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IS THERE A NEED FOR A NEW, AN ENVIRONMENTAL, ETHIC?

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§ 1. It is increasingly said that civilization, Western civilization at least, stands in need of a new ethic (and derivatively of a new economics) setting out people's relations to the natural environment, in Leopold's words 'an ethic dealing with man's relation to land and to the animals and plants which grow upon it' ([1], p. 238). It is not of course that old and prevailing ethics do not deal with man's relation to nature: they do, and on the prevailing view man is free to deal with nature as he pleases, i.e. his relations with nature, insofar at least as they do not affect others, are not subject to moral censure. Thus assertions such as 'Crusoe ought not to be mutilating those trees' are significant and morally determinate but, inasmuch at least as Crusoe's actions do not interfere with others, they are false or do not hold – and trees are not, in a good sense, moral objects.¹ It is to this, to the values and evaluations of the prevailing ethics, that Leopold and others in fact take exception. Leopold regards as subject to moral criticism, as wrong, behaviour that on prevailing views is morally permissible. But it is not, as Leopold seems to think, that such behaviour is beyond the scope of the prevailing ethics and that an *extension* of traditional morality is required to cover such cases, to fill a moral void. If Leopold is right in his criticism of prevailing conduct what is required is a *change* in the ethics, in attitudes, values and evaluations. For as matters stand, as he himself explains, men do not feel morally ashamed if they interfere with a wilderness, if they maltreat the land, extract from it whatever it will yield, and then move on; and such conduct is not taken to interfere with and does not rouse the moral indignation of others. 'A farmer who clears the woods off a 75% slope, turns his cows into the clearing, and dumps its rainfall, rocks, and soil into the community creek, is still (if otherwise decent) a respected member of society.' ([1], p.245) Under what we shall call an *environmental ethic* such traditionally permissible conduct would be accounted morally wrong, and the farmer subject to proper moral criticism.

Let us grant such evaluations for the purpose of the argument. What is not so clear is that a *new* ethic is required even for such radical judgements. For one thing it is none too clear what is going to count as a new ethic, much as it is often unclear whether a new development in physics counts as a new physics or just as a modification or extension of the old. For, notoriously, ethics are not clearly articulated or at all well worked out, so that the application of identity criteria for ethics may remain obscure.² Furthermore we tend to cluster a family of ethical systems which do not differ on core or fundamental principles together as the one ethic; e.g. the Christain ethic, which is an umbrella notion covering a cluster of differing and even competing systems. In fact then there are two other possibilities, apart from a new environmental ethic, which might cater for the evaluations, namely that of an extension of modification of the prevailing ethics or that of the development of principles that are already encompassed or latent within the prevailing ethic. The second possibility, that environmental evaluations can be incorporated within (and ecological problems solved within) the framework of prevailing Western ethics, is open because there isn't a

¹ A view occasionally tempered by the idea that trees house spirits

² To the consternation no doubt of Quineans. But the fact is that we can talk perfectly well about inchoate and fragmentary systems the identity of which may be indeterminate

single ethical system uniquely assumed in Western civilization: on many issues, and especially on controversial issues such as infanticide, women's rights and drugs, there are competing sets of principles. Talk of a new ethic and prevailing ethics tends to suggest a sort of monolithic structure, a uniformity, that prevailing ethics, and even a single ethic, need not have.

Indeed Passmore (in [2]) has mapped out three important traditions in Western ethical views concerning man's relation to nature; a dominant tradition, the despotic position, with man as despot (or tyrant), and two lesser traditions, the stewardship position, with man as custodian, and the co-operative position with man as perfecter. Nor are these the only traditions; primitivism is another, and both romanticism and mysticism have influenced Western views.

The dominant Western view is simply inconsistent with an environmental ethic; for according to it nature is the dominion of man and he is free to deal with it as he pleases (since – at least on the mainstream Stoic – Augustine view – it exists only for his sake), whereas on an environmental ethic man is not so free to do as he pleases. But it is not quite so obvious that an environmental ethic cannot be coupled with one of the lesser traditions. Part of the problem is that the lesser traditions are by no means adequately characterised anywhere, especially when the religious backdrop is removed, e.g. *who* is man steward for and responsible to? However both traditions are inconsistent with an environmental ethic because they imply policies of complete interference, whereas on an environmental ethic some worthwhile parts of the earth's surface should be preserved from substantial human interference, whether of the "improving" sort or not. Both traditions would in fact prefer to see the earth's land surfaces reshaped along the lines of the tame and comfortable north-European small farm and village landscape. According to the co-operative position man's proper role is to develop, cultivate and perfect nature – all nature eventually – by bringing out its potentialities, the test of perfection being primarily usefulness for human purposes; while on the stewardship view man's role, like that of a farm manager, is to make nature productive by his efforts though not by means that will deliberately degrade its resources. Although these positions both depart from the dominant position in a way which enables the incorporation of some evaluations of an environmental ethic, e.g. some of those concerning the irresponsible farmer, they do not go far enough: for in the present situation of expanding populations confined to finite natural areas, they will lead to, and enjoin, the perfecting, farming and utilizing of all natural areas. Indeed these lesser traditions lead to, what a thoroughgoing environmental ethic would reject, a principle of total use, implying that every natural area should be cultivated or otherwise used³ for human ends, "humanized".

As the important Western traditions exclude an environmental ethic, it would appear that such an ethic, not primitive, mystical or romantic, would be new alright. The matter is not so straightforward; for the dominant ethic has been substantially qualified by the rider that one is not always entitled to do as one pleases where this physically interferes with others. Maybe some such proviso was implicit all along (despite evidence to the contrary), and it was simply assumed that doing what one pleased with natural items would not affect others (the non-interference assumption). Be this as it may, the *modified* dominant position appears, at least for many thinkers, to have supplanted the dominant position; and the modified position can undoubtedly go much further towards an environmental ethic. For example, the farmer's polluting of a community stream may be ruled immoral on the grounds that it physically interferes with others who use or would use the stream. Likewise business enterprises which destroy the natural environment for no satisfactory returns or which cause pollution deleterious to the health of future humans, can be criticised on the sort of welfare basis (e.g. that of [3]) that blends with the modified position; and so on. The position may even serve to restrict the sort of family size one is entitled to have since in a finite situation excessive population levels will interfere with future people. Nonetheless neither the modified dominant position nor its Western variants, obtained by combining it with the lesser traditions, is adequate as an environmental ethic, as I shall try to show. A new ethic *is* wanted.

§ 2. As we noticed (an) *ethic* is ambiguous, as between a specific ethical system, a *specific* ethic, and a more generic notion, a super ethic, under which specific ethics cluster.⁴ An ethical system S

³ If 'use' is extended, somewhat illicitly, to include use for preservation, this total use principle is rendered innocuous at least as regards its actual effects. Note that the total use principle is tied to the resource view of nature

⁴ A *meta-ethic* is, as usual, a theory about ethics, super ethics, their features and fundamental notions

is, near enough, a propositional system (i.e. a structured set of propositions) or theory which includes (like individuals of a theory) a set of values and (like postulates of a theory) a set of general evaluative judgements concerning conduct, typically of what is obligatory, permissible and wrong, of what are rights, what is valued, and so forth. A general or lawlike proposition of a system is a principle; and certainly if systems S₁ and S₂ contain different principles, then they are different systems. It follows that any environmental ethic differs from the important traditional ethics outlined. Moreover if environmental ethics differ from Western ethical systems on some *core* principle embedded in Western systems, then these systems differ from the Western super ethic (assuming, what seems to be so, that it can be uniquely characterised) – in which case if an environmental ethic *is* needed then a new ethic is wanted. It suffices then to locate a core principle and to provide environmental counter examples to it.

It is commonly assumed that there are, what amount to, core principles of Western ethical systems, principles that will accordingly belong to the super ethic. The fairness principle inscribed in the Golden Rule provides one example. Directly relevant here, as a good stab at a core principle, is the commonly formulated liberal principle of the modified dominance position. A recent formulation⁵ runs as follows ([3], p. 58):

'The liberal philosophy of the Western world holds that one should be able to do what he wishes, providing (1) that he does not harm others and (2) that he is not likely to harm himself irreparably.'

Let us call this principle *basic (human) chauvinism* – because under it humans, or people, come first and everything else a bad last – though sometimes the principle is hailed as a *freedom* principle because it gives permission to perform a wide range of actions (including actions which mess up the environment and natural things) providing they do not harm others. In fact it tends to cunningly shift the onus of proof to others. It is worth remarking that *harming others* in the restriction is narrower than a restriction to the (usual) interests of others; it is not enough that it is in my interests, because I detest you, that you stop breathing; you are free to breathe, for the time being anyway, because it does not harm me. There remains a problem however as to exactly what counts as harm or interference. Moreover the width of the principle is so far obscure because 'other' may be filled out in significantly different ways: it makes a difference to the extent, and privilege, of the chauvinism whether 'other' expands to 'other human' – which is too restrictive – or to 'other' person' or to 'other' sentient being'; and it makes a difference to the adequacy of the principle, and inversely to its economic applicability, to which class of others it is intended to apply, whether to future as well as to present others, whether to remote future others or only to non-discountable future others, and whether to possible others. The latter would make the principle completely unworkable, and it is generally assumed that it applies at most to present and future others.

It is taken for granted in designing counter examples to basic chauvinist principles, that a semantical analysis of permissibility and obligation statements stretches out over ideal situations (which may be incomplete or even inconsistent), so that what is permissible holds in some ideal situation, what is obligatory in every ideal situation, and what is wrong is excluded in every ideal situation. But the main point to grasp for the counter examples that follow, is that ethical principles if correct are universal and are assessed over the class of ideal situations.

(i) The *last man* example. 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 (but painlessly if you like, as at the best abattoirs). What he does is quite permissible according to basic chauvinism, but on environmental grounds what he does is wrong. Moreover one does not have to be committed to esoteric values to regard Mr. Last Man as behaving badly (the reason being perhaps that radical thinking and values have shifted in an environmental direction in advance of corresponding shifts in the formulation of fundamental evaluative principles).

(ii) The *last people* example. The last man example can be broadened to the last people example. We can assume that they know they are the last people, e.g. because they are aware that radiation effects have blocked any chance of reproduction. One considers the last people in order to rule out the possibility that what these people do harms or somehow physically interferes with later people. Otherwise one could as well consider science fiction cases where people arrive at a new planet and

⁵ A related principle is that (modified) free enterprise can operate within similar limits

destroy its ecosystems, whether with good intentions such as perfecting the planet for their ends and making it more fruitful or, forgetting the lesser traditions, just for the hell of it.

Let us assume that the last people are very numerous. They humanely exterminate every wild animal and they eliminate the fish of the seas, they put all arable land under intensive cultivation, and all remaining forests disappear in favour of quarries or plantations, and so on. They may give various familiar reasons for this, e.g. they believe it is the way to salvation or to perfection, or they are simply satisfying reasonable needs, or even that it is needed to keep the last people employed or occupied so that they do not worry too much about their impending extinctions. On an environmental ethic the last people have behaved badly; they have simplified and largely destroyed all the natural ecosystems, and with their demise the world will soon be an ugly and largely wrecked place. But this conduct may conform with the basic chauvinist principle, and as well with the principles enjoined by the lesser traditions. Indeed the main point of elaborating this example is because, as the last man example reveals, basic chauvinism may conflict with stewardship or co-operation principles. The conflict may be removed it seems by conjoining a further proviso to the basic principle, to the effect (3) that he does not wilfully destroy natural resources. But as the last people do not destroy resources wilfully, but perhaps "for the best of reasons", the variant is still environmentally inadequate.

(iii) The *great entrepreneur* example. The last man example can be adjusted so as to not fall foul of clause (3). The last man is an industrialist; he runs a giant complex of automated factories and farms which he proceeds to extend. He produces automobiles among other things, from renewable and recyclable resources of course, only he dumps and recycles these shortly after manufacture and sale to a dummy buyer instead of putting them on the road for a short time as we do. Of course he has the best of reasons for his activity, e.g. he is increasing gross world product, or he is improving output to fulfil some plan, and he will be increasing his own and general welfare since he much prefers increased output and productivity. The entrepreneur's behaviour is on the Western ethic quite permissible; indeed his conduct is commonly thought to be quite fine and may even meet Pareto optimality requirements given prevailing notions of being "better off".

Just as we can extend the last man example to a class of last people, so we can extend this example to the *industrial society* example: the society looks rather like ours.

(iv) The *vanishing species* example. Consider the blue whale, a mixed good on the economic picture. The blue whale is on the verge of extinction because of his qualities as a private good, as a source of valuable oil and meat. The catching and marketing of blue whales does not harm the whalers; it does not harm or physically interfere with others in any good sense, though it may upset them and they may be prepared to compensate the whalers if they desist; nor need whale hunting be wilful destruction. (Slightly different examples which eliminate the hunting aspect of the blue whale example are provided by cases where a species is eliminated or threatened through destruction of its habitat by man's activity or the activities of animals he has introduced, e.g. many plains-dwelling Australian marsupials and the Arabian oryx.) The behaviour of the whalers in eliminating this magnificent species of whale is accordingly quite permissible—at least according to basic chauvinism. But on an environmental ethic it is not. However the free-market mechanism will not cease allocating whalers to commercial uses, as a satisfactory environmental economics would; instead the market model will grind inexorably⁶ along the private demand curve until the blue whale population is no longer viable—if that point has not already been passed.

In sum, the class of permissible actions that rebound on the environment is more narrowly circumscribed on an environmental ethic than it is in the Western super ethic. But aren't environmentalists going too far in claiming that these people, those of the examples and respected industrialists, fishermen and farmers are behaving, when engaging in environmentally degrading activities of the sort described, in a morally impermissible way? No, what these people do is to a greater or lesser extent evil, and hence in serious cases morally impermissible. For example, insofar as the killing or forced displacement of primitive peoples who stand in the way of an industrial development is morally indefensible and impermissible, so also is the slaughter of the last remaining blue whales for private profit. But how to reformulate basic chauvinism as a satisfactory

⁶ For the tragedy-of-the-commons type reasons well explained in [3]

freedom principle is a more difficult matter. A tentative, but none too adequate beginning might be made by extending (2) to include harm to or interference with others who would be so affected by the action in question were they placed in the environment and (3) to exclude specieside. It may be preferable, in view of the way the freedom principle sets the onus of proof, simply to scrap it altogether, and instead to specify classes of rights and permissible conduct, as in a bill of rights. § 3. A radical change in a theory sometimes forces changes in the meta-theory; e.g. a logic which rejects the Reference Theory in a thoroughgoing way requires a modification of the usual meta-theory which also accepts the Reference Theory and indeed which is tailored to cater only for logics which do conform. A somewhat similar phenomena seems to occur in the case of a meta-ethic adequate for an environmental ethic. Quite apart from introducing several environmentally important notions, such as *conservation*, *pollution*, *growth* and *preservation*, for meta-ethical analysis, an environmental ethic compels re-examination and modified analyses of such characteristic actions as *natural right*, *ground of right*, and of the relations of obligation and permissibility to rights; it may well require re-assessment of traditional analyses of such notions as *value* and *right*, especially where these are based on chauvinist assumptions; and it forces the rejection of many of the more prominent meta-ethical positions. These points are illustrated by a very brief examination of accounts of *natural right* and then by a sketch of the species bias of some major positions.⁷

Hart (in [5]) accepts, subject to defeating conditions which are here irrelevant, the classical doctrine of natural rights according to which, among other things, 'any adult human . . . capable of choice is at liberty to do (i.e. is under no obligation to abstain from) any action which is not one coercing or restraining or designed to injure other persons'. But this sufficient condition for a human natural right depends on accepting the very human chauvinist principle an environmental ethic rejects, since if a person has a natural right he has a right; so too the *definition* of a natural right adopted by classical theorists and accepted with minor qualifications by Hart presupposes the same defective principle. Accordingly an environmental ethic would have to amend the classical notion of a natural right, a far from straight forward matter now that human rights with respect to animals and the natural environment are, like those with respect to slaves not all that long ago, undergoing major re-evaluation.

An environmental ethic does not commit one to the view that natural objects such as trees have rights (though such a view is occasionally held, e.g. by pantheists. But pantheism is false since artefacts are not alive). For moral prohibitions forbidding certain actions with respect to an object do not award that object a correlative right. That it would be wrong to mutilate a given tree or piece of property does not entail that the tree or piece of property has a correlative right not to be mutilated (without seriously stretching the notion of a right). Environmental views can stick with mainstream theses according to which rights are coupled with corresponding responsibilities and so with bearing obligations, and with corresponding interests and concern; i.e., at least, whatever has a right also has responsibilities and therefore obligations, and whatever has a right has interests. Thus although any person may have a right by no means every living thing can (significantly) have rights, and arguably most sentient objects other than persons cannot have rights. But persons can relate morally, through obligations, prohibitions and so forth, to practically anything at all.

The species bias of certain ethical and economic positions which aim to make principles of conduct or reasonable economic behaviour calculable is easily brought out. These positions typically employ a single criterion *p*, such as preference or happiness, as a *summum bonum*; characteristically each individual of some *base* class, almost always humans, but perhaps including future humans, is supposed to have an ordinal *p* ranking of the states in question (e.g. of affairs, of the economy); then some principle is supplied to determine a collective *p* ranking of these states in terms of individual rankings, and what is best or ought to be done is determined either directly, as in act-utilitarianism under the Greatest Happiness principle, or indirectly, as in rule-utilitarianism, in terms of some optimization principle applied to the collective ranking. The species bias is transparent from the selection of the base class. And even if the base class is extended to embrace persons, or even some animals (at the cost, like that of including remotely future humans, of losing

⁷ Some of these points are developed by those protesting about human maltreatment of animals; see especially the essays collected in [4]

testability), the positions are open to familiar criticism, namely that the whole of the base class may be prejudiced in a way which leads to unjust principles. For example if every member of the base class detests dingoes, on the basis of mistaken data as to dingoes' behaviour, then by the Pareto ranking test the collective ranking will rank states where dingoes are exterminated very highly, from which it will generally be concluded that dingoes ought to be exterminated (the evaluation of most Australian farmers anyway). Likewise it would just be a happy accident, it seems, if collective demand (horizontally summed from individual demand) for a state of the economy with blue whales as a mixed good, were to succeed in outweighing private whaling demands; for if no one in the base class happened to know that blue whales exist or cared a jot that they do then "rational" economic decision-making would do nothing to prevent their extinction. Whether the blue whale survives should not have to depend on what humans know or what they see on television. Human interests and preferences are far too parochial to provide a satisfactory basis for deciding on what is environmentally desirable.

These ethical and economic theories are not alone in their species chauvinism; much the same applies to most going meta-ethical theories which, unlike intuitionistic theories, try to offer some rationale for their basic principles. For instance, on social contract positions obligations are a matter of mutual agreements between individuals of the base class; on a social justice picture rights and obligations spring from the application of symmetrical fairness principles to members of the base class, usually a rather special class of persons, while on a Kantian position which has some vague obligations somehow arise from respect for members of the base class, persons. In each case if members of the base class happen to be ill-disposed to items outside the base class then that is too bad for them: that is (rough) justice.

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