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The Interdependent Morality Directive: An extension of the animal rights and environmental ethics debate

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THE INTERDEPENDENT MORALITY DIRECTIVE
AN EXTENSION OF THE ANIMAL RIGHTS &
ENVIRONMENTAL ETHICS DEBATE

by

Gerald A. Voltura

A thesis submitted in partial fulfillment
of the requirements for the degree of

Master of Arts

in

Ethics and Policy Studies

Department of Ethics and Policy Studies
University of Nevada, Las Vegas
May, 1995

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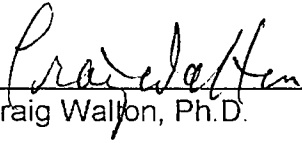
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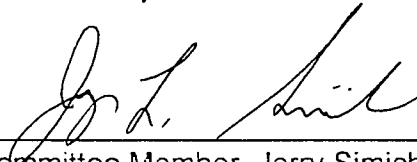
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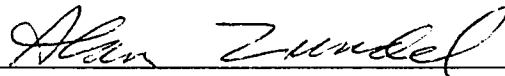
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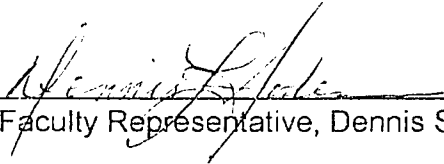
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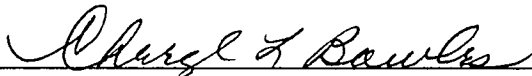
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May, 1995

ABSTRACT

The Interdependent Morality Directive: An Extension of the Animal Rights and Environmental Ethics Debate offers a foundation that seeks to reconcile the contending arguments from the animal rights and the environmental ethics schools of thought. By constantly emphasizing the interdependency of all members of the biosphere, the Interdependent Morality Directive offers a unique perspective concerning how humans can learn to interact with the Earth's varied and diverse life forms. First, this thesis presents an analysis of two opposing camps: (1) the environmentalist argument as represented by Aldo Leopold's *A Sand County Almanac* (the land ethic) and Paul Taylor's *Respect For Nature* and (2) the animal rights argument of Tom Regan in his book *The Case for Animal Rights*. Next, the point of conflict between these two groups is examined showing how the environmentalist's concern for the land is in direct conflict with the animal rightist's focus on non-human animals. Finally, the Interdependent Morality Directive is presented. David Hume's concept of *sympathy* is referenced as a principle basis for this argument. The Interdependent Morality Directive seeks to extend both the animal rights and environmental theories, claiming that by adopting an *all-members-of -the-biosphere-are-interdependent* philosophy, each school of thought can create more efficient policy proposals using Richard Taylor's "Interpretive " approach to policy analysis.

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CHAPTER 1

INTRODUCTION

The point of conflict between animal rightists on one hand and environmentalists on the other is not a new policy question. Many proposals have been offered attempting to unify or in some way merge the philosophies of animal rightists and environmentalists. This thesis is not another attempt to solve the debate between the aforementioned schools of thought. Instead, it is the ultimate goal of this thesis to present a foundation from which a practical policy implementation plan may emerge, so as to enable the two groups to cooperate from a unified, stronger coalition. The need for an extension of each group's philosophies is clear. As stated by both sides of the animal rights/ environmental ethics debate:

Conflicts will certainly arise among all the foci of the human/animal/environmental triangle, but well-meaning people can muddle through the moral wilderness, balancing and compromising the competing interests and incommensurable values. Only by combining the environmentalist and animal rights perspective can we take account of the full range of moral considerations which ought to guide our interactions with the nonhuman world (Warren, 113).

It is from this perspective this thesis is written.

POINTS OF CONFLICT

The Point of Conflict -- The Argument for Animal Rights vs. The Argument for Environmental Protection

The Case for Animal Rights by Tom Regan is a powerful book presenting an argument which claims that most non-human mammals should share the same moral and legal standing that is assigned to human animals.

The concept of "subject-of-a-life" is a central notion in Regan's argument. This concept encompasses those individuals who have beliefs and desires, an emotional life, and a psychophysical identity over time, that is that their experience is psychologically continuous and associated with the same body. Regan claims that this definition applies most clearly to normal adult mammals. Subjects-of-a-life can be either moral agents or moral patients. Moral patients are those individuals who are not morally accountable for their actions (for example, human infants, the mentally deranged, and most other mammals). Moral agents are autonomous individuals (for example normal, healthy adult human beings) who can be held morally accountable for the acts they perform or fail to perform. Regan argues that both moral agents and moral patients have inherent value¹, and they have it equally, claiming that moral agents and moral patients have such a value simply because they exist. According to Regan, those who have inherent value are entitled to respectful treatment because they

¹ Inherent value refers to the value of an individual as a subject-of-a-life. This value is independent of the value of that individual for others and also is independent of the value of that individual's experiences, such as how cultivated its tastes are.

are not merely things, like rocks or trees. Thus, Regan rules out hunting and trapping as well as most forms of wildlife management such as the promotion of maximum sustainable yield of game or animals for sport hunting. For Regan members of an endangered species are no more valuable than members of *any* other non-endangered species. Since all animals (mostly mammals) deserve respectful treatment, it is mainly human practices which need management.

The second central point of Regan's argument is his notion of the rights view. Specifically, this view states:

No one, whether human or animal, is ever to be treated as if she were a mere receptacle, or as if her value were reducible to her possible utility to others. We are, that is, never to harm the individual merely on the grounds that such harm will or just might produce 'the best' aggregate consequences. To do so is to violate the rights of the individual. That is why harm done to animals in pursuit of scientific purposes is wrong. The benefits derived are real enough; but some gains are ill gotten, and *all* gains are ill-gotten when secured unjustly (Regan, Tom, *The Case for Animal Rights*, LA, CA.: University of California Press, 1983, 393)².

Specifically, Regan seeks not only to end unnecessary suffering but all suffering of non-human mammals imposed by all humans. Regan is against the view that animals exist only for our purposes, as evidenced by the following claim: " The fundamental wrong is the system that allows us to view animals as our resources, here for us to be eaten, surgically manipulated, or exploited for sport or money" (Regan, 150).

Regan is arguing for an abrupt change in how human animals view

² All subsequent references to this work will be cited parenthetically.

and treat non-human animals. Non-human animals are not to be used as subjects for a higher purpose; since they are beings with a value independent of their usefulness to others and as such can never be treated as means to the ends of others. Consequently, non-human animals are not to be confined to cages, zoos, circuses, or any other environment that is not in accordance with their natural habitat. In short, animal rightists do not seek larger cages for non-human animals, nor more comfortable cages, but rather empty cages.

For the comparative purposes of this segment of the thesis, the environmentalist argument is best represented by the works of Aldo Leopold and Paul Taylor. Leopold is universally recognized as the father of most recent environmental ethics and his "land ethic" is a cornerstone to many environmental philosophies. Paul Taylor's book *Respect for Nature* offers a unique extension of Leopold's land ethic. Both Taylor's and Leopold's work are crucial for showing the point of conflict between the animal rightists and environmentalists.

Leopold argues that a basic lack of human regard for the land itself lies at the heart of most natural resource and agricultural problems. He argues convincingly that the biotic world and natural environment themselves have intrinsic value. Rather than dominating and exploiting the natural world, Leopold believes that humans should see themselves as members of the biotic community instead of individuals *outside the biotic community*.

Leopold's most famous contribution to the environmentalist ethic is what he termed "the land ethic"³. This "land ethic" embodies the first clear definition of

³ Leopold's essay, *The Land Ethic* is one of the final sections in his book *A Sand County Almanac*. It is considered by many philosophers to be the basic foundation of all environmental ethical theories.

human responsibility to the natural environment. The heart of this ethic can be summarized as follows : "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" (Leopold, Aldo, *A Sand County Almanac*, New York, Viking Press, 1971, 34)⁴. ⁵

For Leopold the idea of a holistic, interdependent planet is of paramount importance:

The land ethic enlarges the boundaries of the community to include soil, waters, plants and animals or collectively the land. It demands that each question of man's relationship to his environment be studied in terms of what was ethically and esthetically right, as well as economically expedient (Nash, Roderick. *Wilderness and the American Mind*, Third Edition, New Haven, CT, Yale University Press, 1982, 197)⁶.

Leopold is arguing for an ecological conscience which acknowledges that the land has value; for Leopold states, " the earth as a whole, including its atmosphere, its waters and its soil and rocks is essential to the existence of [all] communities" (Leopold, 36). Since all communities share in their dependence on the earth per-se, the earth should be valued both as an instrumental part of life itself.

Paul Taylor's book *Respect for Nature* offers an extension of Leopold's land ethic. Taylor develops the view that human beings are members of the earth's living community but are not inherently superior to other living things and are therefore not entitled to special considerations. Each organism, in whatever

⁴ All subsequent references to this work will be cited parenthetically.

⁵ The 'good' of the biotic community is the ultimate measure of the moral value, the rightness or wrongness, of actions.

⁶ All subsequent references to this work will be cited parenthetically.

form, is what he refers to as a “teleological center of life” ⁷ .

Unlike Leopold, Taylor presents a very specific framework which lays out how humans should act in their dealings with nature. Taylor argues that unless humans are given concise and explicit boundaries, human needs will take priority. Accordingly, Taylor provides the following guidelines:

There are four duties or rules to obey when dealing with nature, the fundamental duty being *nonmaleficence*⁸ . The other three rules are those [a] requiring restitution of harm done (restitutive justice), [b] refraining from interfering in the natural world (noninterference) and [c] faithfulness to the trust placed in human beings by wild animals (fidelity) (Taylor, 245).⁹

So by applying these four rules of conduct toward nature, humans are virtually assured of doing no more than minimal harm when dealing with nature.

To guarantee that these four rules of conduct are followed, Taylor provides four guidelines for the legitimate resolution of conflicting claims between the duties of human ethics and those of environmental ethics. These are as follows: (1) self-defense, (2) proportionality, (3) minimum harm, (4) distributive justice, and (5) restitutive justice¹⁰ . In order to implement these guidelines, Taylor formulates a distinction between basic and nonbasic interests:

Basic interests are what rational and factually enlightened people would value as an essential part of their very existence as persons. They are what people need if they are going to pursue those goals and purposes that make life meaningful and

⁷ ‘Teleological center of life’ refers to a unique individual pursuing its own good in its own way.

⁸ To do no harm

⁹ Taylor does *not* argue that animals and plants have moral rights in the same sense that humans do but rather that the attitude of respect for nature requires moral agents to live in accord with the four duties toward nature.

¹⁰ Each of these guidelines will be specifically discussed in the following section.

worthwhile. Thus for human persons their basic interests are those interests which, when morally legitimate, they have a right to have fulfilled. These conditions include subsistence and security (the "right to life"), autonomy, and liberty. In contrast, nonbasic interests are the particular ends we consider worth seeking and the means we consider best for achieving them that make up our individual value systems. The nonbasic interests of humans vary from person to person, while their basic interests are common to all (Taylor, 240).

So, when wild animals and plants are not harmful to human beings, the basic interests of wild animals and plants override the nonbasic interests of human beings. If the basic interests of both humans and nonhumans are involved, conflicts would need to be decided according to distributive justice.¹¹ Such an ethic would only come into play, however, if self-defense were not an issue. Cases of self-defense would justify the interest's of humans over nonhuman. This concept will be explained further in Chapter 3.

The theories of Aldo Leopold and Paul Taylor focus on the importance of being sensitive to the needs of the environment. The main focus is on the inherent worth of the land itself, as well as the necessity to adopt an attitude of respect for nature because we, as humans, are an intrinsic part of nature.

Taylor and Leopold are set against Regan because animal rightists are primarily concerned with the interests of non-human animals (specifically mammals) while those who subscribe to an environmental ethic focus on the stability and diversity of ecosystems themselves. Leopold's "land ethic", for example, places considerably more emphasis on maintaining the complex

¹¹ That is, species-impartial fairness where each species' interests would be considered equally.

structure of “the land” and its proper functioning as an energy unit than on any *individual* members and material components of the ecosystem. And while Taylor’s theory is more individualistic than Leopold’s, it does not go quite far enough. Taylor concedes that it is possible for plants, trees *and* animals to be accorded value and rights under his theory but Taylor himself does not offer any specific arguments to support such an ethic. Thus, the first major difference is that Regan is individualistic whereas Taylor and Leopold are holistic.

Tom Regan considers holistic views such as Leopold’s and Taylor’s to be a form of “environmental fascism” since the individual has no value *in itself*. On Regan’s reading, the land ethic only assigns value relative to the membership in a biotic community. Regan argues that if human beings show proper respect for the rights of the individuals who make up the biotic community, the biotic community itself will be preserved while retaining intrinsic value for some members, specifically mammals.

The point of conflict, therefore, is unambiguous: environmentalists argue that the ecosystems should be the foremost consideration. The interests of individual living creatures are secondary. Animal rightists, by comparison, argue just the opposite: they say that we must consider the individual, moral agents or patients (mammals), first and then the concerns of the community/environment will more or less be protected in turn, indirectly.

CHAPTER 2

IN DEFENSE OF ANIMAL RIGHTS

A Critical Analysis of the Animal Rights Position

The animals humans eat, use in science, hunt, trap, and exploit in a variety of ways, have a life of their own that is of importance to them apart from their utility to us. They are not only *in* the world, they are *aware* of it. What happens to them *matters* to them. Each has a life that fares better or worse for the one whose life it is. (Regan, 12)

In this quotation, Tom Regan, the founder of the animal¹² rights movement, offers a theoretical grounding for his claim that non-human animals should be granted moral standing. Regan's use of the words "exploit in a variety of ways" in the above quotation is not to be taken lightly. In the following pages I want to examine some of the many examples of human exploitation of non-human animals.

First, we examine the production of veal. Veal is only marketable if its flesh is very tender. So, if the calf were left to grow up outside, its playful nature would lead it to romp around the fields, thereby developing muscles, which would make its flesh tough. To avoid this, the veal producer takes his calf straight from an auction ring to a confinement unit, which is a wooden stall 1

¹² In this chapter of the thesis, unless otherwise indicated, the word *animal* will refer to mammalian animals only.

foot 10 inches wide and 4 feet 6 inches long. The calves will be tethered by a chain around the neck to prevent them turning around in their stalls. No straw or other bedding is allowed, since the calf may eat it which would then spoil the taste of its flesh. Here the calves will live for the next thirteen to fifteen weeks, leaving their stalls only to be taken out to slaughter. They are fed a totally liquid diet. It is evident that these creatures lead short, miserable lives for absolutely no other reason than to please the palate of human animals. Clearly they are being treated as means for human's ends, and not very lofty ends at that.

Another area of extreme exploitation is found within the scientific community. Painful experiments are performed in the field of psychology, for example, involving experiments on the brain of cats or other small nonhuman mammals. This includes cutting, coagulating and removing brain tissue, stimulating the brain by electrical and chemical means. This often occurs without the use of any anesthesia whatsoever.

Monkeys are often used in scientific research. In one case study, female monkeys are used to ascertain the parental behavior patterns of female monkeys reared in isolation. These monkeys were impregnated. When the babies were born, some females simply ignored the infants, failing to cuddle the crying baby to the breast as normal monkeys do when they hear their baby cry. The other pattern observed was markedly different as well as violent:

One of their favorite tricks was to crush the infant's skull with their teeth. But the really sickening behavior pattern was that of smashing the infant's face to the floor, then rubbing it back and forth (Singer, Peter, *Animal Liberation*, NY, NY, Avon, 1975, 43)¹³.

¹³ All subsequent references to this work will be cited parenthetically.

In this case, the value of these monkeys is limited to its use as a scientific research tool and nothing more. It is being treated as a thing, a means for human's ends.

Such abominable practices are routine and are considered legitimate and standard methods for obtaining new data. The pain and anguish the monkey endures is trivial to the scientific community. These examples of human being's exploitation of mammals are what Regan fervently argues against. He argues that all *mammals* ought to be considered with the same respect regardless of the species of a particular mammal.

I want to turn to an analysis of Regan's argument for animal rights. I will focus on several key claims and evaluate those claims as they pertain to his argument, in an attempt to ascertain the plausibility and soundness of his argument.

Tom Regan's Argument for Animal Rights: A Condensed Analysis

We begin with an examination of the central idea of Regan's argument, his notion of "subject-of-a-life":

To be the subject-of-a-life, in the sense in which this expression will be used, involves more than merely being alive and more than merely being conscious...[I]ndividuals are subject-of-a-life if they have beliefs and desires; perception, memory, and a sense of the future; an emotional life together with feelings of pleasure and pain; preference and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over

time¹⁴; and an individual welfare in the sense that their experiential life fares well or ill for them, logically and independently of their being the object of anyone else's interests. Those who satisfy the subject-of-a-life criterion themselves have a distinctive kind of value - an *inherent value* - and are not to be viewed or treated as mere receptacles (Regan, 35).

Subjects-of-a-life have some sense of the past and an anticipation of the future, as well as a sufficiently reflective consciousness that they are meaningfully able to communicate, in some way, that their life is better or worse for them as subjects-of-a-life.

A key term in the above passage, *inherent value*, is one of primary significance to Regan's entire argument. Inherent value refers to the value of an individual as a subject-of-a-life and it is possessed by *all* individuals who are subjects-of-a-life. Inherent value is independent of the instrumental value of the individual for others and is also independent of the value of that individual's experiences, such as how much *pleasure* that individual has or how cultivated its tastes are. Inherent value, therefore, is a constant for all subjects-of-a-life. The worth of such an individual is fixed and eternal. So Regan is arguing that being a subject-of-a-life is a sufficient condition for an individual having inherent value.

Next, Regan classifies subjects-of-a-life into two categories: *moral agents* or *moral patients*:

Moral agents are individuals who have a variety of sophisticated abilities, including in particular the ability to bring impartial moral principles to bear on the determination of what morally ought to be done. Thus, moral agents are accountable for what acts they perform or fail to perform. Furthermore, moral agents are ends in themselves. They each have, in their own right, independent value,

¹⁴ That is that their experience is psychologically continuous and associated with the same body.

or worth quite apart from how useful they happen to be to others. Normal adult human beings are the paradigm individuals believed to be moral agents. Moral patients, in contrast, lack the prerequisites that would enable them to control their own behavior in ways that would make them morally accountable for what they do. A moral patient lacks the ability to do what is right and what is wrong. Also, moral patients fail to be ends in themselves and are nonrational. Human infants, young children and the mentally deranged or enfeebled of all ages are paradigm cases of human moral patients. (Regan, 243)

So moral agents can be held morally accountable for acts they perform or fail to perform, whereas moral patients cannot. Moral patients are unable to formulate or act upon moral principles, although they are conscious, sentient, and have a psychophysical identity over time.

Regan's subject-of-a-life criterion is the philosophical basis for his entire animal rights argument. Regan states: "The subject-of-a-life criterion can be defended as citing a relevant similarity between moral agents and patients, one that makes the attribution of equal inherent value to them both intelligible and non arbitrary" (Regan, 245). Inherent value is possessed by all individuals who are subjects-of-a-life, which includes *both* moral agents and moral patients. Thus, although a moral patient may be more muscular or more beautiful than another moral agent or patient, these differences are irrelevant to the inherent worth of any moral patient or agent. Moral patients have inherent value *equal* to that of moral agents and, therefore, have equal rights to respectful treatment. As Regan notes, "One either *is* a subject-of-a-life or one is not. All those who are, are so equally" (Regan, 244).

Regan's entire argument for animal rights is held together by one final principle: the *respect principle*:

If individuals have equal inherent value, then any principle which declares what treatment is due them as a matter of justice must take their equal inherent value into account. The following principle (*the respect principle*) does this *We are to treat those individuals who have inherent value in ways that respect their inherent value*. This principle does not apply only to how we are to treat some individuals having inherent value. It enjoins us to treat *all* those individuals having inherent value, and thus it requires respectful treatment of all who satisfy the subject-of-a-life criterion. Whether they are moral agents or patients, we must treat them in ways that respect their equal inherent value. Thus, it is not an act of kindness to treat animals respectfully. It is an act of justice [in accordance with the respect principle]. It is not the "sentimental interests" of moral agents that grounds our duties of justice to children, the retarded, the senile, or other moral patients, including animals. It is respect for their inherent value (Regan, 248).

It follows that Regan argues for the rights of all subjects-of-a-life. Regan's case for animal rights is based on: (1) the subject-of-a-life criterion; (2) the notion of the equality of inherent value; and (3) the respect principle. Regan claims that these three basic principles provide the underpinning for his entire argument for animal rights.

Assessing Regan's Position

In examining Regan's position, it is essential to study the usage of key terms and phrases within the animal rights argument. One primary term Regan utilizes in his argument is found in his definition of subject-of-a-life:

consciousness. The term *consciousness*, as used by Regan, has basically the same meaning for animals as it does for humans; *consciousness* refers to the state of having a mental life, that is a life that is at least aware of itself as existing and occupying a space in the world.

In defining *consciousness*, Regan argues that several important reasons exist that would explain why an animal qualifies as possessing consciousness.

Taken together these "reasons" also define how Regan uses the terms "consciousness". I will examine four of these reasons which, when taken together, provide an important part of what Regan refers to as the *Cumulative Argument for Animal Consciousness*.

Reason 1: The attribution of consciousness to certain animals is part of the common sense view of the world; attempts to discredit this belief, such as Descartes's, if Descartes' attempt is taken as illustrative, have proven to lack adequate justification (Regan, 28).

Descartes' view is that animals have no consciousness whatsoever. Animals are "thoughtless brutes," *automata*, machines. Despite appearances to the contrary, they are not aware of anything, neither sights nor sounds, smells nor tastes, heat nor cold. They do not experience hunger or thirst, fear or rage, pleasure or pain. Animals are, Descartes observes at one point, like clocks; they are able to do some things better than we can, just as a clock can keep better time; but like a clock, animals are not conscious. As Descartes states, in regards to animal consciousness, "It is nature which acts on them [animals] according to the disposition of their organs, just as a clock, which is only composed of wheels

and weights, is able to measure the time more accurately than we can with all our wisdom" (Descartes, *Discourse on Method in Philosophical Works of Descartes*, trans. E.S.Haldane and G.R.T. Ross, London, Cambridge University Press, 62).

In refuting Descartes, Regan focuses on several aspects of Descartes' argument. First, Regan emphasizes the fact that Descartes is a dualist in that he views reality as consisting of only two things : (1) *minds* and (2) *bodies*. Descartes regards *minds* as having no physical properties and thus they have no location in space. In contrast, *bodies* have physical properties. Bodies are unconscious in the sense that they completely lack thought; they are *non mind*. A rock lacks consciousness (thought) just as much as a tree, a dog's body, or a human body. All are equally unconscious. Human bodies, thus, do not differ essentially from any other kind of body. Where they *do* differ is that they are associated with *human* minds. *All other bodies*, according to Descartes, *lack* a mind with which they are associated; and the reason why we feel pain, whereas dogs feel none, according to Descartes, is not because our bodies are in any essential way different from a dog's; it is because our bodies are; whereas a dog's is not, associated with a non-bodily, immaterial mind.

Now in criticizing Descartes' position Regan argues that there is a major problem with Descartes' dualism because it provides no satisfactory explanation concerning how this so-called union of the mind and body could possibly come about. As an example, Regan argues that physical processes may bring about physical changes, but how a physical process can bring about changes in

something that is *not* physical is less clear-cut, although, according to Descartes theory, that is just what happens when a tack's intrusion into my foot causes a sensation of pain. Regan concludes by noting that the question is not how this occurs but how *can* such an instance ever occur. By insisting, as he does, that the mind is immaterial and the body material, Descartes is unable to explain how what evidently does occur *can* occur. There is, within this theory, no plausible, intelligible way of explaining the possibility of such a relationship.

As Regan states:

There is a lesson to be learned from Descartes' downfall. It is that viewing the mind as an "immaterial something," as a soul, is certain to land us in trouble. For unless we are prepared to argue that *everything* is immaterial, the problem of interaction [between mind and body] will [always] arise (Regan, 24).

So Descartes' dualism is not a basis for arguing that non human animals feel no pain because they have no mind that can experience pain because such an argument is unsubstantiated. There is physical pain that is real, yet Descartes would have us believe that it cannot be real for non-humans because only humans possess consciousness. Yet there is probably pain experienced by a dog when it is kicked or hit on the snout, as evidenced by its yelps. How would Descartes' explain this? He cannot and that is the problem with his dualism.

Reason 2 : The attribution of consciousness to certain animals is in harmony with the ordinary use of language; attempts to reform or replace this way of speaking, as the experiment of contemporary psychologist D.O. Hebb and his associates illustrates, have proven to lack adequate justification (Regan, 28).

According to Regan, ordinary language is not strained by describing animals in a way that implies that they have a mental life. "Everyone who is conversant in, say, English, understands perfectly well what is mean to say that Fido is hungry, or that a mother lion is annoyed by her overly playful cub" (Regan, 25). In short, there is *no reason* to modify the way in which humans speak about non-human animals. This concept is strengthened with the experiments done by D.O. Hebb:

What the experience of Hebb and his colleagues points to is that there is nothing to be gained, and a good deal to be lost, if, in place of the mentalistic language we ordinarily use in talking about many animals, we institute a different, supposedly objective, nonmentalistic vocabulary (Regan, 26).

The experiments done by Hebb involved several adult chimpanzees where the experimenters attempted to avoid, as Hebb put it, "anthropomorphic descriptions in the study of temperament" (D.O. Hebb, "Emotion in Man and Animal", *Psychological Review*, 1946, 53 : 88)¹⁵. Hebb reports the following:

A formal experiment was set up to provide records of the actual behavior of adult chimpanzees, and from these records to get an objective statement of the differences from animal to animal. The results were useless. All that resulted was an endless series of specific acts where no meaning could be found (Hebb, 88).

Thus, Hebb's experiments support the notion that to speak or think about certain animals in terms of having a *consciousness* is perfectly acceptable as well as advantageous. To do otherwise would only result in serious confusion.

¹⁵ All subsequent references to this work will be cited parenthetically.

When the anthropomorphic descriptions were allowed, one could quickly and easily describe the behavior of particular animals.

Reason 3 - The behavior exhibited by animals is consistent with viewing them as conscious.

In support of this , Regan provides the following argument:

[If] mice behaved at random, [in] unpredictable ways when presented with some cheese after having gone without food for a day or so, [some humans] would have to wonder whether these animals weren't unruly machines (as Descartes argues) after all. In fact, however, animal behavior is not random, is not in principle unpredictable. For example, the mice will eat the cheese, as one would naturally expect of conscious creatures, or if they do not, their unexpected behavior would be due to some untoward condition (e.g. a lack of sensory powers). So, while it is true that how animals behave does not by itself prove that they have a mental life, their behavior does provide a reason for viewing them this way (Regan, 27).

So, the behavior of mice suggests that they have an awareness or consciousness as to their surroundings.

There are numerous other examples that would support the idea that non-human animals are conscious. Dogs and cats, for example, behave in ways that strongly suggest consciousness. A dog's unique reaction to its master's homecoming; a cat's desire to hunt for birds and bring the bird back to its master as a sign of affection. Furthermore, dogs have been shown to understand over 100 words of the English language, reacting differently to even subtle differences in the pronunciation of words spoken by humans.

Even wild animals, such as monkeys, elephants, and dolphins exhibit behavior supporting the notion of consciousness. Elephants, for instance, often return to the site of deceased ancestors, carefully marking the area and protecting it from intruders. Dolphins have exhibited behavior suggesting that they can understand the English language by specifically responding, in their own way, to a variety of questions posed by humans. Monkeys have been taught complex sign language allowing them to *speak* to humans, as well as other monkeys. All these examples strongly suggest that non-human animals are, in fact, conscious members of the biosphere, and as such possess an intrinsic value.

Reason 4 : An evolutionary understanding of consciousness provides a theoretical basis for attributing awareness to animals other than human beings.

In support of this premise, Regan claims that the scientific concept of evolution firmly denies that humans have a unique nature; on the contrary, it supports a complex fusion between less developed forms of life with more advanced life forms. Furthermore, Regan states:

More particularly, those who would view humans as the only conscious beings could *not* adequately ground this belief in considerations about human biology, physiology, and anatomy, since there is nothing in these aspects of human nature that is both relevant to our being conscious and *uniquely* human (Regan, 27, emphasis added).

Hence, Regan argues that the theory of evolution itself provides a basis from which to argue that beings *other* than humans are conscious.

According to Regan, the preceding argument, which he refers to as the Cumulative Argument, does *not* constitute a strict proof of animal awareness, and it is unclear what shape such a proof could take, yet it *does* provide a set of relevant reasons for attributing consciousness to *certain* animals. In other words, Regan's Cumulative Argument offers strong reasons, but not absolute reasons as to the issue of whether or not non-human animals possess consciousness. Regan argues, therefore, that although consciousness is a complex attribute, it *can* be logically extended to other animals besides humans.

Closely related to the term *consciousness* is a second important phrase used by Regan in his definition of subject-of-a-life: *beliefs and desires*. Regan claims that the same arguments used to defend the claim that animals are conscious could be used to defend the claim that they have beliefs and desires.

To define this phrase, Regan uses the *belief-desire* theory of Stephen Stich of Rutgers University. Basically the belief-desire theory postulates two different sorts of functional states: beliefs and desires. Desires, Stich argues, typically arise as a result of deprivation. An organism deprived of food, water, or sexual release, will acquire a desire for food, water or sexual release. Desires can, in addition, be generated by the interaction of beliefs with other desires. Thus, for example, if a dog wants something to eat and if it believes there is a meaty bone in the next room, it may well acquire a desire to go to the next room.

Stich goes on to point out that desires can be linked to beliefs because, like desires, beliefs have a variety of causes, with the two most powerful ones being perception and inference. For example, if a canine sees that its master put

a meaty bone in its dish, then the dog may form the belief that there is a meaty bone in the dish. It will also, no doubt, form a variety of further beliefs, some enduring and some ephemeral, as a result of observing its master's activity. So, by using the terms *beliefs* and *desires* in this way, Regan adds credibility to his definition of subject-of-a-life. He sets the boundaries for what is and isn't consciousness. All beings who possess consciousness are subjects-of-a-life:

Perception, memory, desire, self-consciousness, intention and a sense of the future are among the leading attributes of the mental life of normal mammalian animals. Add to this the not unimportant categories of emotion (e.g. fear and hatred) and sentience and we approach a fair rendering of the mental life of these animals. (Regan, 81).

Regan sets the boundaries, therefore, for his use of the term consciousness and the terms *belief* and *desires*. Next, I will begin an evaluation of Regan's argument by assessing his claims about *which* animals are conscious are which are not. This will show us a major flaw in Regan's case for animal rights.

Which Life Forms Count? Evaluating Regan's Position in Terms of Taylor's and Leopold's Ethical Theory

On the basis of the considerations we have just discussed Regan makes the following claim : "Not all living things are subjects-of-a-life; thus not all living things are to be viewed as having the same moral status" (Regan, 245). In other words, there are life forms that are neither moral patients nor moral agents.

Plants and trees, for example, are neither; they will, therefore, find no safe haven within Regan's arguments for animal rights. It is from this aspect of Regan's argument that I will begin an evaluation of his animal rights position.

Regan's criterion for subjects-of-a-life is a good place to begin; since this is where we find the line of demarcation between those who are and are not subjects-of-a-life having intrinsic value.

It is important to note here that Regan's view is an example of an ethic which places exclusive moral value on *individuals*. Regan affirms that only individuals can be meaningfully said to have moral value in and of themselves. For Regan, neither species nor ecosystems embody moral value. Individuals are *the* paradigmatic holders of value, since it is individuals who are conscious, who feel and make decisions, who care about what happens to them and who are subjects-of-a-life.

Regan's ethic is also anti-utilitarian. The concept of sacrificing a few individuals so that a majority could benefit would probably be dubbed a form of holistic fascism by Regan. For Regan, the needs of the many will usually *never* outweigh the needs of the few, since Regan's argument calls for an end to *all* forms of exploitation for all subjects-of-a-life, not just the majority. By concentrating on *groups* of living things, such as species, instead of *individuals* themselves, Regan would argue that the use of the utilitarian ethic is inevitable: For in utilitarianism, Regan argues, it is the *principle of equality* that determines right, wrong, and obligation; what we morally ought to do is act so as to bring about the best total consequences for *everyone affected by the outcome*, not

just the best consequences for the agent who acts.

Regan's reasons for mistrusting this ethic include the fact that it is unclear what exactly is meant by the phrase "everyone affected by the outcome". Which individuals are included? Regan suspects that by trying to establish the best "balance" between groups some needless suffering of subjects-of-a-life might occur. This is not justifiable to Regan.

Because of these views, it can be said that Regan rejects any holistic approach to ethical theories of rights. It is obvious throughout his entire argument that Regan maintains it is unclear what could be meant by attributing rights to *collections* of individuals. Yet is not a holistic approach more realistic, since there is such a diversity of life forms on this planet? Would not a more integrated proposal which sternly considers *all* living things' interests be more comprehensive and representative of the earth as a whole entity?

Respect for All Members of the Biosphere

Those entities that are not either moral agents or moral patients need to be respected simply as members of the biosphere and as such deserve respect and consideration as do moral agents or patients; for everything that lives *deserves* respect simply because it *is a member of the biosphere*. Also, sentience cannot be the only issue in the same way that a subject-of-a-life cannot be the only issue. Far more important is the issue of interdependence. Human animals are part of an interdependent chain of a diverse number of life

forms. If you consider human animals, for example, as being at the top of an ecological pyramid, we are much more dependent on lower parts of the pyramid than the lower parts are on us. We rely on lower life forms for food, warmth, fuel, medicines, etc. Thus, in order to continue to *be*, we are far more likely to interfere with their lives than they are to interfere with ours as human animals. So we must exercise extreme caution when our needs for survival disrupt theirs. Disruption could backfire. We should, therefore, develop a sense of compassion and sympathy with these life forms so that we do not inadvertently or deliberately interfere with their lives any more than is absolutely necessary (see thesis pages 64-67 for discussion of Hume's notion of sympathy).

Although Regan claims that his subject-of-a-life criterion is non-biased, I will argue that this cannot be entirely true. It *is* biased against all beings which are non-subjects-of-a-life. And with such a diversified, populated planet as Earth, it seems strange that any theory of rights should seek to exclude *most* life forms.

It is more plausible to argue for a holistic approach, such as that asserted by Paul Taylor in his book *Respect for Nature*. In brief, Taylor endeavors to account for the relationships among the individuals in an ecosystem while still retaining the moral locus within the individual.¹⁶ Ultimately, Taylor's argument affirms the equal inherent value of all organisms as teleological centers of life, defined by Taylor as a way of perceiving and understanding each individual organism as a goal-oriented center of life, pursuing its own good in its own way.

¹⁶ Taylor proposes that while the good of an individual is the full development of its biological powers, the good of a population of individuals is arrived at by assessing the optimal *average* good of individuals in that population.

Taylor concludes with the claim that just being alive is a sufficient condition for an individual to deserve respectful treatment.

A view such as Taylor's is not as restricted as is Regan's view and it is partially because of Regan's limited scope of concern that his argument neglects many life forms on this planet.

Accordingly, Regan's argument is adequate up to a point, yet once the subject-of-a-life criterion is imposed, far too many life forms are excluded. As will be argued in Chapter 4, it is the goal of the Interdependent Morality Directive to restructure Regan's, Taylor's and, to a lesser extent, Leopold's arguments in order to form a stronger, more practical foundation from which a stronger policy foundation can be implemented. One of the main points of contention is that which denotes the boundary for which animals are conscious and which are not.

Regan argues that the point from which we must decide which animals are conscious is that of human beings; for humans are the paradigm cases of conscious individuals. In other words the human mammal is *the* standard against which all other life forms are to be measured. From this starting point, Regan makes the following argument from analogy: the relationship between human consciousness and the structure and function of the human nervous system makes it probable that our consciousness is intimately related to our physiology and anatomy. Next, Regan notes that mammalian animals are most like us physiologically and anatomically, thus it is reasonable to conclude that mammalian animals are likewise conscious.

It is important to state that Regan's argument does not suggest that *only*

those animals that are similar to us anatomically and physiologically can possibly be conscious. Instead, Regan is arguing that such animals are those for whom the attribution of consciousness is most well founded. So *where* one draws the line regarding the presence of consciousness is no easy matter. For example, we cannot say with precision, Regan claims, *exactly* how old or tall someone must be to be old or tall, respectively, but it does not follow, however, that we cannot recognize that some people are old or tall. In the same way, we can distinguish between who *is* conscious and who is not. It follows that there are other living animals besides mammals that need to be regarded as having needs worthy of consideration, namely non-mammals, conscious or not.

Regan alludes to human's duty to non-mammals, claiming that they need to be offered some consideration but he does not extensively elaborate on this issue. It is precisely this omission which is a primary flaw of his argument. Accordingly, I offer a rival theory that shall fulfill two purposes: (1) it is a more plausible, hence more cogent counter-argument; and (2) it serves as the philosophical basis for the Interdependent Morality Directive.

At the beginning of this chapter, key elements to Regan's argument were discussed, among them the notion of the rights view. At the end of his book, Regan claims that the rights view provides adequate grounds for extending rights to all subjects-of-a-life. He never states the rights, if any, pertaining to any and all *non-subjects-of-a-life*.

Regan claims that the rights view could be extended to condemn the killing of non-mammalian animals (e.g. birds and fish). It is interesting to note,

however, his reasons for making such a claim: "Even assuming birds and fish are not subjects-of-a-life, to allow their recreational or economic exploitation is to encourage the *formation of habits and practices that lead to the violation of the rights of animals who are subjects-of-a-life*" (Regan, 417, emphasis added). So human beings *can* consider the needs of non-subjects-of-a-life, yet such consideration is done *not* because of the inherent worth of the non-mammal but rather because such behavior may lead to the poor treatment of those who are *truly* worthy of it, namely *mammals* ¹⁷.

The ramifications of such an ethic may be dangerous ; for Regan and the animal rights movement may be guilty of (if I may coin a term) *classism*. Classism may be defined as a prejudice or attitude of bias toward the interests of members of other classes in the classification of the animal kingdom developed by scientists to classify animals. The fundamental objections to racism and sexism apply to classism. In the same way it is wrong to presuppose anything about a particular race or sex, it is equally wrong to assume anything about a specific class. Thus for the same reasons sexism and racism are wrong, classism is wrong. This position may seem silly or absurd because it is novel but it is intended to illustrate the shortsightedness of Regan's argument. So Regan may be guilty of *classism* by neglecting the inherent worth of *all* members of the biosphere. The principle of classism does not suggest the absurd. It does not, for instance, argue that the next step will obviously be to argue against

¹⁷ This idea is borrowed from Kant. Kant states that if we use animals as a means to an end, we will be led to use human beings as means. Specifically, Kant states that we have *duties* towards the animals because thus we cultivate the corresponding duties towards human beings. If one is hard with animals than one will be hard to his dealings with men.

"subphyla-ism" or "kingdom-ism". The argument against classism simply extends the attitude of respect to *all* members of the biosphere, be they mammal or non-mammal. In other words existence in the class *mammalian* is neither a necessary nor sufficient condition for one's needs and interests to be considered. While Regan does not say this exactly, he does suggest that such a claim would not be outside the parameters of his argument. My argument is that one's membership in the web of life is sufficient for an individual's needs and value to be respected and will be discussed in Chapter 4.

It seems logical to argue in such a way; for life is infinitely complex, varied, diverse and integrated. Also, it is a dubious claim that some life forms are deserving respect of their needs while others are not. Indeed Regan's argument, were it officially ratified and put into policy, would go a long way in modifying human's treatment of non-human animals. Countless non-human animals would greatly benefit by the implementation of Regan's thesis for animal rights. I am not arguing this claim. My argument is that it would not go *far enough*. Consequently many deserving life forms *besides* mammals would continue to endure needless and appalling suffering and exploitation.

The next section of this chapter serves two purposes. (1) it stands as testimony to the fact that *non-mammals* are subjected to needless and absurd suffering; and (2) it adds support to the argument that a broader, less exclusive ethic (the Interdependent Morality Directive) is necessary.

Exploitation of Non-Mammals in the Farming Industry

Using intensive factory farming techniques, chickens (non-mammals) are routinely subjected to immeasurable levels of stress and boredom.

Subsequently, this results in these chickens harming one another through cannibalism or feather-pecking, in which bored birds peck at some outstanding part of another bird's plumage. In an effort to prevent such behavior among chickens, farms employ a de-beaking procedure, which involves inserting a chick's head in a guillotine like device which cuts off part of its beak. This is an exceedingly painful procedure: "Between the horn and the bone is a thin layer of highly sensitive soft tissue, resembling the *quick* of the human nail. The hot knife used in de-beaking cuts through this complex of horn, bone and sensitive tissue, causing severe pain" (Singer, 99).

There are numerous other examples, all similar in regards to infliction of needless suffering. Sharks, for instance, are routinely hunted for shark tail soup as well as for their skin. These non-mammals are caught in huge drift nets, where they slowly die of suffocation. Many hundreds, if not thousands, of sharks and other marine life die in this pitiful manner every year. Furthermore, countless frogs are used in research labs and schools each year, where a practice known as *pithing* is employed so that students and/or scientists may observe the physiological makeup of a living, breathing organism. Pithing involves placing a thin, sharp object (such as a needle) into a frog's brain thereby paralyzing it so that it feels virtually no pain. A dissection ensues while the frog is still *alive*. Even

if the frog were to feel no pain, there is still no excuse for this type of impropriety and it is life forms such as the frog, chicken, shark and many other non-mammals which would not count under Regan's argument. Classism, therefore, has the potential of setting a dangerous precedent. The Interdependent Morality Directive will rely heavily on this notion of classism and its ramifications in the following chapter.

Regan's Inattention to Environmental Issues

Equally important to Regan's practice of classism is his lack of attention to the environment question. Unlike the mammal/non-mammal question, Regan never attempts to establish the overriding importance of developing an environmental ethic that might coexist with his animal right's ethic.

Regan presents a fleeting comment of the environmental issue towards the end of his book. He writes of the difficulties of developing a rights-based environmental ethic, focusing on the irreconcilable differences between environmentalists and animal rightists. He claims that the individualistic quality of moral rights held by animal rightists is utterly inconsistent with the holistic view of nature held by environmentalists.

Regan cites Leopold's land ethic, stating that it implies that the individual may be sacrificed for the greater biotic good, in the name of the "integrity, stability, and beauty of the biotic community" (Leopold, 217). Regan claims that such a view is no place for the rights of the individual and refers to Leopold's

land ethic as "environmental fascism" (Regan, 362). Regan stresses the importance of the individual in his animal rights argument, claiming that individual rights must never be outweighed by such considerations as "the integrity, stability, and beauty of the biotic community" (Leopold, 217). In contrast, Leopold argues, as do most environmentalists, that humans are "only members of the biotic team" (Leopold, 296) and as such have the same moral standing as any other member of the team. Regan and his followers will not tolerate such a philosophy, arguing that the individual has rights of paramount consideration. As Regan states, "Environmental fascism and the rights view are like oil and water: they don't mix" (Regan, 362).

Central to Regan's opposition to most environmental ethics is the dilemma one faces when trying to attribute moral rights to *collections* of things, such as trees or an ecosystem. Since environmental ethics focus on the collective unit and *not* the individual, Regan fears that the individual's rights will be lost in the masses.

Nevertheless, Regan does insist that a rights-based environmental ethic is plausible. He states that the rights view, if it could be successfully extended to inanimate objects, would advocate a "let be" policy in terms of human's interaction with the biotic world; for if humans were to show proper respect for the rights of the individuals who make up the biotic community, then the community itself would be preserved. Such an ethic, however, is yet to be realized. It is part of the goal of the the Interdependent Morality Directive argument to present the basis for just such an ethic. Analyzed in this way it

becomes apparent that Regan's argument for animal rights needs to be strongly adjusted if it is to fit into an environmentalist paradigm. In the next chapter, we will extensively analyze the position of two central environmentalists: Aldo Leopold and Paul Taylor.

CHAPTER 3

IN DEFENSE OF AN ENVIRONMENTAL ETHIC

The Environmental Position: A Critical Analysis

The Land Ethic: 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 (Leopold, 224).

The *land ethic*, as it is called, is *the* heart of most environmental philosophies; for it is on this foundation that many environmental ethicists build an environmental theory.

This section will critically analyze the land ethic by examining two of its main proponents: Aldo Leopold and Paul Taylor.

Aldo Leopold 's A Sand County Almanac:

A Condensed Analysis

Aldo Leopold argues that a basic lack of human regard for the land itself lay at the heart of most natural resource and agricultural problems. He claims that the biotic world and natural environment themselves have intrinsic value. Rather than dominating and exploiting the natural world, Leopold believed that humans should consider themselves as members and citizens of the biotic community, thereby instilling a sense of unity with the environment. In his book *A Sand County Almanac*, Leopold first clarifies the notion of human moral responsibility to the natural environment. The spirit of this responsibility is

captured in his land ethic.

It is helpful, at the outset, to understand exactly what Leopold means when he uses the term *ethic*. Leopold uses the word ethic in two separate ways: (1) ecologically and (2) philosophically. Ecologically an ethic refers to a limitation on freedom of action in the struggle for existence. In other words, there are rules, or ethical codes to live by in an integrated social environment which may, by necessity, limit certain freedoms so as to not infringe on other's freedoms. Philosophically refers to a differentiation of social from anti-social conduct, or ways of behaving that will either serve to create a stable and safe environment or a lawless state of chaos.

According to Leopold, the very first ethics dealt with relations between individuals, i.e. The Ten Commandments. Next came ethical codes which dealt primarily with relations between the individual and society. The Golden Rule, for example, is one such ethic. It is an attempt to integrate the individual to society, whereas democracy tries to integrate social organization to the individual. Leopold points out the fact that there is as yet *no* ethic dealing with man's relation to land, animals and plants. Land, as well as animals, is still property. And as property, human's relation to land is still strictly economic, entailing privileges but no obligations. The extension of ethics to this third element in the human environment what Leopold hopes to establish with the Land Ethic. Leopold claims that establishing such an ethic is both an evolutionary possibility and an ecological necessity. Leopold, therefore, is calling for a new, third ethic; one which takes into consideration human beings' special relationships to land,

animals and plants. Leopold claims that this ethic should be a "mode of guidance for meeting ecological situations" (Leopold, 202); for in it we find a merging of both the ecological ethic and philosophical ethic. It is an ecological ethic, as evidenced by the first part of the land ethic: "A thing is right when it tends to preserve the integrity, stability, and beauty of the biotic community" (Leopold, 224-25) in that it places limits as to how "free" human beings can interact with the biosphere. It is also a *philosophical* ethic because it distinguishes between what would be socially acceptable and unacceptable, as we see in the last part of the ethic: "It is wrong when it tends otherwise" (Leopold, 224). The land ethic takes the respect of the land very seriously, while it prescribes a way of acting toward it.

Leopold's land ethic is *the* foundation of his entire environmental theory. This theory is a compilation of several concepts, the most significant being that of *community*. Crucial to this concept is the idea that the individual is a *member of a community of interdependent parts*. "The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively the land" (Leopold, 204). So Leopold's community is not just composed of people, it includes the soil, waters, plants and non-human animals.

Leopold, therefore, is calling for a new, more holistic definition of human being's relationship to nature, where the individual must consider herself as a *part* of the land and not an entity *apart* from it.¹⁸ The individual is a part of the land in several ways. First, she is literally a component of minerals and elements

¹⁸ Leopold's philosophy is in direct conflict to Regan's *rights view* discussed in the previous chapter.

found in land, such as salt, carbon and hydrogen. Also water, which makes up over 75% of the earth's surface, is also the major substance of the human body. So part of every human being's physiological make-up comes from the land (and water) itself. Next, there is the concept that humans and nature both occupy time and space together; that is they are members of one planet, Earth. And as members of the same planet, humans and nature possess a close relationship with one another. So in many different ways, humans are *part* of the land.

Leopold elaborates on his idea of the community concept, stating that such a concept is somewhat novel. Humans are not used to thinking of themselves in terms of members of a larger community which includes the land itself. As support for this claim, Leopold calls our attention to the manner in which we, as human beings, treat various members of the biosphere. He remarks on our total indifference to the importance of soil; the sewage we dump in our oceans, lakes and rivers; the plant life we exterminate in the name of progress; and the animals we make extinct. Leopold states that a land ethic, by itself, cannot prevent the alteration, management, and use of these 'resources,' but it does *affirm their right* to continued existence in a natural state, meaning that members of the biosphere ought to be allowed to live out their existence with as little interference from humans as possible. Calves, for instance, ought to be allowed to romp and run freely in the wild, not tethered to a crate waiting to be slaughtered. Tropical rain forests should not be mindlessly cleared away to accommodate hotels, apartments, or shopping malls. In short, Leopold is claiming that the land ethic alters the role of humans "from conqueror of the

land-community to plain member and citizen of it" (Leopold, 204). And with this ethic, Leopold argues, will come a respect for the fellow-members and for the community.

A practical extension to this concept is what Leopold refers to as the *land pyramid* which is derived, in part, from a related idea found in ecology known as the *biotic pyramid*.

Leopold's *land pyramid* is simple. Plants absorb energy from the sun, which flows through a circuit called the biota, which may be represented by a pyramid consisting of layers. The bottom layer is the soil. A plant layer rests on the soil, an insect layer on the plants, a bird and rodent layer on the insects, and so on through various animal groups to the top layer, which consists of the large carnivores. Leopold claims that the pyramid is a tangle of chains so complex as to seem disorderly, yet it proves to be a highly organized structure. Its functioning depends on the cooperation and competition of its diverse parts. It is obvious that this is how Leopold views the earth and all its components; as one complex web of interdependent parts. In accordance with this view, Leopold argues that land is not merely soil but rather a foundation of energy flowing through a circuit of soils, plants, and animals. Food chains are the living channels which conduct energy upward; death and decay return it to the soil.

In sum, Leopold argues that nature is a very complex, sophisticated and highly diversified web of life of which we, as humans, are part. Leopold himself best captures the essence of this notion in the following quote: "Men are only fellow-voyagers with other creatures in the odyssey of evolution." (Leopold, 194).

*Paul Taylor 's Concept of Respect for Nature:
A Condensed Analysis*

In his book *Respect for Nature* Paul Taylor argues that human beings are members of the earth's living community but are not inherently superior to other living things. Each organism, according to Taylor, possesses what he calls a *teleological center of life*, which Taylor defines as a unique individual pursuing its own good in its own way.

Taylor's argument is quite complex in that it involves numerous sub-arguments.¹⁹ There are three main parts to Taylor's ethical system: (1) the biocentric outlook (2) the attitude of respect for nature , and (3) the basic rules of conduct. We shall begin by analyzing Taylor's concept of the biocentric outlook and the attitude of respect for nature, since these two parts are interdependent. But before analyzing the four principles that compose the biocentric outlook and the attitude of respect for nature, it is necessary to define what Taylor means by the term *biocentric outlook*.

The biocentric outlook is a belief-system based on an attitude of respect for nature. Taylor argues that unless we grasp what it means to accept the biocentric outlook and therefore view the natural order from its perspective, we cannot see the point of adopting an attitude of respect for nature. To understand how and why the biocentric outlook can help us understand respect for nature, it is necessary to analyze it in more detail, thus I will now focus on the four major

¹⁹ It requires, therefore, a more extensive analysis than was given to either Leopold or Regan. This thesis will present as concise an analysis as possible without sacrificing accuracy.

principles that form its core. They are as follows:

- (1) The belief that humans are members of the Earth's Community of Life in the same sense and on the same terms in which other living things are members of that Community;
- (2) The belief that the human species, along with all other species, are integral elements in a system of interdependence such that the survival of each living thing, as well as its chances of faring well or poorly, is determined not only by the physical conditions of its environment but also by its relations to other living things;
- (3) The belief that all organisms are teleological centers of life in the sense that each is a unique individual pursuing its own good in its own way;
- (4) The belief that humans are not inherently superior to other living things (Taylor, 99).

Collectively, these four principles embody a coherent perspective on the natural world and the place humans occupy in it.

We will now examine each of these four principles:

Principle 1 - The belief that humans are members of the Earth's Community of Life in the same sense and on the same terms in which other living things are members of the Community (Taylor, 99).

Here, Taylor is claiming that from the perspective of the biocentric outlook on nature we see human life as *an integral part of the natural order of the Earth's biosphere*. Most important is that with an acceptance of the biocentric outlook comes the realization that there is a common relationship we share with wild animals and plants²⁰.

So Taylor is emphasizing the fact, as did Aldo Leopold in *Sand County*

²⁰ My italics; this idea is a founding principle of the Interdependent Morality Directive, which will be discussed in subsequent sections.

Almanac, that life is a sophisticated network of a myriad of life forms that are all, in some way, related to each other. He refers to this complex combination as the *Earth's Universal Community of Life*.

Expanding on this first principle, Taylor claims that there are *five conditions of existence* shared by both humans and nonhumans. Collectively, these five conditions establish a community of beings that give humans a sense of oneness with all other living things and lead us to see ourselves as members of one great Community of Life. They are :

- (1) We as well as nonhuman animals and plants must face certain biological and physical requirements for our survival and well being;
 - (2) They as well as we have a good of their own;
 - (3) Although the concepts of free will, autonomy, and social freedom apply only to humans, there is a fourth sense of freedom, which is absence of constraints, that holds equally of them and of us, and this kind of freedom is of great importance in any living thing's struggle to realize its good, whether human or nonhuman;
 - (4) As a species we humans are a recent arrival on our planet;
 - (5) While we cannot do without them, they *can* do without us.
- (Taylor, 101).

In analyzing point #1, Taylor argues that if we want to preserve our existence and live at a superior level of well-being, the biological requirements of survival and physical health must be made our normative guides. So we must follow, according to Taylor, biologically enlightened principles that ensure the conditions essential to life. Taylor's first principle states that we must be careful not to deprive ourselves of the very means necessary to assure subsistence of the biological requirements inherent to all life forms.

In point #2, Taylor suggests that everything that is alive can be correctly said to have a good; that one might fare well or poorly and that these things so central to the meaning of our everyday existence can be asserted literally and without distortion about animals and plants as well as ourselves. In other words, Taylor is claiming that we are all vulnerable.

In point #3 Taylor claims that there is a distinct parallel between human life and the life of other creatures. This parallel is centered around freedom. Taylor uses the term freedom in a special way: *freedom* calls for the absence of constraints. It applies to animals and plants as much as it does to humans. This *freedom* is an instrumental good for all members of the biosphere. It is valuable to nonhumans, according to Taylor, for the same reason it is valuable to humans. For them as well as for us, to *be free* is to have a better chance to live the best kind of life we are capable of. Calves, for example, should be allowed to romp and run in the open fields, not tethered in a crate. Monkeys should be left alone in the wild, allowed to live out their lives unfettered by human interference. So in condition #3 Taylor illustrates his “other sense” of freedom by which it is significant to *all* life forms.

Taylor’s fourth point in which we as humans may be identified as members of the Earth’s Community of Life concerns our common origin with other living things. As support for this, Taylor focuses on the concept of evolution claiming that evolution offers a unified explanation for the existence of both human and nonhuman forms of life. To understand how others came to be is to understand how we came to be. “Within the conceptual, explanatory system

set by the theory of evolution , we understand ourselves as beings that fit into the same structure of reality that accounts for every other life form of life" (Taylor, 112). So, here we have yet another affirmation that life on earth is a complex web of related beings.

Taylor's fifth and final condition calls for the denial that humans are superior to all other life forms or that they are free from depending on other life forms. In this last condition, Taylor argues that as human beings, we are in no position to claim superiority over *any* life form and to claim such superiority is pointedly arrogant of the human species. Taylor states that from a biological point of view, humans are absolutely dependent upon the soundness and good health of the Earth's biosphere, but its soundness and good health were not in the least dependent upon humans. In short, "should it disintegrate, we will exist no more" (Taylor, 125).

Taylor points out that on the other hand our demise would be no loss to other species, nor would it adversely affect the natural environment. On the contrary, other living things would be much benefited. The physical environment of the Earth would be greatly improved. Tropical forests would develop again, contributing to a life-sustaining atmosphere. All bodies of water would slowly become clear again. So in this final condition Taylor firmly rejects the popular notion that human beings are superior to and independent of all other life forms.

These preceding five points elaborate on the first premise of Taylor's argument which calls for a biocentric outlook and an attitude of respect for nature. Recall that the first principle is:

Principle 1 - The belief that humans are members of the Earth's Community of Life in the same sense and on the same terms in which other living things are members of the Community (Taylor, 99).

In light of the five points aforementioned, this principle is strongly established.

Taylor's second principle involves viewing the natural world as being an interdependent system. Recall how principle #2 is stated:

Principle 2 - The belief that the human species, along with all other species, are integral elements in a system of interdependence such that the survival of each living thing, as well as its chances of faring well or poorly, is determined not only by the physical conditions of its environment but also by its relations to other living things (Taylor, 99).

Basically, this principle expands on Leopold's concept of the entire world being a web of life, each thread of the web effecting another. Taylor is suggesting that we view the natural world as a system of interdependence. Taylor claims that by accepting the biocentric outlook and regarding ourselves and the world from its perspective is to see the whole natural domain of living things and their environment as an order of interconnected objects and events. Taylor illustrates this system of interdependence with the following example:

When alligators are trapped and killed (to supply skins to the makers of expensive shoes and handbags), the whole Everglades ecosystem suffers. The pools dry up, the marine life disappears, and the balance of life in the watery grassland is destroyed. Certain species of fish die off and, during rainy seasons, other species intrude into the area in great numbers. They had formerly been kept in check by their natural predator, the alligators. Thus

the entire area undergoes deep ecological changes, which if not reversed, will spell the end of the ecosystem itself (Taylor, 116).

Thus, we see how one action on one part of the web of life effects another part of the web of life. Recall that Taylor claims that *no* life community associated with a particular ecological system is an isolated unit. It is directly or indirectly connected with other life communities. So if the biocentric outlook forms the basis of our perspective on *human* life, we will see ourselves as an integral part of the system of nature. As a result, "we will then recognize that our faring well or poorly depends to a great extent on the role we choose to play in the web of life. We will realize that if we try to break our connections with that web we will thereby destroy our chances for pursuing our uniquely human values" (Taylor, 117). Thus, Taylor is arguing against human-centered ethics and arguing for an ethics system which includes all life forms.

In his third principle, Taylor argues that individual organisms need to be considered as teleological centers of life:

Principle 3 - The belief that all organisms are teleological centers of life in the sense that each is a unique individual pursuing its own good in its own way (Taylor, 99-100).

Here, the focus is on the lives of individual organisms. Taylor states that when humans have an accurate understanding of individual organisms as teleological centers of life, such a view does not imply that we are falsely anthropomorphizing such beings. It does not involve "reading into" other living things human characteristics. It is not necessary, Taylor states, that we consider

them to *have* consciousness.²¹ Organisms like trees, for instance, do not have a conscious life. They are not aware of the world around them. They have no thoughts or feelings and therefore have no interest in anything that happens to them. Yet they have a *good of their own* around which their behavior is organized. All organisms, whether conscious or not, are teleological centers of life.

So Taylor is maintaining that although organisms may not be conscious, they nonetheless have an intrinsic good, an inherent good, around which their behavior is organized in an attempt to maintain and protect their existence. By accepting all living things in this way, Taylor argues, humans can develop a full understanding of each living things point of view. Therefore, once humans conceive of each organism as a teleological center of life we will then have the capacity needed to make the moral commitment involved in taking the attitude of respect toward it.

Taylor's fourth and final principle is as follows:

Principle 4 - The belief that humans are not inherently superior to other living things (Taylor, 99).

Now in this last principle, Taylor is stressing a vital concept: the denial of human superiority. Taylor states that of all the elements that make up the biocentric outlook, this aspect is the most important, as well as the most controversial. By viewing the realm of nature and life from the perspective of the *first three* elements of the biocentric outlook, we will see ourselves as having a

²¹ This concept of an organism not needing to be conscious in order to be granted ethical considerations is yet another founding principle of the Interdependent Morality Directive.

deep kinship with all other living things, sharing with them many common characteristics and being, like them, integral parts of one great planet.

Thus, we have Taylor's four elements that make up the biocentric outlook. According to Taylor, each of these four principles fit together in an internally coherent way to form a comprehensive view of the entire realm of life and nature on our planet. Taylor claims these four elements are a general "map" of the natural world, enabling us to see where we are and how we fit into the total scheme of things.

After analyzing two of the three parts of Taylor's ethical system, we now move on to the third part, which Taylor refers to as *the basic rules of conduct*. This is a system of standards and rules that moral agents would be guided by *if* they were to accept the biocentric outlook and take the attitude of respect for nature. First, Taylor explains how his concept of *duty* relates to his rules of conduct, stating that the first thing to notice is that the basic rules of conduct are principles that specify different *types* of duty. These principles do not themselves always determine what a particular moral agent²² in a particular set of circumstances ought to do, all things considered. The rules of duty, Taylor argues, tell us what general *kinds* of actions we are morally required to perform or refrain from performing. Thus Taylor is setting the parameters of his rules of conduct, in that certain duties may apply at certain times.

Taylor further elucidates the concept of duty by focusing on the perception of conflict of duties. Taylor defines two levels of conflicts of duties.

²² Taylor defines a moral agent/patient in the same manner as Tom Regan does, Section 1, Chapter 2.

The first level involves addressing the problems that arise when we are confronted with a conflict of duties. Taylor claims that in such cases if we follow one rule, then we violate others. In order to decide what is the act that should be done in these circumstances, we must find out which *alternative* to our choice is the one that has the weightiest moral reasons behind it; that is to say, we must know which of the conflicting duties takes priority over all the others, similar to a rule-utilitarian based ethic. This will be determined by an ordering of the rules according to a set of priority principles. On the basis of those principles, Taylor claims, we can make a well-grounded judgment as to which duty outweighs the others in the given circumstances.

The second level of conflict of duties occurs when the rules of a valid system of environmental ethics are in opposition to the rules of a valid system of human ethics, in other words human moral codes come in direct conflict with environmental moral codes. Taylor argues that in these cases if we carry out our duties to animals and plants in natural ecosystems, then we *fail* in our duties toward our fellow humans, but if we fulfill the latter we do not do what is required of us regarding the good of nonhumans. So even when we have worked out an acceptable ordering among the rules of ethics of respect for nature, we still must decide on what *priorities* hold between that system and the rules that bind us in the domain of human ethics. Taylor states that because of this factor, it must be maintained that any duties enumerated *might* be outweighed in certain circumstances by duties that moral agents owe to humans. The fact that we have a duty not to destroy or harm animals and plants in natural ecosystems,

Taylor argues, does not mean never do such things under *any circumstances whatever*. It only means that we must not do them without a sufficient moral reason that justifies overriding our duty to refrain. So, Taylor is not claiming that these rules of conduct provide an exhaustive account of every valid duty of the ethics of respect for nature. Instead, Taylor is stating that these duties or *rules of conduct* are intended to cover only the more important ones that typically arise in everyday life. Taylor names the four rules as follows (a) *the Rule of Nonmaleficence*, (b) *the Rule of Noninterference*, (c) *the Rule of Fidelity*, and (d) *the Rule of Restitutive Justice*.

Taylor's Rule of Nonmaleficence refers to the duty not to do harm to any entity in the natural environment that has a good of its own. It includes the duty not to kill an organism and not to destroy a species-population or biotic community, as well as the duty to refrain from any action that would be seriously detrimental to the good of an organism, species-population, or life community. In general, this rule prohibits harmful and destructive acts done by moral agents. Taylor claims that it does *not* apply to the behavior of a nonhuman animal or the activity of a plant that might bring harm to another living thing or cause its death, such as what occurs when a Rough-legged Hawk pounces on a field mouse, killing it. According to Taylor's rules, nothing morally wrong has occurred. Although the hawk's behavior can be thought of as something it does intentionally, it is *not* the action of a moral agent. So it does not fall within the range of the Rule of Nonmaleficence. The hawk does not violate any duty because it *has* no duties. Taylor offers a counter example where a Peregrine

Falcon has been taken from the wild by a falconer, who then trains it to hunt, seize, and kill wild birds under his direction. Here what is happening is something quite different. Human conduct is directly aimed at controlling and manipulating an organism for the enjoyment of a sport that involves other wild organisms, thus the wrong being done is by the falconer, who is the moral agent. Taylor illustrates how the Rule of Nonmaleficence is to be understood as it relates to moral agents and moral patients.

Next, we examine Taylor's second rule of conduct, which he refers to as the Rule of Noninterference. Taylor claims that *two* sorts of negative duties fall under this claim. One requires us to refrain from placing restrictions on the freedom of individual organisms, and the other requires a general "hands off" policy with regard to whole ecosystems and biotic communities, as well as individual organisms.

Taylor begins to explain these duties by providing a special definition of freedom involving the absence of constraint, where a constraint is any condition that prevents or hinders the normal activity and healthy development of an animal or plant. Taylor claims that a being is free in this sense when *any of four* types of constraints that could weaken, impair, or destroy its ability to adapt successfully to its environment are absent from its existence and circumstances. To be free is to be free *from* these constraints and to be free *to* pursue the realization of one's good according to the laws of one's nature.

The four types of constraints Taylor refers to are:

- (i) Positive external constraints (cages, traps)

- (ii) Negative external constraints (no water or food available)
- (iii) Positive internal constraints (disease, ingested poison)
- (iv) Negative internal constraints (weaknesses and incapacities due to injured organs or tissues)

Taylor argues that humans can restrict the freedom of animals and plants in one of two ways: (a) directly imposing some of these constraints upon them or (b) by producing changes in their environments which then act as constraints upon them.²³ Thus, this explicates the first type of negative duty Taylor mentions which requires us to refrain from placing *any restrictions* on the freedom of individual organisms.

Next, we move to Taylor's second kind of duty that comes under this rule: the duty to let wild creatures live out their lives in freedom. Here freedom does not mean the absence of constraints. Instead it calls for humans to allow an organism to complete its existence in a wild state. With regard to individual organisms, Taylor argues, this duty requires us to refrain from capturing them and removing them from their natural habitats, *no matter how well we might treat them*.²⁴ We have violated the duty of noninterference, Taylor stresses, even if we save them by taking them out of a natural danger or by restoring their health after becoming ill in the wild, unless we return the creature to the wild as soon as possible. When we take young trees or wildflowers from a natural ecosystem, for example, and transplant them in landscaped grounds, we break the Rule of

²³ This concept is crucial to the the Interdependent Morality Directive paradigm and will be incorporated accordingly.

²⁴ This concept is a basic foundation of the the Interdependent Morality Directive paradigm.

Noninterference *whether or not* we then take good care of them and so enable them to live longer, healthier lives than they would have enjoyed in the wild. We have done a wrong by not letting them live out their lives in a natural way. So the duty of noninterference, like that of nonmaleficence, is a purely negative duty. It does not require us to perform any actions, but only to respect an organism's wild condition by *letting it alone*.

Next is Taylor's Rule of Fidelity which applies only to human conduct in relation to individual animals in a wild state capable of being deceived or betrayed by moral agents. Taylor claims that under this rule fall three duties; (a) not to break a trust that a wild animal places in us (as shown by its behavior); (b) not to deceive or mislead any animal's expectations, which it has formed on the basis of one's past actions with it; and (c) to be true to one's intentions as made known to an animal when such an animal has come to rely on one. Although we cannot make mutual agreements with wild animals, we can act in such a manner as to call fourth their trust in us. Thus the basic moral requirement imposed by the Rule of Fidelity is that we remain faithful to that trust.

As examples of *non-compliance* with this rule, Taylor cites instances of hunting, trapping and fishing. In certain circumstances, however, such practices *may* be morally permissible, such as when the only means for obtaining food or clothing essential to human survival is by hunting, trapping, or fishing. Taylor states that the ethical principles that justify these actions could stem from a

system of human ethics based on respect for persons plus a priority principle that makes the duty to provide for human survival outweigh those duties of nonmaleficence, noninterference and fidelity that are owed to nonhumans.

Finally, there is Taylor's fourth rule of conduct entitled The Rule of Restitutive Justice. In its most general terms this rule imposes the duty to restore the balance of justice between a moral agent and a moral patient when the patient has been wronged by the agent. Taylor argues that common to all instances in which a duty of restitutive justice arises, an agent has broken a valid moral rule and by doing so has upset the balance of justice between himself and a moral subject. To hold oneself accountable for having done such an act is to acknowledge a special duty one has taken upon oneself by that wrongdoing. This special duty is the duty of restitutive justice. It requires one to make amends to the moral subject by some form of compensation or reparation. This is the way one restores the balance of justice that had held between oneself and the subject before a rule of duty was transgressed

The lynchpin to Taylor's four rules of conduct is this last one. If moral agents violate any of first three rules, they do an injustice to something in the natural world. The act destroys the balance of justice between humanity and nature, and a special duty is incurred by the agents involved. This is the duty laid down by the fourth rule of environmental ethics, Taylor's Rule of Restitutive Justice.

Taylor is arguing, therefore that human beings should all share in the cost of preserving and restoring some areas of wild nature for the sake of the plant

and animal communities that live there. Only then can we claim to have genuine respect for nature.

Which Life Forms Count ? Evaluating Taylor's and Leopold's Position in Terms of Tom Regan's Ethical Position

An evaluation of Taylor and Leopold's argument will show that although *internally* there may not be many weak areas vulnerable to attack, globally the issue of animal rights still remains unclear. Neither Leopold nor Taylor *explicitly* extends their environmental ethics *directly* to nonhuman animals. I begin by examining Taylor's position.

Taylor makes several references to the animal rights issue, yet no precise moral paradigm for the treatment of animals *together with* the ecosystem is ever discussed. Of course since Taylor is not specifically an animal rightist but an environmentalist, his focus is not placed squarely on animal rights, but on the environment. Yet an animal right's argument would not be totally inconsistent with Taylor's work thus far. Taylor does not argue that animals and plants have moral rights in the same sense that human persons do. Instead, it is the attitude of respect for nature which *requires* moral agents to live in harmony with the aforementioned four duties toward nature. Yet how would such a posture impact nonhuman animals? Consider Taylor's four principles of respect for nature.

Recall Taylor's first duty towards nature:

Principle 1 - The belief that humans are members of the Earth's Community of Life in the same sense and on the same terms in which other living things are members of the Community (Taylor, 99-100).

Here is a claim stating humans are members of the community of life on earth. Taylor's use of the word *members* is significant in that it suggests that humans must use the earth's resources in a considerate manner, remembering that there are *other* members of the biosphere needing to use these same resources. Taylor uses the phrase *community of life* which is another salient use of words; for by doing so Taylor is arguing that life is a *not* an isolated unit but rather a sophisticated system of units. This is an important quality of his argument and one that the the Interdependent Morality Directive paradigm will utilize extensively.

So by carefully selecting the words used, Taylor makes a very convincing argument for nonhuman animals being members of the Earth's Community. With this concept as the basic posture of human animals toward nonhuman animals, the beginnings of equal treatment are strengthened.

Taylor's first principle is an suitable extension to Leopold's environmental philosophy. It builds on Leopold's *community concept*, which states that the individual is a member of a community of interdependent parts. By suggesting that humans and nonhumans share the *same* biosphere, Taylor allows the possibility of myriad life forms to be included in the social circle of moral concern.

In contrast, Taylor's first principle is not receptive to Regan's concept of

subject-of-a-life philosophy. Regan's philosophy denotes a specific set of prerequisites that a life form must fulfill if it is to be included in the sphere of moral concern, which virtually excludes almost all life forms besides mammals. Recall that Regan basically rejects any holistic-based argument calling such claims *environmental fascism*. Because of such views, it would be quite difficult to infuse a community based principle such as Taylor's into Regan's argument.

So, if these two factions are ever to work together, it becomes necessary to reconstruct these two representative philosophies, which is what the Interdependent Morality Directive seeks to accomplish.

Next, I examine Taylor's second principle which states that the human species, along with other species, are critical elements in a system of interdependence such that the survival of each living thing is determined, in part, by its relation to other living things.

As with the first principle, Taylor stresses the idea of life on earth being an all-out system of *interdependence*. Again Taylor's principle is parallel to many of Leopold's, mainly since both constantly amplify the necessity of viewing the entire biosphere as a unit. In this second principle, Taylor claims that each living thing's relation to one another is not merely gratuitous, but rather a vital component of life itself, one that *makes life possible*.

The attitude Regan would have towards this second principle would probably be one of contempt because it is holistic in nature, requiring the individual to tolerate him as being a *part* of a group, instead *just* of an individual.

Taylor's second principle is entirely consistent with the Interdependent

Morality Directive, since it bases most of its argument on the vital link between all members of the biosphere.

Taylor's third principle states that all organisms are teleological centers of life. *Teleological centers of life* means that each life form is a unique individual pursuing its own good in its own way.

Regan might not react to this claim with the same fervor applied to Taylor's first two principles. Here Taylor shifts the focus to the individual, highlighting the inherent value of the individual claiming that each is actively living out its existence as best it can in its own manner. Regan would probably look favorably on this principle because the emphasis is not on the collective whole nor the environment but squarely on the individual. The upshot of Taylor's third principle that may frustrate Regan is that individuals would need to respect other's who are actively pursuing their own good; such an ethic may infringe on the rights of the individual, yet such an ethic is not out of line with the Interdependent Morality Directive.

Taylor's fourth and final principle is the lynchpin to his entire argument. By stating that humans are not inherently superior to other living things, Taylor cements his entire argument together. This premise alone allows all members of the biosphere to start at the same point morally and such a claim is necessary for the the Interdependent Morality Directive paradigm to function.

Furthermore, to insist that humans *are* superior to all other living things is nothing but human arrogance. Human animals are not morally superior to *any* life form. Human animals are one of the rare species that kills its own species for

reasons such as money, prestige, love, power, or perhaps for no reason whatsoever. The majority of life forms besides humans *do not* kill for such reasons. There are humans who are unfaithful, cheating, manipulating, selfish creatures full of avarice, deceit and callousness. Although not all humans exhibit such vices, enough human animals *do* display such characteristics such that life can become a miserable state of affairs. Such behavior is *not* common among other life forms. So the claim that humans are morally superior to other life forms is dubious.

Moreover, most other life forms are not guilty of destroying the biosphere, unlike human animals. The destruction of the biosphere caused by human animals is outrageous. No other life form can claim such an atrocious distinction; for the human animal has a monopoly on global destruction. We poison the lakes and rivers in the name of progress, all the while unaware that we are, in a sense, destroying ourselves. We spew toxins into the air that all life forms need to exist. We discard decaying debris into landfills and oceans, rarely considering the needs of the life forms inhabiting these areas. Other life forms have not the capacity to act in such an irresponsible, pitiful fashion. Instead other life forms are exploited and victimized by human animals. They are at our mercy. And the foremost reason for such reckless behavior is the claim that we as humans are morally and intellectually *superior* to other life forms. Indeed, if human animals were any more superior, the planet would cease to exist (and this possibility is not as absurd as it may seem).

This chapter began with a quote of the land ethic. In that ethic, we find

two things: (1) the quintessence of both Taylor's and Leopold's argument; and (2) part of what is lacking in Regan's argument. There are an infinite number of life forms in the biosphere and each one is inherently equal. Both Taylor and Regan are more or less in agreement with this idea; for while Regan accepts the claim that all animals are equal, Regan would probably not accept the claim that *all* members of the biosphere are inherently equal or that they deserve the same moral consideration as all other life forms. Leopold, in contrast, would completely agree with Taylor, arguing that such a claim is completely consistent with the land ethic.

So a restructuring of both the animal rights position and the environmental position is necessary. The foundation just such an ethic is examined in the next chapter.

CHAPTER 4

The Interdependent Morality Directive

The Interdependent Morality Directive Defined and Explained

The Interdependent Morality Directive (IMD): *The correct conduct toward any member of the biosphere is that which fosters conditions that are at least necessary, if not sufficient, for its continued existence in a natural state*²⁵.

The Interdependent Morality Directive (IMD) argues that the conduct towards any member of the biosphere is intuitively mandated by appropriate actions concerning those conditions (hereby referred to as *inherent needs*) that are basic to its survival for continued existence in a natural state. Although these inherent needs tend to vary greatly with each member of the biosphere, each member has a prima facie claim to equal consideration of its inherent needs. Thus any behavior that will have an impact on a member of the biosphere needs to be implemented in such a way that its inherent needs will not be violated but maintained and/or enriched.

The IMD places a sharp emphasis on two primary elements: (1) the inherent value of all living things cannot be earned or lost. It is simply a component of any living thing the moment it comes into existence; and (2) since we as humans, do not know the exact importance of each member of the

²⁵ The term 'natural state' refers to a condition of existence where members of the biosphere are able to live with minimal interference from others. For example, nonhuman animals should be able to live in forests, jungles, and oceans without fear of being hunted or captured.

biosphere, it would be in our best interests to treat all members of the biosphere as if they were parts of a whole, where each member plays some significant role in the natural world.

Briefly, I will examine the 3 primary principles of IMD then consider each principle in detail.

FIRST PRINCIPLE: All life forms have an inherent worth and as such are never to be treated as mere objects of intent, i.e. things existing merely for others;

SECOND PRINCIPLE: All human animals have the capacity to realize and develop a true sense of compassion towards most members of the biosphere;

THIRD PRINCIPLE: As human beings we lack perfect knowledge about the relative importance of each life form and we should, therefore, treat all life forms as part of a larger whole; that is as members of an integral part of the biosphere that are in some way dependent on one another for survival.

So if we accept the first, second and third principle of IMD. then will we learn to feel our interdependence with other members of the biosphere. By doing so we will learn to restrain our actions accordingly, as directed by a community ethic.

As an example of this, consider how the inherent needs of a seal are sometimes influenced when we, as human animals, do *not* consider it as a significant member of the biosphere and refuse or are unable to see the impact of such shortsightedness. Six-pack plastic rings are a convenient, practical way

to store and sell six-pack cans of beverages and are used in virtually every part of the world. But there is a downside to these rings of plastic. When discarded, they often end up in land-fills or are emptied into a body of water, such as a lake, river or ocean. If discarded in or near an ocean, these plastic rings often snag young seals who mistaken the rings for food. The young seal's head becomes trapped in the six-pack holder. Unable to free itself, it slowly dies of strangulation as the young seal's body grows larger and larger inside the plastic ring. This is a slow, miserable death that could have been entirely prevented. How? If human animals had considered the impact their actions have on these members of the biosphere. Such awareness and sensitivity would necessitate action and the six-pack plastic rings, for example, could be cut before they are discarded. This would eliminate the possibility of a seal, dolphin, or any other animal accidentally becoming entangled in the plastic rings. So the IMD would direct actions in such a way that humans could begin to play a more aware and interdependent role in other animals welfare. In turn these practices would enable human animals to see and feel that their behavior is directly connected to the lives of other members of the biosphere.

By acting in accordance with these three ideas, the ethical standard known as the Interdependent Morality Directive can be established and implemented into those policy areas which will affect the inherent needs of any member of the biosphere.

I now examine the IMD argument in detail.

First, the IMD claims that all life forms have an inherent worth and as

such are never to be treated as mere objects or things existing for mere utility to another life form. This premise is based on two concepts: first, Paul Taylor's concept of inherent worth, which is derived from another ethic of Taylor's, the attitude of respect for nature (discussed in Ch. 3); and second, Tom Regan's principle of inherent value (discussed in Ch. 2).

Taylor argues that to adopt an attitude of respect for nature is to regard wild plants and animals of the Earth's natural ecosystems as possessing inherent worth. Taylor uses the term *inherent worth* to be attributed *only* to entities that have a good of their own. Their value is inherent only in the sense that they are valued because of their noncommercial importance, independently of any practical use to which they could be put. Thus a cow valued only for its worth as a milk producer has no inherent value. If it is true that any member of the biosphere has inherent worth, then it must possess such worth regardless of any instrumental value it may have and without reference to the good of any other being.

In the same way, Tom Regan's concept of inherent value refers to the value of an individual as a subject-of-a-life and it is possessed by *all* individuals who are subjects-of-a-life. Inherent value is independent of the instrumental value of the individual for others and also is independent of the value of that individual's experiences, such as how much *pleasure* that individual has or how cultivated its tastes are. Inherent value, therefore, is a constant for all subjects-of-a-life. The worth of such an individual is fixed and eternal.

In the First Principle of the IMD, Regan's and Taylor's concept of inherent

worth is modified and expanded to integrate all members of the biosphere. The condition of respect for the interdependence of all beings is the key adjustment. Because interdependence is highly significant in the IMD paradigm, there is a great emphasis on the attitude of respect for all members of the biosphere, regardless of what sector of the biosphere they occupy. Life forms are not ours to do with as we please; for we know not the role each life form plays in nature. We *do* know that while human beings are advanced life forms in some respects, we are also eminently dependent on less advanced life forms for basic necessities of life. Therefore, less advanced life forms have a value that is within itself and no other life form can ever claim that a member of the biosphere is worthless or at their disposal. The gist of this first principle, therefore, is intrinsic worth cannot be divorced from the concept of interdependence.

The Second Principle claims the following: all human animals have the capacity to realize and develop a sense of compassion towards any member of the biosphere, thereby allowing all members of the the biosphere to achieve and maintain a healthy existence in a natural state.

The source of this principle is established in the philosophical theories of the 18th century Scottish philosopher David Hume in his work *A Treatise of Human Nature*. Among other elements, the *Treatise* concentrates on the foundations of morality. Hume argues that human beings are equipped to lead useful moral lives because they are universally endowed by nature with the feeling, or sentiment, of sympathy. In Books II and III of the *Treatise*, Hume claims that by observing humans, one sees that people have a genuine sense of

feeling for others. When we see another person in distress, Hume claims, the suffering of that person causes us to suffer. The feelings of one person affect the feelings of another. Through the sentiment of sympathy we are able to feel another's pain as our own. This sympathy is naturally aroused in us and causes us to want to help. We have a desire to help because we have a genuine feeling of compassion with the other. As Hume states: "Nothing can be more real, or concern us more than our own sentiments of pleasure and uneasiness" (Selby-Bigge, L.A. ed., *David Hume - A Treatise of Human Nature* 2nd ed, New York: Oxford University Press, 1978).²⁶

The IMD extends this notion of sympathy to all living things, human, plant and animal; for just as we act out of sympathy for humans in need, the IMD claims that we can act out of sympathy when a tree, mountain, lake or ocean is in need, or when a steer, mink or fish is in need, or when *any* member of the biosphere is in need. Human sympathy is often extended to non-humans primarily because we see another life form in pain and we simply want to help. In nearly the same way, human could *feel* if an ox or horse were in pain, or if a river was not in its natural state of purity.

Specifically, if we consider the inherent needs of the seal mentioned earlier in this chapter, we could begin to feel the pain and suffering of the seal entangled in the plastic rings. Such sympathy could motivate us to redirect our actions so that such needless suffering is avoided.

Hume offers a theory of morality which does not depend on a faculty of

²⁶ All subsequent references to this work will be cited parenthetically.

reasoning to appreciate moral percepts. He claims that we do not make moral judgments and perform moral acts on the basis of having arrived at them intellectually. Instead, we make these judgments and perform moral acts on the basis of sympathy or moral sentiment. We judge acts to be wrong because we *feel* them to be wrong and only then develop how to start *thinking* it wrong.

Hume claims:

In whichever way you take it, you find only certain passions, motives, volitions and thoughts. There is no other matter of fact in the case. You never can find it, till you turn your reflexion into your own breast, and find a sentiment of disapprobation, which arises in you, toward this action. Here is a matter of fact; but it is the object of *feeling* not of *reason*. It lies in yourself, not the object (Hume, *Treatise*, Book III, Part I, Section I, p. 469. (emphasis added)

Although Hume considered primarily the feelings of humans towards other humans, IMD argues that these same Humian principles may apply to most, if not *all*, members of the biosphere. And since Hume claims his is an argument for sympathy as a *universal* sentiment , it is perhaps better realized within the confines of the IMD paradigm, where inherent needs such as sympathetic treatment to all members of the biosphere can be administered.

Furthermore, Hume claims that a true understanding of morality must recognize humanity and friendship, which cannot include just *human* interests. As Hume states: "some particle of the dove [is] kneaded into our nature, along with elements of the wolf and serpent" (Hume, *An Enquiry Concerning the Principles of Morals*, footnote to Section V, Part II, p. 219). In this passage, Hume seems to be arguing that true sympathy is fulfilled not only through human

interactions but by realization of a sense of *what* humans are; a *blend* of countless parts of the biosphere.²⁷ As such we need to develop a sympathetic attitude towards all members of the biosphere, perhaps by not seeing ourselves as superior to other life forms, but viewing ourselves as part of a whole. It is necessary to do so in order to be fully aware of what it means to be human.

Moreover, Hume claims that individual human life is fulfilled *only* amid the well-being of society as a whole. Again, IMD would approve but expand the concept that individual human life is fulfilled *only* amid the well-being of the *biosphere as a whole*, rather than just human-society. The virtues that we promote, according to Hume, must benefit and be useful to other persons, as well as ourselves. Thus the adage “do unto others as you would have them do unto you” would be deemed a truth by Hume. Similarly, IMD argues that the virtues we promote must benefit and be useful to *all* members of the biosphere; that is, we should do unto the biosphere as we would like the biosphere to do unto us, which would include preserving life itself. It is from this perspective that IMD seeks to influence policy making.

It is important to emphasize a primary concept of Hume's philosophy: the concept of a human being, as that of a creature of feeling. By *feeling or sentiment* Hume is referring to the capacity humans possess to feel genuinely *another's condition or situation*. In fact, it is from the sharing of the *moral sentiments* that family, friendship and community bonds are formed. Humans have an innate sense of sympathy that they need to tap into when necessary. It

²⁷ It is interesting to note that Darwin was from the same town as Hume, which *may* account for the obvious resemblance this point has to Darwin's famous theories of evolution.

is from this perspective IMD argues its position. Hume's element of sympathy can logically be extended to include all members of the biosphere and that is exactly the ethical position IMD is defending.

Principle Three claims that all forms of life are part of a larger whole: members of an integral part of the biosphere that are in some way dependent on one another for survival. This premise is, in part, based on Aldo Leopold's *community concept*, which claims that the individual is a member of a community of interdependent parts, where the individual must consider herself as a part of the land and not an entity apart from it.

The IMD builds on Leopold's idea claiming that this web of existence is not only interdependent, but that all in this web of life are in some way dependent on one another for survival. As support of this, Leopold's land pyramid is referenced. Recall how this land pyramid functions: plants absorb energy from the sun, which flows through a circuit called the biota, which may be represented by a pyramid consisting of layers. The bottom layer is the soil. A plant layer rests on the soil, an insect layer on the plants, a bird and rodent layer on the insects, and so on through various animal groups to the top layer, which consists of the large carnivores.

While it is true that a pyramid does not necessarily illustrate interdependence because the top layers are not depending, per se, on lower layers, the idea of life being linked is established by Leopold's pyramid. Here we see the complexity of life, in that its functioning depends at least on the cooperation and competition of its diverse parts. Thus it is dependent on other

life forms, as this premise of IMD claims. Leopold's claim is apropos and summarizes this third premise well:

Men are only fellow-voyagers with other creatures in the odyssey of evolution (Leopold, 194).

Evaluation of the Interdependent Morality Directive

I will now critically examine all three principles of the IMD argument, beginning with the first principle:

PRINCIPLE ONE: *All life forms have an inherent worth and as such are never to be treated as mere objects of intent, i.e. things existing merely for others.*

In principle 1, the IMD claims that all living things possess an inherent worth that is permanently fixed. Yet how practical is this? Even if we assume that all living things *do* have inherent worth, would this significantly affect their treatment? In a capitalist system such as the United States where a living thing's utility is paramount, one's usefulness to others is a major factor when considering one's worth. For instance, a cow's usefulness is mainly determined by its production of milk; a steer, its flesh; a tree, its wood; a mink, its fur; and land, its fertility. So the idea of inherent worth may be nothing more than a noble and gratuitous gesture of respect lacking genuine reverence for a living thing's

worth. This seems to be a rather plausible possibility since many grandiose ideas claiming justice and equality often fall short of their goals. Since many life forms have no other worth than a monetary one, it is unlikely that *all* life forms will not be treated as objects of intent.

PRINCIPLE 2: All human animals have the capacity to realize and develop a true sense of compassion towards most members of the biosphere.

In this second principle, there is a major problem: how is it possible for a human being to develop a sense of compassion with most members of the biosphere? This premise suggests that a human being can somehow feel the needs of a tree, an insect, or a horse. How conceivable is this? And how would such a thing be verified? The IMD relies on the sentimental notions of Aldo Leopold and Paul Taylor, claiming that as humans we are a part of nature, so we have the capacity to feel as other members of our family feel. Furthermore, the IMD cites David Hume's notion of sympathy, arguing that the sympathy that moves human to help other humans in need can somehow be extended to nonhumans. This is, at best, a dubious assertion; for Hume's entire notion of sympathy is based on *human* emotions and not those of a tree or horse.

PRINCIPLE 3: *As human beings we lack perfect knowledge about the relative importance of each life form and we should, therefore, treat all life forms as part of a larger whole; that is as members of an integral part of the biosphere that are in some way dependent on one another for survival.*

Finally, the third principle of the IMD claims that all life forms are part of a larger whole, all are members of an integral part of the biosphere and all are completely dependent on one another for survival. The basis of this principle is found in Leopold's community concept, which is a part of his land ethic and land pyramid, both discussed in Chapter 3. Leopold's community concept states that the individual is a member of a community of interdependent parts. In relation to the land, the individual should consider himself a part of the land and not an entity apart from it. The land pyramid illustrates how the web of interdependence is created, showing how the complex systems of varied life forms, including human beings, depend on one another for survival. Both of these concepts apply mainly to human's relationship to the environment. In contrast, IMD seeks to extend these ideas to *all* members of the biosphere. Thus, IMD argues that all members of the biosphere are part of the same whole and therefore *any* conduct towards an individual member of the biosphere needs to be executed with this notion of interdependence in mind.

The rationality of this claim is questionable, especially when stating that *all* life forms are entirely dependent on one another. The truthfulness of this

claim is especially dubious when one considers that many life forms exist that are not entirely dependent on *anything*. Plant life, for instance, is not especially dependent on human beings; they need CO₂, but not ours. It does not depend on human beings for survival, nor do the myriad of other life forms on this planet, such as marine animals, most mammals, reptiles, amphibians. Most of these life forms are more resourceful in relation to humans. So the claim that *all* life forms are interdependent is inconclusive. Thus, it seems that human beings who are more or less the closest to self-sufficiency or independent, we are the exact opposite; that is, of all life forms we, as human beings, are far more *dependent* and interdependent on the middle and lower life forms of Leopold's pyramid than those levels are on us. So, if anything, the IMD is more needed by us, as humans, than by them, as non-humans.

Thus, it seems odd that the IMD selects Leopold's land pyramid as a model of interdependence. In a pyramid, the top level depends on middle and bottom levels, yet the bottom level doesn't depend on the middle or top layer. So, the claim that life forms are interdependent as illustrated by the land pyramid is inconclusive.

All in all the IMD is somewhat short-sighted. It seems to be a romanticized attempt to reconcile a debate between two factions that are by definition diametrically opposed. The environmentalist places the land at a higher priority level than animal rightists. Environmentalists are not preoccupied with the individual. Animal rightists, in contrast, start with the individual, yet the IMD

carefully avoids this snare, attempting to gloss over almost with an enchantment-like principle singing praise to some ephemeral sense of unity and togetherness. Unfortunately, the real world involves individuals who are not willing to give up their sense of right and wrong so easily and the appeal to this is the IMD's biggest shortcoming. In short, it can't work without a drastic change in the way the entire world thinks.

Yet , since the IMD seeks to extend both the animal rights position and the environmental position by focusing on (1) respect, (2) compassion, and most important, (3) an awareness and recognition of interdependence among all members of the biosphere, it is not necessary for both schools of thought to concur in the IMD paradigm. This seems a sound enough basis for a better approach to policy making than either the animal rights or the environmental ethic, since the IMD is based on factors that largely encompass, and more or less supersede both positions. From this perspective, it offers a strong ethical foundation. The incorporation of such an ethic into the policy arena is the focus of the next chapter.

CHAPTER 5

PUTTING THE IMD INTO ACTION

The Interdependent Morality Directive (IMD) as a Working Policy Plan Within the Interpretive Policy Approach

The incorporation of the IMD paradigm into the policy arena is best made under the auspices of the Interpretive Policy Approach (IPA) to policy making. This section of the thesis will focus on the issue of how IMD can become a legitimate and pragmatic tool for policy making within the IPA paradigm. I begin with an in-depth examination of the IPA and then relate it to the Interdependent Morality Directive.

The Interpretive Policy Analysis Approach

According to Rosemary Tong, a leading researcher and writer in the area of policy analysis and policy formation, IPA argues that the policy world is populated neither by pure facts nor pure values, but by value laden facts. In other words there is no clear-cut division of fact and value. There can never be a factual claim that is totally independent from any value. Facts are selected by values because human interests determine what counts as a relevant fact (Tong, Rosemarie, *Ethics in Policy Analysis*, Englewood Cliffs, NJ, Prentice Hall, Inc., 1987, 33)²⁸

IPA is defined as a type of policy analysis emphasizing the

²⁸ All subsequent references to this work will be cited parenthetically.

meaningfulness of human action (Callahan, Daniel and Bruce Jennings, *Ethics, The Social Sciences, and Policy Analysis*, New York, NY, Plenum Press. 1983, 84). The explanations of human activity offered by IPA are designed to mirror the purposive, intentional character of the practical reasoning of agents involved. IPA attempts make sense of it in the same way that the actual participating agents already made sense of it themselves, or could have done (at least in principle). Therefore, it offers a valuable method of creating policy because it considers human beings as active subjects rather than merely as behaving objects. It thus avoids two problems: (a) treating agents as mere objects; and (b) the false elitism of policy makers detached from those most affected by policy decisions. Thus the general aim of IPA is to enable us to understand events as though we, as policy makers, were looking through the eyes of those who will be most impacted by the policy decisions. While this definition of IPA applies most directly to human animals, IMD extends it by applying it to all members of the biosphere.

One of the fundamental concepts of IPA is that there is no division of fact and value. The policy world is populated *neither* by pure facts nor pure values, but by *value-laden facts*. It is impossible, therefore, to have factual claims totally segregated from values.

Jurgen Habermas, a leading proponent of the IPA philosophy, argues that facts are selected by human values²⁹, which are motivated by three basic types of fundamental interests: (1) an interest in controlling the natural environment to

²⁹Human *interests* determine what counts as a relevant fact.

facilitate survival; (2) an interest in communication, that is, mutual understanding and joint enterprise in a context of social traditions; and (3) an interest in emancipation; that is an interest in becoming free of ideological mystification and enslaving social constraints. These three interests, according to Habermas, rigidly guide the process of inquiry by which data, or facts, are collected. There are three corresponding forms of knowledge: (1) the empirical-analysis sciences; (2) the historical-hermeneutical sciences; and (3) the critical sciences, such as psychoanalysis. Habermas claims, for example, that if humans had not been interested in controlling nature, the natural sciences as we know them today would be virtually nonexistent. For instance, scientists discovered atoms because they were looking for them. Discoveries of new facts are only made because individuals are looking for particular answers to specific questions that researchers and scientists deem important for one reason or another. The basic vehicle of these ideas is found in the policy postures of the IPS philosophy. Accordingly, we'll now examine the IPA in detail.

As a policy framework, the IPA has three fundamental principles. First, as stated earlier, interpretive policy science categorically claims that facts are neither docile nor neutral. Habermas claims that facts are all unruly (essentially contestable) and value-laden (interpreted). So the question raised by IPA is not whether the facts are relevant to empirical analysis; instead IPA asks what kinds of facts are selected and how they are to be interpreted (Tong, 24). A second fundamental principle of IPA is that success with the IPA paradigm largely depends on the insight and creativity of the analyst herself. The interpretive

policy scientist is not content just to study the mere facts that x did y and under what conditions x is likely to do y again. Rather, she wants to know why x decided to do y and how y is related to the past activities of x . Thus the interpretive policy scientist aims to explain human activities, social relationships and cultural artifacts in terms of an agent's reasons for doing actions, establishing a relationship, or making an artifact. In turn, these reasons are explained in terms of the context of conventions, rules, and norms within which they are formed. The interpretive policy scientist "spins a web in an attempt to explain the meaning of a given activity, relationship, or artifact in an ever-widening web of interrelated activities, relationships, or artifacts" (Tong, 36). The third fundamental concept is that IPA is a "rhetorical and persuasive medium. Facts do not speak for themselves. The interpretive analyst must speak on their behalf" (Tong, 36). So there are no cold, hard facts that need not be interpreted; each *fact* must be interpreted in accordance with specific criterion of the policy issue at hand.

So the IPA is almost exclusively a subjective approach to policy analysis. It is the opposite of a logical positivistic approach where objective interpretation of facts is necessary. Policy analysts from the logical-positivist school of thought view themselves as technicians and scientists, guarding against any subjective interpretation of the issues at hand.

It is from the IPA that the IMD paradigm will have the greatest impact in policy making. IPA serves as a natural foundation for the IMD paradigm. This is true for several reasons. First, since IMD argues that all life forms have an

inherent worth and as such are never to be treated as mere objects. A policy analyst in the environmental arena, for instance, would need to adopt an interpretive posture to her area of policy formation, since the biosphere has such an enormous diversity of life forms. Also, IMD argues that as human beings we lack perfect knowledge about the relative importance of each life form and we should, therefore, treat all life forms as part of a larger whole; that is, as members of an integral part of the biosphere that are in some way dependent on one another for survival.

So, by speaking on behalf of the facts, the interpretive policy analyst would not allow facts to speak for themselves. The analyst would, therefore, be an indispensable part of the IMD policy process; for she would be *the* creative link between the biosphere and the policy itself. Hence more life forms could be *heard* by having an interpretive policy analyst speak on their behalf.

The Practicality of the Interdependent Morality Directive in the Policy Process

When considering policy issues from a standpoint which integrates both environmental issues and animal rights issues, the environmental movement has exceeded the the animal rights/animal welfare movement. This is evidenced by examining key legislation advanced by powerful environmental groups that have consistently and effectively penetrated policy areas. These environmental groups have a clear and well formulated understanding of the goals of the environmental movement, as evidenced by the popular Endangered Species

Act. It is primarily because of this factor that their successes have been so prevalent. Groups such as the National Resources Defense Council, the Environmental Defense Fund, the National Wildlife Federation, National Audubon Society, Friends of the Earth and the Sierra Club Legal Defense Fund are just a few of the national public interest law groups that commit themselves to monitor, negotiate, litigate, and lobby many rigorous, enforceable regulatory programs that impact policy making at the environmental level. The critical role these organizations have played in securing environmental protection is impressive. Yet the animal rights factor still seems to be missing.

Similarly, the animal rights groups ignore the environmental issue . This lack of harmony between animal rightists and environmentalists results in disorganized and ineffective policies and legislation. A survey of some of the most recent legislation for animal rights illustrates the insidious effect such disorganization has on subsequent policy making. The legislation that is passed is often ineffective and vague in that it addresses only animal rights instead of both environmental *and* animal rights issues. The IMD will be shown to be a viable tool in reconciling these policy making problems. This is best seen by analyzing several key policies of the environmental and animal rights groups which will set the stage to show how the IMD paradigm may be employed to resolve some of the conflicts that often surface when these two factions meet in the policy-making arena.

The Animal Welfare Act (USC Sec. 2131 et. seq; passed 1966, amended 1970 and 1976) established several regulation systems to protect dogs, cats,

and many species of wild animals from abuse (Cooper, Margaret E, *Introduction to Animal Law*, New York, NY, Academic Press, 1987, 79)³⁰ . Birds, reptiles, rodents, and farm animals, however, are *not* covered by this legislation, nor are scientific research laboratories. The environmental issue is completely neglected.

The Act deals with interstate movement and commercial dealing involving various species of animals. It forbids animal fights (although game bird fights are outlawed only where state laws have that effect). It also regulates that supply and care of animals destined for research facilities or exhibition in the pet trade. The 1966 Act has been further amended by the Improvement Standards for Laboratory Animals Act 1985 which requires the establishment of institutional animal committees and the provision by USDA of standards for the care of animals used in research.

The Act controls the supply and care of animals (defined as cats, dogs, nonhuman primates, rabbits, hamsters and guinea pigs) destined for, and kept in, research facilities. The Act does not apply to rats and mice, although these and other warm-blooded species could be designated as subject to the Act. "Facilities must obtain their animals from licensed dealers and mark such cats and dogs and keep records accordingly" (Cooper, 174). The Act expressly does not apply to the design and performance of experiments using animals. Any procedures that would protect animals from unnecessary research and/or infliction of pain are not mandatory under the Act. The protection of such animals

³⁰ All subsequent references to this work will be cited parenthetically.

and the regulation of experimental procedures are dependent, not on any legislative provisions, but on various administrative structures, inspection and financial control by grant-giving agencies. The Act merely states that research facilities must meet certain standards in the care, treatment and use of animals, yet no specific guidelines are offered. The Act does require that all research facilities must be registered with the US Department of Agriculture (USDA) and an annual report stating animal usage must be submitted. However, the roles and competency of such quasi-judicial bodies such as the USDA is questionable, especially since the regulations are often written using ambiguous and vague terminology.

Various offices are involved in certifying that the minimal standards of the Act are met, including the National Institutes of Health (NIH) and the American Association for Accreditation of Laboratory Animal Care (AAALAC); yet even if the minimal standards set by the Act were, in fact, achieved, animal "welfare" would not be the result, mostly because of the inherent shortsightedness of such policies. The Act fails to consider crucial factors that may play vital roles in its implementation, such as environmental issues, as well as political and economic forces.

If animal rights groups had employed the help of environmental groups, better, more suitable legislation could have resulted. There is no specific provision in this act protecting animals from abuse, neglect, or any other exploitation. There are merely vague references to these issue, but nothing devoted exclusively to animal *welfare*, as the title of the act leads one to believe.

Unfortunately, the pattern seen in the Animal Welfare Act is not atypical of animal rights/welfare policy. Consider the title of the next piece of legislation: The Humane Slaughter Act (something of an oxymoron) of 1958 (as amended 1978). This legislation is a feeble attempt to appear to offer humane treatment of animals. It requires livestock (cattle, calves, horses, mules, sheep, swine) to be slaughtered by specified methods, including ritual slaughter (Cooper, 171). While the intent of the act seems clear enough, much is left unsaid. For instance, is it even feasible to humanely slaughter an animal? Is it *necessary* to slaughter animals in the first place? Are the needs of the animals considered? These issues are never addressed, nor are the issues of the relevance of environmental factors.

In the same way, The Horse Protection Act 1970 (as amended 1976) and the Wild Horse and Burros Act 1971 (as amended 1978) provide so-called protection from various forms of cruelty and the capture and killing of wild horses which live on federally owned public land (Cooper, 88). However, there is no mention as to the allotment of management and/or enforcement of this act. While the federal government claims that there are rangers who strive to uphold this legislation, local offices are usually severely understaffed and ill-equipped to make a substantial difference.

Furthermore, The Lacey Act 1901 (as amended 1948, 1949, 1960,1969) prohibits the interstate transport of wildlife which has been killed in violation of state laws (Cooper, 101). Once again, legal loopholes encouraged by the vague language of the Act allow gross legal violations.

The common denominator in all these pieces of animal welfare legislation is twofold: (1) the use of inadequate language; and (2) the disregard of any environmental issues. There are no specific sections in any of the aforementioned pieces of legislation that specifically and realistically direct humans to take the needs of nonhuman animals seriously. The crucial role the environment itself plays in the welfare of animals is sorely lacking in almost all of the aforementioned pieces of legislation. The result is that half of the problem is addressed; the animal problem. But the animal's vital link to the environment is left alone, as if it were inconsequential.

The environmental movement has made strides towards realization of its goals. Yet the animal rights issue often remains unaddressed. For example, the Endangered Species Act of 1969 (as amended 1973, 1978, 1993) deals with national and international commerce in the species as listed by the US Department of the Interior as endangered or threatened as well as with their protection from hunting, killing, taking, and injuring. Protection is afforded to their habitat in those areas vital to their survival, yet the protection species itself is often the prime focus of this legislation, and as a result a utilitarian ethic is often imposed.

The Endangered Species Act was originally designed to protect those species of plants and animals that are endangered or threatened with extinction over all or a significant portion of their habitats (Rohlf, Daniel, *The Endangered Species Act*, Stanford, CA, Stanford Environmental Law Society, 1989, 1-6)³¹ .

³¹ All subsequent references to this work will be cited parenthetically.

However, several sections of the Act were seriously thwarted by a 1978 amendment which established a cabinet-level committee. Its sole purpose was to manage the resolution of conflicts between endangered species and federal projects such as dams, federal housing, and military installations. This 7-member committee had virtually *unlimited* power and discretion when endangered species posed a problem with a federal project. So, it could, and often did, order the *extinction* of any species in favor of a development project. This committee was the result of short-sighted policy makers unaware of the *whole* environmental problem. There were no consultations with animal rights groups, nor was there any investigation of the long-range implications of such policies.

Furthermore, The Endangered Species Act lists thousands of species in danger of extinction, yet "most of the species in danger of extinction will wait years, perhaps decades more before they are listed and protected under the Act...For species already listed, the nominal protection afforded...may be all that species receives." (Rohlf, 5). Why? Primarily due to the lack of cooperation and exchange of information between animal rights and environmental groups. If the IMD could be implemented and its ideas of inherent equality put into practice, such delays might be avoided.

Yet how *exactly* will the IMD be put into effect? The next chapter deals with this issue.

CHAPTER 6

IMPLEMENTATION OF IMD

*The Interdependent Morality Directive and three stages of the policy process:
agenda setting, decision making, implementation*

This section will analyze how IMD might be incorporated into the policy process. By examining three central stages of the policy process - agenda setting, decision making, and implementation - the practicality of the IMD will be revealed. In brief, the IMD could serve as a guideline for policy makers in an attempt to bring some semblance of orderliness to a world that is often teeming with chaos; for Heineman claims that "the whole policy process is messy, replete with considerable randomness, but careful research can have an important impact- from agenda setting through the implementation stage" (Heineman, *The World of the Policy Analyst -Rationality, Values, and Politics*, Chatham, NJ, Chatham House Publishing, Inc., 5)³².

In terms of the practical use of IMD in the policy process, the policy analyst plays such a critical role that to truly understand policy making, Heineman argues, one must understand the policy-maker's values. As a guide for a policy analyst, IMD offers a holistic set of values because it considers the welfare and interests of *all* members of the biosphere. Thus, IMD could

³² All subsequent references to this work will be cited parenthetically.

conceivably play a significant role in maintaining an element of fairness in the policy process.

To be understood properly, policy analysis must be examined within the larger policy process. Three of these steps - agenda setting, decision making , and implementation are critical to the policy analyst and will now be analyzed.

Agenda Setting - Stage 1

In the policy process, a proposal needs to be set on an official agenda, if it is to be seriously considered. There must be a problem to be dealt with that requires interaction on some official policy level, otherwise the problem will not be considered to be a legitimate concern. According to Heineman, there are three basic elements that help to shape what gets on the governmental agenda: (1) problems, (2) politics, and (3) visible participants.

First, a condition must be identified as a problem before it will be put on the agenda. Getting officials to believe that there is a problem is one key step in agenda setting, and at this point analysts can have significant influence by providing data and carefully framing the dimensions of the problem. Second, there are political factors that affect agenda setting. A kind of consensus may emerge that certain circumstances call for governmental consideration; this consensus is often a product of bargaining, negotiation, and compromise among a multitude of actors. Political factors are very often crucial in determining what problems are seen as serious and which ones are not. A political climate may

exist that may or may not favor a particular issue in need of being resolved, yet careful attention by a diligent policy analyst may enable certain issues to be presented from a new perspective. Recall that IMD may provide the necessary impetus to link essential coalitions together. By realizing the value of a policy directive such as IMD, an agreement may be reached that could bridge the political barriers and special interests that prevent progress. The third and most important element that shapes what items are placed on the governmental agenda is visible political actors. "If any one set of participants in the policy process is important in the shaping of agenda, it is elected officials and their appointees rather than career bureaucrats or nongovernmental actors"

(Kingdon, John W., *Agendas, Alternatives, and Public Policies* Boston, Little, Brown and Co., 1984, 20).³³ Visible political actors are central in deciding what to decide about. These include the President, Congress, key-level appointees, top administrators, the media, government parties, and interest groups. If few or none of the visible actors is in favor of placing a problem on the agenda, it is highly unlikely that it will be considered.³⁴ Perhaps the most substantial of all these actors is the president himself, as compared to other political actors. According to John Kingdon, "When a president sends up a bill, it takes first place in the queue. All other bills take second place. No other single actor in the political system has quite the capability of the president to set agendas in govern policy areas for all who deal with those policies " (Kingdon, 25).

³³ All subsequent references to this work will be cited parenthetically.

³⁴ So political actors would need to agree on the inherent value of all living things and act in accordance with the ideas espoused by the IMD

These three elements represent the basic, common regularities in the process by which problems are placed on an agenda. But according to Heineman, the foremost factors that impact which items get placed on the agenda are *values*, such as equity or the redress of imbalances or unfairness. Proposals can get onto the agenda if an existing policy is seen as unfair, *even if* other proposed remedies are more inefficient. Equity is such a significant value in the policy-making arena that it may override policy analysis based on efficiency criteria, since most policy makers cite justice as a leading priority in their work.

It is with this value of equity that the IMD is probably best associated. One of the chief goals of the IMD is to construct a foundation from which more just policies can be created. The IMD and its main principles of inherent necessities and equality serve to help foster equity when dealing with members of the biosphere in policy issues.

So for an issue to be deemed serious, it must possess the following: (1) be a legitimate problem having significance relative to society; and (2) not fall victim to obscure political forces but rather be a product of collective action where the welfare of all those involved be seriously considered.

Decision-Making -- Stage 2

The second stage of the policy process focuses on making decisions. At this point, there must be at least some budgetary support for it. It is at this stage

that most of the majority coalitions already formed come into play; that is, a process of negotiation and compromise takes place among involved parties.

According to Heineman, the decision-making stage is often inundated by unknown factors that may impact policy making, such as money constraints, confusing or misleading terminology, time limits, as well as other variables. Because there are often so many unknown variables, policy makers may, at times, employ a heuristic device or rule-of-thumb, such as "Red sky in morning, sailor take warning" or "A stitch in time saves nine." Heuristics are often utilized when a decision is needed, yet all necessary factors are not known. So when facts are not clear and the context in which decisions are to be made is murky, irrational shortcuts are utilized in order to facilitate decision making.

It seems that the IMD could be utilized effectively at this decision-making stage of the policy process. This is not to imply that the IMD is merely a heuristic device, but by incorporating it as a standard by which to evaluate proposals, decisions can be made with greater consideration for all members of the biosphere.

The practicality of the IMD becomes apparent when one considers Heineman's two main perceptions about decision-making: (1) values and decision-making shortcuts used by policy makers play a large role in determining the choices made under conditions of uncertainty; and (2) human being's tendency to interpret uncertain facts to comport with their values and beliefs; their preconceptions shape the types of information used in decision making (Heineman, 60).

The first of Heineman's claims seems to suggest that the heuristic devices aforementioned are key factors in the decision-making process. The IMD could virtually rule-out resorting to such arbitrary methods. The IMD would be the standard that could replace the heuristic device in matters involving animal and environmental issues.

For instance, recall that the IMD argues that correct conduct toward any member of the biosphere is that which fosters conditions that are at least necessary, if not sufficient, for its continued existence in a natural state. Such a directive would not allow any policy plan to be initiated that would violate this guideline. So, hypothetically, if there was a policy proposal that could alleviate hunger in a section of the U.S., yet thousands of acres of prime forest and wildlife needed to be destroyed to reach such a goal, then the IMD could be implemented and necessitate exploring other possibilities.

Heineman's second comment regarding preconceptions indicates that a policy-maker's biases may distort the decision-making process. The IMD might serve to regulate the biases of a certain policy maker, thereby allowing a more representative decision to be made. Policy analysts, for instance, are often trained in varying ways, such as a logical-positivistic approach versus an interpretive approach. These different approaches to policy making often come in conflict with one another. The IMD could feasibly bridge the gap between opposing schools of thought, since it is to be a generic guideline which transcends any given ideology. In such a way, the IMD would not tolerate other values. A logical-positivist, for example, might consider a policy proposal that

could alleviate hunger in a section of the U.S., yet thousands of acres of prime forest and wildlife needed to be destroyed to reach such a goal perfectly acceptable, if he bases his decision on facts alone. A policy-maker schooled in the interpretive mode, might consider a policy absurd. Yet both analysts would need to remember as well as incorporate the IMD into the policy itself. Hence, personal bias would be limited.

So the decision-making stage of the policy process is of special importance. It is at this stage where the IMD may have special usefulness.

Implementation - - Stage 3

The third and final stage of the policy process is where a policy is realized and imposed. It is at this stage that policy becomes a *living part* of society, where official agencies are empowered to supervise and police certain policy provisions, assuring that the policy is more than just a useless paper-document with no real power to govern policy decisions. According to Heineman, there are several key players at this stage, including interests groups, judges, and administrators in the agencies charged with putting a paper policy into operation.

It is at this stage that the IMD could play a significant part. According to Heineman, the major contribution of policy analysts to the implementation stage occurs at the policy formulation stage. At that stage, policy analysts can have an impact on program administration by having the foresight to build into their analyses specifications that increase the odds of successful implementation

later. The IMD could serve as a precept for policy-maker's values at the policy formulation stage, thereby limiting any potentially problematic policy provisions. Consequently, the implementation of a specific policy would need to be in compliance with the IMD. For instance, if a particular policy were proposed for the treatment of sewage waste in an area densely populated by wildlife, the main IMD guideline of inherent worth could be implemented in an effort to protect the wildlife. The impact on the lives of nonhuman animals and the land would need to be considered as a vital policy issue prior to implementation, as opposed to such issues being considered *after* the policy had been implemented.

In the United States, public policy is implemented primarily by a complex system of administrative agencies (Anderson, 99). The effectiveness of these agencies will be affected by two elements: (1) the political context in which it operates; and (2) the amount of political support it has. Thus, politics has a great impact on how an agency exercises its discretion and carries out its programs. The IMD could possibly curtail at least some of the political forces at play, since it prohibits certain actions.

Specifically, the forces at work are mainly composed of the following: (1) the Chief Executive, (2) the Congressional System of Supervision, (3) the Courts, and (4) other administrative agencies. The chief executive controls agencies that either are located in the Presidential chain of command or are otherwise subject to Presidential control and direction. The Congressional System of Supervision includes any standing committees and subcommittees thereof, committee staffs, committee chairman, and influential congressmen.

Congressional influence is fragmented and sporadic rather than monolithic and continuous. It emanates from parts of Congress, rarely from Congress as a whole. The courts affect agencies by their use of judicial review and statutory interpretation. Other administrative agencies may exert influence on each other, such as the Department of Agriculture does on the ICC in agricultural cases. As a result, there are a number of agencies that operate on other agencies by pushing and pulling against each other.

In an attempt to somewhat command all these forces, the IMD may play a vital part. As a common value shared by the policy makers, the IMD could guide the personal values that so often play an important role in aiding or hindering policy implementation. Because administrators often have considerable discretion in how they implement policy, their attitudes towards a program are important. The IMD could impact the attitudes of administrators by presenting itself as a directive to be followed at all stages of the policy process.

As an example of some policy issues that are inundated by conflicting agencies' differing ideals, the next chapter focuses more specifically on animal rights and environmental policy/legislation, showing the progress of each group.

CHAPTER 7

REALIZATION OF THE IMD

The IMD and the State of the World

As a policy directive in the animal rights/environmental ethics debate, the IMD has consistently argued that there needs to be a set of guidelines striving to comply with most of the relevant aspects of both factions.

Yet why is the IMD needed? Why should the environmentalist and the animal rightist abandon current practices and ideologies? In short, it is because they are ultimately ineffective. Policy makers on both sides of the animal rights/environmental ethics debate cannot look at one single global issue in isolation. Each side can probably correct individual fragments of a global problem but that fragment will probably deteriorate a moment later because what it is connected to has been ignored. The IMD wants to be the glue that helps keep the fragments together and it is possible, considering how the IMD is structured.

From the animal rights argument, the IMD seeks to extend Regan's idea of inherent value to all members of the biosphere, instead of just mammals. From the environmental argument, the IMD focuses on the relative importance of each member of the biosphere, claiming that all are part of the same whole. Ultimately, the IMD argues that it could be *the* standard that all members of the biosphere can, quite literally, live with.

At a practical level, by gradually introducing the the IMD into the Interpretive School of Policy Analysis (IPA), the beneficial aspects of the IMD could be realized. The IPA would sustain and nourish the cooperative component of the Interdependent Morality Directive, thereby allowing a comprehensive interpretation of the facts and values involved in policy making.

In terms of actually implementing the IMD, we first need to consider the current political atmosphere. To do so, we examine the 1995 publication of the World Watch Institute, *State of the World: 1995*. Here we find an article by Hilary F. French, *Forging a New Global Partnership*. French discusses the issues of biodiversity and policy formation, focusing on which political groups are supporters of environmental protection ethics and which are not.

French reports that there have been measurable gains in the area of protection for the global environment. For example:

Air pollution in Europe has been reduced dramatically as a result of the 1979 treaty on transboundary air pollution. Global chloroflourocarbon (CFC) emmissions have dropped 60% from their peak in 1988 following the 1987 treaty on ozone depletion and its subsequent amendments. The killing of elephants has plummeted because of the 1990 ban on commercial trade in ivory under the Convention on International Trade in Endangered Species of Wild Flora and Fauna. And mining exploration and development have been forbidden in Antarctica for 50 years under a 1991 accord (French, Hilary F. "Forging a New Global Partnership." In *State of The World:1995*, ed. Lester Brown, 179-89. New York, NY: World Watch Institute/W.W. Norton, 1995., 171).³⁵

French notes, however, the current state of the world is far from perfect.

³⁵ All subsequent references to this work will be cited parenthetically

The Earth Summit in Rio de Janeiro in June of 1992 marked the first time in history when the leaders of several nations gathered together to discuss the state of the planet. The Earth Summit resulted in the adoption of Agenda 21, a 500-page blueprint for sustainable development. If implemented, it would require far-reaching changes by international agencies, national governments, and individuals everywhere. Unfortunately, the ideals set forth at the Earth Summit have had a minimal effect on global ecology. Three years after Rio there is still vast evidence of global ecological decline:

Carbon dioxide concentrations are mounting in the atmosphere, species loss continues to accelerate, fisheries are collapsing, land degradation frustrates efforts to feed hungry people, and the earth's forest cover keeps shrinking (French, 171).

In short, the global partnership called for in Rio is failing due to a severe weakening of political will. Yet there is hope. In July of 1995, the major industrial powers are devoting their 1995 Economic Summit in Nova Scotia to the framework of institutions required to ensure sustainable development with good prosperity and well-being of the peoples of our nations and the world in the twenty-first century. So there is a very real attempt to create a sense of solidarity among the peoples of the world. These new partnerships focusing on international cooperation and coordination are at the forefront and it is with this sense of cohesion the IMD could be implemented.

The State of the World and Implications of the IMD

French discusses the possibility of creating a full-fledged environment agency *within* the U.N. system. Such an agency could develop basic environmental principles, perhaps incorporating the IMD paradigm as a fundamental guideline for policy formation. This would enable the IMD to be an innate part of the *world's* policy-making practices. Such an organization might consider the far-reaching implications of the IMD, such as: (1) overall cost of implementation of the IMD; (2) the amount of time needed for effective use of the IMD in specific policy areas; and (3) any legal ramifications that implementation of the IMD may have at both the national and international level.

1. Of paramount concern in implementation of the IMD is cost. As burdened as most countries are, it seems unlikely that many would be willing to try yet another *policy plan* that could increase those debts even further. A recent survey by World Bank shows the external debt of developing countries as tripling by the year 2,000. Many developing countries paid \$160 billion in debt-service payments in 1992. With such huge debts already, the IMD would need to carefully consider how much financial backing would be needed for agenda setting , decision making , and implementation. Money would be needed to staff, organize, police and implement all the ideals the IMD espouses.

2. Time is also a crucial factor when considering the implementation of the IMD and time is a very precious commodity. At a very basic level, it seems as though the IMD is slightly ahead of its time; that is, the world, as a whole, is in

the embryonic stage ethically. Pursuit of power, prestige, and money are *the* current directives of many citizens of this planet. It could feasibly take decades, perhaps centuries, before the full potential of the IMD is realized.

3. The legal consequences of implementing the IMD could be enormous. Since the IMD ultimately seeks to be realized at an international level, the possibilities of legal burdens grows considerably. How would the IMD interact in a communist society, such as China? Would there need to be the IMD police-force to enforce the ideas of the IMD? And if so, where does such a *right-of-international-interference* come from? These are not easy issues to address, yet they must be resolved or the IMD faces being nothing more than the product of an idealistic-bygone era.

The true meaning of the IMD, therefore, can only be realized and implemented into real policy if a change in the idea of a community is adopted.

Robert Welborn, Professor of Environmental Studies at Franktown, Colorado, claims that there must be a *community of interest*, if the planet is to survive. According to Welborn:

If the human species is to save the life and beauty of this planet from the ravages of its own domination and degradation, we must recognize, develop and act upon a community of interests and aspirations founded upon a respect for all life and for the substances and processes of Nature (Robert Welborn, A Community of Interest, in Between the Species, Vol. 8, 4. p. 234).

The IMD would incorporate such perceptions into the policy arena.

Furthermore, Welborn claims that by adopting a community of interest, *all* life forms will benefit. When all elements of life are community, Welborn argues,

then the sensitivities and intelligences which bring people to a concern for the environment are the sensitivities and intelligences which bring people to a concern for animal welfare.

There must be a worldwide community where the actions of all nations are considered in terms of their impact on other nations.

There is no longer time for human endeavors to develop and operate in isolation. There is no longer time for a person to be just a lawyer, just a farmer, or just an educator...Isolation of the human species within itself and from communion with the world community of living things has brought this world, its life and beauty, to the brink of extinction (Welborn, 235).

The IMD would encourage such attitudes. By emphasizing the interdependence of all life forms and by categorically rejecting the assumption that only human life is important and that all other life can be exploited and abused, the IMD could give birth to many policies that encourage a worldwide community of interest.

By focusing on the essence of the IMD, the animal rightist's and environmentalist's argument begin to be reconciled. The gist of the IMD, however, seeks to greatly extend both these camps so that the interdependence of all members of the biosphere is supported, nurtured and used as a basis for policy decisions. From Tom Regan's animal rights argument, the IMD retains the view that the infliction of unjustifiable suffering on other animals is not acceptable. Regan's primary target in his argument is mammals. The IMD extends this notion by including non-mammals in the sphere of moral concern. From Aldo Leopold's and Paul Taylor's arguments, the dominate characteristic is

a holistic philosophy concerned primarily with the land itself. Both Leopold and Taylor focus on the interdependence of all life forms, arguing that the welfare of the land itself is directly linked to the welfare of human and non-human animals. The IMD extends this argument claiming that the philosophies of Leopold and Taylor need to be incorporated into a larger paradigm, where the connection with Hume between land and animal *is seen and felt as a real* connection, a straightforward interdependence shared by all members of the biosphere.

The philosophy of the IMD is clear: all members of the biosphere are interdependent and this bond needs to be nurtured. Only then will all animals and all lands be respected for what they truly are: members of one biosphere; one life; one Earth.

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