: 163.
[625] Ibid.: 168.

much that we do to animals cannot be defended but that our entire common-sense morality, which elevates human beings above other animals, is founded on a mistake.[626]

Scruton is mistaken about the core of Singer's concern: it is not about eating animals primarily, but about how animals are treated by humans. Scruton argues that if we still had 19th century farming methods there would not be a moral problem. As long as there is a straight, 'honest and loving' relationship between farmer and animal it is not wrong, according to Scruton, to kill and eat 'our friends': Peter Singer would not be as concerned as much as he is now if there were animal-friendly farming methods.

Sometimes Scruton seems to understand:

> To criticize battery pig farming as violating a duty of care is surely right and proper.[627]

But he also writes:

> And I suspect people become vegetarians for precisely that reason: that by doing so they overcome the residue of guilt that attaches to every form of hubris, and in particular to the hubris of human freedom.[628]

I happen to be a vegetarian, but I'm not sure that I am trying to 'overcome the residue of guilt'. As far as I can tell I do not eat meat because meat-eating involves animals having to suffer unnecessarily. I am a *moral* vegetarian.

Scruton has taken up some of Singer's critique of factory farming and plea for animal welfare. I don't think he would have given a thought about animal suffering if Singer and other animal welfare activists had not drawn attention to this moral problem. Conservatism is not concerned with animal welfare. In the many books Scruton has written he has failed to notice the way we mistreat farm animals, which is one of the biggest blind spots of our societies. Scruton is wrong to attack vegetarians whilst agreeing with them that farm animals should not be mistreated. Scruton is deeply confused and inconsistent here.

The chapter 'Eliot and Conservatism' is also highly disturbing. T.S. Eliot is a hero for Scruton. Eliot as a critic of the Enlightenment and modernism. It seems Scruton agrees with Eliot about his gloomy view on modernization, in contrast to the rational critique of society by Bertrand Russell. This is a fundamental choice: Russell or Eliot. It is like choosing between religion and atheism. In his chapter 'Extinguishing the Light' Scruton criticizes postmodernism, but partial blindness makes him close his mind and appreciate Eliot as a political and moral philosopher. Scruton writes about Eliot's thinking, and one wonders whether Scruton personally agrees with it (it seems he does):

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[626] Ibid.: 47.
[627] Ibid.: 58.
[628] Ibid.: 62.

Eliot's deep distrust of secular humanism – and of the socialist and democratic ideas of society which he believed to stem from it – reflected his critique of the neo-Romantics. The humanist, with his myth of man's goodness [this is a straw man fallacy: very few humanists hold this view – FvdB], is taking refuge in an easy falsehood. He is living in a world of make-believe, trying to avoid the real emotional cost of seeing things as they are.[629]

Scruton's oracular utterances about the wisdom of Eliot sound deep – in fact they're so deep they're beyond my ability to fathom:

> The paradox, then, is this: the falsehoods of religious faith enable us to perceive the truths that matter. The truths of science, endowed with an absolute authority, hide the truths that matter, and make the human reality unperceivable.[630]

And he says: 'The religion is the life blood of a culture.'[631] Does that mean that in Pakistan and Saudi Arabia Islam is the lifeblood of these cultures? Perhaps in practice it is, but should it be? It's hard for conservatism to credibly answer this question. To me it seems conservatism does not care for the victims in society – conservatism does not seem to care about changing society for the better for women, nonbelievers, homosexuals, animals, et cetera.

Scruton is evasive. Sometimes he is a naive conservative, at other times he seems to be some kind of liberal. Scruton ends his essay on Eliot with a muddled remark: 'The conservative response to modernity is to embrace it, but to embrace it critically, in full consciousness that human achievements are rare and precarious, that we have no God-given right to destroy our inheritance, but must always patiently submit to the voice of order, and set an example of orderly living.'[632] But what does Scruton mean by 'orderly living'? Does he mean obeying the political and religious authorities? He doesn't say.

The one sure lesson that can be drawn from Scruton's works is that in some cases things were better in the past. Scruton reminds us that the past is a possibility for the future: we do not necessarily have to change things. Though Scruton does make some good points, over-valuing the past tends to conceal injustices. Let's just keep the good things.

Scruton's hobby of playing at being gentry would be fine if it were just his private passion and he didn't bother others with it. No one will ask Scruton to marry a man, to abort his child, to get someone to kill him when old, to watch porn, to abandon the Church of England, to emigrate: but Scruton also has to leave other people their freedom to do as they like as long as they do not harm others.

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[629] Ibid.: 199. This is upside down – does religion see things as they are?
[630] Ibid.: 203.
[631] Ibid.: 204.
[632] Ibid.: 208.

5.2 Abortion

'The judge, or the priest, or a panel of the great and the good may tell people what they must do, but they do not usually have to live with the consequences. If the girl who is not allowed the abortion, or the family not allowed assisting the suicide, they have to pick up the pieces and soldier on themselves. Those who told them how they had to behave can just bow out.'[633] When you have to take into account in the original position all possible existences, you might end up as a fetus, which is going to be aborted. Can you reasonably want that to happen to yourself? A fetus does not have a life, and cannot fear death. Depending on the stage of its development, it can experience pain and it does have needs. The range of experiences is much smaller than that of the woman. A utilitarian calculus should balance the positions. Of course, this is not an ideal situation. In an ideal world - Utopia - there wouldn't be situations of conflict. In the real world we have to search for second best solutions. In the case of abortion, there is a conflict between the pregnant women and the fetus.

In his essay 'Abortion and infanticide' Michael Tooley reflects on 'what properties a thing must possess in order to have a serious right to life.'[634] Though Tooley has a quite different approach to ethics than universal subjectivism, Tooley's analysis of which properties are moral relevant properties is helpful to overcome the seemingly clash of interest between mother and fetus. But, first, I want to make clear the way Tooley's approach is fundamentally different. Tooley argues that if a thing possesses a certain property X, than it has a serious right to life. There are no natural laws in the universe. We, the people, can decide to whom we grant rights. We may or may not use the criteria as expounded by Tooley. It is confusing to use the rights-discourse in the way Tooley does, because he seems to imply that there is a fundamental right (granted by whom?) of certain things to have a life. What are the properties Tooley thinks are essential to have a serious right to life? 'An organism possesses a serious right to life only if it possesses the concept of [1] a self as a continuing subject of experiences and other mental states, and [2] believes that it is itself such a continuing entity.'[635] Therefore, plants, that do not have a concept of a self, do not have a serious right to life. Most animals too do not have a concept of a self, but primates do. Tooley accepts that all organisms that possess the concept of a self, have a serious right to life. And Tooley accepts that fetuses, babies do not have a concept of a self and therefore do not have a serious right to life.

How can Tooley' criterion help solve the difficulty of imagining yourself to be a fetus and have yourself aborted? This is hypothetically, because fetuses do not have concept of the self (but neither do cows or pigs - in universal subjectivism it is the ability to suffer that is crucial). In the case of abortion there is a direct conflict between two organisms: the mother and the embryo/fetus/baby. Both organisms have the ability to suffer. The ability to suffer of the embryo/fetus/baby is depended on the stage of its development. The more developed it is, the more it can feel and thus suffer. Let's suppose that there is the case of a 6 months old fetus/baby and thus can feel and suffer. The mother wants to have an abortion. We leave out the reasons for

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[633] Blackburn (2001: 52).
[634] Tooley, 'Abortion and Infanticide', p. 57, in Singer (1986).
[635] Ibid.: 82.

the abortion, and just compare the two types of organisms who have a clash of interest. Both organisms can suffer physically. The mother can suffer mentally as well. The mother's capacity to suffer is larger than the baby's. And, using Tooley's criterion, the mother has a concept of a self and the baby has not. Having a concept of self is a different way of saying that the mother has a wider capacity for suffering because of her concept of a self (which the baby has not). Of course, it would be better if there were no such choices. Abortion is always a second best solution. Though it might seem weird to imagine yourself being aborted, and therefore imaging yourself not to be, one has to take in account the suffering of all involved. It is not possible to focus solely on the embryo/fetus/baby without taking the mother into account. And the mother is an organism capable of suffering physically and mentally. When the mother is forbidden to have an abortion she decided on, she will suffer. She will suffer when she has to take care of the unwanted (and possibly handicapped) child, or the child will be abandoned in which case the mother might suffer. Forbidding an abortion makes the mother a victim.

Judith Jarvis Thomson argues in her essay 'A defence of abortion'[636] that *assuming that even if* the fetus is a person, then still it does not have a right to life. Thompson uses a thought experiment to elucidate her point: 'You wake up in the morning and find yourself back to back in bed with an unconscious violinist. A famous unconscious violinist. He has been found to have a fatal kidney ailment, and the Society of Music Lovers has canvassed all the available medical records and found that you alone have the right blood type to help. They have therefore kidnapped you, and last night the violinist's circulatory system was plugged into yours, so that your kidneys can be used to extract poisons from his blood as well as your own. The director of the hospital tells you, 'Look, we're sorry the Society of Music Lovers did this to you – we would never have permitted it if we had known. But still, they did it, and the violinist now is plugged into you. To unplug you would kill him. But never mind, it's only for nine months. By then he will have recovered from his ailment, and can safely be unplugged from you.' Is it morally incumbent on you to accede to this situation?'[637] The violinist is a person. His life is depended on yours, but still it seems he does not have a right to life and force you into the position of giving it to him. Doing this is an act of kindness, not a moral duty. Thomson elucidates the point that even if the fetus is a person (which it is definitely not), then still the mother who hosts the fetus does not have a duty to let her body be used against her will. This argument makes clear that in weighing the interests of the mother and the interests of the embryo/fetus/baby – the mother's interest dominate. Thompson concludes that the right to life does not include the right to have all assistance needed to maintain that life.

Can you, who want to deny a woman to have an abortion, reasonably want to change positions? Can you want to be denied your wish? It is important to note who the victim is. In the eyes of pro-life activists the fetus/baby is the victim. From the perspective of pro-choice activists including the pregnant woman, when she is denied an abortion, she is the victim. As mentioned above, the woman and the fetus

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[636] In Singer (1986).
[637] Judith Jarvis Thomson, 'A Defence of Abortion', in: Singer (1986: 39).

are not equal. They do not have the same quality of life.[638] The pyramid of human flourishing by the humanist psychologists Abraham Maslow might come in useful: the fetus is only at the bottom of the pyramid, whereas the pregnant woman has the upper layers (notion of having a life, social life, fear of death, et cetera) as well. It is important to note that universal subjectivism yields that women should decide whether or not to have an abortion. Universal subjectivism does not encourage abortion. It is the freedom of choice that is important.

In their book *Should the Baby Live? The Problem of Handicapped Infants* Peter Singer and Helga Kuhse extend the problem of abortion to babies who have been born but who are severely handicapped. From the perspective of universal subjectivism it seems that parents (because the baby is outside its mother's womb, the father has a right to co-decide) should have freedom to choose from several options: to let the baby live (even with a low quality of life) or to let the baby die painlessly (with medical assistance). Singer and Kuhse argue that when the quality of life of infants is low, it might be the best option (for the baby, the parents and the care takers) to let the baby die painlessly and peacefully. It is a decision for the parents to make.

When the parents have decided that the baby should live, then they should do everything within their power to maximize the quality of life of the (disabled) infant. The argument of a disabled person who has a fulfilling life and says: 'I am glad I was not aborted', is a fallacy, because there are two things mixed up. First, there is the moment of decision when the mother (or parents) decides whether or not the baby should live. At this moment the baby is not yet a person that is an individual who is aware of its own existence. An infant that grows into an adult is not aborted. The aborted ones do not exist, and cannot (not even logically) complain about there non-existence. A fetus/baby is a potential person, not a person. An adult, who might be disabled, is a person.[639]

5.3 Pedophilia

Brian Barry, in an essay criticizing multiculturalism, rejects the pedophilia position in liberal theory: 'The essence of law is the protection of some interests at the expense of others when they come into conflict. Thus, the interests of women who do not want to be raped are given priority over the interests of potential rapists in the form of the law that prohibits rape. Similarly, the interests of children in not being interfered with sexually are given priority over the interests of potential pedophiles in the form of the law that prohibits their proclivities. These laws clearly have a much more severe impact on those who are strongly attracted to rape and pedophilia than on those who would not wish to engage in them even if there were no laws against them. But it is absurd to suggest that this makes the laws prohibiting them unfair: they make a fair allocation of rights between the would-be rapist or pedophile and the

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[638] In *Rethinking Life and Death* Peter Singer explores two different approaches to the problems around life and death. The dogmatic (religious) notion of the sanctity of life is contrasted with the flexible notion of the quality of life.

[639] A disabled person might or might not live a contented life. When a disabled person has enough capacity to decide for him or herself, he or she should also be allowed the freedom to end his or her life painlessly, that is to say: with medical assistance.

potential victim.'[640] How would this work from the perspective of universal subjectivism? You happen to be a pedophile and thus you would want to be allowed to act on your proclivities. But is this position interchangeable? Could you reasonably want that you yourself would be forced to have sex even against your will? Universal subjectivism grants a lot of freedom to the individual, much larger than in most traditional morals and customs, but it does not allow victims, because the position of victim is not interchangeable.

5.4 Walking on the Grass

'Harmless insects of similar capacities [as a mosquito] should not be unnecessarily killed.'[641] Is it immoral, from the point of view of universal subjectivism, to walk on the grass? Walking on the grass will harm and kill bugs and insects. When you walk on the grass, you know you will kill and harm animals and make them suffer. You also know that it could be you. That whose legs are crushed by being stepped on could be you.

Therefore, does universal subjectivism yield no other option than becoming a Jain: walking with a small stick in front of you to brush away all animals you might step upon?

One possible answer would be to bite the bullet and admit that just by the fact of being alive you'll harm and kill other creatures. Taking a more realistic position is to admit that being alive and living a life will harm and kill other creatures. One could choose different paths in life. One option is not to care at all; this might be called hedonistic egoism. All living creatures will harm or eat other creatures. Human animals are no exception. What makes humans stand somewhat apart from other animals is that humans can deliberate and decide what to do or not to do. Over the past two centuries, farming has increasingly been industrialized and changed traditional farming methods drastically. The scale with which humans make use of other animals is enormous. Humans make other animals suffer for them. Can you reasonably want to be an animal in a factory farm? You cannot want yourself to be tortured.[642] But you can accept to be a bug who stand a chance of being accidentally stepped upon, can't you?

In principle you should reason about every action you take. Killing a bug without any reason seems wrong. Killing a bug because it annoys you seems all right: there is a conflict of interests: you win. The capacity to suffer is - due to biological differences - much higher in human animals than in insects. Unnecessary killing and or harming creatures capable of suffering is wrong. These positions are not reasonably interchangeable. What exactly is necessary and what is harming, is the object of an ongoing debate. Following Peter Singer and James Mason in their book *The Way We Eat* it seems clear that consumers of animal products are guilty of making millions of animals suffer unnecessarily.

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[640] Brian Barry, 'Theories of Group Rights', in: Matravers (2003: 250).

[641] Nussbaum (2006: 362).

[642] In Douglas Adams, *The Restaurant at the End of the Universe,* a cow presents herself at the table: "Good evening," it lowed and sat back heavily on its haunches, "I am the Main Dish of the Day. May I interest you in parts of my body?" In: Singer (2005: 418).

When we include animals within the circle of moral empathy, it is necessary to take into account biological knowledge[643] about the different capacities among species to suffer. The capacity to suffer is dependent on the development of the central nervous system. How much and which animals can suffer is the domain of biology. A clam has a less developed nervous system than a dog. A dog has less ability to suffer than primates. There is a biological scale of suffering, a continuum of life,[644] dependent on the nervous system, and social and cognitive intelligence. Normally developed human animals score high on the scale of the capacity to suffer, because of a highly sensitive central nervous system and social and cognitive intelligence. For example, human animals can fear their own death in advance. When a sheep is killed by a tiger, the remaining sheep do not seem to suffer from anxiety and continue grazing. Sheep and other animals, which are being predated, flee when they notice (or the flock notices) a predator. When a human being is killed by a wolf, other people in the same area will have fear.[645] Fear is also a form of suffering. It is important to stress the differences, which do matter morally. Universal subjectivism, or any social contract theory, should not take as premise the equal considerations of interests (and thus equate the interests of a clam to that of humans), but the equal consideration of *similar* interests. Here science, in particular biology, enters the moral discourse. Morality is dependent on knowledge. Some ethologists and philosophers argue that the higher primates should be granted rights.[646] Ethologists are studying for example the neuro-system of chickens in order to find out how they experience pain. Chickens cannot express pain by facial expression for example. Ethologists discovered that chickens can notice higher light frequency: they see light from neon lighting as a blinking, instead of continuous light. The lighting in factory farms is solely neon lighting. So now we have input from biology ('chickens can notice a higher light frequency') which should have moral consequences: people should not use neon light for chicken sheds in order not to make them suffer unnecessarily.

Nussbaum has to cope with the same problem, because she wants to promote flourishing of the life of *all* animals. '[...] no sentient animal should be cut off from the chance for a flourishing life, a life with the type of dignity relevant to that species, and that all sentient animals should enjoy certain positive opportunities to flourish.'[647] Nussbaum is too nice. It is just not possible for all individual animals of each species to flourish. Many species (for example parasites) flourish only when other animals perish. Of all possible worlds, this world is not a world, which favors individual flourishing for all sentient beings. Nussbaum could wish it where different. But this is not how nature works. All what humans can do is to try to harm other sentient being as little as possible and to create institutions in which human flourishing is promoted. According to Nussbaum: 'The purpose of social cooperation,

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[643] This knowledge can change (expand) due to the accumulation of knowledge in science.

[644] Nussbaum (2006: 363).

[645] An unarmed backpacker at night in the savanna will presumably have a constant fear (unless he has never watched Discovery Channel), while zebras (for example) do not have a continuous fear.

[646] See Singer (1993).

[647] Nussbaum (2006: 351).

by analogy and extension, ought to be to live decently[648] together in a world in which many species try to flourish.'[649] If Nussbaum is only concerned about human-animal relations in so far as humans use animals (the domain of which is open to public discourse), I agree. She does seem to imply a level of concern about the flourishing of all sentient beings, and thus includes animal-animal relations and human-animal relations beyond the domain of conflict and usage. The capabilities approach 'respects each individual creature, refusing to aggregate the good of different lives and types of lives. No creature is being used as a means to the ends of others. Or of society as a whole.'[650] When a lion kills and eats a zebra, the lion uses the zebra as a means for food.[651] The relations *among* animals are outside the scope of human morality. As said before, it is of no concern to humans to try to make a lion a vegetarian.

The 'walking on the grass' example is a straw man: it might be hard to state exactly the limits of what is moral, but it is clear that some things (like factory farming) are just plain morally wrong and evil. Universal subjectivism is not a panacea for all problems.

In Utopia there would be no (unnecessary) suffering. Without ever reaching Utopia humans could (and should) try to ameliorate suffering wherever possible.

5.5 Intercultural Evaluation[652]
In the same way as criticizing utopian models, different societies can be compared and judged. Many cultures are closed value systems, where children are indoctrinated to the way of living and worldview of their parents and community, including its injustices and falsehoods. It is possible using the perspective of universal subjectivism to imagine that you are in the worst-off position in a utopia (a dissident) or a different culture (a woman, disabled, et cetera). The political organization that will be the outcome of the universal subjectivist deliberation will be an open society[653] where freedom of speech and individual liberty are highly valued. It is individuals that matter, not cultures. John Kennedy clearly grasped the importance of individual freedom plus welfare and says in his inaugural address: 'I do not believe that any of us would exchange places with any other people or any other generation.'[654]

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[648] Whatever that may be.
[649] Nussbaum (2006: 351).
[650] Ibid.: 351.
[651] In the animation movie *Madagascar*, speaking animals, including a lion, escape from the Manhattan Zoo in Central Park where they were pampered and lived in harmony. Shipwrecked and on their own, as the lion is getting hungry he starts to look at his friend the zebra from a completely different perspective…
[652] Universal subjectivism can be used as a method to evaluate cultures. Many people think that cultures cannot be assessed. Therefore the topic of evaluation of cultures is dealt with in two different places: as a method, and as a problem (see: 'Cultures cannot be assessed').
[653] Cf. Popper (1971).
[654] This is a bit over the top: there are perhaps even better places to be, like the Scandinavian liberal welfare state. But Kennedy got it right that historically and geographically the western world (not just the USA) has reached a utopia – in which the worst-off are far better of than in any other time or culture. Quoted from: Sachs (2008: 338).

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Liberal political philosophers tend to stress the importance of the individual, like David Gauthier (though he has a limited conception as to who is an individual): 'Individuals matter; ways of life matter only as expressing and nurturing human individuality.'[655] Political philosophers should be prepared to assess different cultures to the criteria to which cultures 'express and nurture human individuality.'[656] Using universal subjectivism in order to assess a moral code or a society as a whole is a strategy which can be used.

5.5.1 Cultural Relativism

'Moral relativism', according to A.C. Grayling, 'is the view that there are no universal truths about what is right and wrong, but rather that what counts as such in each different society is determined by that society's own traditions, beliefs and experience. Since these can differ markedly among societies, it follows that different societies can have quite opposite views about what is right. And, says the relativist, there is no objective ground for deciding between them.'[657] There are actually two kinds of cultural or moral relativism: temporal ('long ago') and geographical ('far away') relativism. Morally judging the past has been dealt with in paragraph 3.8 'Judging the Past'.

Some cultural relativists hold the proposition that 'cultures cannot be assessed'. Amnesty International yearly reports about human rights violations in each country. Not all countries have equal results. Some have a higher record of violations than others. The Amnesty Yearbook therefore is a moral indicator. If a nation has many human rights violations, it is low on a moral scale. The fewer human rights violations, the better.

Let's apply universal subjectivism: can you reasonably want to change places with some one living in a misogynous culture, wherever it may be? Does any cultural relativist want to be a Yanomamö,[658] where historically more than a third of the males died in warfare, or a Dowayo,[659] where male circumcision is an initiation rite where not just the fore skin is cut of, but *the whole skin of the penis* – without any anesthetics of course? Although some people (with masochistic inclinations) might actually want to change places with Yanomamö or Dowayo, most people would not. Even if perhaps many Yanomamö or Dowayo have many 'authentic experiences' that we in western societies possibly lack, if there are (structurally) victims in a society, that society is wrong or unjust. And apart from that: people tend to choose for freedom. People did not emigrate from the Bundesrepublik Germany to the DDR, but from the authoritarian DDR they did try to flee to the Bundesrepublik.

Many cultures create victims. To assess cultures one only has to count the percentage of victims in a society: the more victims, the lower on the scale of

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[655] Gauthier (1986: 288).
[656] See further: 'Cultures cannot be assessed'.
[657] Grayling (2010: 8).
[658] Napoleon Chagnon, *Yanomamö. The Fierce People*. The Yanomamö live in the Amazon forests. See also Redmond O'Hanlon, *In Trouble Again. A Journey between Orinoco and the Amazon,* 1990: you definitely wouldn't want to change lives with the Yanomamö.
[659] About the Dowayo, who live in the Cameroon mountains: Nigel Barley, *The Innocent Anthropologist.*

civilization.[660] A victim is in a position in which you cannot reasonably want yourself to be in (contingencies of fate, like handicaps, cannot be ruled out).

British philosopher Simon Blackburn is known for his efforts to popularize philosophy and makes occasional appearances in the British media. He is an outspoken atheist, former Vice-President of the British Humanist Association and a former editor of the journal *Mind*. Blackburn writes about the difference between the moralists (those who tell others what to do) and the people who are actually involved (the victims): 'It is not the slaves who value slavery, or the women who value the fact that they may not take employment, or the young girls who value disfigurement. It is the Brahmins, mullahs, priests, and elders who hold themselves to be spokesmen for *their* culture. […] Those at the bottom don't get to say anything.'[661] Blackburn defines ethics as: 'It is a question of cooperating with the oppressed and supporting their emancipation.'[662] The theory of universal subjectivism is a method in order to ensure that no one is oppressed.

It seems many ways of living cannot, from the original position, be reasonably chosen. *There is a limit to the possibilities of pluralism and cultural diversity*. You cannot reasonably want to change positions with many persons in other societies and cultures. Amartya Sen points out in the chapter 'Culture and Captivity' in *Identity and Violence*: 'Cultural freedom may include, among other priorities, the liberty to question the automatic endorsement of past traditions, when people – particularly young people – see a reason for changing their ways of living.'[663] The phrasing of Sen could be a bit more strong. For instance: Freedom includes the liberty to question and dismiss traditions and cultural practices when people see a reason for changing their ways of living. Sen concludes there is a limit to the ideal of tolerance: '[…] if our focus is on *freedom* (including cultural freedom), the significance of cultural diversity cannot be unconditional and must vary contingently with its causal connections with human freedom and its role in helping people to take their own decisions. In fact, the relation between cultural liberty and cultural diversity need not be uniformly positive.'[664]

Cultural diversity should not go at the expense of individual freedom. In this sense, agreeing with Francis Fukuyama[665], history has ended: the idea that individual suffering is the central notion in morality is superior (because no one can reasonably deny it) to many cultural traditions that require the submission of the individual to traditional customs and practices of a particular group. Though western culture is far from ideal and utopian, the ideal of moral individualism has been (partially) institutionalized by means of a democratic open society. Universal subjectivism fits

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[660] Civilization can be defined normatively as the amount of individual freedom in a society.
[661] Blackburn (2001: 27).
[662] Ibid.: 27.
[663] Sen (2007: 115).
[664] Ibid.: 116.
[665] Fukuyama (1992).

into this tradition.[666] Universal subjectivism is an antidote for moral and cultural relativism.

Carl Coon, former US Ambassador to Nepal, has a most naïve form of cosmopolitanism, which is cultural relativism disguised as cosmopolitanism. He sees different cultures as a kind of amusement park: some you like, others you don't, but who are you to judge? He seems to find himself open minded[667]: 'It never occurs to me to be afraid when confronting people whose culture is different from mine,[668] and while aspects of their culture sometimes strike me as distasteful, I don't feel superior, or assume that I'm right and the others are wrong. I feel refreshed, informed, and invigorated, the way one is supposed to feel when reading a good book.'[669] Coon seems blind to the fact that cultures (of course including his own) have victims. Coon might find these 'distasteful', but he does not judge. What if a young woman is killed in what is called an honor killing? Coon won't feel superior. But that does not help the victim. Coon's moral relativism is blind to victims. Coon continues: 'Believe me, when we find ourselves completely comfortable with foreign manners and customs, we shall become fit to citizenship in a new world.'[670] Substitute 'female circumcision, honor killings, discrimination of homosexuals, torture, indoctrination of children, taboos on hygiene et cetera' for Coon's 'foreign manners and customs' and shudder. Coon, as an apologist might say, has in mind innocent cultural differences like fashion and etiquette. Then he should say so. But respect for morally neutral differences alone is not enough for global justice.

Political philosopher Brian Barry's *Culture and Equality* is a thoughtful critique of multiculturalism and making a plea for liberalism and individualism. Barry insists that there are universal values:

> It is better to be alive than dead.
> It is better to be free than to be a slave.
> It is better to be healthy than sick.
> It is better to be adequately nourished than malnourished.
> It is better to drink pure water than contaminated water.
> It is better to have a roof over your head than to sleep in the street.
> It is better to be well educated than to be illiterate and ignorant.
> It is better to be able to practice the form of worship prescribed by your religion than to be prevented from doing so.
> It is better to be able to speak freely and be able to join social and political organizations of your choice than to fear that, if your activities attract the disfavor of the regime, you face arbitrary arrest, torture or 'disappearance' at the hands of bodies organized by or connived at by the state.

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[666] I do not agree with Fukuyama that history evolves towards a certain goal. History is a blind process. There is no cosmic plan behind it, as Fukuyama seems to think in the Hegelian tradition. This is teleological conceit.
[667] This reminds me of Carl Sagan's aphorism: 'Be open minded, but not so open that your brains fall out'.
[668] Coon is a wealthy high placed US official. When in a different country he is in a best-off position.
[669] Coon (2004: 138).
[670] Ibid.: 139.

[…] It is, of course, a massive understatement to say that the first alternative in each of these binary positions is merely preferable to the second. Rather, the first item in each pair constitutes a basic interest of every human being. Together they make up the preconditions (or at any rate a number of the most important preconditions) for what we may describe as a minimally decent human life. And by saying *human* life I wish to emphasize that I am making a claim with cross cultural scope.[671]

Barry argues that 'there are a variety of ways in which we might support the claim that such interests a universal'. Barry refers to human nature and basic physiological and psychological needs of all human beings.[672] Universal subjectivism gives a reason why it is universal that the first positions are better than the second: you cannot reasonably choose for any of the second positions yourself. For others you might not mind that they are in the second position, but you cannot want yourself to be in the second, worst-off, positions. Barry's list has enormous social consequences when taken seriously. For example: 'It is better to be well educated than to be illiterate and ignorant'. Then, religious or non-scientific education is a moral evil. What follows of Barry's list is that implementation would require a New World Order in which many cultural practices - at least those that hinder individual freedom, like circumcision of children[673] - are forbidden; there are no dictators and a guarantee of rights for individual citizens. Barry's intuitive list, based on the liberal viewpoint of the individual, is a critique of multiculturalism and cultural relativism. Universal subjectivism as a method for finding blind spots and victimship can be used to reject multiculturalism and assess cultures and cultural practices.

5.5.2 Dangerous Liberal Pluralism

Value pluralism is a fact. There are people who fundamentally disagree about the good life. There *is* a plurality of values, but *should* that be the case, or, milder to what extent should there be value pluralism? Political philosopher Isaiah Berlin takes a fatalistic moral stance. He wrote: 'Conflicts of value are an intrinsic, irremovable element in human life; life affords a plurality of values, equally genuine, equally ultimate, above all equally objective; incapable, therefore, of being ordered in a timeless hierarchy, or judged in terms of one absolute standard.'[674] Fortunately Berlin is just plain wrong. There *is* an absolute moral standard and the key word is: *victimship*. In his pseudo-liberal theory Berlin turns a blind eye to victims. John Stuart Mill's harm principle, combined with social contract theory, offers a convincing way to overcome the paralysis of liberal moral theory.

When a girl from African descent with Muslim parents living in a liberal democracy is circumcised, is this wrong? And would it matter if the girl did not live in a liberal democracy? Anyone who answers emphatically 'yes, it is evil to circumcise girls!', moves away from cultural relativism and liberal pluralism towards

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[671] Barry (2003: 284).
[672] See paragraph 6.6: 'No Natural Law'.
[673] For non-medical reasons.
[674] Isaiah Berlin, *The Crooked Timber of Humanity,* quoted Lukes (2008).

moral absolutism. Liberal pluralism, or, as John Rawls called it 'political liberalism', is the political translation of value pluralism (or: ethical pluralism, moral pluralism). It is the idea that there are several values which may be equally correct and fundamental, and yet in conflict with each other. In addition, value-pluralism postulates that in many cases, such incompatible values may be incommensurable, in the sense that there is no objective ordering of them in terms of importance. Value-pluralism is a theory in metaethics, rather than a theory of normative ethics, or a set of values in itself. The related idea is that fundamental values can, and in some cases, do conflict with each other.

Liberal pluralism can only be morally justified when the scope of pluralism doesn't infringe upon the rights of individuals, not on their liberty, neither on their ability to flourish. John Stuarts Mill's famous *harm principle* is the logical consequence of maximizing individual freedom for everybody: the freedom of each individual goes as far as is consistent with the freedom of other individuals.[675] It should not be exempted in case of (cultural) groups, parents or guardians. Philosopher Simon Blackburn succinctly answers the relativist's false sense of tolerance in his book *Being Good*:

> When in Rome do as the Romans do – but what if the Romans go in for some nasty things? […] There are slave-owning societies and caste societies, societies that tolerate widow-burning, or enforce female genital mutilation, or systematically deny education and other rights to women. There are societies where there is no freedom of political expression, or whose treatment of criminals cannot be thought of without a shudder, or where distinctions of religion or language bring with them distinctions of legal and civil status. […] If young children are denied education but exploited for labor, or if, as in some North African countries, young girls are terrifyingly and painstakingly mutilated so that thereafter they cannot enjoy natural and pleasurable human sexuality, that is not OK, anywhere or any time. If *they* do it, *we* have to be against *them*. […] it is typically only the oppressors who are spokespersons for *their* culture or *their* ways of doing it. It is not the slaves who value slavery, or the women who value disfigurement. It is the Brahmins, mullahs, priests, and the elders who hold themselves to be spokesmen for *their* culture. […] Those at the bottom don't get to say anything.

Some people argue that present-day undemocratic authoritarian China is not morally worse than a liberal democracy. This attitude means they take side with those who are in power, neglecting those who are victims, like dissidents or ethnic minorities. This kind of liberal pluralism can be dangerous, intolerant and indifferent to cruelty. Liberal pluralism is about a *modus vivendi* among groups where there is a minimal set of rules for public life to which everyone adheres. But within the group there is a moral *carte blanche*. This pseudo-tolerant stance is non-judgmental, even in cases were it is clear that there are victims. Furthermore, the attitude favors non-

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[675] See Skorupski (2006).

interventionism. Even if we personally disapprove of moral practices in other cultures, this is not enough reasons to intervene and 'to impose our western values' on them. According to moral relativism and liberal pluralism, in-group morality is off limits to the state and to other social, cultural groups. While on the surface of a multicultural society there might be peaceful co-existence of groups with different moral (and religious) outlooks, underneath there are neglected victims of in-group malpractices and suppression. Susan Okin Miller famously posed the rhetorical question: 'Is multiculturalism bad for women?' To which the answer undoubtedly is: yes. Liberal pluralists, who for themselves, in their own group mostly adhere to liberal democratic values in harmony with human rights, are blind to the victims in other groups. They have widened their concept of tolerance so far as to include intolerance. If pressed hard on this matter, they will say that although they personally disagree with such practices – like (female) circumcision – they think it will lead to a clash of groups if we would oppose. This reasoning is utterly gruesome. It is like saying: I know my neighbor holds slaves and maltreats them frequently, I am against slavery, but I do not want to upset my neighbor, so let it be.[676]

The ultimate test of a situation or cultural practice is if you yourself could want to be in the worst-off position. Take another look at the examples as mentioned by Blackburn. Can you want to be that girl who is being mutilated or can you want to be a slave? If there is a position in which you would not want to trade places, then there is a moral problem. If you do not want to play the game of changing positions – because that would mean that you would have to change places with a homosexual who will be hanged because of his sexuality in Iran – then you have found an immoral practice.

The idea of changing places can also be put in the form of Rawlsian social contract theory. Can you voluntarily want you live as a woman in misogynist society? If not, then you let yourself beamed up again and change the social arrangements in society such that it is friendly to women. From the original position, from behind your control panel, you can check any worst-off position. By using the hypothetical social contract theory, you can work your way in optimizing all worst-off positions.

Applying social contract theory by taking Mill's *harm principle* (or liberty principle) seriously, is a powerful tool to rebut moral relativism and liberal pluralism. You can use as input any existing cultural habit or practice and imagine yourself to be in the worst-off position, the position of the victim. If you cannot decide whether there is a victim, and if you wouldn't mind being in any of these positions, then there seems to be no moral issue.

If cultures and societies are 'experiments in living', as John Stuart Mill wrote in *On Liberty*, then some societies and cultures are better then others if we apply the

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[676] Pop singer Fish wrote a moving lyric about domestic violence 'Family business':
'I heard a battle raging on the other side of the wall
I buried my head in a pillow and tried to ignore it all.
Every night when I hear you I dream of breaking down your door
An avenging knight in shining armour, to rescue you from it all […]
It's nobody's business, this family business,
But tell me how long it remains family business.'
Listen here: http://www.last.fm/music/Fish/_/Family+Business

criterion of individual liberty and flourishing. If a culture enhances the liberty and flourishing of individuals, then it is better (morally superior) then a society that subjects individuals. And, the other way around, the more victims there are in a society or cultural group the more evil it is.

'As it is useful that while mankind are imperfect there should be different opinions, so is it that there should be different experiments of living; that free scope should be given to varieties of character, *short of injury to others* [emphasis FvdB]; and that the worth of different modes of life should be proved practically, when any one thinks fit to try them'. In this passage from *On Liberty* (1859) John Stuart Mill, argued that there could be a public benefit in permitting lifestyle experimentation and cultural pluralism. His reasoning was that, just as we distinguish truth from falsehood by the clash of opinions, so we might learn how to improve human lives by permitting a contest in lifestyles. Mill did not expect such experiments to go on forever: 'It would be absurd to pretend that people ought to live as if nothing whatever had been known in the world before they came into it; as if experience had as yet done nothing towards showing that one mode of existence, or of conduct, is preferable to another.' Many cultural practices are failed experiments in living, because they failed to promote the good life and because they created victims. 'Experiments in living' are described in cultural anthropological studies, travel stories, literature, sociology and history. We could and should study experiments in living to search the best way to live. A culture in which there are no victims is morally superior to a culture in which there are victims. As Dutch philosopher Paul Cliteur posed: 'Cultures cannot be morally equal, because individuals are.'

The universalist stance is easy in theory: we should strive to create such a society in which there are no victims, and in which those who are in worst-off positions are comparably best-off (that is optimizing the worst-off positions – the maximin strategy). In practice, in the real world, it is much harder than in theory. What to do about societies or cultures, which support large scale human rights violations and suppress large portions of their populace? Economic, political and military intervention does not often (if at all) have as its primary goal the emancipation of the suppressed and the propagation of human rights. If that would be the case, there should be large scale multiple military interventions, including in China. Realists point out that this would lead to new wars.

Tolerating intolerance is intolerant. Tolerating intolerance is cruel indifference to the suffering of victims. Unflinching intolerance to intolerance is a moral obligation. Shouldn't we choose sides with victims of suppression and cruelty? Internet atheist and humanist Patt Condell speaks in his video-column 'Aggressive atheism' out loud of being intolerant towards misogyny, homophobia, racism and speciesism. Condell has a clear stance in speaking up for the oppressed and supporting their emancipation. It is a shame that many liberals, and feminist, in trying to be tolerant, non-judgmental and non-interventionist, are taken sides with the suppressors.

Universal subjectivism is not a panacea for all problems and the final solution to the moral enigma of humanity. But a society in which there are no victims is definitely and beyond any doubt *morally superior* to a society in which there are victims. Aren't (secular) liberal democracies in many (not all) aspects superior to societies in which religion plays a dominant role? Aren't the values of the

Enlightenment morally superior to the values of religious and/or authoritarian cultures? Can you want to be a victim? You cannot, I suppose, want to change positions with a woman in Saudi Arabia, or Iran. I quote from a report by the National Committee of Women for a Democratic Iran (NCWDI): 'A regime like Teheran that uses rape and sexual slavery as weapons against women, stones women to death, and has the highest number of female executions in the world should not be allowed to get its hands on nuclear weapons.'[677]

5.5.3 Worldviews and the Problem of Pluralism

A worldview is a fundamental set of ideas, values and morals all human beings have, explicitly or implicitly. A religion is a worldview that consists of ideas about reality, and values and morals, incorporating an element of transcendence. Can there be a minimal level of environmental consensus? Let's call this ecosophy, a worldview of sustainability. This worldview is about the basic rules of living morally on planet Earth. There is enormous pluralism and diversity among worldviews. It is helpful to make a distinction between *deep* pluralism and *shallow* pluralism. Deep pluralism means that there are fundamental disagreements (which could be the cause of clashes) about values and how to live. Shallow pluralism means that there is agreement or consensus on fundamental values and how we are to live, but that there is diversity within that framework. For example, within a democratic constitutional state people have considerable individual liberty. Such a society is an open society in which diversity can flourish, within the limits of the law. Intolerance is not tolerated, because it trespasses the limits of the law.

Imagine that you are reborn somewhere in the future as a human being, in what kind of ecological conditions would you want the earth to be? Would you mind living on a barren, polluted planet, where sea levels are much higher than at present due to human caused climate change, a fragment of the biodiversity we have now, no more large forests and unspoiled wilderness? Probably not. But if you say that, then you will have to take action in order to prevent that future generations (or in the thought experiment you yourself) will have to live on such a barren planet due to our actions.

We have to share this planet and we'd better do our best to make the best of it, for us now and for those coming after us. Nor do we respect the rights and needs of people in the less developed areas of the world to where we export our waste. In taking into account future generations, we should not deprive them of their basic conditions. Compare this to going camping during the holidays. You find a nice spot in a forest on a lake. In order to have huge campfires you cut down all the trees in the area. In order to get rid of the mosquitoes you use chemicals, which not only kill the mosquitoes but also the birds. In order to catch more fish, you use dynamite for fishing. When you leave you leave behind a large pile of waste. Next year other campers come to this once beautiful spot, but they find it polluted, degraded, deforested. Is it moral to go camping that way? It seems like it is, because this is how

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[677] I am not quoting this because of the argument against nuclear arms, but because of the worst-off position of women in Iran. 'NGO Alternative/Shadow Report on Iran, Submitted to: Conference of NGOs in Consultative Relationship with the United Nations', February 27, 2005, in: Chesler (2006: 200).

most (western) people live and how our economy works, we just never think about those who will come after us. The concept of an ever-growing economy is impossible on a limited planet. There is scarcity of natural resources – including fossil fuels. When a decent, comfortable, sustainable level of welfare, is reached, it is enough to stay stable. The whole idea of business as trying to maximize profit and investing part of that in trying to make more money is a concept, which is doomed to break down. Business schools, economy courses therefore need a green revision. A healthy steady state economy is needed, an economy which does not eat up its natural capital. Ecological economist Herman E. Daly defines a steady state economy as follows: 'A steady-state economic system is characterized by balanced, opposing forces that maintain a constant stock of physical wealth and people through a system of dynamic interactions and feedback loops. A low rate of flow or throughput of matter and energy sources maintains this wealth and population size at some desirable and sustainable level. In such systems, emphasis is on increasing the quality of goods and services without depleting or degrading natural resources to unsustainable levels for current and future generations.'[678]

There are five stages of environmental change: Diagnosis, awareness, possible solutions, implementation and evaluation. (1) There has to be an evidence based detailed diagnosis of the problems, one could say metaphorically: a total ecological check up of patient earth. Since the 1970s it has become clear that the ecosystems of the earth are rapidly deteriorating due to human action. When the diagnosis has been made, there should be an investigation to what causes this deterioration. Research goes in two directions: on the one hand finding a cure or treatment, on the other hand finding the causes. Ecological science constantly checks the diverse ecosystems of the earth. Reports about crisis regularly appear, like Daniel Pauly's warning that the seas will become empty of fish in the next couple of decades if fishing continues in its contemporary way.[679] (2) When the diagnosis has been made and scientists focus on the causes and policy makers are looking for cures, there should be widespread awareness of the problem. If the public is not aware of the seriousness of the problem, they will not vote for those politicians who take serious action, nor will they change their way of living, nor their worldview. When there is broad awareness, then (3) there should be policy and behavioral change on all levels: government, industry, farming, economy, and, importantly, consumerism (shopping is a moral choice). Then of course (4) changes have to be made, and policies and/or technologies implemented. Lastly (5) there should be a constant evaluation about the results with a feedback loop.

There is an increasing global environmental crisis. The balance between positive and negative outcomes of economic growth, global markets and consumption are not equally distributed among the people living on the one planet. Environmental injustice means that the rich take the best, the poor get the worst. The rich have enough money to make sure that waste and pollution are out of sight. Present-day

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[678] Herman E. Daly, 'The Steady-State Economy in Outline', in: Tyler Miller (2002: 698).
[679] See also: Charles Clover, *The End of the Line. How Overfishing Is Changing the World and What We Eat;* Callum Roberts, *The Unnatural History of the Sea;* Stephen Sloan, *Ocean Bankruptcy: World Fisheries on the Brink of Disaster;* Richard Ellis, *The Empty Ocean;* Richard Ellis, *Tuna. A Love Story.*

neoliberal capitalism is based on economic growth and consumerism does not take into account the environmental costs, nor the social injustices it causes or supports. There should be a planetary ethics which does take into account both environmental costs and social justice. But how? Before focusing on concrete policies, there should be a paradigm switch from blunt anthropocentrism, and a focus on growth and consumerism. The paradigm switch should have at least four dimensions. (1) Taking into account environmental costs. Creating a green economy can do this. (2) Working towards a stable state economy, in combination with overcoming consumerism. There are already small subcultures doing just this, like voluntary simplicity[680] and the 'enough is enough' movement.[681] (3) Global justice: away from nationalistic egoism towards global social justice. And (4) taking seriously animal suffering caused by intensive farming and the enormous pollution, green house gases, and inefficient land use this creates. Propagating eating down the food chain (vegetarianism and veganism[682]) should not be neglected as serious contributions to creating a more sustainable life style. Vegetarianism seems to be a logical part of ecosophy as a sustainable worldview.

Arne Naess argues for the need of, what he calls, an *ecological enlightenment*: 'a realistic appreciation of the drastic reduction in life quality, an increased influence of deep ecological attitude, a slow decrease of the sum total of unsustainability.'[683]

A worldview that comprises the concept of sustainability, science and social justice can be created by combining elements from environmental science, scientific naturalism, ethics and political philosophy guided by the three basic principles of 'equal consideration of equal interests' (Singer) and the harm principle (Mill), and maximizing the worst-off positions (Rawls). A problem with such a worldview, ecosophy, inspired by Arne Naess, but revised to leave unscientific elements out and to include a mild form of anthropocentrism, is that it is very different from the worldview of the majority. Furthermore, the vague and nonscientific concept of intrinsic (or inherent) value, which is central to many deep ecology thinkers, can be dropped, without losing the power of deep ecology to protect nature from human destruction, by applying the three basic rational principles of the revised ecosophy. Ecosophy revised can function as a beacon for scientists, politicians, economists, activists and consumers. It is not unreasonable that a minimal ecosophy could be the worldview shared by all citizens of the world. This new ecosophy is a dynamic worldview based on (environmental) science and the three basic moral axioms borrowed from Mill, Rawls and Singer. Ecosophy promotes a lifestyle that is equitable amongst all people, species, and generations. Lester W. Milbrath puts it this way: 'Our species has a special gift: the ability to recall the past and foresee the future. Once we have a vision of the future, every decision becomes a moral decision. Even the decision not to act becomes a moral judgment. Those who understand what is happening to the only home for us and other species are not free to shrink from the

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[680] Duane Elgin, *Voluntary Simplicity. Toward a Way of Life That is Outwardly Simple, Inwardly Rich*; Jim Merkel, *Radical Simplicity. Small footprints on a Finite Earth*; E.F. Schumacher, *Small is Beautiful. Economics as if People Mattered.*
[681] See: John Naish, *Enough. Breaking Free From the World of More.*
[682] Fox (1999).
[683] Naess (2008: 310).

responsibility to help make the transition to a more sustainable society.'[684] Perhaps a revised ecosophy can be that vision of the future.

5.6 Limits to Freedom

Universal subjectivism is a *liberal* theory because its core value is individual liberty, which can be derived from a thought experiment: you could be in any other existence, each of those existences has its own preferences, and therefore individual freedom should be as wide as is logically possible. Liberalism accepts and stimulates the plurality of how individuals give meaning to their lives and 'the cultivation of pleasures that do not harm others.'[685] The maximum of individual liberty is dependent on the liberty of others. John Stuart Mill philosophized about the maximum scope of individual liberty in his treatise *On Liberty*. But the maximization of individual liberty should also comprise 'minimizing the harm we cause [to other sentient beings] by our lifestyle choices.'[686] Bioethicist John Harris gives a succinct definition of the tolerance, which he calls the democratic presumption': 'The presumption is that citizens should be free to make their own choices in the light of their own values, whether or not these choices and values are acceptable to the majority. Only serious real and present danger, either to other citizens or to society, is sufficient to rebut this presumption.'[687]

There are problems with the idea that people should have the largest possible freedom as is consistent with the freedom of others. I have already mentioned a case which involves others, such as pedophilia (in which case there could be a victim) and sadomasochism (in which case there is no victim, *as long as there is mutual consent*). But now look at a case in which there is no obvious victim, other than the individual his or herself, like drug usage. Smoking and drinking alcohol, though limited in their usage by governmental restrictions, are allowed to be produced, sold and consumed. The production, trade and possession of (some) drugs on the other hand is prohibited. Some countries, like the Netherlands, tolerate production, trade and possession of soft drugs. If liberal democracies try to institutionalize the maximum of individual freedom, then why are there regulations on drugs?

Erik van Ree pleads in his freethinking essay 'Drugs as a Human Right' that individuals should be free to consume whatever drugs they choose. Van Ree argues that there should not be a 'war on drugs' by the government. The government should only care about criminal activities. Drug production, usage and drug trade are non-victim crimes. Van Ree discerns activities that directly harm other people, like theft and murder, and activities that in themselves do not, but potentially could, harm others, like the possession of firearms and the usage and trade of drugs. It seems there is an irrational taboo on drug use, a primordial fear. If one takes individual freedom seriously, then one should tolerate others to do things you abhor – *as long as they do not harm others*. In the jargon of universal subjectivism: it could be you who has interests/hobbies, which the moral majority dislike.

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[684] Lester W. Milbrath, 'Envisioning a Sustainable Future', in Tyler Miller (2002: 751).
[685] Grayling (2004: 230).
[686] Fox (2006: 295).
[687] Harris (2007: 6).

Van Ree: 'You should not prevent others from going a road you yourself find disgusting.'[688] Note that this formulation of individual freedom does not entail people permitting religious education for their children, because there is 'harm to others', that is their children'.

To emphasize the domain of individual liberty one moves towards libertarianism, which promotes a minimal government and maximal individual freedom. Libertarianism (the maximalization of negative freedom) cannot be justified through universal subjectivism because if you happen to be in a worst-off position in a libertarian state, the state will not take care of you (perhaps you are injured and cannot work anymore and your insurance is limited because you couldn't afford a better insurance). Universal subjectivism seems to work towards a government, which allows maximum individual (*negative*) freedom (the libertarian strand) and at the same time optimizes the worst-off positions (towards a socialist social order), while trying to optimize the best overall welfare (liberal democratic capitalism). Optimizing the worst-off positions and improving human flourishing is *positive* freedom.

Governments, even in liberal democracies, have many restrictions on individual liberty, the prohibitions are not the same in all nations, but there is no liberal utopia. Thus, governmental policies and public debate have to balance individual freedom and (mild) paternalism. In some cases it is not clear whether or not there are victims or consenting adults (like pedophilia in case of a sexual relationship between a 15 year old and a 20 year old). Sometimes it is good to protect individuals from themselves: later they thank you for it, like in the case you are involved in a car accident and you are not injured because you wore your seatbelt which you usually didn't but due to a fine by the police, you did anyway, and you were saved.

Public and political discourse should decide how much paternalism can be justified.[689] This kind of paternalism could be called *reasonable* paternalism. The perspective of universal subjectivism will tend towards a maximum of individual freedom, both negative and positive.

5.7 The Problem of Projecting

'The way you are applying the method of universal subjectivism, is that you are projecting your own values, ideas and conception of the good life on others. Universal subjectivism is paternalism in disguise. You place yourself at the center of your univeralist's theory. Because you are a white western middle class liberal highly educated male, you are projecting these values on other people who might have a very different outlook on life and have different conceptions of the good life. If you were brought up in Africa, you would probably think family structures were more important. Who are you to declare some people as being victims – such as people who have been raised as a Muslim? Why can you not reasonably want to be a

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[688] Van Ree (1999: 94).

[689] In May 2007 Dutch Christian politicians wanted to forbid porn parties, which features live sex on stage. But if the public consists of consenting adults who were informed about the party, there is no reason whatsoever to forbid this. Moralists think that what they personally abhor should be forbidden. But, if they use the method of universal subjectivism (which they presumably never will) they should imagine being a person who really likes to go to a porn party.

Yanomamö? Maybe the Yanomamö have something to offer what is lacking in western societies, like a more intense, authentic way of living? Universal subjectivism seems a form of (male) moral (western) imperialism.' [690]

Universal subjectivism is a method of finding universal values and norms based on a hypothetical social contract theory which starts from three basic premises: 1) nobody wants to be suppressed, 2) equal consideration of (equal) interests and 3) happiness – in a minimal sense the avoidance of unwanted suffering – is what everybody strives for. These premises are *liberal* premises. This line of thought fits in the western tradition of Enlightenment liberalism. This is the context of discovery. What is more important is the justification and application. When comparing different cultures, I am not (morally) interested in those people who are enthusiastic about their way of living (as a liberal I grant that there are many possible ways of living a good and fulfilling life), what *does* interest me morally is whether or not there are victims in a particular culture/society/group. A victim is a person (I limit my scope for the time being to human persons) who does not want to be treated the way he or she is treated by the group. There might be women who, being brought up in a culture in which violence against women is normal, would choose for this situation even if they had a choice. What I am wondering is, if, when they could choose from behind the veil of ignorance between two societies, one in which women were treated friendly, equal and peaceful, and a society in which it is custom to use violence against women and in which women have less freedom, if they would choose to be in a position in which they would be worst-off. Even if many persons from behind the veil of ignorance would choose a society in which women are being maltreated, *some* women will prefer a society in which they are not maltreated. Because universal subjectivism is a *universal* theory, a society in which not all positions are (hypothetically) interchangeable cannot be justified. Universal subjectivism sides with victims. [691]

5.8 Lack of Empathy

It is not easy to overcome cultural induced moral blindness. Tower Sargent writes in his book *Utopianism:*

> Because we are socialized in a particular society and to an acceptance of its views, we are likely to be incapable of a critical awareness of our situation, and we can define unfreedom as freedom, inequality as equality, injustice as justice. Dominant belief systems are capable of blinding people to the reality of their situations. [692]

Bertrand Russell once wrote in a letter that: 'A good social system is not to be secured by making people unselfish, but by making their own vital impulses fit in

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[690] Philosopher and Darwinian feminist dr. Griet Vandermassen (Ghent University) pointed out this argument.
[691] Multiculturalism and cultural relativism tends to turn a blind eye towards victims within groups. Multiculturalists place importance on cultures, on groups as a whole. Universal subjectivism takes the individual seriously.
[692] Tower Sargent (2010: 113).

with other people's.'[693] Some people are more capable to imagine a different perspective than others. Empathy, the ability to imagine, in a lively way, the position of a different existence, is a skill that can be acquired and taught. It is important to learn and develop this moral attitude through education by teaching students to constantly look at situations from different perspectives.[694] People should learn to take the needs of other beings into account, because you could be the one that is troubled by the deeds of another.

Martha Nussbaum points out that the lack of empathy and sympathy is omnipresent among humans: 'It is all too easy to have refined sympathy for those close to us in geography, or class, or race[695], and to refuse it to people at a distance[696], or members of minority groups, treating them as mere things.'[697] She emphasizes the importance of cultivating empathic awareness as a goal of education. '[…] we must also cultivate in ourselves a capacity for sympathetic imagination that will enable us to comprehend the motives and choices of people different from ourselves, seeing them not as forbiddingly alien and other, but as sharing many problems and possibilities with us.'[698] In *Frontiers of Justice* Nussbaum emphasizes the political importance of education of the moral sentiments: 'the stability of the just society depends on its ability to inculcate the right attitudes and sentiments in people.'[699] Art and cultural education can contribute to increase empathic capacities. Foremost, it is literature that can help to acquire an empathetic attitude towards other beings.

Nussbaum argues that each individual is well aware and can imagine what other individuals need: 'the idea of what human beings need for fully human living is among the most vivid intuitive ideas we share.'[700] Nussbaum's approach depends on how human nature is. Nussbaum claims that everyone has a vivid idea of the (basic) needs of others, and what they need to flourish, and, in Nussbaum's words, to have dignity. Of course many people will be aware of the needs of others. Some are not. Nussbaum wants to educate the people in order that everyone becomes aware of the needs of others. A device in order to gain understanding of the needs of others is to change places: 'hypothetical existence swapping', to give it a different name. Nussbaum's lists of the various basic capabilities are *her* lists, based on *her* understanding of what humans need and how to get dignity. Intuitively I agree with her lists, but it is unnecessary and it has no methodology. The notion of capabilities and the notion of dignity are the unfounded axioms (dogmas one might say) of her noble moral and political theory. Normative philosophy can be much more parsimonious when deleting the notions of capabilities and dignity.

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[693] Bertrand Russell in a letter to Ottoline Morell in Russell (1995: 320).

[694] This is familiar to the moral development theory of Kohlberg. See Kohlberg (1981). Kohlberg does not seem to have a normative theory; he describes different stages of moral development based on psychological research. The ability to have empathy is one of the highest moral stages, which only a small part of the people reaches.

[695] One might add: or gender, or religion.

[696] Both temporal and special.

[697] Nussbaum (2010: 109).

[698] Nussbaum (1997: 85).

[699] Nussbaum (2006: 411).

[700] Nussbaum (2006: 279).

Grayling writes in his essay 'Sympathy': '[…] by encouraging exposure to *narrative art* – the novel, drama, film – the sympathies can de educated, refined and enlarged.'[701] Novels are stories (or, in general, narrative fiction) in which readers can imagine the lives of others from within. The reader follows the actions of one or more characters. Often the thoughts and feelings are different from each subjective perspective. Literature gives access to the theatre of someone else's (fictional) mind; you can experience the subjective perception of the world of someone else. You can see things differently, experience differently, and react differently based on your empathy with the characters. Literature broadens the mind to the worldview of others. This way of reading literature can be called *moral reading.* The moral dimension is not, in the first place, an evaluation of the deeds of the character, but primarily in the attitude of the reader. An ethical reader can even learn from immoral books, as long as he or she recognizes what is wrong with them.

In his essay *How to Cure a Fanatic* Israeli novelist Amos Oz argues that reading literature helps to relativize rigid opinions and that reading might tame fanaticism. A fanatic, according to Oz, is someone who 'believes that the goal, any goal, justifies the means.'[702] Another definition of a fanatic by Oz 'being unbendingly committed to a doctrine.'[703] The second definition of Oz enlarges the category of fanatics to include those who are (vehemently) anti-smoking, vegetarians and pacifists.[704] If we stick to the commonly used definition of a fanatic as someone who is immune to arguments and reason and who is prepared to use violence to reach his goal, someone who refuses to take the contingency of fate seriously, then Oz's cure might have some effect. I do think it is too late to start the cure when someone is already a fanatic. Reading literature is like a vaccination; it is a method to *prevent* fanaticism and it should be done at early age. Reading and learning the ability to empathic understanding should be part of any primary school curriculum. Oz tells the story of his friend the novelist Sammy Michael and his conversation with a taxi driver. The taxi driver preached to his customer, Michael, that all Arabs should be wiped out. Instead of opposing this view, Michael said to him: 'OK, but who should do it? The army? The police?' Thinking upon it, the taxi driver responded that all Israelis should take an equal part in killing Arabs. Michael, as a Socrates, continued: 'OK, we all get some street in our town. What do you do? You ring and ask: Are you Arabic? If the answer is 'yes', you shoot. So, you work your way along the streets, and, when you

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[701] Grayling (2007: 56).
[702] Oz (2007: 36, translated by FvdB).
[703] Ibid.: 44 (translated by FvdB).
[704] Oz lists these three (p. 43) as fanatics. According to Oz, I am a fanatic: being anti-smoking (in the vicinity of other people), a vegetarian and animal right's activist. Do I need to be cured? That depends on what your definition of the 'illness of fanaticism' is. According to Oz a fanatic is someone who is 'unbendingly committed to a doctrine' (p. 44). Though Oz says he is not a relativist, it is not clear why not. When you take certain criteria, such as in universal subjectivism, some things are just plain wrong. In this special sense, I am a fanatic (as is anyone who takes some moral standards seriously). I do not think it is helpful to use the word 'fanatic' in the sense Oz does. I prefer something like 'religious fanatic'; a fanatic who needs to be cured, according to universal subjectivism, is someone who stubbornly denies to take other existences seriously, one who denies that all individuals have equal rights. I am using Oz' therapy for my version of (irrational, unreasonable) fanaticism.

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are about to go home, you hear a baby crying in one of the Arabic houses, what do you do? Do you return to kill the baby?' The driver remained silent for a while, then he said: 'You know, you are a very cruel man.' Oz remarks that this story gives him hope: when you are able to inject some sense of imagination to a fanatic, he seems to quiet down.[705]

Propaganda is often used to promote the wrong causes. There is much more propaganda for the 'killing of the Arabs/Israelis' then for promoting imagination and empathy for each other's position.

Oz recommends first of all Shakespeare, Gogol and Kafka. For Oz, moral education is reading and studying (the right) literature. Of course, in Madrasahs[706] (Islamic religious schools where the memorization of the Qur'ran takes a central place) no one will read any of this literature. A fanatic or fundamentalist is someone who does not read outside the narrow focus of his (imposed) interest. A fanatic has a closed mind, a lack of moral imagination, a lack of empathy. Fanatics lack humor and a sense of irony. 'Never in my life I have seen a fanatic with humor.'[707] Oz concludes: 'It is essential to be able to imagine other people's lives.' 'I could have been one of my enemies.'[708]

Theatre is another possibility to learn about the feelings and perspectives of other (human) beings. Going to the theatre, especially visiting Greek tragedies in which difficult moral dilemmas are central, as well as doing theatre yourself and playing different roles, playing characters you like and characters you dislike, helps to broaden the moral horizon. In order for universal subjectivism to work, people will have to have a wide moral horizon; people should be able and willing to see the world through the eyes of others as if it were you.

In *The God Delusion* Richard Dawkins pleads for the power to imagine what it is like to have another life form. Dawkins' concern is not primarily moral, but his invitation to science and reason can help to expand the imagination. 'The power to imagine the alien world of a bat or a rhino, a pond skater or a mole, a bacterium or a bark beetle, is one of the privileges science grants us when it tugs at the black cloth of our burka and shows us the wider range of what is out there for our delight.'[709] There are two roads to broaden the mind: science and culture. Best, of course is a mix of both.

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[705] This topic should be researched thoroughly, because there are fanatics who are willing to do the job of torturing and decapitating. These executioners do not necessarily lack imagination, what they lack is a willingness to change positions with their victims. The psychologist Millgram has done famous experiments about the willingness of common people to commit cruelties, see his book *Obedience to Authority*.

[706] According to Wikipedia: '*madrasahs* are frequently deemed as ideological and political training grounds for hatred against the West. In Pakistan in particular, the heavy emphasis on religious teachings to the exclusion of more economically viable subject areas has been criticized. […] There are also many allegations and documented cases of physical abuse in madrasahs, especially in the UK, such as corporal punishment, beatings and other such practices; such criticisms are usually limited to western countries, as practices such as these are an established pedagogic norm in many nations like Pakistan, Bangladesh or Nigeria.'

[707] Oz (2007: 54).

[708] Ibid.: 57.

[709] Dawkins (2006: 372).

In his *African Journal* writer Bill Bryson visits projects of CARE International[710], 'the charity dedicated to working with local communities to eradicate poverty around the world.' Bill Bryson helps with his literary prose to raise consciousness:

> In the morning we drive to Kibera, a sea of thin roofs filling a mile or so of steamy hillside on the south side of the city. Kibera is the biggest slum in Nairobi, possibly the biggest in Africa. Nobody knows how many people live there. It's at least 700,000, but it may be as many as a million, perhaps more. At least 50,000 of Kibera's children are AIDS orphans. At least a fifth of the residents are HIV positive, but it could be as high as 50 percent. Nobody knows. Nothing about Kibera is certain and official, including its existence. It appears on no maps. It just is.'[711] 'There are no services in Kibera – no running water, no rubbish collection, virtually no electricity, not a single flush toilet. In one section of Kibera called Laini Saba until recently there were just ten pit latrines for 40,000 people. Especially at night when it is unsafe to venture out, many residents rely on what are known as "flying toilets", which is to say they go into a plastic bag, then open their door and throw it as far as possible. […] Whatever is the most awful place you have ever experienced, Kibera is worse.[712]

Imagine living in Kibera oneself. Change positions. Being one of the AIDS orphans for example. It shows there is something terribly wrong with living in the slums. It is an injustice. Of course, a single individual cannot solve this problem. But one can try and do one's best, like the people working for CARE who care about the people living in places like Kibera.

In his book *The Animal Manifesto* biologist Mark Bekoff introduces the concept of the *compassion footprint* and that we humans should expand our compassion footprint to include animals. Bekoff writes about the compassion footprint: 'It's a lens for evaluating our daily decisions. We can all make more humane and compassionate choices for animals.'[713] Bekoff stresses the moral importance of consumer behavior: 'Everything we purchase is a vote for more of that thing. […] it's easy to make changes in how we spend our money, which always sends out a ripple effect and influences the choices of others.'[714] Bekoff points out that being more compassionate by expanding our compassion footprint, we become more humane, and better beings: 'Coexisting compassionately with animals will make us better human beings and make our lives easier. Compassion can lead to justice for all. Compassion begets more compassion and unifies diverse peoples.'[715] He concludes passionately: 'Let's place animals squarely in the agenda of people all over the world. Now is the time to tap into our innate goodness and kindness to make the world a

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[710] www.care.org
[711] Bryson (2002: 10).
[712] Ibid.: 11.
[713] Bekoff (2010: 20).
[714] Ibid.: 20.
[715] Ibid.: 21.

better place for all beings. This paradigm shift will bring hope and life to our dreams for a more compassionate and peaceful planet. […] The mistreatment of animals must not be allowed to continue. The beginning is now.'[716] Bekoff is optimistic about the chance of a fundamental paradigm shift in our treatment of animals. But despite all good intentions and all NGOs and their paying members, the extinction rate of animal species is higher than ever before, and the numbers of animals in horrible intensive farming is still growing globally. Perhaps people have an 'innate goodness and kindness', as Bekoff suggests, but they most certainly also have an innate evilness and indifference to the suffering of others, especially when the others are psychologically far away, like non-human animals.

Molleen Matsura stresses the importance of widening the circles of empathy in the practical handbook *Raising Freethinkers. A Practical Guide for Parenting Beyond Belief*: 'Putting empathy into action is a powerful experience: Your kids enrich their lives while learning that they *can* make the world a better place.'[717]

Being a universal subjectivist, you are able to take a step back from your own contingent existence. You have to be able and willing to look at your own life from an abstract, impartial perspective.

5.9 Non-Equal Consideration of Equal Interests

Peter Singer writes that: 'Religion remains a major obstacle to basic reforms that reduce unnecessary suffering. Think of issues like contraception, abortion, the status of women in society, the use of embryos for medical research, physician-assisted suicide, attitudes towards homosexuality, and the treatment of animals. In each case, somewhere in the world, religious beliefs have been a barrier to changes that would make the world more sustainable, freer, and more humane.'[718] Richard Dawkins quotes Hartung to criticize the in-group morality of religion, in this case Christianity: 'The Bible is a blueprint of in-group morality, complete with instructions for genocide, enslavement of out-groups, and world domination.'[719] There are many reasons why people practice non-equal consideration of equal interests; religion being one of them, nationalism, egoism, ignorance and shortsightedness are other reasons. But are these reasons morally justifiable?

Why should one act morally? Even if the reasoning of universal subjectivism is sound and clear, why should one act on the basis of (these) moral principles, especially when this means to depart from commonly accepted ways of behaving? Moral acting might be lonesome. 'If the conclusions of ethics require so much of us […] should we bother about ethics at all?'[720] Singer concludes that 'The ethical point of view does […] require us to go beyond a personal point of view to the standpoint of an impartial spectator. Thus looking at things ethically is a way of transcending our inward-looking concerns and identifying ourselves with the most objective point of

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[716] Ibid.: 21.
[717] McGowan (2009: 43).
[718] Singer (2006).
[719] John Hartung, in Dawkins (2006: 258).
[720] Singer (1997: 314).

view possible - with, as Sidgwick put it, "the point of view of the universe".'[721] But *why* would one take an ethical point of view anyway?

The possible answer comes from game theory. Richard Taylor[722] has put the same point of focus in a clear philosophical argument: because there are no objective moral rules, morality is relative to conative beings. 'Conative' is the term Taylor uses for beings with a will.[723] If you happen to be marooned with just one other human being who happens to have some tools, you might go and kill him or her, but you could also try to work together and thus benefit in several ways from each other's presence. Mutual benefit is an incentive for acting morally. Richard Dawkins makes the same point in *The Selfish Gene* that cooperation is better than not cooperating, as the slogan 'Nice guys finish first' boldly states.

Mutual benefit is an incentive for acting ethically, but it is no compelling reason for actually cooperating rationally - in game theory this is called 'reciprocal altruism'. I do not think there are any reasons other than mutual benefit for a non-selfish, which is enlightened, self-interested, moral appeal. The willingness to adopt a universal subjectivist stance is based on a rational and empathic understanding of the contingency of fate. Piecemeal engineering of just procedures by a careful democratic political method is the best that is possible. Therefore, revolutionary changes towards cosmopolitan justice will not in the near future be made. Universal subjectivism might be near impossible to implement because it requires a fundamental moral change and outlook – but it is nevertheless the moral ideal to aim at, because the alternatives are harming others on a grand scale. The realization of justice, peace and morality in the entire world is a utopian ideal, but worthwhile to strive for.

People cling to their privileges and believe in the justifications of injustices. Traditions and rituals often justify unjust malpractices. Religion is all too often an excuse, a cloak, for pernicious practices, like discrimination against homosexuals, the systematic exploitation and maltreatment of animals, the subjection of women, the indoctrination of children, impediments to erotic pleasure and the hindrance of sexual freedom. Religion means taking an irrational absolutist perspective. It means the refusal to imagine a different perspective. If you are a radical Muslim for example, you think you know the eternal truth, and moral values, even rules are forever set. A Muslim will not be able to imagine the position of a homosexual, Jew, atheist or free thinker, because that means you have to step back from your own position and that is not possible in a dogmatic non-fallibilistic perspective. Religion means having blinkers. Religion is a complex of non-universalistic views. Religion limits the empathic imagination. Different kinds of group thinking - dogmatic ideologies - are obstacles as well, like nationalism that gives priority to a specific kind of people

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[721] Ibid.: 334. I have used this quotation earlier in the Preliminary.

[722] Taylor (2000).

[723] 'We have needs, desires, and goals; we pursue ends; we have certain wants and generally go about trying to satisfy them in various ways. […] There are people whom one might genuinely doubt to be rational, but it is doubtful whether anyone has ever seen a living person who could be suspected of having no needs, desires, wants. Such a being would be totally inactive and resemble a statue more than a person.' Taylor (2000: 160-1621). Buddhist monks try not to be conative beings and look quite like statues when meditating.

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based on race or ethnicity. For a universal morality and political theory, it is of crucial importance that limitations for empathic imagination are overcome.

States are – ideally – helpful devices to help the welfare and flourishing of the individuals living in it, without hindering the freedom, welfare and flourishing of people of different states. It is a political issue to find the best way to organize and mange the welfare of all individuals. Perhaps nation states in combination with some form of (federal) world government could best provide the overall best outcome. Nations, states and nations states are not, or should not be, a purpose in itself, but they are tools for enabling human animals to maximize their chances to flourish. Mild nationalism, that is, feeling at home in the country where you happen to find yourself, is healthy. Nationalism should not be exclusive or aggressive, in placing one people morally above other peoples, thereby suggesting that other countries could be invaded and colonized. Christopher H. Wellman analyses if, and if so, under what circumstances nations (that is groups have a shared feeling of identity, usually based on cultural expression as language or dialect, and religion) have a right to secede from the state. He concludes: '[…] while there is no denying that (1) people fervently identify with their nations, (2) people feel a powerful allegiance to co-nationals, and (3) national enthusiasm inspires people to sacrifice enormous amounts in an effort to establish sovereign nation-states, it does not follow that (1A) it is natural and fitting that we understand ourselves in terms of our nationality, (2A) we have special obligations toward our fellow-nationals, and (3A) each nation has a right to its own state.'[724]

Using universal subjectivism, you have to imagine that you can be born in *any* cultural group in any nation, with or without its own state. It seems that the whole idea of a national identity should be relativized. I agree with Wellman that it is not a priory clear at what point and under what circumstances nations have a right to secede. Some circumstances are clear: if minorities are violently suppressed, then they seem to have a moral right for secession, like the Kurds (who are a nation without a state) in Iran and Turkey.

The danger of aggressive nationalism is that it can cause victims. Grayling describes nationalism in his *Ideas that Matter* as: 'It has been one of the most powerful political concepts in world history since the nineteenth century, and has a large share of the responsibility for most of the major upheavals and conflicts between then and now. […] nationalism is a recipe for disaster. Nationalists take certain reasonable desires and marry them to unreasonable ones. People wish to run their own affair; that is reasonable. Most people value the culture, which shaped their sense of identity; that also is reasonable. But nationalism goes further, persuading people that they belong to a supposed collective that is superior to, or at least more important to them than, other such collectives, that the existence of other such collectives somehow puts their own at risk, and that the only protection rests in seeing 'us' as distinct from 'them'.[725]

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[724] Christopher Heath Wellman, 'Nationalism and Secession', in Frey (2003: 277).
[725] Grayling (2009: 249-52).

The First World War was a result of exclusive and aggressive nationalism, and Nazi Germany was also violently nationalistic. Personal identity should not be solely based on national identity, but also include a conception of cosmopolitan identity.

It might seem a paradox of universal subjectivism that because everybody should be able to imagine any possible existence, this will necessarily lead to the insight that some stances are intolerable. Nussbaum formulates the problem thus: 'To make basic ethical entitlements contingent on other people's malicious pleasure in this way is to give them far too weak and vulnerable a place, ignoring direct moral reasons for objecting to cruel practices.'[726] For example, religious disapproval of homosexuality cannot be universalized, because you could be a homosexual yourself. Discriminating opinions will be eliminated by universal subjectivism, because they are self-contradictory. You cannot reasonably want to be a slave. From this moral stance, even without criticizing the truth of religious creeds, it is possible to give serious criticism of all value systems, religious or not, that embrace values that cannot be universalized. Universal subjectivism requires an open and flexible attitude towards your own life. It requires overhauling the social ordering of society by means of the outcome of this procedural model.

5.10 Compulsory Education

'*We don't want no education! Teacher! Leave us kids alone.*'[727] What about the unwillingness to be educated? Parents force their children to go to school. 'Education is *suffering*. If suffering is the bottom line of universal subjectivism, parents should not be allowed to force their children to go to school, because suffering should be relieved, wherever it is.'[728]

While suffering is an important crane[729] for universal subjectivism, it is not the bottom line. The bottom line is *hypothetical interchangeability*: you should be prepared to change places at any moment with whatever position. In general, education will be seen as something good because it supports the good life in the long run and it enhances the possibilities of self-determination and human flourishing. Most adults are thankful to their parents that they encouraged (or even forced) them to go to school.

Not all forms of education are interchangeable. Liberal philosopher Stephen Law remarks: 'One of the most effective ways of getting people to accept uncritically what you say is to kill them if they don't. The method may be extreme, but it remains fairly popular.'[730] It is evident that thus method of 'education' is not interchangeable.

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[726] Nussbaum (2006: 343).
[727] Pink Floyd, *The Wall,* 1982.
[728] This example, including the quotation, is from John Shook, pragmatist philosopher at the Center for Inquiry, Amherst, NY, 2006.
[729] I am using Dennett's concept of cranes, which he introduced in his book *Darwin's Dangerous Idea* to show how without transcendental skyhooks magnificent biological beings can come into being. I am transferring Dennett's concept from evolutionary biology to morality: without using skyhooks, cranes (like the capacity to suffer) can be used to build an ethical system. The big difference between Dennett's cranes and moral cranes is that moral cranes are *human made*. Moral minds are not a product of blind evolution.
[730] Law (2007: 24).

The use of universal subjectivism *methods of education* can be evaluated and criticized: most probably all forms of physical punishments by teachers will be banned, because the teacher cannot want to be the one who is harshly being punished. Rule utilitarianism can justify education, act utilitarianism cannot. Social contract theory can justify education: adults decide it is good for society as a whole to educate the young. And a hypothetical social contract theory can: you can yourself (from the original position) want to be educated even against your will, at that moment. Education can be compared to going to the dentist: it does make sense to willfully let yourself suffer in order to prevent worse.

Nicholas Humphrey stresses the importance of free choice: that education is good which you would want for yourself if you have a free and informed choice. The result is a liberal science education: 'The habit of questioning, the ability to tell good answers from bad, an appetite for seeing how and why deep explanations work – such is what I would want for my daughter (now two years old) because I think it is what she, given the chance, would one day want for herself.'[731]

5.11 'We Are Here Now, *and We Deserve It!'*

Universal subjectivism is a theory of justice, a practical tool for moral action and political deliberation. A necessary precondition for universal subjectivism to work is that people realize the contingency of fate: they could have been someone else. It is sheer luck that they are what they are. Pragmatist philosopher John Shook has a different, more libertarian view. He does not think existence is contingent: 'We are what we are, *and we deserve it?'*[732]

If you buy a lottery ticket and you win the jackpot, then you are entitled to say: 'I deserve that money!' But how can you deserve your existence? There is no (metaphysical) justice behind the 'natural lottery' of life. If you are a healthy wealthy westerner you might say you deserve your existence and your position in the world. But what if you are poor and hungry in Africa? Do the poor deserve to be poor and the rich deserve to be rich? Some die-hard capitalist libertarians claim that the rich are responsible for their accumulated wealth and that the poor are responsible for their misery. Author and political thinker Ayn Rand (1905-1982), author of the famous novels *The Fountainhead* (1943) and *Atlas Shrugged* (1957), advocates free market capitalism and a minimal state. She maintains that society should be entirely free from the constraints of government. In the collection of essay *The Virtue of Selfishness* she writes: 'The only proper, *moral* purpose of a government is to protect man's rights, which means: to protect him from physical violence – to protect his right to own his life, to his own liberty, to his own *property* and to the pursuit of his own happiness. Without property rights, no other rights are possible.'[733] A minimal state works good for those who succeed to earn their money on the free market. A minimal state does not support those who have, for whatever reason, failed to make a decent living. Those in a worst-off position, are not treated well in a minimal state.

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[731] Humphrey (2002: 316/7).
[732] This example, including the quotation, is from John Shook, pragmatist philosopher at the Center for Inquiry, Amherst, NY, 2006.
[733] Rand (1961: 36).

Universal subjectivism also takes the perspective of those in worst-off positions in a minimal state and therefore to help make them better of, by some kind of welfare system.

But how can one individual who might be born either in a poor family or in a rich family be responsible for the way in which he of she finds him- or herself? The whole concept of deserving to have special privileges is social Darwinism is disguise. Of course, rich people might and will say: 'I do not want to let go of my privileges. I do not want to let go of much of my wealth in order to make the world more equalitarian.' This egoism is human and even natural. But it cannot be universalized.[734]

Paul Kurtz uses the term Moral Quotient (MQ), to make clear that people do not have the same capabilities for moral insight. Some people '[…] lack the rudimentary moral insights requisite for social compatibility.'[735] These people are 'morally deficient'. Political philosophy differs from ethics because political philosophy is not primarily interested in raising people's MQ. Political philosophy is about organizing a society in which the institutions are ordered in such a way that even people with a low MQ will have to behave morally, not as a matter of choice, but because it is how society works. Take for example the Amsterdam subway system. This was constructed in the seventies. There were no gates or any check if people bought tickets. The reason of this policy was: 'We are all responsible citizens (with a normal MQ); therefore all will buy tickets'. It won't be a surprise that this turned out to be a complete disaster. Those who did buy a ticket looked like naïve fools. The subway system, without surveillance turned into a no-go-area. After years of looking the other way, the city board made an ideological turn and installed turnpikes and added surveillance. The first system depends on good will of the citizens, and some developed level of MQ. The second system is a procedural solution, which does not depend on good will or some level of MQ. The system is inherently fair. This is what political philosophy is about: creating systems, policies and institutions, which automatically render a just outcome, independent of the goodwill of the people.[736]

One can love one's country, but one should not be too serious about it. When you are a fervent nationalist/racist/believer you won't want to take seriously the possibility of being not one of your kind. From the point of view of the original position you cannot want to be in a worst-off position, a position that is a victim of any of these ideologies. Still, these ideologies have tremendous appeal. That is the tragedy of the human condition.

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[734] Some stubborn people say: 'The rich deserve to be rich. And if I happen to be born poor – no problem! I do not care!' This is pure emotional irrationality: you cannot reasonably choose (from the perspective of the original position) to be in a worst-off position. If you still say you can, you might consider reading a different book.

[735] Kurtz (1988: 154).

[736] Note the difference between a society in which the care for the sick and poor are dependent on religious *charitas* (and thus depend on good will) and a social welfare state in which all citizens have certain rights and the institutions take care of them, independent of goodwill. Even when both societies happen to render the same outcome, a society that depends on *charitas* (and a high level of MQ) is less just than a society that does not depend on good will. This might be a reason why universal subjectivism is not primarily utilitarian, but a contract theory.

5.12 Partial Rationality

We seem to be hard-wired to be deluded by supernatural and other delusions. In his *In Praise of Folly* (1509) Erasmus wrote already that: 'Man's mind is so formed that it is far more susceptible to falsehood than to truth.' – this included Erasmus himself who, though critical of the clergy, remained a roman catholic.

'I seem to move around perfectly easily among people, to have perfectly normal relations with them. Is it possible, I ask myself, that all of them are participants in a crime of stupefying proportions? Am I fantasizing it all? I must be mad! Yet everyday I see the evidences.'[737] Thus writes Coetzee in *The Lives of Animals*. 'People by and large are natural geniuses at spotting deception in others, and equally brilliant in constructing deceptions of their own.'[738] A serious problem for not attaining a moral, wealthy and just utopian society is *partial rationality*, which means that people confine rationality to subdivisions. Dale Jamieson remarks cynically that 'Many people avoid moral crisis by avoiding moral thinking.'[739] This makes it possible for scientists, writers, intellectuals, philosophers, and technicians, who all use rationalistic methods, to embrace an irrational, for example religious, worldview at the same time. Psychologists call this phenomenon cognitive dissonance. The psychology of partial rationality and the phenomenon that people are easily seduced by the transcendental temptation[740] is enigmatic. It might be because people are afraid of freedom and the unpredictability of life.[741] In order for the theory to work, an open mind, empathic imagination and willingness to act upon the outcomes of the procedure, are sufficient.

Charles Darwin is probably the apex of critical thinking. He managed to conjure up a theory, which was completely the reverse of one of the most established dogmas of the times ever since Aristotle: the stability of the species. In his diary Darwin wrote about what he was doing as 'mental rioting',[742] which seems synonymous with free thought. Biographer Aydon writes: 'He did not wear academic blinkers.'[743] Yet, not even Darwin could free himself of some of the prejudices of his times. Darwin had abolitionist views, contrary to the prejudices of his times. But even he had his own moral blind spots. Darwin's attitude towards women is in tune with the Victorian opinions of his time and not Enlightened: '[while] it is generally admitted that with woman the powers of intuition, of rapid perception, and perhaps of imitation, are more strongly marked than in man … some, at least, of these faculties are characteristic of the lower races, and therefore of a past and lower state of civilization.'[744] 'The chief distinction in the intellectual powers of the two sexes is

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[737] Coetzee (1999: 120/121).
[738] Wilson (2003: 151).
[739] Jamieson (2002: 46).
[740] In *The Transcendental Temptation* (1991) philosopher Paul Kurtz criticizes transcendental truth claims.
[741] In *Escape from Freedom* Fromm argues that when people are liberated from the cloisters of subjection and unreason, they are easily tempted into totalitarian politics, such as fascism, Nazism and communism. A post-World War II phenomenon is that when institutionalized Christianity in the West declined, many people did not turn into agnostics or atheists, but sought individualized religion in the spiritual traditions of New Age.
[742] Aydon (2002: 128).
[743] Ibid.: 287.
[744] Quoted Aydon (2002: 250, from *The Descent of Man*).

shown by man attaining a higher eminence, in whatever he takes up, than woman can attain – whether requiring deep thought, reason, or imagination or merely the use of the senses and hands.'[745]

While Darwin was removing the Aristotelian and Christian blinkers of academia in order to make room for the theory of evolution, his contemporary John Stuart Mill *did* notice the subjection of women by man. Mill's book *The Subjection of Women* was first published in 1869. Darwin's book *The Descent of Man,* which contains his derogatory statements about races and women, appeared in 1871. Darwin could have taken notice of Mill's book, and he might have read Mary Wollstonecraft's work *A Vindication of the Rights of Women* (1792).

Anthropologist Kim Sterelny coined the terms 'perverse primate' and 'perverse intelligence'. Human animals have an incredible ability for intelligence that enables them to live under harsh natural circumstances like in the Australian outback. But at the same time humans use this intelligence in order to invent customs, rituals and taboos which make life unnecessary hard and unpleasant. '[…] we combine this intelligence with extraordinary and destructive irrationality. We are *perversely intelligent.* [...] The ethnographic record of human life documents a mix of insight and irrationality.'[746] Sterelny poses the 'how can we be simultaneously so smart and so dumb?' question to evolutionary psychologists. How can this perverse intelligence be overcome? The answer from evolutionary psychologists may point to the direction of a solution. Realizing and understanding the two sides of human intelligence is important. Moral philosophy can be a medicine against the perversity of the human mind. Bertrand Russell championed in criticizing human irrationality and perversity and he was well aware how tremendously society would change if all irrationality would be put aside. Russell proposed the following: 'The doctrine in question is this: that it is undesirable to believe a proposition when there is no ground whatever for supposing it true, I must, of course, admit that if such an opinion became common it would completely transform our social life and our political system; since both are at present faultless, this must weigh against it. I am aware (what is more serious) that it would tend to diminish the incomes of clairvoyants, bookmakers, bishops and others who live on the irrational hopes of those who have done nothing to deserve good fortune here of hereafter.'[747]

From the point of view of universal subjectivism, which is primarily an ethical theory, not a theory of knowledge, people are entitled to enjoy their own perverse intelligence *as long as they do not harm others*. This last clause makes it unlikely that much of unreason and social perversity can be justified by universal subjectivism. Another way of reasoning would give even less room to irrationalism and would endorse Russell: can you rationally – from the perspective of the original position – want to be irrational? If there are two options in the original position to choose from: a. rational and b. irrational. Could anyone rationally not care for rationalism and choose to let irrationalism be part of the world and social institutions?

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[745] Quoted in Aydon (2002: 250).
[746] Sterelny, 'The Perverse Primate', in: *Richard Dawkins,* p. 215.
[747] Russell (1977: 11).

5.13 Partial Emotionality

Dawkins remarks in *The God Delusion* that 'Religion is a *label* of in-group/out-group enmity and vendetta, not necessarily worse than other labels such as skin color, language or preferred football team, but often available when other labels are not.'[748] 'Each day when I turn on the television, I see Muslims who have been killed. In the Middle East, in Afghanistan, in Iraq, in Africa. I feel bad about this happening and it angers me.' Thus said a Dutch Muslim student of Turkish descent at Erasmus University Rotterdam during a discussion about Islam and the freedom of expression.[749] When I turn on the television, I see lots of human casualties; I see *people* who have been killed in all sorts of warfare and violence. This student identifies himself primarily as a Muslim, not as a citizen of the world, not as a Dutchman. He feels sympathy with the 'Muslim-brothers', especially as non-Muslims, or, even worse Americans have killed them.[750]

Apart from partial rationality, there is *partial emotionality* as well, which means that people limit their empathic capabilities to clear cut categories with a cultural embedding. Paul Kurtz's ethics takes this into account: 'One of the most profoundly disturbing facts about the human species is the partiality that individuals have for their own kind. There is perhaps a natural and even necessary favoritism that individuals display to members of their own breeding community. […] What is unsettling is the extension of this bond of loyalty to the wider community – the tribe, nation, or race of which one is a part – at the expense of other groups. […] a cause of much misery in human affairs is the fact that intense hatred can develop toward those not within one's group, and this can erupt into violence.'[751]

Philosopher Michael Fox is perplexed about the common outlook on the meat industry: 'It is difficult to explain why any normal person would not recoil in horror before this unending and insatiably carnage. […] People tend to compartmentalize their relationships with, and responses to, animals, so that pets receive lavish affection while domesticated livestock are merely expandable things, regarded for the most part in a purely instrumental manner, and often allowed to languish in miserable conditions.'[752] Further in his essay he is somewhat more optimistic about the possibility of overcoming compartmentalization: 'Compartmentalization […] is a strong force in our lives, but it is not impregnable, and most of us simply avoid exposure to gruesome spectacles that might undermine the defenses we have built up.'[753]

Cultural traditions are strategies to perpetuate the limitation of emotions. Moral intuitions are strongly affected by upbringing. A striking example is the discrepancy

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[748] Dawkins (2006: 258).

[749] March 13th, 2007.

[750] Most violence and repression is within the religious community: Muslims are much more likely to be killed by Muslims than by non-Muslims. The suicide bombers in Iraq are Muslims who kill Muslims of a different sect.

[751] Kurtz (1988: 70).

[752] Fox (2006: 297).

[753] Ibid.: 306. A movie like *Our Daily Bread,* by Nikolaus Geyrhalter, which shows where our food comes from and gives details of factory farming and slaughtering is a consciousness raiser. I wonder if there are sociological data about the impact of this movie.

with which people treat different kind of animals. Pet lovers,[754] for example, often have emotional feelings for their pet, but at the same time they consume anonymous animals from farm factories, that lived under miserable circumstances. People contribute to organizations concerning the well-being of animals, but this mostly concerns pet animals, like dogs abandoned in the forest before the holidays. The same people feed their pets meat made by factory animals. Likewise a loving family man can, under different circumstances, turn out to be a brutal torturer. Excepting groups of people or species that can suffer from the empathic imagination can be dangerous for those concerned – they fall outside the scope of ethical consideration.

Nussbaum is positive about the prospect of humanity embracing a more cosmopolitan moral ethos: 'Our basic equipment would appear to be more Rousseauian than Hobbesian: if we are made aware of another person's suffering in the right way, we will go to his or her aid. The problem is that most of the time we are distracted, not well educated to understand the plights of other people, and […] not led, through an education of imagination, to picture these sufferings vividly to ourselves. […] people often have insufficient awareness of their own human vulnerability, if they have been brought up to believe that they are privileged, or even self-sufficient and vulnerable.'[755]

As a prerequisite for the possibility of thinking through the model of universal subjectivism moral education is required. Just as the essence of science is a rational inquisitive attitude, this is also the essence of ethics. Morality and ethics (thinking about morality) demand an open attitude and a method (i.e. universalizability). Everyone can think of the moral rules of society provided that he or she is willing to imagine sincerely the position of others. Stephen Law lists some essential skills for liberal education. These skills are tools for performing universal subjectivism: (1) 'reveal and question underlying assumptions, (2) figure out the perhaps unforeseen consequences of a moral decision or point of view, (3) spot and diagnose faulty reasoning, (4) weigh up evidence fairly and impartially, (5) make a point clearly and concisely, (6) take turns in a debate, and listen attentively without interrupting, (7) argue without personalizing a dispute, (8) look at issues from the point of view of others, and (9) question the appropriateness of, or the appropriateness of acting on, one's own feelings.'[756] What is even more important is that children (young citizens) not be indoctrinated by such authoritarian 'educational' methods as: punishment, rewards, emotive imagery and manipulation, social pressure, repetition, control and censorship, isolation, uncertainty and tribalism.[757]

Biologist Edward O. Wilson has doubts about the ability of humans to expand their empathic horizon: '[Environmentalism] is not yet a general worldview, evidently not yet compelling enough to distract many people from the primeval diversions of sports, politics, and private wealth. […] The human brain evidently evolved to commit itself emotionally only to a small piece of geography, a limited band of

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[754] See the anecdote about Bear and his wheelchair.
[755] Nussbaum (2006: 412).
[756] Law (2007: 35).
[757] List by Stephen Law who explains this in detail. Ibid.: 35.

kinsmen, and two or three generations into the future. […] We are innately inclined to ignore any distant possibility not yet requiring examination.'[758]

Partial rationality and partial emotionality are subcategories of partial blindness, which universal subjectivism tries to overcome.

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[758] Wilson (2003: 40).

6. Clarifications of Universal Subjectivism

In order to place universal subjectivism in the context of contemporary political philosophy it is important to see what it is not. I will start with the negative in nine arguments, then I will advocate a positive version.

6.1 No Reliance on Religion

A moral and political theory should be secular and *not rely on religion*. Atheism, or at least an exclusion of religion from the moral domain is a prerequisite for morality (moral secularism). Secularism, a strict separation of religion and state, is a prerequisite of liberal political philosophy (political secularism). The political argument against ethics based on religion is that without the use of repression and violence there is no way there will ever be consensus about which god and what religion is right. People cannot reach agreement in a multi-religious society when using idiosyncratic religious arguments, which appeal only to believers of the same faith. And secondly, even if there would be only one religion, then there would still be no consensus, because all world religions have many widely differing sects. It is important to be clear about secularism, because many political and moral philosophers thought (and some still do) they needed some kind of religion in their theory in order to back-up the moral righteousness of their claims. A liberal state is necessarily secular and that religion (or what's left of it) ought to be a strictly private matter, and therefore will most likely disappear from the front stage of the theater of history.

Analytic philosopher Derek Parfit takes an atheist position[759]: 'Belief in God, or in many gods, prevented the free development of moral reasoning. Disbelief in God, openly admitted by a majority, is a recent event, not yet completed. Because this event is so recent, Non-Religious Ethics is at an early stage. We cannot yet predict whether, as in Mathematics, we will all reach agreement. Since we cannot know how Ethics will develop, it is not irrational to have high hopes.'[760] Thus writes Derek Parfit in 1984.

Paul Cliteur takes a secularist position and argues that in order to communicate, socialize and live together people need a common language of morality, a set of basic moral norms and values, a moral Esperanto. This meta-ethical moral Esperanto, which is a necessary condition for living together peacefully, consists minimally of (1) a strict separation of church and state, that is a neutral state (*political secularism*), and (2) a separation of religion and ethics (*moral secularism*). In moral matters religious arguments are invalid.[761] Rorty acknowledges that the secularization of the

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[759] In my pamphlet *How to Get Rid of Religion. An Inconvenient Liberal Paradox* I combine both the atheist and secular positions. I argue that because religion is an obstacle for ethics and the good life, we must get rid of religion – with liberal means only. I propose a strategy of 17 points in order to liberate humanity of the malignant virus of religion. Please note, in universal subjectivism I take the secular strategy, not the atheistic strategy.

[760] Parfit (1987: 454).

[761] See: Cliteur (2007). Cliteur outlines the framework (grammar) of a moral Esperanto. I hope universal subjectivism can be that moral Esperanto: like Esperanto it has a simple basic structure and is logically consistent. Esperanto was a noble failure. I fear moral Esperanto will be too, because it seems unlikely a

public domain is one of the central achievements of the Enlightenment.[762] 'The actually existing approximations to such a fully democratic, fully secular community now seem to me the greatest achievement of our species.'[763] In order to reach common ground religious arguments should not be used in public debate about politics and morals.

There is a sharp difference between religious and humanistic ethics: 'Where humanism premises autonomy as the basis for the good life, religion premises heteronomy. In humanist ethics the individual is responsible for achieving the good as a free member of a community of free agents; in religious ethics he achieves the good by obedience to an authority that tells him what his goals are and how he should live.'[764]

Another argument for secularism is the moral argument: when religion gains political power, it is the end of freedom: 'For whenever a religion is in the ascendant, with hands on the levers of secular power too, it shows a very different face – the face presented by the Inquisition, the Taliban, and the religious police in Saudi Arabia. The instinct of a religion, when it has power, is to coerce compliance with its orthodoxy, and to pursue or punish those who will not conform.'[765] In present day Iran religion has its hands firmly on the levers of power using it to limit freedom in many ways, especially for women. Wherever religion has secular power society is turned in a prison.

6.2 No Reliance on Metaphysics: Political Secularism

Political philosophy should not rely on metaphysics, which I call 'philosophical secularism'. It is not necessary to built or justify a political and ethical conception of justice on a theory of human nature, the meaning of life, or a vision about the inevitable course of history (as Hegel thought he knew) and so forth. Richard Rorty has written an important essay on this topic: 'The priority of democracy on philosophy'. Just as religion should be a private matter, not public, so metaphysical theories should also be private. Metaphysical speculations are irrelevant for political and moral theory.

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majority of the world population is willing and capable of taking a step back from their (religious) identity and to discuss moral and political issues solely in moral Esperanto. See chapter 5: Obstacles. But even without reaching Utopia, it is possible to change the world a little for the good.

[762] In his pamphlet *Nederland seculier!* August Hans den Boef shows that in a liberal democracy religion has a special status and enjoys more privileges than other clubs. Religion is more than a private view; it has a privileged status in the public domain. Even though the secularization (the percentage of the population that consider themselves nonreligious) is high, there is not much enthusiasm for reform (that is the institutional secularization of society). Den Boef argues that in Dutch society religion still has special privileges.

[763] Rorty (1999: 20).

[764] Grayling (2004: 248). See also Cliteur (2007).

[765] Grayling (2004: 80). Grayling is very strong in his moral rejection of religion: 'My claim is that most human progress has occurred in the face of religious reaction, and that most human suffering other than that caused by disease or other natural evils has been the result of religion-inspired conflict and religion-based oppression.' P. xi. And Hitchens puts it succinctly: 'Philosophy begins where religion ends, just as by analogy chemistry begins where alchemy runs out, and astronomy takes the place of astrology.' Hitchens (2007: 256).

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6.3 No Reliance on Altruism

Political philosophy should not rely on the notions of *altruism* or *benevolence*. Of course, being kind to other people is important, and in 'folk ethics' altruism is often seen as the core of morality. The degree of altruism and kindness varies among people. 'The perplexing problem in human affairs is that moral insight is not equally distributed. It may only be partially present in some people, and they may only apply it to members of their intimate group.'[766] In ethics altruism is important, but in political philosophy and in political institutions the notion of altruism is redundant. Biologists, most notably ethologists, who study moral behavior, emphasize the evolutionary roots of moral behavior, including some degree of altruism. It seems that these biologists sometimes mix up the *evolutionary history* of the moral intuition in humans and other animals on the one hand and, on the other hand the *normative justification* of morality. It might (or might not) be natural not to be nice to strangers, but either way it does not give a normative standard.

It is important to note that ethics is not about the *origin* of morality[767] or the moral sense, but about a rational *justification* for morality, which could be 'unnatural'. Ethics is normative; the search for the (evolutionary) origin and explanation of morality is explanatory, not normative. Biologist Dawkins agrees on this with biologist and psychologist Hauser: 'Driving our moral judgments is a universal moral grammar, a faculty of the mind that evolved over millions of years to include a set of principles for building a range of possible moral systems. As with language, the principles that make up our moral grammar fly beneath the radar of our awareness.'[768]

Nussbaum agrees that the benefit of a social contract theory is that it is not dependent on altruism: 'The social contract tradition has one big apparent advantage over the approach to basic justice [...]. Namely, it does not require extensive benevolence.'[769] Nussbaum's theory in *Frontiers of Justice* expands Rawls' theory, but her theory is too depended on the goodwill of people. It seems too unrealistic, utopian even to expect people to be nice to each other. The outcome of universal subjectivism will be much the same as Nussbaum's *Frontiers of Justice*. But universal subjectivism does not start out with people being nice. Basically, the bottom line in Universal subjectivism is an egotistical outlook. This egotism is, by the procedure of Universal subjectivism, transformed in a just society in which the worst-off are best off.

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[766] Kurtz (1988: 154).

[767] On the origin of morality see for example: Matt Ridley, *The Origins of Virtue*; Paul R. Ehrlich, *Human Natures. Genes, Cultures, and the Human Prospect;* Marc D. Hauser, *Moral Minds. The Nature of Right and Wrong;* Frans de Waal, *Primates and Philosophers;* Frans de Waal, *Our Inner Ape;* E.O. Wilson, *On Human Nature;* E.O. Wilson, *Sociobiology: The New Synthesis;* Michael Ruse, *Sociobiology: Sense of Nonsense?;* Elliot Sober, *From a Biological Point of View;* Elliott Sober, David Sloan Wilson, *Unto Others. The Evolution and Psychology of Unselfish Behavior;* Robert Wright, *The Moral Animal: Evolutionary Psychology and Everyday Life.*

[768] Dawkins (2006: 223), Hauser (2007).

[769] Nussbaum (2006: 408).

6.4 No Dependence on Human Nature

Political philosophy *is independent from human nature*. From how human nature *is* it cannot be deduced how people *ought* to behave. The naturalistic fallacy is still going strong, especially among evolutionary biologists.[770] Science can explain how and why people behave as they do, but not how people *ought* to behave. Justice is an abstract human contrived concept, which does not depend on how people by nature are. Even if human nature would have a natural tendency toward evil, then political philosophy should still try to find ways of overcoming this. Justice might be contrary to human nature.

Human animals have certain physiological, psychological, sociological needs. In order to survive human animals need food and shelter. In order to thrive human animals need company, sex, and (social) activities. Science can tell a lot about human nature, what it is that people need and why. Human animals have a lot in common with each other, but there are also a lot of individual differences, enforced by culture and religion. Political philosophy is about how people *should* behave. For some people this might be natural (in accordance with human nature), for others it might seem unnatural (in contradiction to human nature). Scientific knowledge can and should be used to try to create the good life in a just (world) society. Peter Singer writes: '[…] some of our moral intuitions have an evolutionary basis. This is not, as I argued there [in *The Expanding Circle* – FvdB], as reason for accepting them. On the contrary, it may be a reason for debunking them.'[771]

6.5 No Need for Human Dignity

Political philosophy cannot rely on the notion of *human dignity*[772] or on the notion of *intrinsic value*. The notion of human dignity (which is a form of intrinsic value applied to human beings) plays an important role in moral debates. It seems that there cannot be given a clear meaning to the term. It seems, moreover, that this notion is a relict of religious thinking, which does not fit in with a naturalistic perception of reality: there are no values in nature. Therefore, there cannot be things, which have an intrinsic value. Humans can *attach* value to things. The notion of human dignity is unhelpful when discussing abortion and euthanasia. Humans do not have dignity by nature. Plants, (non-human) animals and ecosystems do not have intrinsic values. Dignity is an honorary title. According to Nussbaum dignity is the primary goal of justice (and thus, ethics): '[…] the point of justice is to secure a dignified life for many different kinds of beings […]'.[773] If human dignity would be defined as 'each individual has equal value (from a neutral perspective)', then the use of the word dignity can be saved. The dictionary does not point in this direction: dignity: 'quality that earns or deserves respect.'[774] Human dignity deserves respect, according to the dictionary, but again, *what* is it and *why* does it deserve respect?

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[770] See for example Hauser (2007) and De Waal (2007).

[771] Peter Singer, 'Singer, Peter. A philosophical self-portrait', in: Mautner (2005).

[772] Paul Kurtz, quoted from a lecture at Center for Inquiry Transnational in Amherst, NY, July 2006: 'People are not objects, but ends in themselves. It is a useful notion of equality'.

[773] Nussbaum (2006: 350).

[774] Oxford Advanced Learner's Dictionary.

6.6 No Natural Law

There is *no natural law, nor natural rights, no natural duties*. John Locke for example thought that, when contemplating nature, one could not only find the physical laws of the universe, but also the moral laws of the universe. Locke thought there was a natural way for humans to live. This idea can also be found for example in Confucianism.[775] Humans can *decide* how they want to live. Nature is silent about morality. Morality, in this way of thinking, cannot be discovered. A.C. Grayling looks at natural rights from a pragmatic point of view: people have made use of the concept of natural rights and it works. Grayling calls this the 'arrogatory theory of rights': 'experience and rational reflection show what is required to give individuals the best chance of making flourishing lives for themselves, and these framework requirements we institute as rights in order to make the chance of such flourishing available. It is a simple, yet as profound as that.'[776]

Kurtz defines rights as: 'the theory that all humans possess certain immunities and privileges that are inalienable and that cannot be abrogated.'[777] But, when there is no God, where do these rights come from? The best way to look at the (human) rights discourse is as a helpful device. Humans make (human) rights. They decide on what rights and to whom they apply. Through the years the list(s) of (human) rights has changed, and will change. 'Rights are not absolute entitlements. It is not written in the cosmos that *Homo sapiens* should have inalienable rights. […] Rights are relations, and the extent of entitlements and the inevitable conflicts between them are the sorts of issues which the ongoing democratic discussion needs to work out.'[778] They are helpful means to achieve justice and, more important, individual freedom and happiness.

Liberal philosopher Raz writes about rights: '[…] those whose well-being is intrinsically valuable can have rights.'[779] Raz connects rights to the notion of dignity, both of which cannot be grounded. How do we know which beings are 'intrinsically valuable'? To say 'X is intrinsically valuable' appears to be the same as to say: 'I do think X is really, truly, very, very, very, valuable.' If 'intrinsic value' cannot be defined apart from subjective preferences, it cannot be placed centrally in moral theory, because people might disagree with your notion of what is intrinsically valuable.

6.7 No Need to Focus on *Eudaimonia*

Eudaimonia ('flourishing of the soul') is not needed in political philosophy. This notion goes back to Aristotle for whom ethics was about human flourishing. He had

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[775] Mansvelt Beck (2005). Confucianism is the doctrine of an authoritarian social administration system: a hierarchical administration system and social system order to prevent chaos. The structure of ideal social order is part of nature. Humans can decide whether or not to abide by this structure, but if they don't it will lead to chaos.
[776] Grayling (2007: 261).
[777] Kurtz (1988: 181). Paul Cliteur gives a survey of the theory of natural law in Cliteur (2002: 128-156).
[778] Cooke (2006: 446). Cooke adds his private thoughts, which I share: 'We may, for example, be getting to the end of the period of history when we can breezily claim the right to drive a car.' Cooke probably points out a blind spot in morality of our times: not many people feel morally guilty driving a car.
[779] Raz (1986: 180).

an idea and ideal what it was to be a human being. By incorporating certain virtues we can all become flourishing human beings. Bill Cooke pithily defines the notion as follows: '[…] self-fulfillment through personal excellence and the use of reason.'[780] Although human flourishing is important, it does not seem a good idea to start a political theory with, because people have diverse ideas about human flourishing. One can read virtue ethicists as giving recommendations one can ponder about.[781] Universal subjectivism can provide the preconditions for *eudaimonia*.

6.8 No Reliance on Intuitions

Ethics should not rely on intuitions or common sense moral judgments.[782] Ethics should expand and correct common intuitions. Intuitions are built in (hardwired) moral reflexes evolved by evolution (e.g. red as a signal for alertness) and, on a different level, cultural evolution (e.g. prudishness for nudity). Nussbaum speaks from 'vivid moral intuitions'. Human animals are social primates who lived in small tribes. Our hard-wired moral intuitions might not be appropriate to deal with problems of future generations or cosmopolitanism. Intuitions are not a reliable guide in ethics. People might have strong intuitions that men are superior to women for example. Science can change our intuitive worldview. It seems the sun revolves around the earth. But there are good reasons that we are wrong. A lot of strong intuitions have been proven plainly wrong. Wolpert wrote an enlightening book about this: *The Unnatural Nature of Science*, in which he argues that science is essentially *different* from common sense and intuitions. Science revises our intuitive worldview. The nature of normative philosophy is not to be conservative and not to rely on moral intuitions, but to revise them in the light of cogent reasons.

Michael Ignatieff for example bases his plea for universal human rights on his intuition of equal moral status for humans: '[…] we act upon the moral intuition that […] our species is one, and each of the individuals who compose it is entitled to equal moral consideration. Human rights is the language that systematically embodies this intuition […].'[783] Ignatieff's intuition of equal moral consideration of humans does not seem to be universal (if this were so, there would be peace on earth). Ignatieff's plea for human rights and the idea of equal moral considerations for each individual is worthwhile, but a procedural justification for these claims is needed and should not rely on intuition.

6.9 No Uncritical Reliance on Tradition, Custom and Authority

If ethics would rely on custom, tradition and obedience to authority, it is not likely that (m)any blind spots will be found. Conservatism[784] and communitarianism[785] stress the importance of traditions, customs and citadels of authority. Humanist philosopher Corliss Lamont put it thus: 'The highest ethical duty is often to discard

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[780] Cooke (2006: 174).
[781] Cf. Taylor (2002).
[782] The *locus classicus* of moral intuitionism is in the book *The Right and the Good* (1930) by W.D. Ross.
[783] Ignatieff (2001: 4).
[784] For example: Scruton (2006).
[785] For example: MacIntyre (984).

the outmoded ethics of the past.'[786] A criterion is needed in order to evaluate customs, tradition and authority for their merit. Neither conservatism, communitarianism, nor multiculturalism gives a criterion. Conservatism is an appeal to authority: the authority of the past. Communitarianism places the individual under guardianship of the group to which he or she belongs by birth. Multiculturalism tends to tolerate in-group intolerance by placing the group above the individual. It seems that conservatism, communitarianism, multiculturalism do not protect victims in a particular society – these ideologies do not seem to care about changing society for the better for women, nonbelievers, homosexuals, animals. Of course, one should not discard good traditions and customs, but the essence of ethics is that it offers a *criterion* to evaluate customs, tradition and authority.

Bertrand Russell remarks that 'Among most people at most times, the commonest way of judging is simply by inherited prejudices. Any society which is not in a rapid state of transition has customs and beliefs which have been handed down from previous generations, which are unquestioned, and which it appears utterly monstrous to go against. Such are the customs connected with religion, the family, property and so on.'[787]

But there are, of course, philosophers who think otherwise and who revere (some) tradition. David Oderberg is one of them. He regrets the, what I call, 'Singerian revolution' in philosophy which turned down the traditional, religious outlook of mainstream ethics. In the preface to his two volumes on non-consequentialist ethics, which attempts a conservative approach back to traditional (religious) ethics, Oderberg writes: 'What I will say, however, is that even if the bulk of moral philosophers find the conclusions I reach unpalatable, disagreeable, ridiculous, absurd, anachronistic barbaric, bizarre, or just plain wrong, I console myself with the following thought: that every single one of the major positions I defend was believed by the *vast majority* of human beings in Western society for thousands of years, right up until some time in the 1960s, when the Western Cultural Revolution took place. (I do not speak of the non-Western societies, which even today subscribe to most or all of the views defended here).'[788] The majority of people often have beliefs, which are plain wrong. Throughout history most people have been religious in an uncritical way. Philosophy is (or should) be concerned about getting things right, sometimes contrary to common believes. Justice is independent from what the majority believes to be just. Justice is universal, though not absolute.

6.10 A Humanist Outlook

Humanism is, like religion, a human-made concept; humanists are aware of this and appreciate this fact. According to Grayling: 'A humanistic view is a starting point, not a finished body of doctrine.'[789] The foundation of universal subjectivism is a specific portrayal of human animals, which is part of a comprehensive worldview, just like

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[786] Quoted in McGowan (2009: 39).
[787] Bertrand Russell, 'What Makes a Social System Good or Bad?', p. 117, in: *Bertrand Russell on Ethics, Sex and Marriage.*
[788] Oderberg (2000: viii).
[789] Grayling (2009: 174).

every philosophical theory and *Weltanschauung* presupposes a portrayal of man, like Rachels' 'moral individualism'.[790] Universal subjectivism is based on an individualistic portrayal of human animals, because the bottom line of each existence is after all individual life and suffering. This is a humanist outlook on life, truth and nature.[791] Each sentient being with the ability to suffer strives for the avoidance of pain, the satisfaction of needs and the fulfillment of happiness. Human animals differ in this matter only in degree with other animals due to humans' cognitive ability to look forward into the future – humans can be afraid of something that is to come and which is not present at the moment; animals cannot. Humans can think of different ways of how to act. Compare the different outcomes in the mind and then choose whichever seems best. The reason why humans, and only humans, need moral thinking is that people usually take their contingent privileges as if they were holy and meant to be that way.

Privileges can only be justified if others are not harmed, or even better if they are better off. Rawls calls this the *difference principle*: inequality can only be justified when other people are better off than without the difference and no one worse off. In this way it can be justified that an employer earns more than an employee because he or she provides work, so that the workers are better off than without the employer's extra income.

People usually do not identify seriously and sincerely with other beings, or, even if they do, do not appreciate the consequences. Being a universal subjectivist you have to be prepared to step back from your contingent existence, to look at life from behind the veil of ignorance, the original position, and to imagine different perspectives. The problem is that most people stubbornly believe in the necessity and justice of their own moral values and social position. Privileged people will not easily give up their favored position because the universal subjectivist position leads to a different distribution of wealth, a different ordering of society, a different attitude towards animals.

Universal subjectivism requires no exceptional rational powers. It is a simple rational model that only leans on empathic abilities. The difficulty of this model is the willingness of people to perform according to the universal subjectivist model. Universal subjectivism gives a cogent, compulsive and egotistic answer, both *reasons* and a *motive*.

The outcome of universal subjectivism corresponds by and large with what Paul Kurtz brands as *humanistic ethics*. The outcome overlaps, but the meta-ethics, the path towards the outcome, is different. Paul Kurtz has a pragmatic, utilitarian, somewhat intuitionist foundation of humanistic ethics. Universal subjectivism seems to expand humanist ethics with its concern for animal suffering, future generations and nature. Kurtz defines humanist ethics as: 'A fully developed ethical system [i.e. humanistic ethics] involves a concern for the broader community on a more

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[790] Daniel Harbour discerns in *An Intelligent Person's Guide to Atheism* two different kinds of *Weltanschauung*: Spartan meritocracy and Baroque monarchy. Baroque monarchy stands for a way of giving ad hoc reasons for events, based on dogma and hierarchy, like the Roman Catholic Church. Spartan meritocracy means that there is no ultimate authority. Many people (scientists) seek for as few explanations (laws of nature) as possible. Universal subjectivism is concordant with Spartan meritocracy, as is atheism.
[791] Cf. Ayer (1968), Kurtz (1994), Cave (2009), Law (2011).

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universalistic basis. It is able to transcend the level of small-group relationships, and has the following ingredients: (1) There is a devotion to general ethical principles, and one does not break them without a just cause. (2) There is an inward feeling of moral sympathy and beneficence, and a desire to not needlessly hurt other human beings.[792] (3) Reason is used in guiding one's own conduct in terms of the excellences. This may involve some consideration of self-interest, but it includes the interests of one's group as well. (4) There is in addition an ethical awareness of the need to extend ethical considerations beyond one's inner circle to a wider community of human beings.[793] This ethical concern is for the preservation and well-being of the community and for humanity as a whole.'[794] But why? One might still ask. '[Persons of good will] are thus considerate, thoughtful, caring; every effort is made to reduce suffering and pain whenever they can; not only for other human beings but other sentient beings in the biosphere.'[795] Here Kurtz seems to move away from the anthropocentric speciesism of humanism towards sentientism. For sentientists, like Peter Singer, the criterion if an entity has moral value, is its capacity for suffering. Humanists have a tendency to care for fellows humans in the here and now. A fundamental question is, can humanism be expanded from anthropocentrism towards sentientism, or should the concept of humanism not be stretched that much? One could argue: 'Humanism, as the word makes clear, is about humans, so if you want a worldview and ethics which is broader than that, don't call it humanism.' But as I started out, humanism is a human-made concept and it can be reinvented all the time, in the light of reason. Paul Kurtz seems also to take this stance, that it is possible to expand the moral circle within humanism. However, Kurtz does not elaborate this point, he only indicates towards this new direction. This is a direction that probably will alienate some of those who call themselves humanists. The problem with organized humanism and humanism as an intellectual movement is that when you take it seriously and thus include (new) atheism and sentientism, some people who are sympathetic towards humanism will decline.

One an educational cruise to Alaska to see the melting ice (for the 'disbelieving Thomas' kind of humanists') Paul Kurtz started to revisit his edifice of humanism, adapting it to the environmental problems. Though it seems humanism can and should urgently rephrase itself toward eco-humanism, being more aware of the fact how fragile we are when we trespass the biophysical limits of our habitat, planet Earth. Kurtz ponders: 'It is difficult to deny the reality of global warming, though some scientists and politicians, financed by powerful oil companies, have attempted to do just that.'[796] 'While aboard ship, we read aloud the following pledge of allegiance, which sets forth our ethical obligations to our planetary abode:

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[792] This seems needlessly speciesistic.
[793] Speciesistic again.
[794] Kurtz (1988: 156). In his *Humanist Manifesto 2000* Paul Kurtz powerfully and succinctly states the agenda of humanistic ethics. This Manifesto is less speciesistic then *Forbidden Fruit*. The content of the *Humanist Manifesto 2000* can be endorsed by using universal subjectivism.
[795] Kurtz (2010: 41).
[796] Kurtz (2010: 135).

Planetary Allegiance
We pledge allegiance to the planetary community of which we're all part: one planet, indivisible, with liberty and justice for all. We recognize that all persons are equal in dignity and value. We defend human rights and cherish human freedom. We vow to honor and protect the global ecology and biodiversity, not only for ourselves but for generations yet unborn.'[797]

It seems to me that a problem with Kurtz' humanism as he defines it, is that it is too anthropocentric. In contrast to any other life stances, humanism is cosmopolitan, and, as noted in the 'Planetary Allegiance' it also takes future generation humans into account. Philosopher Peter Singer has taken the lead in trying to expand the circle of morality by moving away from anthropocentrism towards pathocentrism, taking as criterion for moral standing, the capacity to suffer. This goes back to the famous maxim by Jeremy Bentham: *'Can they suffer?'* It seems that despite its name, humanism *can* be adapted and expanded away from anthropocentrism towards sentientism or even biocentrism.

Humanism is not just an intellectual position; humanism is humane. It is about being friendly, living the good life. This is what Kurtz ponders when in the hospital with serious heart problems:

I say that I am a *humanist*, meaning by that, that we should strive as best we can to do good, to try to help where we can, to compliment other persons wherever possible. By this I mean that we should express an affirmative attitude all the time, to try to improve the situation, if we can, to look at the bright side.[798]

6.11 Not a Panacea for All Problems
The proposed theory of universal subjectivism is *not a panacea* for *all* political and moral ills. The theory is about improving the fate of victims in worst-off positions, to increase (social) justice and to ameliorate the condition of human and farm animals. The theory I am proposing is a framework in which problems can be solved about people living together and sharing resources. Within the framework of the advocated theory problems can be solved by way of 'piecemeal engineering' (Popper) or, in a different term, by using 'social intelligence'[799] (John Dewey). The theory is more concerned with the method towards normative values and setting the (political) agenda, than with the normative values and concrete policies themselves. There are some clear consequences of this political theory, like taking animal suffering into account. The precise way in which human animals should treat animals is part of the ongoing public discourse and social intelligence. But it should become clear that animal suffering should be a topic of concern for human animals. Universal

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[797] Ibid.: 135.
[798] Ibid.: 254.
[799] Social intelligence: 'the ongoing dialogue society has with itself to determine how its priorities change over time.' In: Cooke (2006).

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subjectivism is an optimistic theory; it is an attempt to ameliorate (world) society. Some thinkers are gloomy about the prospect of trying to make the best of it. John Gray[800] is one of these fatalists, who blame all evil on the project of the Enlightenment, the project of trying to make things better by using science and reason. A.C. Grayling, in his review of Gray's *Black Mass*, remarks that: 'trying to make things better is not the same as believing that they can be made perfect. Meliorism is not perfectibilism.'[801]

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[800] See Gray (2002).
[801] A.C. Grayling, 'Through the Looking Glass. Review of John Gray's *Black Mass*', *New Humanist,* July/August 2007, p. 34-36.

7. Conclusion

7.1 Living within Limits

If we strive to live a life without harming others, we have to be aware that there are limits to what we can do. '[…] liberty cannot be absolute; it must be consistent with the interests of others.'[802] These others include future generations, people in developing nations and non-human animals. There is a window of opportunities, a framework for acting, which should not be trespassed if we want to live the good life. There are two kinds of limits: natural and moral limits. Environmental science has now made abundantly clear that there are environmental biophysical boundaries and what they are.[803] We are living on a finite planet with a finite carrying capacity and finite natural resources. Only our greed, institutionalized as consumerism and powered by the economic system of growth, is infinite. The basic idea of our western life style is suicidal, driving us towards the abyss of collapse. Our culture is a culture of extinction, we are killing of the life on the planet we live in and have caused ecocide.[804] Our civilizations are based on harming others. We have to rethink our life style, our basic ideals, not only to stop harming others, but in order to survive. There is hardly any time left, we might already have transgressed the tipping point, a point of no return – but we can and should make the world a better place, a world with less suffering. Universal subjectivism can be a guideline in order to live a 'no harm lifestyle' and to build a no harm (global) society, which is aware of the worst-off positions of any kind of victims. The outcome of (the (1) procedural (2) hypothetical (3) pathocentric (4) individualistic (5) thought experimental (6) social contract theory of) universal subjectivism, will render *universal subjectivist justice*, which is quite different from the moral intuitions of most of us. The theory can be used to strive for less suffering, more sustainability and more happiness. Universal subjectivism can function as a moral compass. We have to rethink deeply our basic notions and moreover we need the courage and stamina to change our life styles and work towards a better world. Doing nothing makes us accomplices of a harmful world. It won't be easy, but do we have a choice?

'What can we do? How can we protect the environment?' asks Francois Michel in his book *Ecology and the Environment* on the environmental crisis, he continues:

> Everyday we have to make an effort to do little things to care for our surroundings. We also need to learn about nature so we can be more respectful of it. This means paying attention to what is happening to the world around us. […] Energy sources contained in the soil, such as coal, oil and natural gas, are non-renewable and will probably run out within the next few decades. Besides, they cause pollution and contribute to the greenhouse effect. Heat, light, water and wind are all renewable energy sources.

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[802] Grayling (2009: 209)
[803] See Rockström (2009).
[804] Bender (2003).

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Renewable means they will be available to us as long as the sun exists. Non-renewable or renewable – the choice is ours.[805]

The basic problems of the environmental crisis can be explained to children. The quote from Michel's book, *Ecology and the Environment,* is a children's book. The problem is easy to understand. The solution is also easy to understand: we should live sustainably, that is living without harming future generations. But solving the problem is nearly impossible, due to the tragedy of the commons. Our society and our lifestyles would look quite differently if we were to take living sustainably seriously. Living ethically is not easy. And we don't do it.

7.2 Deep Pessimism or Desperate Optimism

We harm others. With the possible exception of a vegan living a frugal life trying hard to reduce his or her harmful impact on others and the environment, we all harm others. Harm is institutionalized in our society. Our way of life - consumerism and an economic system dependent on growth and depletion of nonrenewable natural resources - is based on harming and exploiting others. We harm people in developing countries, we harm animals, we harm future generations and we even harm ourselves. We are living in *victim societies*. We are doomed to perish in the not so far away future. Each and everyone has the choice either to be part of the problem, or to be part of the solution, even if there is no rational hope for a sustainable solution. I am also deeply pessimistic because I have not even managed to convince myself to live in voluntary simplicity. Though I am (almost) a vegan, ride my bicycle and use public transportation, try not to fly, buy as much as possible fair trade and organic products; I am also a modern consumer, with an abundance of luxuries such as clothes, books and gadgets. My ecological footprint is too large to be sustainable. Also I am not donating as much money, time and effort to alleviate poverty and other ethical causes, as I could. In other words, I find it difficult to give up my undeserved, unsustainable, unjustifiable privileges of harming others in order to egoistically live my consumerist life. Thus, there is reason for pessimism, deep pessimism.

So, what do we do? Tim Jackson ends his book *Prosperity without Growth* with a to do list, or, more accurately a don't do list:

Change can be expressed through the way we live, the things we buy, how we travel, where we invest our money, how we spend our leisure time. It can be achieved through our work. It can be influenced by the way we vote and the democratic pressure we exercise on our leaders. It can be expressed through grass-roots activism and community engagement. The pursuit of an individual frugality, a voluntary simplicity, is considerable.[806]

Business as usual is not an option. But we will probably do it anyway and we will experience collapse happening before our eyes, or the eyes of our descendents

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[805] Michel (2009: 60-65).
[806] Jackson (2009: 204).

and other future generations. There is a difference (unfortunately) between what we do, and what we should do. This *motivational gap* is the cause of our collapse, which we have seen coming. Many people know and acknowledge that their own lifestyle is not sustainable, but they do not change their life style accordingly. What can people motivate to become vegans (intense factory farming being a major cause of CO2e emissions), stop driving a car, insulating their houses, stop flying, and, in general, live sustainable? Being a writer, teacher and campaigner, I have not succeeded in motivating many people to change their life styles. Some students become vegetarians, especially after watching the 'meetyourmeat' video (it seems psychologically animal suffering takes precedence above the environmental reasons for veganism). But what could possibly motivate those who have all the knowledge and all the arguments available? It is this problem, the failure to motivate green behavioral change, that will lead to our downfall, to environmental collapse. We sing our own requiem. For example, the blue fin tuna, one of the world's largest fish, is on the brink of extinction, mainly because of people graving for sushi and sashimi, particularly in Japan. And not only tuna. If we continue to fish as we do now, around 2050 there will be no more wild fish in the oceans. In 2010 the UN Environment Program stated in their preview of the Green Economy Report that: 'Marine fisheries around the world have been devastated over the years to the extent that the FAO[807] believes that only about 25% of the commercial stocks, mostly of low-priced species, are currently underexploited. Studies estimated that by 2003, some 27% of the world's marine fisheries had already collapsed in the sense that their current catch level was less than 10% of the maximum registered catch. Extrapolating these trends, these studies predict that virtually all of the world's commercial fisheries will have collapsed before 2050.'[808]

Clive Hamilton writes in his *Requiem for a Species* about the psychology of coping with fear. According to him, grasping the coming human made apocalypse will cause despair. But we will have to cope with this despair. We will have to accept it. It is just like when the doctor has explained to you that you have a lethal illness: you will have to accept it and try to cope. We will have to act. Harder than ever, we have to work to ameliorate suffering.

Environmental philosopher J. Baird Callicott argues for 'desperate optimism': 'There is no survival value in pessimism. A desperate optimism is the only attitude that a practical philosopher can assume.'[809] In spite of the brute facts of reality, and despite the fact that the chances for a happy for all solution are implausible, we have to stay optimistic and strive for a world with less harm. We go through the cycle of despair, acceptance and act. Acting is important. We should beware of the risk of fatalism, cynical nihilism and ostracism. Let's be desperate optimists.

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[807] Food and Agriculture Organization of the United Nations.
[808] See: www.unep.ch/etb/publications/Green%20Economy/GER%20Preview%20v2.0.pdf.
In 2010 the Dutch Party for the Animals released the documentary *Sea the Truth* (www.seathetruth.nl), which documents the depletion of the world ocean fisheries. Marine ecologist Daniel Pauly, expert on ocean fisheries, also warns that at the current fishing rates, we are depleting the oceans.
[809] From 'Benevolent Symbiosis. The Philosophy of Conservation Reconstructed', in J. Baird Callicott and Fernando J.R. da Rocha (eds.), *Earth Summit Ethics,* p. 157.

Some dire problems have easy solutions: if people would stop to eat and buy tuna (or fish in general), the overfishing would stop. But it is highly unlikely that consumers will stop buying what they like. We will eat all the blue fin tuna to extinction. And other fish and whales will follow. The majority of people seem immune to critique on their life style choices. We consume ourselves to extinction. The power of marketing and consuming is much stronger than moral reserve. James Garvey writes that 'Failing to act in accordance with moral reasons when you have them is something probably worse than meaninglessness.'[810] The tragedy of the commons will soon be a disaster of collapse.

'The 'majority' is clearly not right about a lot of things, probably most things,'[811] muses theoretical psychologist Nicolas Humphrey. Kurtz has a more optimistic view on the problems of the human condition: 'I do not hold a doctrine of original sin. I do not believe that human beings are born depraved. Nor do I hold the contrary naïve view that all human beings are by nature good, that they naturally seek the good, and that sin is simply due to ignorance. Human beings are neither good nor evil, but are capable of both.'[812] Universal normative theories and pleas for moral (re-)education have a totalitarian tendency. Characteristic of totalitarianism is that the State demands total submission through secret police, propaganda disseminated through the media, the elimination of open criticism of the regime, and use of terror tactics. Totalitarianism is the antithesis of an open society in which the freedom of the individual is the central aim. In an open society the state works for the benefit of the individual citizens. In a totalitarian state, individuals have to oblige to the state (a political party, or a dictator) for the interest of the State, not the citizens.[813] Universal subjectivism yields an open society.

Literature and (documentary) films can be consciousness-raisers about exactly why it is so much better to live in an open society than in a totalitarian society where Big Brother is watching you, for example the classic *Nineteen Eighty-Four* by George Orwell, and the movie *Das Leben der Anderen* (2007) by Florian Henckel von Donnersmarck about the Stasi in the DDR terrorizing and spying on people in their private lives.

Universal subjectivism as a procedure is not democratic,[814] because by democratic procedures (if they are not limited by a constitution) a majority could rule over a minority.[815] Universal subjectivism is a conceptual model for consensus (like Jürgen Habermas' theory of communicative acting). Consensus of opinion will necessarily arise from the hypothetical possibility of each form of existence. Because, in principle, you could have been anyone, you will have to take other positions into account. Because everyone has this moral perspective in this model, this will

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[810] Garvey (2008).
[811] Humphrey (2002: 312).
[812] Kurtz (1988: 249).
[813] See Popper (1971).
[814] Paradoxically, the universal subjectivist *method* is not democratic, but the outcome will be that a democratic government is the best possible way to organize a state in such a way that freedom is ensured.
[815] Most liberal democracies limit the power of the majority rule by a constitution, which sets the framework. But still the margins for majority rule could limit the freedom of individuals. Many democracies (like most States of the US) do not allow same-sex marriages.

necessarily lead to consensus of opinion about moral rules for living together in a group and the distribution of wealth and scarce resources. Universal subjectivism will procedurally optimize the possibilities for individual freedom and self-determination. There will be large differences between abilities of imaginative empathy, but this is a practical problem which society should try to solve. Opposition or indifference to adopting universal subjectivism can only be overcome by acquiring an empathic attitude, by means of education and a (liberal) cultural climate. There are no other compelling reasons to be moral other than that we would all be better off.[816] Universal subjectivism is a tool to help humans expand their moral horizon. It is common to use glasses for better vision; likewise universal subjectivism helps to have better moral vision.[817]

Adopting a universal subjectivist policy would take demanding changes in society. This makes it difficult to use it in practice. As political philosopher Darrel Moellendorf remarks: 'One could perhaps be forgiven for thinking that under the present circumstances an egalitarian world order is impossible, especially given the facts of international inequality and the resistance to demands for fundamental change among those who most benefit from such inequalities.'[818] Universal subjectivist theory could be used in a pragmatic way as a leading principle for piecemeal engineering. 'If we cannot build a utopian society, at least we can ameliorate the human condition', Paul Kurtz remarks optimistically.[819] Some are even more enthusiastic about a more just and peaceful world: 'Perhaps we are witnessing the beginning of an era in which the claims of global distributive justice will gain legitimacy.'[820] It is good to have hope, but it is unrealistic – like every beauty queen's dream - to hope for a just and peaceful future of the world with less suffering and more happiness. Hoping is not enough; we all have to act.

In an interview Hochsmann asked Peter Singer if his ethical ideals are not too difficult to attain because they would drastically change the way people live their lives. Singer answered: 'Does this mean that the utilitarian principle is a mere utopian ideal? No, it remains the guiding source of our ethics, so it is not merely an ideal that does not work. But does it mean that it is a demanding ethics that virtually no one will entirely live up to? Yes, I'd accept that.'[821]

When German philosophers of the Frankfurt School Horkheimer and Adorno wrote their book in exile in the midst of World War II when the Nazis were gaining

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[816] Of course, a small minority would benefit by not being moral at all, like all dictators. Game theory shows that there is a difference between individual and mutual benefit (the prisoner's dilemma). Cf. Dawkins (1999). A political procedural theory tries to overcome the political variant of the prisoner's dilemma by arguing that most are better of if the model were adopted. In *Good and Evil* Richard Taylor argues that there are no other than egoistic reasons for acting morally. Universal subjectivism is a political form of what Bertrand Russell called 'enlightened self-interest'.

[817] Unfortunately there is a difference: a pair of spectacles improves your quality of life immediately. On the other hand using universal subjectivism for moral vision might have consequences, which do not improve but change your life style.

[818] Moellendorf (2002: 175).

[819] Thus writes secular humanist philosopher Paul Kurtz. As a humanist he stresses the *human* condition, of course, universal subjectivism is broader than the human species.

[820] Moellendorf (2002: 176).

[821] Hochsmann (2002: 87).

power, they considered their book *Dialectic of Enlightenment* (published in 1947) to be a letter in a bottle. Their book traced the rise of fascism and other forms of totalitarianism to the Enlightenment notion of 'instrumental' reason. The work's pessimism reflects the defeats that progressive European social movements had suffered since the early 1930s. Fortunately they were wrong, despite the tens of millions of casualties, freedom prevailed, in the western world. This time chances for a victory of sustainability look small. The many eco-alarm books will be messages in a bottle; will there be people to read them?

8. Mediagraphy

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8.2 Documentaries

A picture is worth a thousand words

These documentaries[822], or 'shock docs', may help to imagine what are some of the urgent moral problems of our times. Of course, there are many more. Just imagine being in the worst-off positions you encounter in these shock docs.

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Donnersmarck, Florian Henckel von, *Das Leben der Anderen*, 2007.
Eiwing, Heidi; Grady, Rachel, *Jesus Camp,* 2006.
Francis, Mark; Francis, Nick, *Black Gold,* 2007.
Geyrhalter, Nicolas; Widerhofer, Wolfgang, *Our Daily Bread,* 2005.
Gore, Al, *An Inconvenient Truth,* 2006.
Kenner, Robert, *Food, Inc,* 2008.
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Stenberg, Michael; Söderberg, Johan; Torell, Linus, *The Planet*, 2006.
The Meatrix: www.themeatrix.com
Wagenhofer, Erwin, *We Feed the World,* 2005.

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[822] See the Internet Movie Data Base (www.imdb.com) more information about the makers of these documentaries.

Summary

Harming Others. Universal Subjectivism and the Expanding Moral Circle

Harming Others expounds the theory of what the author calls *universal subjectivism*, which is a cosmopolitan political philosophical theory that copes with global justice, non-human animals and future generations. Although its main structure is political philosophy, it has wide applications to contemporary moral issues; environmental problems and animal welfare taking a prominent role. The book combines Peter Singer's applied philosophy with John Rawls' social contract theory. The objective of the theory of universal subjectivism is to help to make the world a better place. The Enlightenment project has set this goal. The procedural ethical theory of universal subjectivism can be a tool for improving how to live our lives and how to organize society and the global community for now and in the future. Central is an accessible thought experiment, which can expand the moral circle by being a torchlight in search of moral blind spots. The theory is easy to apply, but difficult to implement. The theory expands upon Rawls, by using Peter Singer's theory. Peter Singer does not seem to have a political theory – this theory could be that theory. This one theory can solve moral problems ranging from abortion, gay rights, to animal welfare and environmental degradation. Because it is a procedural theory, readers are invited to do their own thinking, and, 'miraculously' attain a large degree of consensus.

Chapter 1: Introduction to Universal Subjectivism

This introductory chapter sets out the problem: most people harm others, but don't realize they do. If we do not want to harm others, then we have to change our life styles, our societies and our economical system. As a solution the political and ethical theory of what is called universal subjectivism is suggested. This theory is an expansion of the political philosophy of Rawls combined with the ethical theory of Peter Singer. The book stands in the tradition of the Enlightenment tradition: trying to make the world a better place by applying reason.

This is the first paragraph of the book:

> We harm others. With the possible exception of a vegan living a frugal life trying hard to reduce his or her harmful impact on others and the environment, we all harm others. Harm is institutionalized in our society. Our way of life - consumerism and an economic system dependent on growth and depletion of non-renewable natural resources – is based on harming and exploiting others. We harm people in developing countries, we harm animals, we harm future generations and we harm ourselves. We are usually not aware of this. When we look with blinkers, our liberal open welfare society, which respects human rights, seems to be a morally justifiable society. But when one pulls away the blinkers, the gruesome picture of the inconvenient truth appears. A moral lesson taught by many parents to their children is 'Don't harm others'. That is a decent moral lesson – but who are others? Those same parents, for example, usually cook food for their children that contains animal products, for which animals have been harmed tremendously. And they probably own and drive a CO_2 emitting car, and fly in airplanes. The western throwaway consumerist,

greenhouse gas emitting life style, which uses non-renewable scarce natural resources, now endangers all of us, including many animals and animal species. Destroying the planet is written into our system. We are rapidly on our way to destroy ourselves. Is it possible to live a life without harming and destroying others? Even if it were impossible, doesn't it seem a worthwhile ideal to strive towards a life style that harms as little as possible? Our life style and our institutions are a long way from that 'no harm utopia'. 'Can we live a life without harming others?' That is the question.

Chapter 2: Preliminaries to Universal Subjectivism
This chapter outlines the basic concepts of the theory of universal subjectivism: naturalism, constructivism, universalism and subjectivism. Also it explains how Rawls and Singer can be combined and why.

Chapter 3: Universal Subjectivism and the Expanding Moral Circle
This chapter is the core of the book. It explains the hypothetical social contract theory of universal subjectivism by trying out various worst-off positions, including non-human animals and future generations. The aim of universal subjectivism is to find moral blind spots and trying to expand the moral circle at much as possible. Many authors have been skeptical about the idea of expanding Rawlsian social contract theory to include animals. These arguments will be considered, as well as suggestions by authors who also have proposed to expand social contract theory to include non-human animals.

Chapter 4: Applications of Universal Subjectivism
This chapter focuses on how this theory can be applied. There are two main applications. First, as a political theory, in order to morally evaluate societies and in order to morally improve societies by pointing out blind spots (like how farm animals and future generations are harmed). Second, the theory can be applied as an ethical theory about how we are to live.

Chapter 5: Problems of and Obstacles to Universal Subjectivism
Some philosophers are skeptical about the endeavor of the Enlightenment project. This chapter analyzes that critique, taking as examples John Gray and Roger Scruton. Then some hard cases for universal subjectivism are considered: abortion, pedophilia, and walking on the grass.

Chapter 6: Clarifications of Universal Subjectivism
This chapter explains how universal subjectivism relates to a host of others, competing, moral and political theories. For example, it explains why the notion of human dignity is redundant.

Chapter 7: Conclusion
This is the concluding chapter. It states that if we do not want to harm others we have to acknowledge that we should live within limits. The liberal maxim of maximal individual liberty still stands, but when the harm concept is extended towards all

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sentient beings and future generations, the scope of individual liberty is much smaller than it is generally considered. The biggest problem is that we humans are rapidly nearing the point of overshooting the carrying capacity of the earth. If we do not take drastic measures we will collapse.

Chapter 8: Mediagraphy
This chapter lists not only books and papers, but also newspaper articles, websites and many documentaries.

Samenvatting

Universal Subjectivism and the Expanding Moral Circle
Anderen schaden. Universeel Subjectivisme en de uitdijende cirkel van de moraal

Harming Others. Universal Subjectivism and the Expanding Moral Circle ['Anderen schaden. Universeel subjectivisme en de uitdijende cirkel van de moraal'] is een politiek filosofische en ethische theorie om te komen tot een rechtvaardiger, duurzamer, diervriendelijker, betere wereld met minder leed en meer geluk voor zoveel mogelijk wezens. Twee filosofen dienen als uitgangspunt voor deze theorie: de politiek filosoof John Rawls en de ethicus Peter Singer. Van Rawls komt het idee van het gedachte-experiment om een rechtvaardige samenleving te creëren en van Singer komt het idee van de uitdijende cirkel van de moraal en dat het vermogen tot lijden het onderscheidende criterium is voor morele status. De combinatie van Rawls en Singer levert de synergie op van *universeel subjectivisme*: een kosmopolitische politiek filosofische theorie waarin ook dieren en het milieu aan bod komen. Centraal in de theorie van universeel subjectivisme is het gedachte-experiment dat je je moet verplaatsen in de positie van degenen die in een onbenijdenswaardige positie zitten, bijvoorbeeld een homoseksueel in Iran, een vrouw in Saudi-Arabië of een varken in de intensieve veehouderij. Het doel is om die onbenijdenswaardige (ofwel slechtst mogelijke) posities beter te maken en te optimaliseren. Zo is een samenleving of cultuur die homoseksuelen respecteert moreel beter dan een samenleving of cultuur die homoseksualiteit criminaliseert. Universeel subjectivisme biedt een eenvoudige methode om culturen en samenlevingen moreel te vergelijken en te evalueren. Dit is een krachtig argument tegen cultuur- en moreel relativisme, dat wars is van het idee dat culturen moreel vergeleken zouden kunnen worden. Universeel subjectivisme is een schijnbare tegenstelling: de theorie is *universeel* omdat de morele conclusies van de theorie een universele pretentie hebben, dat ze altijd en overal geldig zijn, en niet beperkt tot een bepaalde cultuur of tijd. De theorie is *subjectief* in de zin dat ieder individu het vertrekpunt is. Het individuele subject (via het gedachte-experiment) is de grondslag van de ethiek.

   Universeel subjectivisme zoekt actief naar blinde vlekken in de moraal. Universeel subjectivisme is een theorie die gaat over rechtvaardigheid op wereldschaal, over dierenwelzijn (hieruit volgt onder andere een pleidooi tegen de intensieve veehouderij en voor de morele plicht tot vegetarisme) en toekomstige generaties. Met de focus op toekomstige generaties komt de milieuproblematiek prominent in beeld, als de ijsberg waar de Titanic op af koerst. Een levensstijl die anderen geen schade toebrengt blijkt verder weg te staan van de levensstijl van de meeste mensen dan we zouden wensen. Een analyse van de standaardlevensstijl van de westerse mens brengt aan het licht dat de politiek-economische orde en het daarbij behorende consumentisme immoreel is en dat zelfs het voortbestaan van de mens in acuut gevaar is door het overschrijden van de draagcapaciteit van de aarde. Zodoende leidt de theorie van universeel subjectivisme tot een ongemakkelijke morele analyse van zowel ons eigen handelen, als de sociale, politieke en economische ordening. Het nare van filosofie is dat je bij conclusies uit kunt komen die je eigen handelen in een ander daglicht stellen. Zo kan het zijn dat wij niet

langer de *good guys* zijn, maar de *bad guys*. Maar er is een keuzemogelijkheid, om tegen de stroom in, moreel te leven. De fundamentele keuze is: wil je deel zijn van het probleem (en anderen schade berokkenen) of deel uitmaken van de oplossing? Het tragische is echter of individuele actie voldoende is om te voorkomen dat de overschrijding van de draagkracht van de aarde zal leiden tot instorting van ecosystemen en massale uitsterving van soorten.

Curriculum Vitae

Floris van den Berg (1973) studied Japanese Studies in Leiden and Japan. He graduated on a thesis on the reception of western philosophy in Japan. He also studied philosophy at Leiden University and Utrecht University. He graduated in applied philosophy at Utrecht University on the subject of utopianism and political philosophy. He worked for five years as staff member at the department of General Studies (Studium Generale) at Utrecht University and for two years at Delft University of Technology. Since 2009 he works as university lecturer at the department of Innovation and Environmental Sciences at Utrecht University where he teaches (environmental) ethics and philosophy of science. He published several books, including *Hoe komen we van religie af? Een ongemakkelijke liberale paradox*, the Bildungsnovel *Geleefde brieven I: Prometheus* ['Lived Letters I: Prometheus'] and *Filosofie voor een betere wereld*. This last book is a popular version of the theory of universal subjectivism. An English translation – *Philosophy for a Better World* – will be published in 2011 by Prometheus Books. Floris is involved with humanism and freethought organizations; he is vice-president of the Dutch freethought organization De Vrije Gedachte and director of the secular humanist think tank Center for Inquiry Low Countries. He regularly publishes articles on applied ethics in numerous international magazines and journals. Some of his publications can be found on his blog: http://verlichtingshumanisten.web-log.nl/

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