4. Applications of Universal Subjectivism

According to bio-ethicist Tom Beauchamp: ‘Moral philosophers have traditionally formulated theories of the right, the good, and the virtuous that are set out in the most general terms. A practical price is paid for this theoretical generality: it is usually hazy whether and, if so, how theory is to be applied to generate public policy, settle moral problems, and reduce controversy in controversial cases.’ Universal subjectivism can be applied in at least three different ways: (1) as a political theory for cosmopolitan justice, (2) moral guidance, and (3) social criticism. Peter Singer is one of the founders of a shift in ethical theory from theory to practice. In ethical theory practical ethics has been booming since the late 1970s. Now most philosophy departments have specialists in practical ethics/applied ethics who study topics like abortion, animal rights, gay rights, euthanasia. In political philosophy as well there has somewhat later been more focus on the application of theories.

An example of the latter is Thomas Pogge’s Realizing Rawls. Universal subjectivism is more than a meta-ethical and political philosophy: it is about making the world a better place. It might even be – and this is a utopian temptation – ‘a complete change of our way of life for the better.’

4.1 Political Philosophy

According to Mark Malloch Brown, former UN advisor to UN secretary-general Kofi Annan: ‘We have to create a global social security system.’ In the first place universal subjectivism can be applied in the same manner as John Rawls used his political theory as a way to organize a just (national) society. The Rawlsian model is to be applied to government policy and institutions that arrange the distribution of goods and services, like health care, insurance, infrastructure, conditions of employment.

In the documentary Sicko (2007) film maker and social critic Michael Moore criticizes health care and health insurance in the United States. A significant percentage of the population is un- or under insured. Health insurance is a private, nongovernmental business in the United States. Profits, not people, are the main target of the health insurance industry. Michael Moore remarks in the documentary: ‘A society can be judged in how it treats those who are worst-off’. Moore shows that people who need medical treatment but cannot afford the costs, are much better off in many other countries than the US: Canada, France, United Kingdom and even Cuba all have free public medical services. Sicko vividly shows what it is like to be in the worst-off position in the United States when it is about medical care and medical costs.

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565 Juurd Eijsvoogel, ‘We moeten een social vangnet voor de wereld opzetten’, M (NRC Handelsblad,) June 2007, interview with Mark Malloch Brown, former UN advisor to UN secretary-general Kofi Annan.
566 For more facts see: www.michaelmoore.com.
Politicians, policy makers and civil servants can use the universal subjectivist perspective to check if their policy is just, that is if it takes into account the needs of everybody. Universal subjectivism is intended as a means to improve the position of the least well off. Universal subjectivism is an insurance strategy for the worst-off positions, some of which, even the well off, might someday encounter. An example of using universal subjectivism as a tool in political theory: in the United States government policies should under Rawlsian guidance work to eliminate discrimination against African-Americans and Latin-Americans. Government should try to reduce thresholds that hinder the emancipation of oppressed groups. For a world government – the United Nations – this task will be far more difficult, because it means that there will have to be a global and universal guarantee for primary goods (like freedom, education, infrastructure, healthcare facilities) in order to attain global justice as fairness. The Universal Declaration of Human Rights is a good guide for what minimal level should be guaranteed to all citizens of the world.

Nussbaum’s capabilities approach has more or less the same outcome and is a moral reform theory and, when taken seriously, is likely to demand a ‘large-scale personal change’, vegetarianism being one of the changes. Many contemporary philosophical political theories tend to be conservative or only mildly reformative of the existing moral, social and political order. Marxism and communism were political philosophies, which tried to change and reform the political and social order, with catastrophic results. One has to be careful to avoid the totalitarian temptation at the heart of moral idealism and utopianism. There are (at least) two safety measures, which can be taken to avoid moral evil as a result of striving for the good. First is moral individualism: it is individual suffering that matters. Therefore moral individualism clashes with moral relativism (‘all cultures are equal’) and multiculturalism (‘tolerate and support cultural diversity without criticizing intolerance’). In the process of attaining a just society, individual suffering should be avoided. The path to the good and just society should not be worse than the existing moral, political and social order. This is a utilitarian strategy. The path towards the just society (a well ordered society, in the Rawlsian vocabulary) should be piecemeal engineering, instead of radical reform. In the case of piecemeal engineering the process can be evaluated and readjusted on the way. Karl Popper made this point clear in his famous work The Open Society and Its Enemies. So, universal subjectivism will ask for a radical change of society (top down) and of personal morals (bottom up). The personal change is even more important because it is the basis for political change. When people will become ethical consumers and stop

567 The rich can become poor. The healthy can fall ill. The powerful can fall in disgrace. Natural disaster can ruin the lives of many.
568 Ralph Ellison wrote a novel about this social issue of discrimination of Afro-Americans in the early 20th century and the invisibility of the underdog, Invisible Man (1952).
569 Yes, this sounds very utopian and unrealistic. But alas, a just world is unfortunately unrealistic.
571 Nussbaum, surprisingly, is reserved about promoting vegetarianism. She emphasizes that animals should have a ‘decent life’.
572 See for example Lyman Tower Sargent, Utopianism (2010).
buying animal products, the market will change. Radical reform can be brought about bottom up, which is much safer than a top down method that can result in totalitarian methods.

4.2 Ethics
The theory of universal subjectivism might be put in the form of an adapted version of the Golden Rule.

Level 1: In the original position: worst-off positions check. This is the strategy of maximizing the worst-off positions (max-min strategy):

a. Organize the institutions of the world in such a way that the worst-off positions - in which you could find yourself - are as good as possible.

b. Organize the world in such a way that you could cope with living in any of the worst-off positions.

Level 2: Social interaction: interchangeability

c. Act so that you can change positions with those that are involved by your actions, or lack of it.

Universal subjectivism is more than a political theory. Universal subjectivism can be used as a moral guideline, an ethical maxim, in one’s personal life. Universal subjectivism is a moral ‘multi-tool’. Using it might be hard; because there could appear moral obligations, which you didn’t know were there. Applying Universal subjectivism to your personal life can be demanding. Richard Layard in his book Happiness quotes his uncle Pip: ‘I always see the other person’s point of view – it can be a damn nuisance.’

The theory is an expanded version of the moral Golden Rule: ‘Do not do to others what you would not like to be done to you.’ Universal subjectivism differs from this rule of thumb, because it offers a practical tool for empathy (being in a different position) and universal subjectivism has a much broader scope. In daily life universal subjectivism can be used as a rule of thumb, a successor of the Golden Rule. The Golden Rule has both a positive (GR+) and a negative version (GR-). The negative version is also called the Silver Rule. The positive version is as follows:

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574 Layard (2005: 95).
576 Universal subjectivism could therefore be called the New Golden Rule (NGR).
Do unto others what you would want others to do unto you. The GR+ is problematic because it depends on what notion someone has about the good life. If someone is a believer in one or the other religion, that person could want to be circumcised, because, that person would say: ‘I would want to be circumcised too!’ George Shaw wrote: ‘Do not do unto others as you would that they should do unto you. Their tastes may not be the same.’ This makes clear the difference with universal subjectivism as a new GR: it is always imaginable that you are the person who does not want to be circumcised. In the GR+ there is a serious risk of paternalizing individual freedom. GR- (Do not unto others what you would want other not to do unto you.) is too small: can it find and oppose to moral gaps? Not if the theory has a limited domain. Who are ‘the others’? When the domain is actively opened to incorporate sentient beings over time, then GR- = GRnew. Universal subjectivism can be used as moral spectacles to contemplate both your own personal activities and society as a whole. The model is a political and ethical theory in one.

In the chapter ‘In the Other Person’s Shoes’ Jeffrey Wattles examines psychological research, which might be relevant for the use of the Golden Rule. He notes many psychological aspects of the Golden Rule:

1. observing the other,
2. imagining how one would feel in the other’s situation,
3. imagining what the other is feeling,
4. imagining the world from the perspective of the other,
5. imagining the effect of an action on the other,
6. imagining how the fairness of an act would be judged by the other,
7. and taking the other’s perspective vividly into account in moral decision-making.

These are all aspects relevant for universal subjectivism. Even if psychological research would show (which I do not expect to happen) that application of the Golden Rule is contrary to human nature, still the philosophical justification is sound. It is hoped that psychological research about moral behavior and sympathy, empathy and altruism, can result in tools as to how to improve the human ability for moral behavior.

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578 The precept of the Golden Rule can be found in the Gospel of Matthew (7:12): “In everything, do to others what you would have them do to you.” Also in Matthew 22:39, and Luke 6:31. (This rule of conduct is a summary of the Christian’s duty to his neighbor and states a fundamental ethical principle. In its negative form, “Do not do to others what you would not like done to yourselves,” it occurs in the 2nd-century documents Didache and the Apology of Aristides and may well have formed part of an early catechism. It recalls the command to “love the stranger (sojourner)” as found in Deuteronomy. It is not, however, peculiar to Christianity. Its negative form is to be found in Tob. 4:15, in the writings of the two great Jewish scholars Hillel (1st century BC) and Philo of Alexandria (1st centuries BC and AD), and in the Analects of Confucius (6th and 5th centuries BC). It also appears in one form or another in the writings of Plato, Aristotle, Isocrates, and Seneca. The ‘Do unto others’ wording first appeared in English in a Catholic catechism around 1567, but certainly in the reprint of 1583. (Encyclopedia Britannica).
579 Maxims for Revolutionists, 1903.
Wattles is skeptical that the ability to change positions with other persons can be the foundation of morality: ‘Let it be noted that imaging oneself in the other’s situation is not literally required by the golden rule, nor is it a necessary or sufficient condition for sound moral judgment. In other words, sometimes one performs the imaginative exercise but remains unenlightened through ignorance or self-deception, and sometimes one grasps intuitively what is to be done without any explicit act of imagination.’ Wattles concludes that: ‘The fact that empathy and perspective taking often fail to motivate altruism is in itself an important result, for it suggests that we look for moral motivation beyond sympathy. [...] Clearly there is more to the golden rule than putting oneself in the other person’s shoes. [...] Thus not only sensitivity to the other’s perspectives but also moral reason and spiritual insight are required for an appropriate sense of self and other.’ Wattles applies the Golden Rule to persons only. The religious tradition of the Golden Rule is speciesistic to the core. One cannot use the Golden Rule without (mentally) changing positions. In practice it can be hard to change positions with other positions: so much more work for moral education. ‘[…] sometimes one grasps intuitively what is to be done without any explicit act of imagination’. Of course, one can’t spend all one’s time imagining oneself in another’s place. But in theory all moral actions should be justifiable by the New Golden Rule. Moral intuitions are psychological short cuts. It is of the utmost importance that moral intuitions themselves are morally scrutinized. Wattles is aware of the lack of motivation of plain knowledge of what it is like to be in another person’s place. By using the hypothetical idea of the original position in order to make one realize the contingency of one’s actual existence, universal subjectivism has an extra appeal for moral behavior: Universal subjectivism can play the role of ‘moral reason’ which Wattles relies on as moral motivation. It is not clear if ‘spiritual insight’ which Wattles invokes for help by moral motivation has any meaning. But he is right that moral appeal can be ignored. It is to be hoped that a just social order - in which the New Golden Rule has been institutionalized - protects society from people who refuse to act morally.

4.3 Social Criticism
The universal subjectivist perspective can be used to morally criticize society. Originally I thought of this model in order to find a way to compare and judge utopian drafts for an ideal society like *Utopia* (1516) by Thomas More, *Walden Two* (1949) by B.F. Skinner and *Ecotopia* (1975) by Ernest Callenbach. Utopias have the best intention for their inhabitants at heart. A utopian draft strives to order society in such a way as to guarantee universal happiness. The (social) structure of society is rigid in most utopias. Whoever looks at a utopia from the perspective of the dissident will notice that utopia turns into a dystopia, a hell. When someone in a s-
called utopia wants something different from the prescribed way to live, for example
to choose his or her own partner, to live in a house of his or her choice, to choose
what job he or she wants; for such a person utopia turns out to be dystopia, he or she
is crushed by the rigid terror of good intentions. In utopia there are always dissidents,
persons who do not agree with everything that is planned for them. In a free society
there no dissidents; ‘dissidents’ are called free thinkers and they write in
newspapers or magazines. By means of a Gestalt switch, utopias turn out to be
dystopias. Individual freedom is not admitted. This is a serious hindrance for
happiness. 586

Social critics tend to look at their own contemporary society gloomily. Yesteryear
was always better in one way or another, they lament. One aspect of contemporary
cultural criticism consists in mourning the decline in social etiquettes and
politeness. 587 Political philosophy and social criticism tend to be two different
branches of thought. It seems universal subjectivism can combine these two lines of
thinking in the same model. In social interaction people should be able to imagine
themselves in the other person’s position: waiter and customer should hypothetically
change position. People waiting in line should imagine being in a different position:
how would you feel if you were pushed roughly aside? Social interaction is one
aspect, which easily can be incorporated in the model of universal subjectivism. Why
be polite? Would you want to be treated rudely? I guess not, therefore, you, and
everybody, should be polite and well behaved. Universal subjectivism is dynamic; it
is not a conservative plea for social etiquettes.

The Virtual Museum of Offensive Art is about people being offended by the
freedom of expression of others. 588 Why should there be a museum to exhibit art that
some people find offensive, disturbing, shocking, insulting, vile, distasteful,
pornographic, blasphemous or ugly? Before answering that question, we should note
that such a museum already exists – the Virtual Museum of Offensive Art – with free
access for all (that is to say, if the internet has not been censored). It is a personal
choice to decide to enter the Virtual Museum of Offensive Art and run the risk of
being insulted, offended or shocked. The museum consists of a collection of
thumbnails showing artworks from different times and places, but primarily
contemporary western art. If you select an artwork, the piece is enlarged and there
appears – albeit in Dutch – a short description of the work and an explanation of
what happened: why is or was this work of art offensive and to whom? As you
browse the collection, which presently consists of hundreds of pieces, you ask
yourself: why is this offensive? There seem to be easy ways to offend: religious satire

586 Ruut Veenhoven (Erasmus University Rotterdam) studies happiness empirically. In his sociological study
The Conditions of Happiness Veenhoven argues, based on empirical evidence, that individual freedom is
an important constituent of happiness: the more freedom, the happier people are.
587 See, for example, Harry Kunneman, Voorbij het dikke-ik and Theodore Dalrymple, Life at the Bottom.
Apart from his gloomy view of contemporary culture and his conservative agenda, Dalrymple’s book is
fascinating because it gives a vivid picture of life in the (English) underclass (a worst-off position) and the
failure of the government, in spite of the money invested, to increase the quality of life: the institutions of
the welfare state fail in this aspect and, according to Dalrymple, leading left wing politicians turn a blind
eye.
588 http://verlichtingshumanisten.web-log.nl/museum_kwetsende_kunst/. Floris van den Berg is one of the
creators of this museum.
is a successful strategy, especially when nudity is involved; pornography; homosexuality, when associated with bulwarks of homophobia like the army and the church. But it is now hard to see why in the 19th century works by Rodin and Manet, like *Dejeuner sur L’Herbe* (1862/3) were scandalous. Throughout history, societies have reacted to scandals in art by calling for censorship and self-censorship. Most of the works on display here have been censored. But censorship is always temporary; *Dejeuner sur L’Herbe* can now be seen in all history of art textbooks. And the Danish cartoons, too, will enter the history books thanks to the demand for censorship by Muslims. Social conventions change. The ethos of the museum is in keeping with liberal views on society: freedom should be as large as logically consistent with the freedom of other individuals. Use of violence and incitement of violence are the clear boundaries of freedom. The legal right of freedom of expression logically entails the right to offend and insult. Social conventions establish boundaries of propriety, but social conventions can be discarded; that is what many artists and writers, who are now considered canonical, have done. In an open society people have the freedom to create their own lives as much as possible without restriction by others. As such, it is possible that you can be offended or even insulted by the artistic creations of other people. Taking a closer look at the collection of the Virtual Museum of Offensive Art, one notices that the subjects of the artworks mostly concern ideologies that are unfree. Many works are a statement, a protest, against the taboos and moral commands of religions and authoritarian ideologies. Seen from this perspective the majority of the exhibited artworks are an appeal or even a cry for freedom. This is a Museum without censorship and thus all offensive art is welcome. The collection makes one reflect: what are the limits of tolerance? What is art? What is freedom? Why is this offensive? Why do people get angry about this? Why do people make this? It is a place for the artistic contemplation of freedom and the ideal of the open society.

Moral and political philosophy can be seen as ‘realistic utopianism’, this is not utopianism ‘disconnected from historical experience, but it is reformative: creating ideas and critique for making the world a better place.

4.4 A Philosophy of Freethought

The history of freethought, more than the history of philosophy, shows the moral blinkers of the time. Not all philosophers are freethinkers. Freethinkers are people who think rationally and criticize ideas, social customs and taboos. Freethinkers are often fiercely opposed by the moral majority, those in power and those whose privileges are being questioned. Books on the history of freethought like *God noch Gebod* [‘Neither God, nor Authority. History of Organized Freethought in the Netherlands’] and *Freethinkers. A History of American Secularism* exemplify this. From 1856 onwards Dutch Freethought organization ‘De Dageraad’ has campaigned for e.g. universal suffrage, the right for cremation, secular education at schools, rights for conscientious objectors, birth control, sexual education and liberation. Each of

these issues has been criticized and opposed. From the perspective of universal subjectivism it is immediately clear that each of these issues can be yielded by this method. These were, and some still are, blind spots in (Dutch) society. Freethought is an (organized) attempt to find blind spots in morality and flaws in the body of knowledge and opinions of society. Universal subjectivism is thus a tool for freethinkers.

Dissidents are social and political critics who are not tolerated by a (non-democratic) government.\(^{592}\) Dissidents point out (social) injustices, but instead of listening to the message, the government (dictator) silences the messenger. Dissidents often point out worst-off positions and as a result often end up in a worst-off position themselves. Freedom of expression is a necessary precondition for a good and just society in order to keep an eye on (social) justice, in order to evaluate the worst-off positions in a particular society.

Whistle-blowers, those who report dishonest or illegal activities within an organization to someone in authority,\(^ {593}\) are dissidents in democratic societies. Blowing the whistle about corruption tends to make the whistle-blower a victim – though usually not as bad as compared to the fate of dissidents. Imagine you are that whistle-blower and you lose your job and job opportunities, because no one wants to hear you, you are broke due to legal costs, you have to sell your house, you are a social outcast and your husband leaves you due to psychological stress? A society needs whistle-blowers in order to keep corruption and (social) injustice under control. Feminist psychologist Phyllis Chesler stresses the importance of whistle-blowing for feminism in order to expose violence to women and children: ‘A whistle-blower is an insider who risks everything in order to expose an injustice that, but for her, would remain covered up and would also continue. Whistle-blowers cry incest, rape, racism, embezzlement, police cover-up, economic discrimination, sexual harassment, torture, genocide, and so on. Democracy and ideas cannot flourish without whistle-blowers.’\(^ {594}\)

Whistle-blowing therefore is a worst-off position, which should be optimized by making policy to protect and (financially and psychologically) help whistle-blowers. Public intellectuals can help by publicly supporting whistle-blowers. The Enron affair (USA) makes clear that society would benefit if people would dare to blow the whistle and know they could count on (moral and financial) support.

4.5 Setting Priorities
What moral problems are most urgent? What moral problems deserve the most attention, including attention from philosophers? In order to decide what problem is important, a criterion is needed. David Oderberg thinks abortion is an important moral problem: ‘[…] the intensity of feeling still generated by abortion in all

\(^ {592}\) A person who criticizes the government publicly without fear of punishment is a journalist or public intellectual. In a free and open society there are many journalists, public intellectuals and free thinkers, but no dissidents. According to the MacMillan online dictionary as dissident is ‘someone who disagrees publicly with a government, especially in a country where this is not allowed.’

\(^ {593}\) MacMillan online dictionary.

\(^ {594}\) Chesler (2006: 42).
quarters means that moral philosophers must continue to have it at or near the top of their list of most important issues.

Universal subjectivism has a clear criterion: individual suffering which could hypothetically happen to you, due to the contingency of fate and the interchangeability of sentient beings. It does not seem that fetuses suffer much from being aborted (this depends on how old the fetus is and what method is being used). Priority should be given to where the most suffering (quality multiplied by quantity) is. Hunger, lack of medical care and poverty cause immense suffering. The fight against deprivation therefore should be high on the list of moral (and political) problems. Where is the most suffering in western welfare states? The millions of animals in factory farms are in the worst-off positions. Fighting factory farming should therefore be high on the priority list of moral problems. Another blind spot is the suffering of fish. Fish do have a central nervous system and can experience pain and distress. There are no laws about the treatment of fish. Fishing methods cause incredible amount of fish and whales, to suffer long and hard. Imaging yourself to be a dolphin that is entrapped in fishing nets and cannot reach the surface. Many books on (applied) ethics and political philosophy do not address these problems, or, when they do, do not give them high priority. The moral problems of euthanasia, abortion, and capital punishment in western welfare states are small in comparison to the suffering due to poverty and factory farming.

The population of human animals is growing exponential. The number of humans is larger than ever in the history of humankind and it will be more everyday. May the percentage of people living in sheer misery is less than before the industrial take off, but the number of people living in misery is larger than ever, because there are so many humans. It is better for all individuals concerned that less humans exist who can live without suffering as much as possible, than to have incredible large numbers of humans for whom living is foremost suffering. Therefore, population control, that is stopping the growth, is one of the most important political and moral concerns. Though it is not exactly clear what the absolute maximum seize of human population is that the earth can sustainably support, is cannot be unlimited. May the earth can support 10 billion people though it is highly unlikely), but it can certainly not support 20 billion people. The point is that morality is about the suffering of individuals (human and non-human animals), and therefore numbers

595 In the USA.
596 Oderberg (2000a: 2).
597 Anti-abortionists look at the problem from a wrong (religious) point of view. The freer a society is about sexual morals, the less abortion. In the Netherlands for example there are fewer abortions than in the USA. Religious moralists usually combine two contradictory moral rules: do not abort, and, no sex outside marriage and (therefore) a taboo on contraception. If contraception is easily accessible, there tends to be a decline of abortion rates. Anti-abortionists usually do not distinguish between abortion in the case of unwanted pregnancy (‘the woman wants to enjoy skiing’ – you will find this example in most anti-abortion texts – see Oderberg (2000a: 3) and a medical abortion in case of (severe) disability of the fetus or a danger to the health of the woman. Anti-abortionists seem to think that people think lightly about abortion. But, as is the case in the Netherlands, when women have control of their sexual life, they tend not to use abortion as a means of contraception.
598 See White (2007).
599 The suffering of fish is not commonly dealt with, not even in books on animal welfare.
matter. Population control - to stop the growth - is a *moral and political* issue of the highest importance.