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## **Harming others : universal subjectivism and the expanding moral circle**

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### 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 ...'<sup>151</sup>

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'<sup>152</sup> 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.'<sup>153</sup>

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.'<sup>154</sup>

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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<sup>151</sup> Lecky (1869).

<sup>152</sup> That is: worst-off position.

<sup>153</sup> Thus Nussbaum concludes in her study *Women and Human Development*, p. 298/9.

<sup>154</sup> 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.’<sup>155</sup>

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 20<sup>th</sup> century<sup>156</sup>. 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.’<sup>157</sup>

### 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.’<sup>158</sup> 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.’<sup>159</sup>

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<sup>155</sup> Holland (2006: 270-1).

<sup>156</sup> 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.

<sup>157</sup> Hugh LaFollete, ‘Theorizing about ethics’, in *Ethics in Practice*, p. 5.

<sup>158</sup> Nussbaum (2006: 458).

<sup>159</sup> Peter Singer in Hochsmann (2002: 91).

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.<sup>160</sup> Both Rawls' *A Theory of Justice* and *Political Liberalism* are about just liberal democratic societies, which seem to be 'autarkic national communities'.<sup>161</sup> Beitz and Pogge, both political philosophers in the Rawlsian tradition, have suggested applying the original position to the world as a whole.<sup>162</sup> 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<sup>163</sup> or Saudi Arabia.<sup>164</sup> 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 19<sup>th</sup> century utilitarian philosopher Henry Sidgwick.<sup>165</sup>

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. Envy the king and grumbling won't change things.'<sup>166</sup>

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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<sup>160</sup> 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.'

<sup>161</sup> Lehning (2006: 111).

<sup>162</sup> Beitz (1979), Pogge, (1989).

<sup>163</sup> See Phyllis Chesler, 'My Afghan Captivity', in: *The Death of Feminism*.

<sup>164</sup> See Goodwin (1994).

<sup>165</sup> 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.

<sup>166</sup> 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.<sup>167</sup> 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.<sup>168</sup>

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.'<sup>169</sup>

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<sup>167</sup> Mahatma Gandhi, in Savater (2006: 115).

<sup>168</sup> 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).

<sup>169</sup> 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.'<sup>170</sup> 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<sup>171</sup>? 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 universal<sup>172</sup>.

<sup>170</sup> Bertrand Russell, 'The Expanding Mental Universe' (1959), in: *The Basic Writings of Bertrand Russell*.

<sup>171</sup> 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.

<sup>172</sup> 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 extent 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.<sup>173</sup> 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,<sup>174</sup> which will favor native speakers. Therefore it has to be an artificial language. Esperanto<sup>175</sup> 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*.<sup>176</sup> 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.

<sup>173</sup> 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.

<sup>174</sup> 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.

<sup>175</sup> An interesting cultural history of Esperanto is: Oostendorp (2004).

<sup>176</sup> 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.

### 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.<sup>177</sup>

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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<sup>177</sup> 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.<sup>178</sup> 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 off, 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.'<sup>179</sup> 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.'<sup>180</sup> 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'.<sup>181</sup> 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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<sup>178</sup> 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.

<sup>179</sup> Iris Marion Young, 'Polity and Group Difference: A Critique of the Ideal of Universal Citizenship', p. 248.

<sup>180</sup> Ibid.: 249.

<sup>181</sup> 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?<sup>182</sup> 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.<sup>183</sup> 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.<sup>184</sup> 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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<sup>182</sup> 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.

<sup>183</sup> And, if not, what kind of multiculturalism does she have in mind?

<sup>184</sup> 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), Hirs 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.'<sup>185</sup> 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.<sup>186</sup>

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.'<sup>187</sup> This procedure will have a chance in an organization of homosexuals in Amsterdam (like the COC, the Dutch Lesbian, Gay, Bisexual and Transgender organization<sup>188</sup>), but is unlikely to happen in an organization of Muslims in Western

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<sup>185</sup> Young, in Matraves (2003: 232).

<sup>186</sup> It would even be better if everyone spoke a neutral artificial language like Esperanto. See the paragraph on Esperanto.

<sup>187</sup> Young, in Matraves (2003: 231).

<sup>188</sup> [www.coc.nl](http://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 universal. 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.<sup>189</sup>

### 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.'<sup>190</sup> 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.'<sup>191</sup> 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.<sup>192</sup> 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.'

<sup>189</sup> In the Netherlands, especially government employees, have fringe benefits that can be tailored to one's specific needs.

<sup>190</sup> Humphrey (2002: 297).

<sup>191</sup> Dawkins (2006: 330).

<sup>192</sup> 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*.'<sup>193</sup> 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."<sup>194</sup> 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.'<sup>195</sup> 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.'<sup>196</sup>

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.'<sup>197</sup> 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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<sup>193</sup> Vermeersch, 'Over de multiculturele samenleving' in: *Schepping, wereldbeeld en Levensbeschouwing*, p. 222 [translated by FvdB].

<sup>194</sup> Nussbaum (2006: 480).

<sup>195</sup> Ibid.: 481.

<sup>196</sup> Martha Nussbaum, 'Rawls and Feminism', p. 500, in: Freeman (2003).

<sup>197</sup> Dawkins (2006: 338).

### 3.1.6 An Intellectual and Social Dungeon<sup>198</sup>

'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.'<sup>199</sup> 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.'<sup>200</sup> 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.'<sup>201</sup>

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."<sup>202</sup> 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.'<sup>203</sup> 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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<sup>198</sup> 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.

<sup>199</sup> Humphrey (2002: 295).

<sup>200</sup> Ibid.: 301.

<sup>201</sup> Grayling (2004: 94).

<sup>202</sup> Sen (2007: 118).

<sup>203</sup> Humphrey (2002: 296).

they want to preserve their unique cultural heritage.<sup>204</sup> 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<sup>205</sup> 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.<sup>206</sup>

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.'<sup>207</sup> 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.'<sup>208</sup>

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.'<sup>209</sup> 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 were 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 it seems clear that whoever takes advantage of their temporary powers over a child's body to perform the operation must be abusing this power and acting wrongly. [...] if this is so for bodies, it is the same for minds.'<sup>210</sup> If people would not voluntarily take up a faith, Humphrey argues, if it 'is not a faith a freethinker would adopt'<sup>211</sup>, 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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<sup>204</sup> Cf 'social and intellectual dungeon'.

<sup>205</sup> This is what people call 'identity'.

<sup>206</sup> Kraybill (2001: 218).

<sup>207</sup> The whole concept of 'belonging' is something, which does not fit in with universal subjectivism: people do not belong to anyone. Kraybill (2003: 178).

<sup>208</sup> Humphrey (2002: 298).

<sup>209</sup> Ibid.: 307.

<sup>210</sup> Ibid.: 303.

<sup>211</sup> Ibid.: 303.

whoever imposes this system and chooses for them to do so. And in all other cases, the moral imperative must be to hold off.<sup>212</sup>

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.<sup>213</sup> 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.'<sup>214</sup>

Unfortunately, Humphrey's perspective is speciesistic, because he excludes non-human animals. But it 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 it seems clear that whoever takes advantage of their temporary power over a child's body<sup>215</sup> to perform the operation [like the castration of pigs without anesthetics] must be abusing this power and acting wrongly.'<sup>216</sup> 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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<sup>212</sup> Ibid.: 304.

<sup>213</sup> Barley (1983).

<sup>214</sup> Humphrey (2002: 306).

<sup>215</sup> That is: the bodies of factory farm cows, chickens, et cetera.

<sup>216</sup> Humphrey (2002: 303).



children, he refers to children as ‘young citizens in your care.’<sup>217</sup> 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.<sup>218</sup>

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 it represents a set of beliefs that any reasonable person would, if given the chance, choose for himself.’<sup>219</sup>

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.’<sup>220</sup> Flew 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.’<sup>221</sup> 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.’<sup>222</sup>

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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<sup>217</sup> Law (2007: 35).

<sup>218</sup> 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.

<sup>219</sup> Humphrey (2002: 313).

<sup>220</sup> Anthony Flew, ‘Against indoctrination’, in *The Humanist Outlook*, p. 79-80.

<sup>221</sup> Ibid.: p. 80.

<sup>222</sup> 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<sup>223</sup>, 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 or 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<sup>224</sup>, 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 handing 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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<sup>223</sup> McGowan (2009).

<sup>224</sup> 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.'<sup>225</sup> 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.<sup>226</sup> 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<sup>227</sup>, Phyllis Chesler<sup>228</sup>, Bruce Bawer<sup>229</sup> 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<sup>230</sup> in Canada). All six women have liberated themselves from their narrow minded back ground. Only Ayaan Hirsi Ali<sup>231</sup> 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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<sup>225</sup> Wilson, *The Future of Life*, p. 134.

<sup>226</sup> 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.

<sup>227</sup> *Infidel*

<sup>228</sup> *The Death of Feminism*

<sup>229</sup> *While Europe Slept*

<sup>230</sup> In *The Trouble with Islam* Irshad Manji pleads for liberal reform of Islam.

<sup>231</sup> 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.<sup>232</sup> 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*.'<sup>233</sup> 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.'<sup>234</sup> Of course, the injustices done to women in Islamic societies as Afghanistan and Iran<sup>235</sup> 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.'<sup>236</sup>

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<sup>232</sup> *De zoontjesfabriek* ['The Sons Factory'], *De maagdenkooi* ['The Virgins' Cage'].

<sup>233</sup> Hirsi Ali, *Infidel*, p. 12.

<sup>234</sup> Verhofstadt, p. 221 [translated by FvdB].

<sup>235</sup> 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](http://en.wikipedia.org/wiki/Mina_Ahadi).

<sup>236</sup> 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,'<sup>237</sup> 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).<sup>238</sup> 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.'<sup>239</sup> '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.'<sup>240</sup> 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.'<sup>241</sup> 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.<sup>242</sup> 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.'<sup>243</sup>

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<sup>244</sup>. Dignity is not in

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<sup>237</sup> Nussbaum, *Beyond the Social Contract*, p.420.

<sup>238</sup> Nussbaum, p. 420.

<sup>239</sup> Gauthier, *Morals by Agreement*. Cited from: Nussbaum, *Beyond the Social Contract*, p. 418.

<sup>240</sup> Ibid.: 418.

<sup>241</sup> 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.

<sup>242</sup> 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.

<sup>243</sup> Nussbaum, p. 420.

<sup>244</sup> 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.'<sup>245</sup> 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 on 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.'<sup>246</sup>

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.<sup>247</sup> In his historical novel *De grote wereld* (2006) [The Big

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<sup>245</sup> Nussbaum, p. 432.

<sup>246</sup> Nussbaum, *Frontiers of Justice*, p. 100.

<sup>247</sup> 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.'<sup>248</sup> 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.'<sup>249</sup> 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'.<sup>250</sup> 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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<sup>248</sup> Layard (2005: 231). See chapter 13 'Do drugs help?'.

<sup>249</sup> Ibid.: 233.

<sup>250</sup> 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.<sup>251</sup>

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 than 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.'<sup>252</sup>

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'.<sup>253</sup> '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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<sup>251</sup> Cochrane (2010: 146).

<sup>252</sup> Ibid.: 112.

<sup>253</sup> 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.<sup>254</sup>

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.<sup>255</sup> 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.'<sup>256</sup> 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](http://www.meat.org)<sup>257</sup> 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).'<sup>258</sup> 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.'<sup>259</sup> 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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<sup>254</sup> Ibid.: 116.

<sup>255</sup> 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).

<sup>256</sup> Jamieson (2008: 121).

<sup>257</sup> See also [www.themeatrix.com](http://www.themeatrix.com).

<sup>258</sup> Jamieson (2008: 127)

<sup>259</sup> Ibid.: 143.

begin the journey of moral philosophy you might end up by seeing a lot more injustice than you had thought.<sup>260</sup>

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.'<sup>261</sup> 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.'<sup>262</sup> 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.'<sup>263</sup> 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.'<sup>264</sup>

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'.<sup>265</sup> 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,<sup>266</sup> which is capable of experiencing suffering.<sup>267</sup>

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<sup>260</sup> 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*.

<sup>261</sup> Jamieson (2008: 149).

<sup>262</sup> Singer (2001: xv).

<sup>263</sup> Fox (2006: 298).

<sup>264</sup> Singer (2001: xv).

<sup>265</sup> *Oxford Advanced Learner's Dictionary* (1989)

<sup>266</sup> 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.

<sup>267</sup> The online *Encyclopedia Britannica* 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<sup>268</sup>: 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.<sup>269</sup> 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.'

<sup>268</sup> Online *Encyclopedia Britannica 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.'

<sup>269</sup> 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.'<sup>270</sup> 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.'<sup>271</sup> 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.<sup>272</sup>

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.<sup>273</sup>

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.'<sup>274</sup> 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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<sup>270</sup> Fox (2006: 298).

<sup>271</sup> Fox (2006: 297).

<sup>272</sup> 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.

<sup>273</sup> See: Nussbaum (2006: 330).

<sup>274</sup> 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.'<sup>275</sup>

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?'<sup>276</sup> 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.'<sup>277</sup> 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<sup>278</sup> are to be treated alike.'<sup>279</sup> 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.<sup>280</sup> It is the *suffering* you have to imagine, not the worldview of a pig.

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<sup>275</sup> Ibid.: 512.

<sup>276</sup> Ibid.: 441.

<sup>277</sup> Ibid.: 442.

<sup>278</sup> That is: sentient beings.

<sup>279</sup> Ibid.: 444.

<sup>280</sup> 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.'<sup>281</sup>

### 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.'<sup>282</sup> These moral patients 'can suffer consequences of an unfair distribution of rights, though they are not able to protect their own interests.'<sup>283</sup> '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.'<sup>284</sup>

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.'<sup>285</sup> 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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<sup>281</sup> Quoted in Leist and Singer (2010: 113/4).

<sup>282</sup> Felipe (2005: 28).

<sup>283</sup> Felipe (2005: 28).

<sup>284</sup> Rowlands (1997: 235).

<sup>285</sup> 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.<sup>286</sup>

A 'first generation' of commentators have pointed out that Rawls theory excludes animals.<sup>287</sup> 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.'<sup>288</sup>

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 be 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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<sup>286</sup> Rawls (1971: 512).

<sup>287</sup> Vandevier (1979), Feinberg (1974).

<sup>288</sup> Garner(2003: 233).

justice are not subject to political bargaining or to the calculus of social interests.<sup>289</sup> 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<sup>290</sup>, 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.'<sup>291</sup>

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?<sup>292</sup>

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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<sup>289</sup> Rawls (1999: 3).

<sup>290</sup> 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).

<sup>291</sup> Rawls (1971: 512).

<sup>292</sup> 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<sup>293</sup>, 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.'<sup>294</sup> 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.'<sup>295</sup> 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.'<sup>296</sup> 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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<sup>293</sup> Nussbaum (1993).

<sup>294</sup> Nussbaum (2002: 435).

<sup>295</sup> Rawls (2005: 21).

<sup>296</sup> 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.<sup>297</sup>

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.'<sup>298</sup>

Nussbaum's capabilities approach treats 'animals as agents seeking a flourishing existence'.<sup>299</sup> '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*.'<sup>300</sup>

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.'<sup>301</sup> '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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<sup>297</sup> Nussbaum (2006: 329).

<sup>298</sup> Ibid.: 336.

<sup>299</sup> Ibid.: 337.

<sup>300</sup> Ibid.: 337.

<sup>301</sup> 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 minimized 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.'<sup>302</sup> 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*<sup>303</sup> 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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<sup>302</sup> Ibid.: 355.

<sup>303</sup> 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.<sup>304</sup>

### 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.<sup>305</sup>

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.<sup>306</sup>

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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<sup>304</sup> 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.

<sup>305</sup> Carruthers (1992).

<sup>306</sup> Ibid.: 27.

them direct rights under contractualism.<sup>307</sup> 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.'<sup>308</sup> 'Contractualism certainly provides no support for those who would wish to extend still further the moral protection already available to animals.'<sup>309</sup>

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.'<sup>310</sup>

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?'<sup>311</sup> 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 it will be a species capable of suffering).

Carruthers agrees that '[...] those who are committed to any aspect of the animal rights movement are thoroughly misguided.'<sup>312</sup> 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.'<sup>313</sup> 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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<sup>307</sup> Ibid.: 145.

<sup>308</sup> Ibid.: 169.

<sup>309</sup> Ibid.: 169.

<sup>310</sup> Ibid.: 195.

<sup>311</sup> Ibid.: 100.

<sup>312</sup> Ibid.: 196 (Concluding sentence).

<sup>313</sup> Ibid.: 102.

'[...] 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.'<sup>314</sup>

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.<sup>315</sup> '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.'<sup>316</sup> 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 deceased, but social custom is not the same as moral justification.<sup>317</sup> 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 held 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.'<sup>318</sup> 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.'<sup>319</sup> 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 held 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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<sup>314</sup> Ibid.: 115.

<sup>315</sup> Ibid.: 145-6.

<sup>316</sup> Ibid.: 147.

<sup>317</sup> I suppose you would have to be really starved in order to consider consuming your dead grandfather.

<sup>318</sup> Ibid.: 147.

<sup>319</sup> 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.<sup>320</sup> 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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<sup>320</sup> 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.<sup>321</sup>

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.'<sup>322</sup> 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.'<sup>323</sup> 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.'<sup>324</sup>

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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<sup>321</sup> Coeckelberg (2009: 82).

<sup>322</sup> Ibid.: 79.

<sup>323</sup> Felipe (2005: 30).

<sup>324</sup> Ibid.: 24.



sustain all kinds of life in the present and in the future as well?’<sup>325</sup> 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.’<sup>326</sup>

‘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.’<sup>327</sup> 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.’<sup>328</sup>

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’,<sup>329</sup> 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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<sup>325</sup> Ibid.: 26.

<sup>326</sup> Ibid.: 28.

<sup>327</sup> Ibid.: 29.

<sup>328</sup> Ibid.: 34.

<sup>329</sup> Ibid.: 28.

subject to moral preferences rather than obligations.<sup>330</sup> 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.<sup>331</sup> '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.'<sup>332</sup> '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.<sup>333</sup> 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.<sup>334</sup> According to Rowlands contractarianism 'provides the most satisfactory theoretical basis for the attribution of moral rights to non-human and non-rational individuals.'<sup>335</sup> By thickening the veil of ignorance the category of moral patients includes 'defective' humans and non-human animals. Vandevener points out the practical consequences of this approach that 'would entail that many widespread, standard ways that animals are treated are grossly unjust.'<sup>336</sup> 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.'<sup>337</sup> 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.<sup>338</sup>

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<sup>330</sup> Garner (2003: 238).

<sup>331</sup> Ibid.: 14.

<sup>332</sup> Ibid.: 14.

<sup>333</sup> Ibid.: 20.

<sup>334</sup> Rowlands (1998), Wenz (1988), Vandevener (1979).

<sup>335</sup> Rowlands (1998: 3).

<sup>336</sup> Vandevener (1979: 373).

<sup>337</sup> Garner (2003: 6).

<sup>338</sup> 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.'<sup>339</sup>

### 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.'<sup>340</sup>

Abbey optimistically argues that humans' duties to animals belong 'to the stock of considered belief'.<sup>341</sup> 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'.<sup>342</sup> 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'.<sup>343</sup>

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.'<sup>344</sup> 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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<sup>339</sup> Ibid.: 11.

<sup>340</sup> Abbey (2007: 4).

<sup>341</sup> Ibid.: 6.

<sup>342</sup> Ibid.: 9.

<sup>343</sup> Casal (2003: 22).

<sup>344</sup> 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.'<sup>345</sup> 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.'<sup>346</sup> 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*.'<sup>347</sup> 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.'<sup>348</sup>

### 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?'<sup>349</sup> 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.'<sup>350</sup> 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 do 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.'<sup>351</sup>

Canadian philosopher Michael Allen Fox, was once an outspoken advocate for animal experimentation<sup>352</sup>; 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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<sup>345</sup> Rawls (1971: 505-506).

<sup>346</sup> Rowlands (1997: 244).

<sup>347</sup> Ibid.: 69.

<sup>348</sup> Ibid.: 26-7.

<sup>349</sup> Bentham (1789).

<sup>350</sup> Singer (1990: xv).

<sup>351</sup> Ibid.: 7-8.

<sup>352</sup> Fox (1988).

it's harmful, and what's harmful is bad.<sup>353</sup> 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<sup>354</sup> and Feinberg<sup>355</sup>, emphasize the aspect of consciousness which makes 'animals' moral standing depend on their consciously striving for things in the future.<sup>356</sup> In order to avoid ambiguity about what sentientism entails, I propose to use the concept of 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 into 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<sup>357</sup> 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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<sup>353</sup> Fox (199: 298)

<sup>354</sup> Regan (1983).

<sup>355</sup> Feinberg (1974).

<sup>356</sup> Varner (2001: 192)

<sup>357</sup> By 'person' I mean: a sentient being capable of rational deliberation. Here I am using the Kantian/Rawlsian perception of the person.

and therefore 'knowledge of one's human status is knowledge that should be bracketed in the original position.'<sup>358</sup>

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<sup>359</sup>, 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.<sup>360</sup>

Peter Singer<sup>361</sup> 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.<sup>362</sup> 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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<sup>358</sup> Rowlands (1997: 243).

<sup>359</sup> 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.

<sup>360</sup> 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).

<sup>361</sup> Singer (1981).

<sup>362</sup> See Grayling (2007).

and, therefore, is likely to meet resistance.<sup>363</sup> The abandonment of slavery<sup>364</sup> 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.<sup>365</sup> 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.<sup>366</sup> 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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<sup>363</sup> 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](http://www.partijvoordedieren.nl/content/view/129) There are more animals in factory farms than ever before.

<sup>364</sup> Spiegel (1988) makes an explicit comparison between slavery and the exploitation of animals in farm factories.

<sup>365</sup> Because only human beings have these moral powers and animals do not, therefore it is indirectly speciesistic.

<sup>366</sup> 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 extensionism 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.'<sup>367</sup> 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 justice 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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<sup>367</sup> 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.'<sup>368</sup> 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'<sup>369</sup> 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.<sup>370</sup> And in the essay 'Moral education' educational psychologist James Hemming points out the importance of

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<sup>368</sup> Rowlands (1997: 236).

<sup>369</sup> Ibid.: 236.

<sup>370</sup> Grayling (2004: 228).

literature for moral education and, what he calls, 'moral literacy': 'Through English<sup>371</sup> 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.'<sup>372</sup>

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<sup>373</sup> 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.'<sup>374</sup> Nussbaum recommends an education 'that activates and refines the capacity to see the world through another person's eyes,<sup>375</sup> 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.'<sup>376</sup> 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.<sup>377</sup>

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?'<sup>378</sup>

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<sup>371</sup> 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.

<sup>372</sup> James Hemming, 'Moral education', in Ayer (ed.), *The humanist outlook*, p. 125.

<sup>373</sup> 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*.

<sup>374</sup> Nussbaum (2010: 95).

<sup>375</sup> 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).

<sup>376</sup> Ibid.: 106/7.

<sup>377</sup> Ibid.: 108.

<sup>378</sup> 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.<sup>379</sup> 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.<sup>380</sup>

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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<sup>379</sup> 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*.

<sup>380</sup> 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.<sup>381</sup> This work is a treatise on animal suffering in the literary form of a novel.<sup>382</sup> The message is not new, but the scope of readers, who might not be familiar with the works of Peter Singer and Tom Regan<sup>383</sup>, 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'<sup>384</sup> - 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 *Symposium*, 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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<sup>381</sup> This book Coetzee later included in his novel *Elizabeth Costello* (2003).

<sup>382</sup> There is much discussion whether or not the views of the protagonist, Elisabeth 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).

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

<sup>384</sup> 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.<sup>385</sup>

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

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.<sup>387</sup>

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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<sup>385</sup> Ibid.: 21-2.

<sup>386</sup> See paragraph 5.14 'Partial emotionality'.

<sup>387</sup> Ibid.: 47/48.

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?<sup>388</sup>

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?<sup>389</sup>

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.<sup>390</sup>

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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<sup>388</sup> Ibid.: 67.

<sup>389</sup> Ibid.: 103.

<sup>390</sup> 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.<sup>391</sup>

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.<sup>392</sup>

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."<sup>393</sup>

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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<sup>391</sup> Ibid.: 110.

<sup>392</sup> Ibid.: 101.

<sup>393</sup> 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'<sup>394</sup> 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.'<sup>395</sup> 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.<sup>396</sup>

### 3.4.3 *Eating Animals*<sup>397</sup>

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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<sup>394</sup> Daniel Goldhagen argues in his book *Hitler's Willing Executioners* that the majority of the Germans were 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.

<sup>395</sup> 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).

<sup>396</sup> 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.

<sup>397</sup> 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.'<sup>398</sup> '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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<sup>398</sup> Ibid.: 15.

you do when you learned the truth about eating animals?’<sup>399</sup>, 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 [...]’.<sup>400</sup> 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.<sup>401</sup> 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.’<sup>402</sup>

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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<sup>399</sup> Ibid.: 252.

<sup>400</sup> Grayling (2009: 367).

<sup>401</sup> 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).

<sup>402</sup> Foer (2009: 267).

consumers. Farmers, for example, point out that they provide what consumers want: cheap meat and dairy products.<sup>403</sup> 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 meat 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.<sup>404</sup> 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.<sup>405</sup>

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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<sup>403</sup> See the eco shock doc *FoodInc.*

<sup>404</sup> 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).

<sup>405</sup> 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.

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.'<sup>406</sup>

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.'<sup>407</sup> 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.'<sup>408</sup>

#### 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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<sup>406</sup> Foer (2009: 258).

<sup>407</sup> Ibid.: 256.

<sup>408</sup> 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.<sup>409</sup>

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 [...].'<sup>410</sup> 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.'<sup>411</sup> 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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<sup>409</sup> McEwan (2009: 16).

<sup>410</sup> Ibid.: 26.

<sup>411</sup> 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.'<sup>412</sup>

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.'<sup>413</sup> 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.<sup>414</sup>

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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<sup>412</sup> Ibid.: 152.

<sup>413</sup> Ibid.: 165.

<sup>414</sup> 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.<sup>415</sup>

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.<sup>416</sup> 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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<sup>415</sup> Ibid.: 216-7.

<sup>416</sup> 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 calls 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.'<sup>417</sup>

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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<sup>417</sup> 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, then mass starvation and/or disease and/or killings. What's still 'normal' at the individual level is heinous and unprecedented at the global level.<sup>418</sup>

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.<sup>419</sup>

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?<sup>420</sup>

"It's all circling around the same problem of personal liberties," Walter said. "People came to this country for either money or 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." [...] <sup>421</sup>

Walter's friend Richard remarks:

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<sup>418</sup> Ibid.: 219-222.

<sup>419</sup> Ibid.: 314.

<sup>420</sup> Ibid.: 323.

<sup>421</sup> 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.”<sup>422</sup>

Walter finally loses 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!<sup>423</sup>

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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<sup>422</sup> Ibid.: 361.

<sup>423</sup> 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 too busy to notice.'<sup>424</sup> 'The Earth has 'a limited carrying capacity (for population), productive capacity (for resources of types) and absorbent capacity (pollution).'<sup>425</sup> 'The earth is finite and growth of anything physical, including the human population and its cars and buildings and smoke-stacks, cannot continue forever.'<sup>426</sup> '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.'<sup>427</sup>

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.'<sup>428</sup> 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.'<sup>429</sup>

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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<sup>424</sup> Wilson (2003: 22).

<sup>425</sup> Dobson (2003: 15).

<sup>426</sup> Meadows (1992: 7).

<sup>427</sup> Meadows (2004: xxii).

<sup>428</sup> 'Ecological values', in Cooke (2006: 161).

<sup>429</sup> 'Humanic', in Cooke (2006: 255).

that whatever humanity does or does not do, Earth's capacity to support our species is approaching the limit.<sup>430</sup>

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 resources 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.<sup>431</sup>

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 resources 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.<sup>432</sup> 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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<sup>430</sup> Wilson (2003: 33).

<sup>431</sup> Rawls (1999: 74).

<sup>432</sup> 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.

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 size 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 than to have a miserable existence?<sup>433</sup> 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.<sup>434</sup>

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 20<sup>th</sup> 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'.<sup>435</sup> In a small farmer village each family has a cow that

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<sup>433</sup> 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.

<sup>434</sup> See Singer (1996).

<sup>435</sup> See Sachs (2008: 38), and: Schmitz, Willott, '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.<sup>436</sup> 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.'<sup>437</sup> 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.'<sup>438</sup>

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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<sup>436</sup> See for example: Clover (2008).

<sup>437</sup> Ibid.: 37.

<sup>438</sup> 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.<sup>439</sup>

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'<sup>440</sup>, Parfit 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)=  $100 \times 9 = 900$ ;
- B: 1000 people, 'average happiness': 6, thus total happiness =  $1000 \times 6 = 6000$ .

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.<sup>441</sup>

### 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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<sup>439</sup> See Verhofstadt (2006), Hirsi Ali (2002, 2004, 2007).

<sup>440</sup> In Singer (1986).

<sup>441</sup> 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.<sup>442</sup> 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.<sup>443</sup> The dogma about the necessity and blessings of economic growth could well be the most lethal idea in human history.<sup>444</sup> 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.'<sup>445</sup>

There are many eco-alarm books, some of which I will discuss, and many eco shock docs.<sup>446</sup> As we all know, the UN Copenhagen conference in 2009, trying to curb CO<sub>2</sub>e<sup>447</sup> emission has failed. Some environmentalists, like Mark Lynas, author of

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<sup>442</sup> 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.

<sup>443</sup> 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 Things*. See: [www.mcdonough.com](http://www.mcdonough.com).

<sup>444</sup> I hope these moral outcries will seem naïve. In this case I'd rather be wrong than that I am right. If I am right, there might be no one to notice anyway.

<sup>445</sup> Sachs (2008: 314).

<sup>446</sup> 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 Hour, 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.

<sup>447</sup> CO<sub>2</sub>e stands for Carbon Dioxide Equivalents. There are more greenhouse gases than the most famous CO<sub>2</sub>: methane (from farm factories), perfluorocarbons, nitrous oxide. Carbon dioxide equivalency is a quantity that describes the amount of CO<sub>2</sub> 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.'<sup>448</sup>

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:<sup>449</sup> global deforestation, depletion of the ocean fisheries, water- and air pollution, plastic soup in the oceans, massive extinction of species, increasing CO<sub>2</sub>e 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<sup>450</sup> 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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<sup>448</sup> Wilson, (2006: 11).

<sup>449</sup> 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).

<sup>450</sup> 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.<sup>451</sup> 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,'<sup>452</sup> 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<sub>2</sub>e 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.<sup>453</sup> '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.'<sup>454</sup> 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.'<sup>455</sup> 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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<sup>451</sup> 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](http://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.

<sup>452</sup> Hardin (1968: 1243-8).

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

<sup>454</sup> David Schmidtz, Elizabeth Willott, 'The Tragedy of the Commons', in: Frey (2003: 672).

<sup>455</sup> Grayling (2010: 135).

the world's most eminent scientific institutions, and thousands of papers published in the foremost scientific journals.<sup>456</sup>

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.<sup>457</sup> 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.'<sup>458</sup>

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,'<sup>459</sup> writes ethicist Dale Jamieson, famous for his essay 'Against Zoos'.<sup>460</sup>

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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<sup>456</sup> Monbiot (2008: 32).

<sup>457</sup> See for example: Jaeger, *Was vertraegt unsere Erde noch?*

<sup>458</sup> Tyler Miller (2002: 20).

<sup>459</sup> Jamieson (2008: 128).

<sup>460</sup> 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.'<sup>461</sup> '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.'<sup>462</sup>

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.'<sup>463</sup> '[...] 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.'<sup>464</sup> '[...] 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.'<sup>465</sup> '[...] only by advocating 'politically' unrealistic' CO<sub>2</sub> 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.'<sup>466</sup>

Mark Lynas is a British author, journalist and environmental activist who focuses on climate change.<sup>467</sup> 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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<sup>461</sup> Interview with Peter Singer, ACC Talking Heads: <http://www.youtube.com/watch?v=-lu9sc4FWLw>.

<sup>462</sup> Fox (2006: 299).

<sup>463</sup> Lynas (2008: 254).

<sup>464</sup> Ibid.: 252.

<sup>465</sup> Ibid.: 247.

<sup>466</sup> Ibid.: 256.

<sup>467</sup> [www.marklynas.org](http://www.marklynas.org)

positive feedback mechanisms, such as the albedo effect,<sup>468</sup> 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.'<sup>469</sup> 'We humans, one species of animal amongst millions, have now become de facto guardians of the planet'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.'<sup>470</sup> 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 extent, *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.'<sup>471</sup>

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<sup>468</sup> 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.

<sup>469</sup> Ibid.: 266.

<sup>470</sup> Ibid.: 254.

<sup>471</sup> 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 probably 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 overshoot 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.'<sup>472</sup> 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.'<sup>473</sup> '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.'<sup>474</sup> 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<sup>475</sup>: '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 [...].'<sup>476</sup> 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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<sup>472</sup> Lynas (2008: 259).

<sup>473</sup> Ibid.: 262.

<sup>474</sup> Ibid.: 264.

<sup>475</sup> See also Gardiners e.a. *Climate Change. The Essential Readings*.

<sup>476</sup> 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.<sup>477</sup>

### 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 life 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<sup>478</sup> 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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<sup>477</sup> E. Goldsmith, e.a., 'A Blueprint for Survival', in: *Classics in Environmental Studies*.

<sup>478</sup> 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.'<sup>479</sup>

'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.<sup>480</sup> '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.'<sup>481</sup> 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.'<sup>482</sup> 'If one boundary is transgressed, then other boundaries are also under serious risk.'<sup>483</sup> 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 overshoot 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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<sup>479</sup> Hamilton (2010: 214).

<sup>480</sup> Rockström (2009).

<sup>481</sup> Ibid.: 472.

<sup>482</sup> Ibid.: 473.

<sup>483</sup> Ibid.: 474.

Environmental philosopher Dale Jamieson concludes in his book *Ethics and the Environment* (2008)<sup>484</sup>: '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.'<sup>485</sup> 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.'<sup>486</sup> 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*.<sup>487</sup> 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.'<sup>488</sup> 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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<sup>484</sup> A review of Jamieson's book *Ethics and the Environment* by Floris van den Berg has been published in *Think*, 2009.

<sup>485</sup> Jamieson (2000: 198).

<sup>486</sup> Jamieson (2008: 75).

<sup>487</sup> See the list of eco-alarm docs in the mediagraphy.

<sup>488</sup> *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.'<sup>489</sup> 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.'<sup>490</sup> 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 consequentialism 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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<sup>489</sup> Ibid.: 33.

<sup>490</sup> Ibid.: 39.

and those who spoil the environment. Furthermore, when it comes to concerns about the moral status of animals, consequentialists – even utilitarians [like Peter Singer] – have been in the forefront.<sup>491</sup> 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.’<sup>492</sup> The problem is that this imperative only appeals to persons who can reason. 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 lose sight of the big picture. ‘Environmental organizations often specialize in a single issue while ignoring its neighbors.’<sup>493</sup> 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 humans 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.’<sup>494</sup> 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.<sup>495</sup>

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.’<sup>496</sup> ‘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.’<sup>497</sup> 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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<sup>491</sup> Ibid.: 85.

<sup>492</sup> Ibid.: 93.

<sup>493</sup> Ibid.: 181.

<sup>494</sup> Ibid.: 180.

<sup>495</sup> You can measure your own footprint at: <http://myfootprint.org>. My outcome is: 2,60 Earths – that is embarrassing.

<sup>496</sup> Jamieson (2008: 189).

<sup>497</sup> 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.<sup>498</sup> 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')<sup>499</sup>, increasing CO<sub>2</sub>e 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.<sup>500</sup> Humans are using up the natural capital, instead of

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<sup>498</sup> 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.

<sup>499</sup> 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).

<sup>500</sup> 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](http://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](http://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.'<sup>501</sup>

'[...] science alone cannot help us with the answers we need' writes James Garvey<sup>502</sup> 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.'<sup>503</sup> 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 overshoot, 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.'<sup>504</sup> 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.<sup>505</sup> This is what the transnational consensus is among (climate) scientists:

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<sup>501</sup> Herman E. Daly, 'The Steady-State Economy in Outline', in: Tyler Miller (2002: 698).

<sup>502</sup> Garvey (2008: 1).

<sup>503</sup> IPCC, 'Synthesis report, summary for policymakers', TAR, available at: [www.ipcc.ch](http://www.ipcc.ch).

<sup>504</sup> Hamilton (2010: 217).

<sup>505</sup> <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<sup>506</sup>: '[...] 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.'<sup>507</sup>

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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<sup>506</sup> 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.

<sup>507</sup> 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<sub>2</sub>, 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.<sup>508</sup> '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.'<sup>509</sup> '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."<sup>510</sup>

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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<sup>508</sup> Hansen (2010: x).

<sup>509</sup> Ibid.: xi.

<sup>510</sup> 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.<sup>511</sup>

On 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 one's 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.'<sup>512</sup>

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.'<sup>513</sup> Therefore many people say that scientists as scientists should stick to their job of

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<sup>511</sup> 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'.

<sup>512</sup> 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.'

<sup>513</sup> 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 CO<sub>2</sub>e 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 CO<sub>2</sub>) 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 off climate change; we have to prepare for impact. Hamilton, in a video interview<sup>514</sup>, 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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<sup>514</sup> <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.

Environmentalism Bill McKibben<sup>515</sup> is one of those tolling the alarm bells of the ongoing environmental cataclysm. Climate change, caused by emitting CO<sub>2</sub>e, 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.'<sup>516</sup> 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.'<sup>517</sup> '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.'<sup>518</sup>

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.'<sup>519</sup> '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.'<sup>520</sup> 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 CO<sub>2</sub>e we pour into the atmosphere collectively increases, and hardly 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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<sup>515</sup> See his official website: [www.billmckibben.com](http://www.billmckibben.com).

<sup>516</sup> McKibben (2010: xiii).

<sup>517</sup> Ibid.: 2.

<sup>518</sup> Ibid.: 183.

<sup>519</sup> Ibid.: xiv.

<sup>520</sup> 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 it turns out, we already live on a different anthropogenic planet, Eearth, 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 Eearth 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.<sup>521</sup> ' [...] we will keep fighting, in the hope that we can limit that damage. [...] Eearth represents the deepest of human failures. But we still must live on the world we've created – lightly, carefully, gracefully.<sup>522</sup>

So, according to Bill McKibben we already live on a different anthropogenic planet, Eearth 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 Eearth 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.'<sup>523</sup> ' [...] we will keep fighting, in the hope that we can limit that damage. [...] Eearth represents the deepest of human failures. But we still must live on the world we've created – lightly, carefully, gracefully.'<sup>524</sup>

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.'<sup>525</sup>

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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<sup>521</sup> Ibid.: 204.

<sup>522</sup> Ibid.: 212.

<sup>523</sup> Ibid.: 204.

<sup>524</sup> Ibid.: 212.

<sup>525</sup> 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.'<sup>526</sup>

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.

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.'<sup>527</sup> 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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<sup>526</sup> Ibid.: 211.

<sup>527</sup> 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](http://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.'<sup>528</sup> 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<sup>529</sup>, 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.'<sup>530</sup> 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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<sup>528</sup> Ibid.: 83.

<sup>529</sup> See for example Michael Allen Fox, *Deep Vegetarianism*.

<sup>530</sup> Philips (2010: 15).



the only reason it was sustained for so long was through the abuse of authority and intimidation of dissent.<sup>531</sup>

### 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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<sup>531</sup> 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.<sup>532</sup> 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<sub>2</sub> 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.<sup>533</sup> 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<sub>2</sub> 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 6<sup>th</sup> mass extinction is solely due to human action.<sup>534</sup> 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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<sup>532</sup> Devall (2007: 74).

<sup>533</sup> '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*.

<sup>534</sup> 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.<sup>535</sup>

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.<sup>536</sup> 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.<sup>537</sup> Without transcendental justification, there can be reasonable debate about which things we human animals value.<sup>538</sup>

A problem for those deep ecologists and biocentrists, like Paul Taylor<sup>539</sup>, 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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<sup>535</sup> Devall (2007: 74).

<sup>536</sup> See for example Dennett (1995).

<sup>537</sup> See Singer (1996).

<sup>538</sup> 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.

<sup>539</sup> Taylor (1986).

Pentti Linkola,<sup>540</sup> 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 *ecofascism*. 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.'<sup>541</sup> 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 [...].'<sup>542</sup>

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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<sup>540</sup> '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).

<sup>541</sup> Devall (2007: 75).

<sup>542</sup> Herman E. Daly, 'The Steady-State Economy in Outline', in: Tyler Miller (2002: 699).

many religious and philosophical positions of primal peoples.<sup>543</sup> 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.'<sup>544</sup> 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.'<sup>545</sup> James Garvey reiterates Mill's

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<sup>543</sup> Devall (2007: 80). *A Companion to Environmental Philosophy*, edited by Dale Jamieson, pays much attention to cultural traditions.

<sup>544</sup> Singer (1997: 21).

<sup>545</sup> Mill (1985: 52).

perspective applied to climate change: 'How a person lives is always up to him, unless how a person lives has bad effects on others.'<sup>546</sup> 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.<sup>547</sup> 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.<sup>548</sup> 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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<sup>546</sup> Garvey (2008: 145).

<sup>547</sup> Reese (1998).

<sup>548</sup> See Singer (1995).

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.<sup>549</sup>

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 20<sup>th</sup> 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.'<sup>550</sup> Apart from geographical, biological and future issues, the model of universal subjectivism has

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<sup>549</sup> See Singer (2002).

<sup>550</sup> 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.<sup>551</sup> 'It is a commonplace that historians don't judge statements from past times by the standards of their own.'<sup>552</sup> 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.<sup>553</sup> 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.<sup>554</sup>

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?'<sup>555</sup>: What would earlier generations have thought about *our* morals?<sup>556</sup> Cliteur continues that this line

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<sup>551</sup> The Holocaust is the most notable exception, although in December 2006 there was a Holocaust-denial conference in Teheran, Iran.

<sup>552</sup> Dawkins (2006: 266).

<sup>553</sup> Of course, we are all born in the past; I mean further back than that.

<sup>554</sup> 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.

<sup>555</sup> No kidding: [www.whatwouldjesusdo.com](http://www.whatwouldjesusdo.com).

<sup>556</sup> 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,<sup>557</sup> 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.'<sup>558</sup>

### 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 destroyed complete cities, including important cultural heritage, differs from many histories of World War II, because Grayling wants 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.'<sup>559</sup> 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 distinguishes 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 battlefield, (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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<sup>557</sup> 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.

<sup>558</sup> Cliteur (2002: 234) quotation translated by FvdB.

<sup>559</sup> 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 purposeful 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 disapproved 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 immunized 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 it 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 safe 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 on 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,

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 lose the war. Why did the RAF in the last months of the war, when it was abundantly clear that Germany would lose, 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.'<sup>560</sup> 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.<sup>561</sup>

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<sup>560</sup> Ibid.: 274.

<sup>561</sup> Ibid.: 276-7.