

68% This is a well structured essay that reveals a very good grasp of the different environmental ethics standards. There is a critical engagement with the arguments at stake & an interesting discussion of justice in relation to the essay question. However, the link between interests + rights could be discussed in more depth in order to make the claims stronger/better supported. In places, close attention to the detail of the presentation would be beneficial. But overall, this is a very good piece of work.

What light does environmental ethics throw on the extent of moral standing?

The aim of environmental ethics has been to provide the philosophical grounds for the support of the animals, plants, rivers, habitats against the unfair exploitation by humans. In addressing what appears as a practical problem, the abuse of the environment from humans, environmental philosophers have shown that most of the Western philosophical approach to ethics has had a humanistic focus. Western ethics has largely excluded other sentient beings like animals, living organisms, plants and ecosystems like rivers, mountains and faunas. Environmental ethics expands the horizon and wakes up the philosopher to the need for a new ethics which takes into account the non-human world. However, any new system of ethics cannot simply overcome over 2000 years of humanistic philosophical ethics and it will invariably borrow or rely on developed concepts of anthropocentric concerns especially because ultimately humans are both judge and jury when it comes to accepting and implementing any new ethics. The aim of this essay is twofold: first to present the main schools of thought of environmental philosophy and the challenges faced when formulating new ethics, secondly to show that the very foundations of humanistic ethics and human rights themselves do not entirely rest of solid philosophical grounds and are open to similar challenges faced by the much newer environmental ethics.

The humanistic position can find its roots at the time of ancient Greek philosophers with Aristotle stating: "Plants exist for the sake of animals, and brute beasts for the sake of man."¹ In a similar vein, the seventeenth century philosopher Immanuel Kant wrote: "So far as animals are concerned, we have no direct moral duties; animals are not self-conscious and are there merely as a means to an end. That end is man."² Furthermore, as pointed out by Kenneth Goodpaster, at the core of Kantian ethics is the principle of requiring moral agency: "for X to deserve moral consideration from A, X must be a rational human person"³. Therefore, only human beings have moral standing and the welfare of other creatures matters only if they are useful to humans. In the eighteenth century the view that rational capacity is what determines moral agency was challenged by the Utilitarians Jeremy Bentham and John Stuart Mill. According to these philosophers: "...pain is evil, and its opposite, pleasure and freedom from pain, good."⁴ Therefore, in making moral decisions, one has to take into account all creatures that have the capacity to experience pleasure or pain. In Bentham's view, the proposed penal code was to include a section on cruelty to animals. As he explained, "the question is not, can they reason? Nor, can they talk? But, can they suffer?" — a proposition that lies at the beginnings of utilitarian arguments for the ethical treatment of animals.⁵

Both the Kantian and the Utilitarian approach at their core are answering the fundamental question of who has moral standing. The Kantian school drawing the line at rational agency and self-consciousness whereas the Utilitarians drawing the line at the capacity to suffer or be sentient. Acknowledgement of moral standing then allows for the formulation of the appropriate ethics to guide the interaction of man and the subjects deemed to have moral standing. It is the spectrum of views on who deserves moral standing (animals, plants, rivers, mountains, species) that differentiates the main schools of thought within environmental ethics: anthropocentrism, sentientism, biocentrism and ecocentrism. In all these theories it's a given that human beings have moral standing and the attempt is to extend moral standing to the other entities in question. Kenneth Goodpaster coined the term moral considerability, as a broader form of moral standing, which belongs to entities that ought to be taken into consideration when an action is in prospect and that thus warrants respect.⁶ Goodpaster's theory is that moral standing belongs to things that have a good of their own independent of the good of other agents or users. This idea of a good of your own or intrinsic value becomes key in the scope of moral standing debate. On the other hand, instrumental value entails a derived value due to a use for the benefit of someone else like for example a work of art or a book has value because it is of interest to a human being and as such the human becomes the arbiter of what such value is. In the absence of the interest from humans such instrumental value would not exist and the entity in question would have no value at all. In contrast, for an entity that has a good of its own, the location of intrinsic value is to be found outside the human observer and resides fully within that entity. The various environmental ethics theories differ on the spectrum of where such intrinsic value is located and what it entails for moral considerability and related rights that arise from such moral standing.

¹ Andre, Claire. Who Counts?, Issues in Ethics, Spring 1991, Vol 4, No. 1.

² Ibid

³ Kenneth E. Goodpaster, On Being Morally Considerable, The Journal of Philosophy, Jun., 1978, Vol. 75, No. 6 (Jun., 1978), pp. 308-325

⁴ Callicott, J. Baird, 'Animal Liberation: A Triangular Affair', Environmental Ethics, Vol.2, No.4 (1980), pp.311-338

⁵ 'Jeremy Bentham (Stanford Encyclopedia of Philosophy)

⁶ Kenneth E. Goodpaster, On Being Morally Considerable, The Journal of Philosophy, Jun., 1978, Vol. 75, No. 6 (Jun., 1978), pp. 308-325

Or rather, what makes right actions right, & wrong actions wrong.

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On one end of the spectrum is anthropocentrism, which in its weaker forms, recognises the importance of protecting the environment, animals, species, faunas, plants and ecosystems in general. However, all these entities are subordinate to humans and do not in themselves have intrinsic value, but rather have instrumental value, as long as they are useful to the human race. The rationale being that moral standing belongs only to humans because we possess agencies of reason and consciousness, which animals and plants do not have. Therefore, these entities are not awarded moral standing and poses no rights of their own. One proponent of anthropocentrism is Bryan Norton who has argued that an environmental ethics need not find intrinsic value in non-humans but rather an argument grounded in human interest can align with the good of the environment. He states: "As one expands the class of rights holders to larger and larger portions of nature, one necessarily increases the number of conflicts. If not just animals, but plants also, have rights, then vegetarians must develop criteria for justified eating of plant life. It may turn out that in the hierarchy required by such extreme expansion some nonhuman elements of the universe may end up faring no better than in a system where only humans have rights"⁷. To get around the issue of expanding moral standing to non-humans, Norton suggest a theory of weak anthropocentrism which is based on non-individualistic environmental ethics: "The emphasis of this concern, however, is not individualistic since it is not focused on the fulfillment of specifiable needs, but rather on the integrity and health of ongoing ecosystems as holistic entities"⁸. Norton in his work as a proponent of anthropocentrism has recognized that almost the entire philosophical corpus of the Western tradition relies on individualistic theories of ethic, yet when it comes to environmental ethics he claims that the basis of such ethics needs to be non-individualistic. He recognizes individualistic ethics as key for preservation of human rights, yet wants to apply a communal theory to environmental ethics to justify why individual members do not matter as long as the species is preserved. This approach ensures continuous human consumption of the environmental resources, specifically of animals, without raising any ethical concerns if such actions are harmful to individual animals who are sentient and can feel pain.

as they have instrumental value.

well put.

In contrast to anthropocentrism stands sentientism, which holds that it is not reason, but rather the ability of an entity to feel pain and suffer that determines if such entity has its own interest to be considered when one is to embark on an action. Sentientists would take issue with anthropocentrism requiring rationality, self-awareness, or linguistic abilities as determinants for moral standing. Tom Regan, has introduced "the argument from marginal cases" where he argues in sum and substance that inarticulate infants or severely retarded people do not meet the anthropocentrism's criteria for moral standing and as such could be used in painful or lethal medical experiments or treated and hunted like animals.⁹ Echoing Regan, Baird Callicott, states: "Not all human beings qualify as worthy of moral regard, according to the various criteria specified. Therefore, by parity of reasoning, human persons who do not so qualify as moral patients may be treated, as animals often are, as mere things or means". Instead sentientism relies on ethics that aim to avoid pain and maximize pleasure based on the utilitarian theories of Mill and Bentham. Drawing from such utilitarian theories, Peter Singer writes: "If a being is not capable of suffering, or of experiencing enjoyment or happiness, there is nothing to be taken into account. This is why the limit of sentience is the only defensible boundary of concern for the interests of others"¹⁰. Therefore, individual animals do have moral standing, they have an interest of their own and should be afforded rights to protect those interests. However, species would still have value but such value comes about as the sum total of the individuals' value within the species. Furthermore, it is difficult to talk of rivers, faunas, and ecosystems as individuals or as having the capacity to suffer and experience pain therefore sentientism does not extend moral standing to these entities.

sentientists

Further up the spectrum are biocentrists who claim that all living things have a good of their own based on their ability to flourish and grow and as such have moral standing. Biocentrists do not see the capacity to reason, to be conscious, and to feel pain, as the location of the intrinsic value but rather the ability of trees, plants and other organisms to reproduce, grow and self-repair, as having a good of their own. Robin Attfield has criticized thinkers such as R.M. Hare's examples of thinking of trees in the same category as works of arts, statues and cars, items which do not have intrinsic value but rather have instrumental value to humans and as such cannot be harmed. Attfield points out that unlike works of art, trees flourish, grow and produce fruits and as such the notion that trees cannot be harmed is absurd. He states: "they have a nature of their own in a way that cars do not... It is rather over the trees, plants and animals of the wilderness that Hare's theory manifestly breaks down... Thus not only can trees grow, blossom and decay: they can thrive and wither, be endangered by fire and be protected from commercial pillage. Now what can thrive, reach maturity, be endangered and be protected itself, I contend, has a good".¹¹ He further this argument by raising the question of whether trees would have needs and interests before humans made their appearance in nature. His answer being a resounding yes by stating: "Trees had needs before people existed, and cannot be supposed to have lost them"¹². The author draws inspiration from Greek philosophers to further his criticism by stating that: "underlying my criticism of Hare... there is, of course, the Aristotelian principle

⁷ Norton, Bryan. "Environmental Ethics and Nonhuman Rights", *Environmental Ethics* 4, 1982, pp. 17-36

⁸ Norton, Bryan. "Environmental Ethics and Weak Anthropocentrism", *Environmental Ethics*, Vol. 6, No.2, 1984, pp. 131-148

⁹ Regan, Tom. "An Examination and Defense of One Argument Concerning Animal Rights", *Inquiry*, 22, 1979, pp. 190

¹⁰ Singer, Peter. "All Animals Are Equal," in Tom Regan and Peter Singer, *Animal Rights and Human Obligations* (Englewood Cliffs, N.J.: Prentice-Hall, 1976). See p. 316.

¹¹ Attfield, Robin. "The Good of the Trees", *Journal of Value Inquiry*, Vol.15, 1981, pp. 35-54

¹² Ibid

In line with the human exceptionalist argument.

that the good life for a living organism turns on the fulfillment of its nature"¹³. It is this underlying philosophy that pushes biocentrists to search for arguments to preserve the trees, plants and vegetation by showing that they have a good of their own. In one such argument Richard Routley proposed the hypothetical example of "the last man". He states: "The last man (or person) surviving the collapse of the world system lays about him, eliminating, as far as he can, every living thing animal or plant... What he does is quite permissible according to basic chauvinism, but on environmental grounds what he does is wrong"¹⁴. This example illustrates the point that even if no humans are hurt by the last man's actions it is still morally wrong to destroy other living organism just because one can. Finding this action to be wrong would imply that our moral compass points towards non-human entities (animals, trees, plants, vegetation) as having a good of their own and that left to their own devices they would flourish and grow.

However, Biocentrists do not support a claim that non-living things have good of their own. They do support the idea that ecosystems have value but their value is derived from the support that the ecosystem provides to the individual living members of the fauna and their ability to grow and flourish. Ecocentrism on the other hand, holds that entire ecosystems, faunas, rivers and mountains have a good of their own, as do entire species of animals and plants. Aldo Leopold first expressed such broader views by introducing a land ethic: "The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land"¹⁵. Moreover, his overall demeanor and tone of his ecocentric views are more respectful by treating Nature as Mother Nature and defining his ethics as: "A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise"¹⁶. Therefore, ecocentrists take a communal approach to locate the intrinsic value, whereas the biocentrists are individualist in their approach. As an example, Holmes Rolston argued for moral standing of species: "In an evolutionary ecosystem, it is not mere individuality that counts, but the species is also significant because it is a dynamic life form maintained over time. The individual represents... a species in each new generation. It is a token of a type, and the type is more important than the token"¹⁷. Therefore, ecocentrism, while broader in the scope of finding intrinsic value by including entire ecosystems, leads to a fundamental difference in ethics as the value of the group comes before the value of the individual member. Furthermore, any individual member can still be sacrificed for the good of the species. Such communal ethics taken to its extreme, as represented by Baird Callicott, treat human beings and other creatures as having instrumental value to the greater ecosystem. Callicott goes as far as to state: "The biospheric perspective does not exempt *Homo sapiens* from moral evaluation in relation to the well-being of the community of nature taken as a whole... As omnivores, the population of human beings should, perhaps, be roughly twice that of bears, allowing for differences of size. A global population of more than four billion persons and showing no signs of an orderly decline presents an alarming prospect to humanists, but it is at present a global for the biotic community."¹⁸. These ideas based on the collective good rather than the good of the individual member seem to produce some very draconian outcomes for individual human lives especially the suggestion that human population should be controlled to twice that of bears.

However, more moderate views are presented by Arnes Naess whose views are more egalitarian and inclusive, even though, they still amount to a communal and not individualistic approach. He states: "The deep ecology movement emphasizes principles of diversity and of symbiosis. Diversity enhances the potentialities of survival, the chances of new modes of life, the richness of forms. And the so-called struggle for life, and survival of the fittest, should be interpreted in the sense of the ability to coexist and cooperate in complex relationships, rather than ability to kill, exploit, and suppress. "Live and let live" is a more powerful ecological principle than "Either you or I."¹⁹ Naess shares a veneration for all life forms in a way that seems almost spiritual but which is grounded in deep understanding of the symbiotic relationship between humans and nature: "The ecological field-worker acquires a deep-seated respect, or even veneration, for ways and forms of life. He reaches an understanding from within, a kind of understanding that others reserve for fellow human beings and for a narrow section of ways and forms of life. To the ecological field-worker, the equal right to live and blossom is an intuitively clear and obvious value axiom. The attempt to ignore our dependence and to establish a master-slave role has contributed to the alienation of man from himself."²⁰ Naess sincerely calls into question the arbitrariness by which humans have dealt with nature from a position of power as oppose to from a position of a symbiotic relationship.

The above arguments point to the fact that all sentient creatures, as well as living things which flourish and grow have a good of their own and therefore have moral standing and should be considered in any action that affects them. The anthropocentric argument, as presented by Norton, that the expansion of rights to non-humans increases cases of conflict represents no philosophical basis for why rights should not be expanded to non-humans. There are over 7 billion humans on the planet, all with individual rights, theoretically causing all kinds of conflict, and yet that fact does not amount to an argument to deny human rights. Therefore,

¹³ Ibid

¹⁴ Routley, Richard. "Is There a Need for a New Environmental Ethics?", *Proceedings of the Fifteenth World Congress of Philosophy*, Varna, 1973, pp. 205-210

¹⁵ Leopold, Aldo. *A Sand County Almanac*, Oxford University Press 1949, pp 202-204.

¹⁶ Ibid

¹⁷ Rolston III, Holmes, 'Challenges in Environmental Ethics', in *Environmental Philosophy: from animal rights to radical ecology*, eds. Zimmerman et al (New Jersey: Prentice Hall, 1998), pp. 134

¹⁸ Callicott, J. Baird. "Animal Liberation: A Triangular Affair", *Environmental Ethics*, Vol.2, No.4, 1980, pp.311-338

¹⁹ Arnes, Naess, 'The Shallow and the Deep Long Range Ecology Movement: A Summary', in *Inquiry*, 16, 1, 1973, pp. 95-100.

²⁰ Ibid

moral standing cannot be unique to humans and the corpus of rights and benefits developed for humans should in some shape or form be extended to these non-human entities. As Callicott notes: "What, after all, has rationality or any of the other allegedly uniquely human capacities to do with ethical standing? Why, in other words, should beings who reason or use speech (etc.) qualify for moral status, and those who do not fail to qualify? Isn't this just like saying that only persons with white skin should be free, or that only persons who beget and not those who bear should own property? The criterion seems utterly unrelated to the benefit for which it selects"²¹. The criteria being unrelated to the benefits that it affords goes much deeper when one considers the concept of human rights. Almost all philosophical schools of thought would agree that humans have moral standing. However, there is no agreement among philosophers if human rights are fundamental from nature or made up by humans in the form of conventions, social contracts and constitutional law. It would suffice to start examining the human part of the equation to understand that it too is on shaky philosophical grounds.

Philosophers such as Aquinas thought that rights are derived from a divine source. The divine source being the ultimate authority in both moral obligations and human rights and ensuring perfect justice. John Locke defended the idea of Natural Rights still having overtones of a divine source for rights²². Whereas, most Enlightenment and Modern philosophers largely found the source of rights either in social contracts or in morality. Hobbes in the *Leviathan* attacked the idea that rights come from God and instead put forward the idea that the source of rights is right to self-preservation. Along a similar vein Rousseau, in the *Social Contract*, disentangled the rights of a society from any notion of religion or natural rights, instead claimed that all rights are founded on covenants and the point of the State is to be the guarantor of those rights²³. Amongst the moderns, Kant thought that rights are grounded in morality requiring people treat each other according to universal principles, as such, the laws should be based on equality, freedom, and autonomy of citizens²⁴. On the other hand, Jeremy Bentham, attacked France's Declaration of Rights of Man and Citizens after the 1789 Revolution, claiming that there are no such things as Natural Rights but rather that Rights are created by the laws of the society. This stance from such a prominent philosopher prompted Thomas Paine to write the *Rights of Man*, in defence of the French Declaration of Independence, where he distinguished between natural rights and civil rights²⁵. Instead, the Utilitarian John Stuart Mill advanced the notion of deriving rights from duties whose doctrine maintains that all duties entail other people's rights, and all rights entail other people's duties²⁶. Such variety of divergent views on what is usually taken for granted as being self-evident human rights prompts Ruth Macklin to conclude: "Following John Stuart Mill, I contend that the things we call rights are intimately bound up with the theory of justice we adopt. If systematic judgments about the existence of rights and objective resolutions of conflicts of rights can be made at all, it will only be possible when mediated by a well-worked-out theory of justice... Indeed, I believe that treating the notion of rights as an "unanalysable primitive" is just what has led to the many and varied claims about rights that have been advanced in the past decade. If people disagree about the legitimacy of claims about rights, it is probably because they disagree about the basic precepts of social justice. And, it would seem, the reason such disagreements persist is that there is no generally accepted, fully worked-out theory of justice."²⁷

I would agree with Ruth Macklin assessment and would expand that any theory of justice needs to be cross-species and at its core should have deep respect for all life forms much like Naess would have wanted. Examples like Routley's Last Man elicit feelings of disapproval towards the actions of the Last Man because of a lack of justice in his actions. Environmental Ethics has questioned the traditional humanistic Western Ethics of moral standing and has created pathways to think of a more inclusive ethics. However, in its approach it still is beholden to some traditional ways of formulating the concept of moral standing for humans, animals, plants, and biotic community by thinking of it as a continuum where one can determine a cut-off point for moral standing based on some faculty like reason or ability to suffer or flourish. Rather a better approach might be for moral standing to be grounded on a more encompassing theory of justice which includes humans and non-humans. Such a theory would provide the foundations for dealing justly and equitably between humans and non-humans, both having their own rights and priorities, which could be used to solve cases of conflict.

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²¹ Callicott, J. Baird, 'Animal Liberation: A Triangular Affair', *Environmental Ethics*, Vol.2, No.4 (1980), pp.311-338

²² Heard, Andrew. "Human rights: Chimeras in sheep's clothing." *An Introduction to Human Rights Theory* (1997). The historical account of human rights as presented here is largely paraphrasing of Heard's article.

²³ Ibid.

²⁴ Ibid.

²⁵ Ibid.

²⁶ Ruth, Macklin, *Moral Concerns and Appeals to Rights and Duties*, The Hastings Center Report, Oct., 1976, Vol. 6, No. 5 (Oct., 1976), pp. 31-38

²⁷ Ibid.

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