

ON GREEN LIBERTY

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a political philosophical treatise

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To Annemarieke

A person may cause evil to others not only by his actions but by his inaction, and in either case he is justly accountable to them for the injury.

John Stuart Mill

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PROLOGUE

TOWARDS A GREEN AND LIBERAL WORLD

You must believe that you can help bring about a better world. Bertrand Russell

Green liberalism is a liberal political philosophy for the Anthropocene, the era where we confront the human influences that are wrecking the ecosystems on planet Earth.¹ This book proposes an expansion of liberalism – as the philosophy of individual liberty – towards a more consistent and comprehensive form. *On Green Liberty* is a sequel to John Stuart Mill’s *On Liberty* (1859). Green liberalism can be seen as the inconvenient truth of consistently applying the liberal no harm principle. Green liberalism is an attempt for consistent liberalism. My hope is that this theory will contribute to a world with less suffering and more happiness, now and in the future.

Part one expounds the theory of green liberalism. Part two applies this to different cases that are structured in three categories. First there are topics about which there is *consensus* in among liberals, for example

¹ Simon L. Lewis and Mark A. Maslin, *The human planet. How we created the Anthropocene*, 2018.

freedom of choice in regard to abortion and euthanasia. Second, there are topics that are *controversial*, for example the legalization of drugs, a ban on non-therapeutic circumcision of minors and that freedom of expression includes insult and offence. The topics discussed in part three are *contested* in classical liberalism. Here classical and green liberalism part ways. These topics deal with policies relating to the ecological crisis, as well as the duty to include non-human animals and future generations in the moral circle. These topics are moral blind spots in classical liberalism. This section is concluded with seven practical liberal rules. Subsequently I respond to numerous possible criticisms in the discussion section. In the glossary the core concepts are explained.

This treatise provides a moral and political framework in which people can live together in peaceful harmony and in freedom, without harming others. In fact, the argumentation of green liberalism can be summarized in one maxim:

No victim, no problem.

I: THEORY

THE DUTY NOT TO HARM 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.

John Stuart Mill

Do not harm any being capable of experiencing pain. That is the core principle of green liberalism. Green liberalism is consistent liberalism. Classical liberalism has limited its moral circle to human beings living in the present.² That is discrimination against future generations (presentism) and discrimination against nonhuman animals (speciesism). Green liberalism is an attempt to overcome the moral blind spots of liberalism by replacing anthropocentrism with sentientism while preserving the essence of liberalism: individual liberty.³

We harm others, by what we do and by what we omit to do.⁴ Most people think of themselves as decent and kind people and often they are, but nice and decent people can and do cause horrible unnecessary suffering,

² For example, Edmund Fawcett, *Liberalism. The Life of an Idea* (2015) nor Michael Freedon, *Liberalism. A very short introduction* (2015) mention non-human animals or environmental problems.

³ See glossary for explanation of the terminology.

⁴ Floris van den Berg, *Harming Others. Universal subjectivism and the expanding moral circle*, 2011.

or fail to prevent or alleviate suffering while they could.⁵ We humans can reflect on how we do things. That makes us moral agents. We can reflect on how we live together and why.

Often, we are hampered from even starting this kind of reflection because of the weight of history. We accept what is normal in our culture as moral without deliberation. We happen to be born where we are born and as the person we are. But things could have been different. Without reflection we tend to accept the moral standards in our culture that have been communicated to us. Yet, we can imagine ourselves to be another person in another place in another time.

The term ‘green liberalism’ was coined by philosopher Marcel Wissenburg in his book *Green Liberalism. The Free and Green Society* (1998). The term is now used to denote liberalism with a concern for the environment: environmental liberalism.⁶ The green

⁵ Peter Singer, *The Life You Can Save*, 2010; Peter Unger, *Living High and Letting Die*, 1996.

⁶ Simon A. Hailwood, *How to be a Green Liberal: Nature, Value and Liberal Philosophy*, 2004; Steven Bernstein, *The Compromise of Liberal Environmentalism*, 2001. None of these books recommends veganism. In *Green Liberalism*, Wissenburg writes about vegetarianism (not veganism): ‘[...] a green liberal position obliges us to treat animals with a certain degree of “humanity”.’ (p. 181) He argues that animals are not being harmed if they are painlessly killed. Even if that were true, then still, in the real world, there is always a chance that slaughter is not painless and that the lives of these animals were not free of suffering. These issues are not addressed by Wissenburg. Although he

liberalism in this treatise takes green liberalism one step further. This version of green liberalism does not solely extend its consideration to incorporate the interests of future generations and hence indirectly the environment; it expands the moral circle from anthropocentrism to sentientism to include the interests of both human and non-human animals. Green liberalism seeks to minimize the damage done by the human species to the natural world and to aid the regeneration of damaged areas.

EXPERIMENTS IN LIVING

As it is useful that while mankind are imperfect there should be different opinions, so is it that there should be different experiments of living; that free scope should be given to varieties of character, short of injury to others; and that the worth of different modes of life should be proved practically, when anyone thinks fit to try them. John Stuart Mill

discusses the detrimental environmental impact of the meat industry, he does not draw any conclusions from it. Wissenburg is inconsistent. Sentientistic green liberalism leads to a moral duty to veganism. In his concluding remark about eating animals he writes and that shows his stance on it: 'As I deeply dislike rabbit fodder, I was pleased to find that being carnivorous is not a mortal sin, but I feel quite uncomfortable about the discovery that contingent circumstances like our current treatment of animals still make us an accessory to essentially evil practices.' (p. 227) The good news is that vegans don't have to eat rabbit fodder.

From the liberal perspective of striving not to harm others and respect for individual freedom, most ways of living, or experiments in living, as Mill names them, have failed. The history of humanity is a sorrowful story filled with war, cruelty, murder, subjection, rape and torture. In short, human history has been a continuous sequence of unnecessary suffering. The world population has been growing exponentially since the Industrial Revolution. The absolute number of victims has experienced a similar exponential growth.⁷ When considering the absolute number of victims, the twentieth century was the bloodiest century in history, with two world wars, a long list of local wars and horrible dictatorships. Despite these gruesome facts, now for the first time in history there are islands of peaceful liberalism where individuals can be free and equal.

⁷ Immersing oneself in history is a nauseating experience. For example, R.R. Palmer, Joel Colton, *History of the modern world*, 2007; Jonathan Glover, *Humanity. A Moral History of the Twentieth Century*, 2012; or Tony Judd, *A History of Europe since 1945* (2005). In his book *The Better Angels of Our Nature. Why violence has declined*, 2012 by Steven Pinker shows that, despite the bloody twentieth century, violence has declined relatively to the total number of people. Liberalism takes individuals as its core value, so it looks at the total number of victims not the relative number of victims. Each victim is a victim too many. Pinker shows that humanity (and most notably men) has a natural tendency towards violence which is incredibly difficult to suppress.

These post second world war liberal democracies, like Belgium, Germany, the Netherlands, Sweden, Canada, Australia and the United States of America, are the exceptions in history. The default mode of humanity is cruelty, curtailment of individual liberty and war. There have been peaceful intermezzo's like the Tokugawa Period in Japan (1603-1868), but that was an authoritarian regime with little room for individual liberty. Unfortunately, liberal democracies are historical anomalies.⁸ There is no other political system that guarantees the freedom of the individual.

From a moral perspective, political systems that acknowledge the freedom of the individual are morally superior to systems that don't. This becomes clear when you imagine yourself to be someone whose individual freedom is not respected. Imagine for example, that you are a dissident, or an unwanted person or member of a cultural,

⁸ Social liberal democracies are a subset of liberal democracies. Not all liberal democracies are social democracies that have a social security net and a government that facilitates positive freedom, i.e. possibilities for individuals to develop themselves like cultural activities, recreational places, education and life-long learning. The United States are an example of a liberal democracy. Sweden is an example of a social liberal democracy. Green liberalism promotes social liberal democracy including the welfare state and a moral circle extended from humans only to all sentient beings.

ethnic or sexual minority that is suppressed by the majority.

The degree of individual liberty is an indicator to evaluate how experiments in living contribute to the quality of life of all those involved. The crucial question is: are there victims whose individual liberty is not respected?⁹ Are individual freedoms of the following vulnerable groups being respected?

Women

Homosexuals

Political opponents in authoritarian regimes

Ethnic minorities

Followers of non-dominant religions

Freethinkers and atheists

Children

Prisoners

People with a mental disability

People with a physical disability

Unemployed

Eccentrics

Activists

Whistle-blowers

Sex workers

⁹ Floris van den Berg, 'Victims as the central focus in ethics', in *Think* 2018.

This checklist makes clear that the recent social liberal democracies are unique in history. What is needed is an extended version of liberalism that acknowledges forgotten victims - that is the project of green liberalism.

THE BIG PICTURE

Let's imagine that we look at the toiling of human existence from the point of view of the universe and then reflect on the success and failure of social experiments.

Earth is a small planet and part of a planetary system with other planets orbiting a star. That star, the Sun, is one of the billions in the galaxy called the Milky Way which is only one of the billions of galaxies which are all moving away from each other in an ever-expanding universe.¹⁰ On this small planet life evolved. One species, *Homo sapiens*, has developed sentience to such an extent that it managed to find out its own story.¹¹ It took about 200.000 years for humans to partly unravel the story of the universe and the story of the evolution of life, including humans.¹² To put it dramatically, since modern astronomy has found evidence for a Big Bang,

¹⁰ Lawrence M. Krauss, *The Greatest Story Ever Told... So Far*, 2017.

¹¹ Daniel Dennett, *From Bacteria to Bach and Back. The Evolution of Minds*, 2017.

¹² David Christian, *Big History: Between Nothing and Everything*, 2013.

the universe has short-circuited: the universe has become aware of itself in the minds of some humans. Charles Darwin in his *On the Origin of Species* (1859) was the first to tell the evidence-based story of how the diversity of life evolved.

From the perspective of suffering, the story is horrendous, or to use Alfred Tennyson's words: 'nature, red in tooth and claw'.¹³ In nature there is an incredible amount of suffering and premature death. As Darwin showed in *The Descent of Man* (1882), humans are just one species on the tree of life. In the twentieth century, humanity has flourished as the unlawful tyrant over planet Earth. Humans have despotically ruled over the ecosystems and now we are facing an unprecedented ecological crisis.¹⁴ On a short term it is

¹³ This is one side of the coin, there is another side, that of empathy within one species and also between species. Ethologist Frans de Waal has studied empathy among primates, see *Good Natured. The origins of right and wrong in humans and other animals*, 1997. It seems there is room for some mild optimism: by nature humans have a capacity for empathy. This capacity should be cherished and stimulated.

¹⁴ Clive Hamilton, *Defiant Earth. The Future of Humans in the Anthropocene*, 2017, *Requiem for a Species*. 2015. Bill McKibben, *Earth. Making a Life on a Tough Planet*, 2011, *Falter. Has the human game begun to play itself out?*, 2019. McKibben writes 'Eaarth' with double 'a' to make clear that Earth has fundamentally changed by anthropocentric impacts. An overview of the critical situation on planet Earth is the WWF *Living Planet Report 2016*. Historians of science Naomi Oreskes and Erik Conway have written a science-based dystopia in order to raise awareness about the global ecological crisis: *The Collapse of Western Civilization: A view from the future*, 2014.

profitable. While other species are dying out at an unprecedented rate which makes biologists speak about the sixth mass extinction¹⁵ - the first anthropogenic mass extinction of species - humans are successful: their numbers are increasing, and their average life expectancy is rising. The population of humans is rising and expected to stabilize at about 9 billion at around 2050.¹⁶ However, we have to face the fact that we are beyond the point of rescue; we have to prepare for impact.

Humans share planet Earth with other Earthlings.¹⁷ A small part of the Earthlings is sentient. Sentient creatures are able to experience pain and pleasure. Experiencing pain and pleasure is not the same as reacting to stimuli, like plants. In order to experience pain and pleasure a central nervous system and a brain as a locus of awareness have to be present. Mammals, birds and fish¹⁸ are all sentient beings.¹⁹ It is not known yet in how

¹⁵ Elizabeth Kolbert, *The Sixth Mass Extinction. An Unnatural History*, 2015; Ceballos, G., et al., 'Accelerated modern human-induced species loss: entering the sixth mass extinction', *Science Advances*, 1(5), 2015; Dirzo, R., et al., 'Defaunation in the Anthropocene', *Science*, 345 (6195), 2014.

¹⁶ www.population.un.org.

¹⁷ E.O. Wilson, *The Diversity of Life*, 2001.

¹⁸ Victoria Braithwaite, *Do Fish Feel Pain?*, 2010. (Braithwaite argues they do).

¹⁹ Marian Stamp Dawkins, *Animal Suffering. The Science of Animal Welfare*, 1980.

far for example shrimp²⁰ can experience pain. Scientists have recently proven that crustaceans have receptors similar to human pain receptors (chemoreceptors). In case of doubt if a creature is able to experience suffering, the precautionary principle²¹ applies and they get the benefit of the doubt.

In theory we humans can control our numbers. Since the 1970s contraceptives are easily available almost worldwide and there are sex education programs. By our actions we can either increase or decrease the total amount of suffering in the world. Only by reflection can we consciously try to reduce the total amount of suffering in the world. But why would we want to do that? Well, you would not want yourself to suffer, would you?

Liberalism is about letting everybody do as she or he wants as long as he or she does not harm others. The reason for this liberal principle is that it is universalizable: nobody wants restrictions placed on their actions. Humans have a strong tendency to tell

²⁰ Fishing for shrimp gives a lot of bycatch fish – so eating shrimp also means harming the bycatch fish. Furthermore, there are shrimp farms, as in Thailand, that are ecologically disastrous because they take the place of mangrove forests which are the nurseries of the ocean and thus play a crucial role in the marine ecosystem. See Charles Clover, *The End of the Line. How overfishing is changing the world and what we eat*, 2008.

²¹ See paragraph about the precautionary principle and glossary.

others what to do; to restrict others in their freedom. Anthropological research has shown that paternalism is the default mode of humankind. Collectivism is paternalism of a group that requires individuals to abide by the rules of the group.

LIBERALISM AND THE STATE

The state has three specific roles guaranteeing and facilitating individual liberty.

First, to protect the freedom of all individuals against threats from those who harm others. This role is given to the police and the army. The police are there to protect the liberty of individuals.

Second, the state should protect the freedom of its citizens from occupation by other powers. That is the goal of the military and intelligence services.

Positive freedom is about the duty of the government to facilitate the capability of individuals to develop themselves and to flourish as much as possible. Libertarianism only considers negative freedom. Liberalism deals with both negative and positive freedom. What use is freedom if you are poor? If you don't have access to education, to culture, to housing, to health care, to infrastructure? Liberalism focuses on the freedom of every individual. Unlike libertarianism, liberalism is