

Chapter 7

Human Values as a Source for Sustaining the Environment

Naomi Zack

Every form of life has value regardless of its worth to human beings.
—Earth Charter, Principle 1a

Due to the overwhelming dominance of homo sapiens, natural environments are no longer self-sustaining, and their continued existence will depend on human agreement to sustain them. Given present commercial historical realities, such agreement will require new kinds of moral reasoning about the relationship between human beings and ecological systems.

The preservation of natural environments is obviously of great human utility as a source of valued things. But the sustenance of natural ecosystems and their inhabitants, on the basis of their intrinsic worth, does not yet have an effective theoretical defense against human speciesism, the continual expansion of capitalistic systems, and the present dependence of humans on human-made physical and social environments. The intrinsic worth of natural ecosystems has been explained by proponents of deep ecology and maintained within traditional indigenous cultures, but such advocacy seems thus far to operate in a cognitive dimension separate from the rest of Western (i.e., "Northern/Euro-American/secular-technological") moral reasoning. So the question is, How can we Westerners bring intuitions, insights, and traditions concerning the intrinsic worth of natural systems and beings into the discourse of recognized practical reason, or moral argument?

The three dominant moral theories of utilitarianism or consequentialism, virtue ethics, and deontology are each plausible systems to apply to natural systems and beings. However, I shall argue that only deontology is capable of accomplishing the required theoretical goals, because only deontology could confer personhood on natural systems and beings.

Jeremy Bentham (1823) was the first to note that the test for inclusion in the domain of those whose well-being counts is not the capacity for rational thought, but the ability to suffer. ("The question is not, Can they reason? Nor, Can they talk? But, Can they suffer?") So, we could extend a utilitarian calculus to natural subjects. But, utilitarian insights do not tell us how to weigh the beneficial consequences to natural subjects, or what to do when human goods are maximized to a greater extent than nonhumans are harmed. Utilitarianism yields a model of humane treatment of nonhuman life, which could result in the extinction of such life whenever humans believe that the pain suffered by nonhumans is too great. If nonhuman absence of pain is not sufficient for calculating maximal results for nonhumans, it is not clear how humans could define nonhuman flourishing. For example, do animals flourish if they are forced to subsist in the margins of their ecosystems, or, do they flourish if new ecosystems are artificially created for them? But even if something like John Stuart Mill's concept of "higher pleasures" is applied to animals or ecosystems as a standard for sustainable conditions under which they flourish, the flourishing of nonhuman beings is still likely to be judged not as important as the flourishing of human beings. This would be particularly true when the nonhuman being is an entire ecosystem likely to be jeopardized by development that will enhance human livelihood and happiness.

Virtue ethics looks more promising because the moral ground is higher and provides a perspective from which we can value natural beings in a way totally apart from their use to us. We can value them and teach our children to value them as an expression and extension of what is best in our character. Indeed, our own flourishing may require an appreciation of, and respect for, natural beings in ways that treat such beings with the utmost moral and aesthetic seriousness. Thus, Thomas Hill (1983) explains how our behavior toward natural beings reveals the presence or absence of human traits such as sensitivity, humility, and gratitude.

The problem with the virtue ethics approach is that it seems to relegate the sustenance of natural environments and beings to the province of manners and sensibility. This aspect of human life is personally and socially important only after pressing problems of survival have been solved, and it is not usually a priority in the face of human need and suffering. More problematic, the sustenance of natural beings as part of the development of human virtue remains an enterprise in which humans, and not those natural beings, are central. On a good day, when I am not too pressured by concerns directly affecting my livelihood, I may make a contribution to the preservation of rain forests. And why, as a matter of virtue? Because it will reflect well on me in contexts where I have to account for myself, and more important, will strengthen my virtue of generosity. Something stronger than this kind of rationale would seem to be necessary if sustenance of natural environments is a serious moral issue.

I now turn to deontology. I want to examine the radical view that we need to assent to a general principle which will admit natural beings to what Kant

called "the kingdom of ends." This can be accomplished only if natural beings are granted the status of persons, in the same ways in which human beings are persons. Such recognition will require competent, adult human representatives, similar to the ways in which the human personhood of children and adults of diminished capacity is represented by parents and guardians. Mere stewardship or trusteeship over ecosystems and their inhabitants will not succeed in protecting them from depredation and eventual destruction because that kind of representation is at best defensive. Once the defense is overcome, for example, once the land is wrested into the commercial domain, there is at present nothing illegal or broadly immoral about its destruction. By contrast, the parental rights or guardianship of children and adults of diminished capacity can only be abrogated if children and wards grow up or acquire full capacity. Children and wards are not "adventured" to the fortunes of the marketplace if one particular guardianship comes to an end, because their need of guardianship is absolute.

If an ecosystem had the status of a person, then depriving it of life or assaulting its inhabitants would be in principle no different from crimes of murder or assault committed against human beings. One can imagine a situation in which killing members of an endangered species would be a far more serious crime than it is in most places at present, but this does not capture what is distinctive about personhood. Even if deliberately killing natural beings were a capital crime, as things now stand, so long as such beings are not persons, the reason for the punishment would rest on something different from their inherent rights.

I once heard Winona LaDuke, a North American spokesperson for indigenous concerns, talk about a hydroelectric project that had required extensive flooding of land, so that, among other ecological results, 10,000 elk were drowned. "Who gave them the right," she asked, "to drown 10,000 elk?" (See also LaDuke 1999.) I think that is the kind of question which has to be addressed in moral reasoning that is relevant to the sustenance of natural environments.

In a secular capitalistic society, the rights of ecosystems and their inhabitants would have to be constructed. This could be done by basing such rights on the same kinds of moral sentiments and intuitions that motivate doctrines of universal human rights. The twentieth century has not provided good reason to be optimistic about such doctrines, but their worth as ideals remains indisputable. Thus, even if there were not universal agreement and compliance about including ecosystems and their inhabitants in the "kingdom of ends," the consensual and practical limits of the theoretical inclusion would not detract from its value as an ideal. (Human secular morality is an ongoing project.)

The grounds for human secular morality are ultimately unreasoned in the deontological sense. I cannot "prove" that it is wrong to drown 10,000 elk or to allow twelve million children to starve to death. Unfortunately, either you "see" the wrongness of one or both of these things, or you do not. Similarly, there are reasons short of proof which can be given for granting the status of persons to nonhuman beings and I will now suggest five. (It should be noted that I am not

proposing fictitious personhood, as in the case of corporations, but real personhood.)

1. Ecosystems and their inhabitants are living beings, like human beings, and they are entitled to the same rights that human beings are supposed to have. (I am simply asserting the consequent here, not claiming that it follows from the antecedent.)

2. As living beings, it is possible to say that some states of affairs, primarily their ongoing life, or their sickness and death, are better or worse for natural beings. It follows from this that natural beings have positive interests as do human beings.

3. The interests of natural beings, while dependent on the forbearance and assistance of humans, are not in particular cases dependent on particular human beings. This independence of natural beings is analogous to the independence of a human child, in distinction from the dependence of fetuses, who require the support of particular individuals.

4. Many human beings have compassionate sentiments for natural beings, as they do for other humans. They suffer when natural beings are injured and are satisfied and pleased when they flourish. If compassion as a motive is also a reason to curtail the suffering, and promote the flourishing, of humans, then the same holds for natural beings.

5. There is good reason to believe that natural beings suffer when they are injured or destroyed and this similarity to human life is an important qualification for admission to the realm of persons because the one secular basis for universal human rights is the capacity to suffer.

What would be the consequences of person status for nonhuman beings? First, they would have a fundamental right to life. They would also have political rights, expressed through their human representatives, as well as rights to "free speech," expressed in the same way, and other rights, such as freedom of association. There would be a presumption of their liberties, chief of which would be the negative right not to be bought or sold. This last right is perhaps the key benefit of personhood for vast numbers of extant nonhuman beings.

One confusion in the view I am proposing is that it is not clear what the individual unit would be if nonhuman beings were persons. In the case of ecosystems, size and density might be variables. In the case of so-called lower life-forms, swarms, schools, and flocks might be single persons. I am not sure that a dog would qualify as a person (I know that many would disagree here) although I am quite certain that a single elephant, dolphin, or chimpanzee would.

I have presented an extreme view which many would consider absurd and utopian. My hope is that reasoned objections to such a view will pinpoint the kinds of reasons which underly present legal policies and moral oblivion concerning natural beings.

I anticipate three main lines of objection to including nonhuman beings in the domain of persons: religious, commercial, and speciesist. The religious objection sanctifies human dominance over the land, its resources and animals, on

the grounds that a (for the most part, Christian) God created human beings to subdue and rule the Earth. There is no empirical foundation for this objection. The commercial objection is an unfortunate result of the historical ways in which the Western technological project seems to have acquired the capacity to monetize everything on the planet. This project appears to have no bounds and it even has a poor record for the sustenance of human life in situations of conflict with market values. The speciesist objection is difficult to sustain on secular grounds, as a moral position, and it is theoretically weak in the face of genetic engineering and cyborg technologies which are now on the horizon, that is, both hereditary and morphological material from other species may become ordinary components of human beings. Furthermore, should there ever be encounters with extraterrestrial intelligent life, human speciesism will be even more difficult to defend.

The most general values of human development and flourishing would be served by granting personhood to ecosystems and natural beings. It would make us all more virtuous and, in the long run, the quality of human life would be better. But these utilities to humans would be secondary gains, so to speak, and not primary reasons for including natural beings in the domain of persons.

References

- Bentham, Jeremy. 1823. "Value of a Lot of Pleasure or Pain, How to be Measured," XVII, *An Introduction to the Principles of Morals and Legislation*. London: W. Pickering.
- The Earth Charter Initiative. 2002. "The Earth Charter." San José, Costa Rica: Earth Council. <<http://www.earthcharter.org/earthcharter/charter.htm>> (January 12, 2002).
- Hill, Thomas E. 1983. "Ideals of Human Excellence and Preserving Natural Environments," *Environmental Ethics* 5: 211-24.
- LaDuke, Winona. 1999. *All Our Relations: Native Struggles for Land and Life*. Cambridge, Mass.: South End Press.