

## 18. Challenging our thinking about wild animals with common-sense ethical principles

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### Abstract

Significant disagreement remains in ethics about the duties we have towards wild animals. This paper aims to mediate those disagreements by exploring how they are supported by, or diverge from, the common-sense ethical principles of *non-maleficence*, *beneficence*, *autonomy* and *justice* popular in medical ethics. We argue that these principles do not clearly justify traditional conservation or a 'hands-off' approach to wild-animal welfare; instead, they support *natural negative* duties to reduce the harms that we cause as well as *natural positive* duties to promote the welfare of wild animals.

**Keywords:** non-maleficence, beneficence, autonomy, justice, duties

### Introduction

Wild animals are all around us, far outnumber us, and are impacted by us in numerous ways. Yet if one consults the ethical literature, one will find significant debate about the types of moral duties we have towards them (or if we have any at all). While various positions on this question have been produced, their incompatible starting positions often lead to wildly different conclusions. Although a fundamental resolution between these theories is unlikely, some positions claim greater plausibility by arguing that they cohere better with our basic moral beliefs.

The aim of this paper is to present a *prima-facie* argument in favour of positions which claim *natural negative* and (more importantly) *natural positive* duties toward wild animals by showing that they can be supported by 'common-sense' ethical principles. The argument is *prima-facie* in that common-sense morality gives us reasons in favour of certain views, absent any particular compelling or agreed-upon ethical theory.

We proceed as follows. First, we state our working assumptions. Secondly, we categorize theories within wild-animal-ethics according to the types of duties they propose. Thirdly, we describe four principles often taken to represent common-sense morality: *non-maleficence*, *beneficence*, *autonomy* and *justice*. Finally, we discuss how each principle should be understood with regards to wild animals and the types of duties each principle points towards.

### Working assumptions

As a starting-point for our argument, we assume a sentientist account of moral status. Sentientism is the position that sentience is necessary and sufficient for moral status. Sentient beings are the *source* of value, however other living or non-living things may nonetheless have derivative and intrinsic value (Jamieson, 1998). As a consequence of this view it is hard to justify discrimination on the basis of species alone, and it follows that, *ceteris paribus*, one should give the interests or rights of animals from different species equal consideration (Horta, 2010).

## Different views within wild-animal ethics

We group ethical theories about wild animals into five categories, based on the types of duties which they claim should guide our moral thinking towards wild animals. This categorisation is not meant to be exhaustive, but simply to capture the different ways of thinking about wild animals. The order of the categories reflects a general trend from least to most-demanding.

1. No duties.
2. Indirect duties.
3. Natural negative duties.
4. Natural negative and special positive duties.
5. Natural positive and negative duties.

Categories 1 and 2 are anthropocentric positions which deny the moral status of animals, and are incompatible with our non-speciesist starting assumption. Category 2 includes theories inspired by Immanuel Kant which claim that, while we have no duties to animals themselves, harming them is wrong indirectly due to the effect it can have on our moral character.

Category 3 theories claim that we have a natural negative duty not to harm wild animals, but no positive duties to benefit them. Natural duties are grounded in the intrinsic nature of sentient, rather than any other fact about them, and for most theorists the specifically relevant aspect of animals' nature is their sentience. The rights-theorists Tom Regan (1983) and Gary Francione (2008) fit into this category. Regan argues that we should 'protect wild animals from those who would violate their rights', but that 'being neither the accountants nor managers of felicity in nature, wildlife managers should be principally concerned with *letting animals be*'. Similarly, the virtue-ethicist Rosalind Hursthouse (2011) argues that, even when wild animals face great hardship, 'respect still entails leaving them to live their own form of life'.

Category 4 theories agree with the natural negative duties of category 3, but argue in addition for *special* positive duties towards wild animals. Special duties are owed due to some non-intrinsic fact about an individual. The prototype of this category is Clare Palmer (2010), who argues that we only have positive duties towards wild animals when we have established certain relationships with them. In the absence of such special conditions, no positive duties pertain. Alongside her, Donaldson and Kymlicka (2011) argue that the relationships wild animals have within self-regulating communities, and how they refuse human interference, gives us duties to respect their autonomy. While Donaldson and Kymlicka do accept natural, rights-based positive duties towards domesticated and 'liminal' animals, they argue that our relation-based duties to wild animals *cancel out* those positive duties in most cases, placing their theory most suitably in this category.

Finally, category 5 theories argue for both natural negative and natural positive duties. It is this category which we argue is best supported by common-sense ethical principles. Here the very nature of wild animals gives us reasons not only to avoid harming them, but also to promote their flourishing or well-being. Most notable in this category are Oscar Horta (2017), Martha Nussbaum (2006), and Jeff McMahan (2015). Importantly, claiming that we have natural positive duties towards wild animals does not exclude the possibility of having special duties *in addition*. This is evident in Cochrane's theory (2018), which claims that all sentient animals have rights based on their interests, however animals' *political* entitlements are based on their relationships with us. Although relationships play an important role in Cochrane's theory, *all* wild animals are said to have relationships with humans which justify political rights, making the question of sentience ultimately more decisive for defining our duties towards them.

## The role of common-sense ethical principles

It is often thought that the coherence of an ethical theory to our ordinary moral thinking gives it greater *prima-facie* plausibility, but our ordinary moral thinking is notoriously prone to logical fallacies and biases. Capturing the common-sense morality in ethical principles and then applying them systematically can help to avoid such errors and provide a more solid basis for defending particular theories.

In the medical field, the four principles of non-maleficence, beneficence, autonomy and justice have gained wide popularity due to their ability to capture the moral concerns of different people both within academia and practice. We follow Beauchamp and Childress who argue that they capture the values of common-sense morality, at least in western democratic societies (2013). They can be defined as follows:

- Non-maleficence: abstain from causing harm to others.
- Beneficence: act for the benefit of others (contribute to their health, welfare or flourishing).
- Autonomy: support and respect autonomous choice of others.
- Justice: ensure that individuals are treated fairly (treat equal cases equally and unequal cases unequally).

As this paper remains at a very general level, looking at all the ways we can consider wild animals, we provide only a broad discussion of each principle and the duties they might entail. For ethical guidance in particular situations these principles would need to be further specified and then weighted against each other.

### **Non-maleficence**

Beauchamp and Childress define non-maleficence as the avoidance of *inflicting* harm, in contrast with *preventing* harm which is captured by beneficence. Reasons to avoid harming others are therefore considered separately from reasons to protect or improve others' welfare, and non-maleficence establishes *greater* reason to avoid causing harm. In the environmental context this justifies taking a precautionary approach in decision-making, especially due to the complexity of ecosystem processes and our limited understanding about the determinants of wild-animal welfare.

All theories in animal ethics which are compatible with sentientism (categories 3-5) consider harms to sentient wild animals to be problematic regardless of context or other special conditions, and a straight-forward understanding of non-maleficence across different contexts implies no different. We therefore take this principle to uncontroversially establish a natural negative duty. It implies that we should identify harms and make efforts to reduce them – not merely intentional harms like hunting, but also unintentional harms, which account for a greater amount of wild-animal suffering (Fraser, 2019). This has large implications for many human activities: it gives us reason to consider and take seriously the wellbeing of wild animals whenever designing, constructing and managing urban areas (Animal Ethics, 2021); to reduce the harms to wild animals in our agricultural systems; to limit deforestation dramatically; and to prevent the introduction of alien species.

### **Beneficence**

Beneficence is about improving the welfare or flourishing of others. Beneficence has been described both as a natural duty (e.g. owed to all sentient beings), and as a special duty (e.g. based on particular relationships or proximity). Here wild-animal ethicists tend to disagree, with those in category 5 understanding beneficence as a natural duty, and those in category 4 understanding it as a special duty. As a principle of common-sense morality, beneficence must be owed in some form to at least some wild animals, giving *prima-facie* reason against the validity of categories 3, 2 and 1.

To assess whether beneficence is best understood as a natural or special duty, it is useful to compare its application to human cases. We believe that wild animals are best compared to distant strangers because, in virtue of being wild, we typically have no relationship or shared background with them. Fortunately, there is a vast literature on the duty to aid distant strangers, and while there is significant disagreement about *how much* we owe to distant strangers, virtually all writers agree that some duty of beneficence is owed (Hadley, 2006). This is not because of any special relationship but because they matter, morally. Similarly, with nonhuman animals, some may argue that we have weaker duties towards them, just as we have weaker duties towards strangers when compared to friends. But it is not clear why the species-category would affect the *kind* of duty beneficence is; rather, beneficence seems to extend to all who can be benefited.

In the case of wild animals, many authors have argued in recent years that most individuals endure very poor welfare (Horta, 2015; Ng, 1995; Tomasik, 2015). Wild animals frequently struggle to find food, water, and shelter, and face disease and violence from predators, parasites, members of other species or even their own. Because such suffering arises due to fundamental conditions of natural ecosystems, such as high reproductive rates and the scarcity of resources, in most cases it is not clear that there is any feasible action we could pursue to mitigate this suffering at little cost to ourselves or other sentient animals (Horta 2015). Nonetheless, there are at least some cases where such opportunities arise, such as encounters with injured or orphaned animals who can be rescued and taken to a rehabilitation facility. Moreover, we argue that Singer's postulate suggests that as a society we at least have a duty to research potential interventions in case effective and low-risk options can be identified.

Some writers such as Donaldson and Kymlicka (2011) have argued that other considerations, such as respect for autonomy, not only oppose duties of beneficence for wild animals but cancel them out completely. This question will be dealt with in the following section.

### **Respect for autonomy**

The principle of respect for autonomy motivates us both to respect the autonomous choices and wishes of others and to support others to be able to express their autonomy. Consequently, it leads to both positive and negative duties. As a negative duty, the respect for autonomy appears to be natural: we should respect individuals' informed choices or desires simply because they are agents capable of choice (i.e. have the ability to act intentionally), and this appears to apply to all agents regardless of species, relationship, distance and so on. Not all sentient wild animals have the ability to act intentionally, so the principle of autonomy will not apply in all cases. Nonetheless, the principle applies as long as at least some do (e.g. see Beauchamp and Wobber [2014] for an argument for autonomy in chimpanzees).

But it is less clear in what cases we have positive duties to support the autonomy of wild animals. Donaldson and Kymlicka (2011) argue in favour of a very limited natural, positive duty on the grounds that, *qua* beings with a good that is promoted by autonomous living, wild animals confer on us a negative duty to intervene in their communities as little as is necessary. This is because, they argue, wild-animal communities are able to regulate themselves well, and because species have adapted to be able to survive despite predation and other environmental pressures. This negative duty (with the exception of natural disasters) *cancels out* any positive duties of beneficence we might owe wild animals.

Contrary to Donaldson and Kymlicka, a proper understanding of natural processes makes clear that in most cases wild animal communities are not able to safeguard the wellbeing of their members. Most wild animals are unable to meaningfully express their autonomy due to the types of environmental pressures described in the previous section (Horta, 2013; Mannino, 2015). To use the terminology of Raz (1986), one cannot be considered to have an 'adequate range of options' when one is struggling (and

## Section 2

often failing) to survive. As a consequence, it seems that respect for autonomy gives us much stronger positive, natural duties to *help* agency-possessing wild animals, than Donaldson and Kymlicka assume. At the very least, respect for autonomy cannot be said to cancel out duties of beneficence in all cases, and it seems that in many cases it actually justifies natural positive duties.

### Justice

The principle of justice mainly concerns fair distribution and treatment. For that reason, as with others in the literature, we focus on distributive and rectificatory justice (e.g. Johannsen, 2021). However, it is unclear whether the concept of distributive justice should be extended to wild animals.

Most conceptions of distributive justice define it according to a particular community or political group, thereby making it a special positive duty. Cochrane (2018) argues that because we affect wild animals in numerous ways we should consider them part of our community, giving them the right to a fair distribution of resources. However, it is not clear why merely affecting someone should make them part of your community. Alternatively, it could be argued that only rectification is needed for harms. Because this duty applies only where an individual is directly responsible or complicit in a harm, it is also best understood as a special positive duty. It may be then that we should avoid harming wild animals, try to rectify the situation when we do, but that ensuring a fair distribution, being based on community membership, in general is not required.

Due to the widespread nature of wild-animal suffering, if we were to extend distributive justice to wild animals, a 'fair distribution' might be incredibly demanding. But, assuming that distributive justice does not apply to wild animals, rectificatory justice may more intuitively capture what we think we owe wild animals. Indeed, environmental conservation can be understood as rectification. Still, with the widespread destruction of ecosystems and the effects of climate change, it seems that a very great amount is owed (Hettinger, 2018). But conservation faces two challenges: firstly, because ecological restoration takes time, many individuals who deserve compensation will not survive to benefit from it; and secondly, due to natural wild-animal suffering, conservation might not benefit the victims of injustice (if other competing populations increase) or it might cause harms to others. Nonetheless, rectificatory justice does support other interventions not necessarily aligned with conservation, such as rescuing animals from human-caused environmental disasters and caring for or rehabilitating them.

### Conclusions

Two of the common-sense ethical principles discussed in this article supported natural positive duties towards wild animals (beneficence and autonomy), while two supported natural negative duties (non-maleficence and autonomy). Finally, the principle of justice supported positive special duties. Considered together, our application of the principles indicates that theories suggesting both natural negative and natural positive duties best cohere with our common-sense moral thinking. This analysis lends prima-facie support for theories of category 5. Readers who disagree must show a more compelling account of common-sense ethical principles, or alternatively face the burden of proof to demonstrate why a particular theory of category 1-4 is more compelling. This conclusion will be surprising to many writers in the field, as it shows that positions in categories 1-4, which many defend on the basis of their coherence with common morality, are not in fact supported by common-sense ethical principles.

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need to be addressed. In the next section we present some of the growing body of literature showing the health effects of direct experiences of nature, especially in urban contexts. We then show why these effects can best be understood through the interdisciplinary lense of embodied cognition and what normative implications can be derived from this. Finally, we show what are the crucial environmental justice issues to be considered when implementing urban design according to the criteria we developed.

## The nature-health link

Health can be approached from two perspectives: the traditional pathogenic model, i.e. focusing on causes of diseases or a salutogenic approach, i.e. focusing on the factors that support health and well-being (Antonovsky, 1996). We agree with the line of thinking that promotes a salutogenic approach to design (Dilani, 2009). What this might mean and how this might inform guidelines for urban design can be shown by a short look at findings tying positive nature experiences to health benefits.

People have long touted the salubrious effects of contact with nature (Franco *et al.*, 2017; Olmstead, 1952; Spence, 2021), but only relatively recently have researchers begun to study and quantify the link between human health and nature. In 1984, Roger Ulrich found that hospital patients recovering from gall bladder surgery whose room had a window with a view of trees healed quicker and with less pain medication than those with a view of a wall (Ulrich, 1984). This motivated a new line of research focused on understanding how nature influences our health and well-being. Today, a diverse and vast scientific literature supports the human health value of nature and that access to natural settings are an essential component of creating liveable and sustainable cities (USDA, 2018).

Exposure to nature can improve health through stress recovery and attention restoration (Kaplan, 1995; Ulrich *et al.*, 1991). Visual perception has traditionally been prioritised in research in the West, but evidence supports the view that all our senses are important, as well as non-sensory pathways (Franco *et al.*, 2017; Myers, 2020). One example is *Shinrin-yoku*, known as ‘forest bathing’, which refers to mindful sensory engagement with the forest, including paying attention to the sights, sounds, smells, and feel of nature (Spence, 2021; USDA, 2018). Researchers found that forest walks, as compared to urban walks, beneficially influence stress physiology, markers of inflammation and immunity, affective state and attitude, blood pressure, and heart rate variability (Wen *et al.*, 2019). This practice, which originated in Japan in the 1980s, has gained widespread popularity because issues of the mind require a ‘whole-body’ approach (Myers, 2020).

Interestingly, biodiversity might be relevant for the psychological benefits of nature. People who spent time in a park with more plant and bird species diversity reported higher on measures of psychological well-being than those who spent time in a less biodiverse park (Fuller *et al.*, 2007). While there is some evidence supporting the link between biodiversity and mental health, more research is needed to establish a causal relationship (Marselle *et al.*, 2019). Even though the causal mechanisms underlying the nature-health link are still unclear, what we do know so far provides a compelling case for maintaining and expanding natural green spaces in cities and bringing people closer to nature.

These examples illustrate how the design of the built environment can support public health by focusing on environmental conditions that contribute to health, such as positive nature experiences. While a pathogenic approach can propose normative guidelines of how to avoid insufficient access to urban nature, a salutogenic approach can provide guidelines for how to design and maintain urban natural greenspaces.

## Embodied cognition and affordances in the built environment

In the previous section we framed the nature-health link, now we draw on concepts from theories of embodied cognition to develop an embodied approach to mental health and well-being. We argue that this approach can direct urban designers and planners how to enhance the lived experiences of city inhabitants by modifying the environmental and social affordances of natural green (or blue) spaces.

Theories of embodied cognition maintain that human cognition is deeply tied to and dependent on the subjective experience of being in a body that is embedded in a physical and social environment (Shapiro, 2021). In short, studying the brain is necessary, but not sufficient for understanding the mind. Moreover, according to enactivist approaches to embodiment, cognition is not possible without action (Varela *et al.*, 1991). We cannot look at the brain without looking at the action-perception cycle; the environment is acting upon us, and we upon the environment, thus creating a dialogue. The emphasis is on the dynamic co-modulatory coupling between brain, body, and environment, thus dissolving clear-cut boundaries between this triad (*ibid.*). By focusing on the dynamics of brain-body-environment, enactivism offers a holistic conception of cognition (Gallagher, 2017).

Approaches to embodied cognition make use of the notion of *affordances*. Originally introduced by ecological psychologist J.J. Gibson, affordances are the perceivable environmental opportunities for action, which are defined in relation to the agent's body (1979). Chemero expanded upon Gibson's notion of affordances, defining them as relations between an agent's abilities to perceive and act and features of the environment (2009). In other words, they are understood to be dynamical organism-environment relations. The environment is broadly construed, and includes the physical, cultural, and social environment. According to this approach, we perceive the world in terms of affordances, that is, we perceive the world as opportunities for action (Ramstead *et al.*, 2016).

Some studies investigated the types of affordances outdoor environments can provide to children (e.g. Cosco, 2006, Zamani and Moore, 2013). In one study, Kytta (2002) found that rural environments have the potential to afford more social and play behaviours than urban environments. Others used the affordance concept to assess how restoration gardens can aid in the recovery of stress and stress-related illnesses (Grahm *et al.*, 2010). Stolz and Schaffer (2017) used an affordance approach to model how edible forests in urban green spaces could be used to provide affordances for human health and potentially even encourage pro-environmental behaviours. Many factors affect the affordances perceived, including individual needs and characteristics, social variables, and physical environmental conditions (*ibid.*).

As a consequence of these observations, urban designers can improve the lived-body experiences within the built environment by taking into account the available affordances to urban dwellers. Our bodies constrain how we perceive and how we act upon the world, and the ways in which we interact with our environments influence how we think and develop our self-identity. In other words, our bodily interactions with the environment shape mental functioning and affect human well-being. By facilitating salutogenic affordances within the built environment, we can support human health and development. Hence, normative guidelines for urban planning should promote conditions of the built environment which contribute to rather than detract from human and environmental health and well-being. One such way would be for the design and planning of urban environments to include both conserving biodiversity and providing fair opportunities (affordances) for urban dwellers to experience it. To this concern we now turn in the next section that follows.

## Environmental and procedural justice concerns

Environmental justice researches the distribution of environmental goods and burdens. In what follows we argue that the use of urban nature experiences as a nature-based solution to foster mental health requires careful consideration of issues of distributive and procedural justice. From a mental health perspective, urban planners need to take into account not only unequal access to urban nature, but also the fair distribution of nature of appropriate environmental quality. Not all green spaces are equally beneficial to inhabitants, and often impoverished or marginalised populations have less access to high quality green spaces (Rigolon, 2016).

For these reasons of justice it is important that both quantity and quality are considered when setting minimum targets for the just distribution of natural green space. Linked to this is the potential of urban nature to disproportionately benefit disadvantaged populations by offsetting some of the effects of poverty and reducing health disparities (Frumkin *et al.*, 2017, Jennings *et al.*, 2016), and whether these populations should be prioritised (e.g. based on past injustices or socio-economic status). However, decision-makers must also take into account that urban greening and improved access to nature can unintentionally harm vulnerable populations, i.e. via 'green gentrification' (Wolsh *et al.*, 2014). Greening a low-income neighbourhood can make it more attractive and desirable, which may raise housing costs and unintentionally displace or exclude the residents it was intended to benefit.

Another consideration for the planning and designing of urban green spaces is that cultural and contextual factors can affect nature preferences and nature experiences (Clayton *et al.*, 2017), making it essential to engage the relevant stakeholders in the planning and creation of natural green spaces. This is especially relevant given that health outcomes from nature experiences can vary depending on contextual factors. Involving local stakeholders in fair decision procedures gives attention to the diversity of embodied experiences and overcomes an assumed uniformity or 'one size fits all' model of what urban nature should be and how it should be designed. This avoids creating new normative behaviours for how public space should be utilized (Myers, 2020). Additionally, it may allow individuals or communities to perceive affordances in urban nature that they might not have based on previous social exclusion from those areas.

## Conclusions

Today, more than half of the world's human population live in urban environments, and it is estimated to increase to two-thirds by 2050 (United Nations, 2014). While urbanization brings many benefits, it is linked with an increase in mental disorders, such as depression, anxiety, and schizophrenia (Akdeniz *et al.*, 2014, Haddad *et al.*, 2015, Peen *et al.*, 2010). The causal mechanisms for the link between urbanization and mental illness are not well understood, but a suggested explanation is the corresponding decrease in nature experiences, given the compelling evidence for nature experiences conferring psychological benefits. The extinction of experience represents a loss of opportunities, or affordances, for experiencing nature. We contend that urban designers and planners should give more priority to the embodied experiences of urban dwellers and the salutogenic affordances available to them, whilst also taking precaution to combat issues of environmental and procedural injustice. In this paper, we argued that direct experiences of urban nature can support mental health whilst also promoting biodiversity conservation. We are not suggesting that urban nature experiences will be a panacea for public health issues or combating biodiversity loss and climate change. Instead, we are making a modest claim that these experiences can be complemented with other nature-based solutions to promote public health and create sustainable cities.

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