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Duties Regarding Nature: A Kantian Environmental Ethic
Draft of Complete Manuscript

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Table of Contents

Introduction: Kant and Environmental Ethics

Why Environmental Ethics?

I have set out in this book to develop and defend a Kantian approach to environmental ethics. This immediately raises a question: why should we want an environmental ethic at all, much less a Kantian one?

Human beings face serious environmental problems, such as those associated with climate change, loss of biodiversity, and air pollution.[1] It seems clear that these problems have various ethical dimensions, given that they threaten to increase human mortality rates, cause substantial harm to present and future generations, and exacerbate socio-economic injustice.[2] Moreover, the impact of human activities on the environment, such as ocean acidification due to anthropogenic emissions of greenhouse gases, threatens to cause substantial harm to many non-human natural entities, such as individual organisms, species, and ecosystems.[3] Presumably, it is imperative that human beings respond in appropriate ways to these various environmental problems. This need is perhaps best expressed by two questions: (1) what environmental policies should human beings collectively adopt, and (2) how should individuals lead their lives with respect to the environment? Unfortunately, it is not immediately obvious how to answer these questions, and there is substantial disagreement regarding what particular policies or actions ought to be taken.

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[1] See Osvaldo E. Sala et al., "Global Biodiversity Scenarios for the Year 2100," *Science* 287, no. 5459 (2000); C. Arden Pope, Majid Ezzati, and Douglas W. Dockery, "Fine-Particulate Air Pollution and Life Expectancy in the United States," *New England Journal of Medicine* 360, no. 4 (2009); Tom Regan, "Broadie and Pybus on Kant," *Philosophy* 51, no. 198 (1976).

[2] See John Broome, "The Ethics of Climate Change," *Scientific American* 298, no. 6 (2008); Beate Ritz et al., "Ambient Air Pollution and Risk of Birth Defects in Southern California," *American Journal of Epidemiology* 155, no. 1 (2002); Susan L. Cutter, "Race, class and environmental justice," *Progress in Human Geography* 19, no. 1 (1995).

[3] O. Hoegh-Guldberg et al., "Coral Reefs Under Rapid Climate Change and Ocean Acidification," *Science* 318, no. 5857 (2007).

An environmental ethic provides a framework for thinking through our moral obligations vis-à-vis the natural environment, thus providing resources to address both (1) and (2). Such a framework seems desirable given uncertainty about how to address the many environmental problems we currently face. Potentially, a well-crafted environmental ethic can assist us in answering difficult questions, such as who bears moral responsibility for certain kinds of environmental impacts, whether we have duties regarding non-human entities, what weight such duties have compared to duties to human beings, and so on. Such an ethic could provide helpful guidance both in policy-making and in leading an ethical life as an individual. Careful consideration about our obligations vis-à-vis the natural environment could help us *both* to craft ethically informed environmental policies and to make individual choices that are ethically conscious. It is, for example, a pressing question what policies ought to be adopted collectively for responding to climate change, but it is also a pressing question whether it is morally permissible to consume meat as part of one's diet. An environmental ethic provides a way to think through the various normative and evaluative dimensions of both kinds of question.

While the environmental ethic I develop in this book is plausibly taken to be relevant for matters of environmental policy, I shall focus on the question of how one ought to live with respect to non-human nature. As I discuss below, it is intuitively plausible to think that one's interaction with non-human nature has moral significance of some kind, even when that interaction has no impact on human interests. It is difficult to deny, for example, that animal cruelty or wanton destruction of plant-life is morally problematic, and in a way that is not reducible to some indirect harm to human beings or interference with human interests. Many environmental ethicists seek to make sense of intuitions of this kind. As we shall see, one approach is to claim that human beings have direct moral obligations to certain non-human

entities, such that cruelty to animals or wanton destruction of plant-life involves wrong-doing to those organisms themselves. This is certainly one way to make sense of the intuition that there is something morally problematic about such actions. However, as we shall also see, such direct duty views face some very difficult problems. We should therefore ask whether there is some way to make sense of the intuition that our interaction with non-human nature is morally significant while avoiding the problems encountered by direct duty views. The central claim for this book is that a certain indirect duty view can accomplish this goal, avoiding the problems of direct duty views while nonetheless grounding the intuitively plausible belief that our interaction with non-human nature is morally significant. Despite our lack of direct moral duties to non-human entities, I shall argue that we nonetheless have robust moral duties to treat them in certain ways, as well as excellent moral reason to value and promote their flourishing regardless of whether doing so also promotes human interests.

Why Kant?

Kantian approaches are notably absent within the environmental ethics literature.[4] While some environmental ethical theories might be deemed Kantian in a minimal sense,[5] very few explicitly engage with Kant's moral philosophy. This seems strange, at least initially. In virtually any other field of ethics, explicit appeals to Kant's moral theory are frequent, and some Kantian positions are influential.[6] This is not to deny, of course, that Kant and Kantianism have critics in ample supply within these fields. Nonetheless, among the various sub-disciplines of ethics, the

[4] For a rare exception, see Holly Wilson, "The Green Kant: Kant's Treatment of Animals," in *Environmental Ethics: Readings in Theory and Application, fourth edition*, ed. Louis Pojman (Wadsworth, 2004). See also Thomas Hill, "Ideals of Human Excellence and Preserving Natural Environments," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005).
[5] See, for example, Paul Taylor, *Respect for Nature: A Theory of Environmental Ethics* (Princeton: Princeton University Press, 1986).
[6] See, for example, Onora O'Neill, *Autonomy and Trust in Bioethics* (Cambridge University Press, 2002).

virtual absence of Kant in environmental ethics seems to be unique. This absence is perhaps best explained due to the fact that Kant's moral theory, particularly its account of indirect duties regarding nature (6:442-3),[7] is often taken to be inimical to the goal of grounding adequate moral concern for non-human natural entities.[8] Specifically, since it limits the sphere of moral standing or considerability to rational entities alone, the project of developing a Kantian approach to anything but a narrowly anthropocentric environmental ethic might seem hopeless.

One goal of this book is to show that, contrary to a widely held view, Kant's moral theory does have the resources to ground a coherent and robust environmental ethic, and one that is not objectionably anthropocentric. Further, the Kantian environmental ethic I defend has substantial advantages over other environmental ethics. While the details on why a Kantian approach to environmental ethics is attractive must wait until the fifth chapter and conclusion of this book, I note now that pessimism regarding a Kantian approach to environmental ethics often rests on a traditional but faulty interpretation of Kant's account of indirect duties regarding nature. According to this interpretation, Kant's view is that it is advisable to abstain from animal cruelty and wanton destruction of flora, but only because such actions make us more likely to fail in our duties to human beings.[9] On this account, there is nothing morally problematic in its own right about animal cruelty or destroying plant-life—rather, it is merely the case that such actions allegedly increase one's propensity to violate duties to humans. Alternatively, I argue that Kant's account sanctions much stronger moral requirements vis-à-vis non-human nature. In particular, I

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[7] Throughout this work, all parenthetical citations are to the volume and page numbers of the Academy edition of Kant's collected works (Immanuel Kant, *Akademie-Ausgabe: I. Kant, Gesammelte Werke*, ed. königlich preußische (später deutsche) Akademie der Wissenschaften, 29 vols. (Berlin: Georg Reimer (later Walter de Gruyter), 1900-). English translations of Kant's work are taken from the *Cambridge Edition of the Works of Immanuel Kant*, in this case, ———, *Practical Philosophy*, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1999).

[8] See Andrew Brennan and Yeuk-Sze Lo, "Environmental Ethics," in *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: Metaphysics Research Lab, 2008); Rosalind Hursthouse, "Environmental Virtue Ethics," in *Working virtue: virtue ethics and contemporary moral problems*, ed. R.L. Walker and P.J. Ivanhoe (Clarendon Press, 2007), 159.

[9] Russ Shafer-Landau, ed. *Ethical Theory: An Anthology* (Malden: Blackwell, 2007), 391.

defend a reading of Kant that strictly prohibits causing unnecessary harm to non-human organisms, given that doing so weakens or erodes our virtuous dispositions and hence violates what Kant identifies as a duty to increase one's own moral perfection. Moreover, we also have good moral reason to benefit organisms, since doing so is a way to cultivate or strengthen virtuous dispositions. In fact, as I will show, Kant's account directs us both to care about non-human organisms in their own right and to value their flourishing independently of human needs and interests. This perhaps surprising implication of Kant's position renders a Kantian environmental ethic much more plausible and attractive than is often supposed. A Kantian approach to environmental ethics is worth reconsidering both because the traditional interpretation of duties regarding nature is flawed and because the Kantian environmental ethic I develop has serious theoretical advantages over other environmental ethics. I shall argue that we have good reason to accept this Kantian environmental ethic.

My account of duties regarding nature raises questions about what it is to harm or benefit a non-human organism, questions that arise for any environmental ethic that takes the well-being or flourishing of non-humans seriously. First, we might ask how it is possible to harm or benefit non-human entities. Second, if we grant that harming or benefiting non-humans is possible, we might ask whether and how judgments to that effect are warranted. Answering these questions requires some plausible theory specifying what constitutes such harm or benefit. I provide answers to both questions by drawing upon Kant's theory of teleological judgment, which—although overlooked by philosophers interested in non-human well-being—can ground a very attractive account of the flourishing of non-human organisms. In particular, in chapter four I develop an account of the "natural goods" of non-human organisms, where natural goods are those features that are taken to be constitutive of some end toward which the organism in

question is teleologically directed. I argue that teleological judgments pertaining to the flourishing of non-humans—familiar from both common-sense and expert appraisals of organisms—are warranted because they are needed in order to make sense of our experience of organisms. This account can help determine what actions affecting non-humans count as harmful or beneficial: to harm an organism is to inhibit the achievement of its natural goods, whereas to benefit an organism is to promote the achievement of its natural goods.

Taken together, my accounts of duties regarding nature and of non-human flourishing are important pieces of the environmental virtue ethic[10] I defend in chapter five, in which I argue that the ways in which one treats non-human organisms are intimately tied to one's virtuous or vicious dispositions (or lack thereof). Since human beings have a duty not to act in ways that weaken their virtuous dispositions, they have a duty to abstain from causing unnecessary harm to non-human organisms. Given that this environmental virtue ethic is grounded in Kant's moral philosophy and his account of teleological judgment, I take it that a Kantian approach can deliver a robust and coherent environmental ethic, contrary to what is usually supposed.

Moreover, I argue that this Kantian environmental virtue ethic is plausible and attractive in its own right. First, it accounts well for moral intuitions regarding environmental cases, such as that certain actions harming non-humans (e.g., animal cruelty) are impermissible and that we have moral reasons to benefit non-humans and value their flourishing. Second, the Kantian environmental virtue ethic has significant advantages over other approaches to environmental ethics. To mention one example, since it recognizes only indirect duties regarding non-humans, my approach does not give rise to apparently conflicting duties. This contrasts with those approaches holding that human beings have direct duties to all living entities, such as the

[10] Environmental virtue ethics has received much attention in the recent literature. See Philip Cafaro and Ronald Sandler, eds., *Environmental Virtue Ethics* (Lanham: Rowman and Littlefield, 2005). In chapter five, I shall explain how the environmental virtue ethic I defend differs from others that recently have been defended.

biocentrism of Paul Taylor.[11] Of course, Kant's moral theory does recognize direct duties to human persons, so one may wonder if a Kantian approach is better off in this respect. However, as we shall see, the prospect for deontic conflict on my Kantian approach is at least greatly reduced compared to that of an approach recognizing direct duties to human persons *and* to all living entities. Even if deontic conflict sometimes arises for Kantianism, we can reasonably expect it to be less frequent and more tractable than it will be for an approach that takes moral agents to have direct obligations to a much larger population of entities.[12] To deal with such cases of apparent deontic conflict, Taylor suggests principles for prioritizing some direct duties over others, but such principles are often *ad hoc*. As we shall see, my Kantian approach has the advantage of straightforwardly avoiding deontic conflict. I return to this matter in much greater detail in the conclusion to this book.

The strategy for presenting my positive argument is as follows. In chapters three, four, and part of five I develop a Kantian environmental ethic. Along the way, I argue that this ethic is coherent, entails far-reaching obligations vis-à-vis non-human organisms, and embarks from plausible starting points. This is not sufficient to show that we ought to accept that ethic, of course. In chapter five and the conclusion, I show that this Kantian environmental ethic has substantial advantages over its competitors, because it provides clear action guidance, avoids frequent deontic conflict, does not rely on metaphysically suspect phenomena (e.g., mind-independent intrinsic value),[13] all while fitting with intuitions regarding how we ought to treat non-human nature. Like many other environmental ethics, my approach accounts for why we

[11] Taylor, *Respect for Nature: A Theory of Environmental Ethics*.
[12] To take one obvious example, deontic conflict seems likely to arise if I have direct duties (say) to respect individual organisms and to provide suitable nourishment for my children. Typically, satisfying the latter duty requires harming or killing plants or animals, and it is difficult to see how killing plants or animals would be consistent with any plausible account of a direct duty to respect them.
[13] See Thomas Hill, "Finding value in nature," *Environmental Values* 15, no. 3 (2006).

ought to treat non-human organisms in certain ways, but unlike various competitors my approach avoids the problems just mentioned. If this overall argument is successful, then I will have established not only that a robust Kantian environmental ethic is possible, but also that we have good reason to accept this account over competing ones.

Finally, it is important to note that accepting my Kantian environmental ethic does not require one to accept Kant's moral theory as a whole, although it is compatible with doing so. The crucial component of Kant's philosophy upon which I rely is that human moral agents have a direct duty to themselves to cultivate virtues. In order to accept this, one need not accept the more controversial components of Kant's moral philosophy, such as the phenomena/noumena distinction, the fact of reason, or the claim that we must practically postulate God, freedom, and immortality. These elements do not serve as starting points or assumptions for my account, even though Kant himself was committed to them. This is an advantage of my position, since accepting it is open not only to committed Kantians but also those who find it plausible that we have a duty to develop virtuous dispositions.

Working with Moral Intuitions

Although it is quite common in environmental ethics (and ethical theory more generally) to defend some position by appealing to moral intuitions that seem to support that position, some philosophers have questioned whether intuitions should be taken to play such an evidential role.[14] Since I appeal to moral intuitions throughout this book, something must be said about the methodology I shall employ. In developing and arguing for my own position, I rely on a method

[14] See, for example, Peter Singer, "Ethics and Intuitions," *The Journal of Ethics* 9, no. 3-4 (2005).

of reflective equilibrium.[15] Specifically, I begin with intuitions regarding both the moral status of particular cases and the plausibility of general moral principles. However, instead of adopting the foundationalist method of taking some set of such intuitions to be foundational and then defending my position by referring to that set, I treat these rather as working intuitions subject to revision or rejection. Thus, the criteria for evaluating intuitions about cases and principles include not only their initial plausibility—although this provides a reasonable starting point—but also for how well they cohere with one another. Following Norman Daniels, I hold, "An acceptable coherence requires that our beliefs not only be consistent with each other (a weak requirement), but that some of these beliefs provide support or provide a best explanation for others."[16] The idea here is that our various moral commitments should not merely avoid contravening one another, but also that they should mutually support or ground one another, such as when some intuition about the wrongness of a particular action is explained well by some moral principle that we accept.

The method of reflective equilibrium seems to offer an attractive way to deal with the various intuitions that are countenanced in environmental and animal ethics. These include intuitions about cases held by some people: that torturing animals is wrong, that the last person on Earth ought not to destroy the biosphere, that conserving wilderness is praiseworthy, and the like. But these also include intuitions about principles held by some people: that human beings have a duty to be beneficent, that all living entities are morally equal, that humility is a virtue, and so on. What is needed is an account that reaches reflective equilibrium by providing a coherent organization of these various intuitions, a task that may well require modifying or

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[15] See Norman Daniels, "Wide Reflective Equilibrium and Theory Acceptance in Ethics," *The Journal of Philosophy* 76, no. 5 (1979); ———, "Reflective Equilibrium and Archimedean Points," *Canadian Journal of Philosophy* 10, no. 1 (1980).

[16] ———, "Reflective Equilibrium," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: Metaphysics Research Lab, 2003).

rejecting some of them. Importantly, this method need not treat any intuition or set thereof as privileged with respect to the others.

This is not the place to engage in detailed consideration of the comparative merits and deficiencies of reflective equilibrium and foundationalism, but I will mention an advantage of the former.[17] A position dependent on a foundationalist method rests on tenuous grounds. Suppose that some position is argued for solely in terms of a small set of intuitions. Should those intuitions come to be discredited, then the justification for that position seems to crumble. By drawing support from a greater number of intuitions, a position arrived at via the method of reflective equilibrium is arguably more secure, given that it can survive losing support from some small set of intuitions—assuming, of course, that there are other intuitions in place that continue to lend the position sufficient support.

Consider intuitions about the so-called last person, which I shall discuss in greater detail in chapters one and five. On the basis of the intuition that it would be morally wrong for the last survivor of some global cataclysm to destroy the biosphere, despite the fact that doing so would involve no harm to human beings, Richard Routley concludes that we need a radically new, environmental ethic, given that traditional ethics are allegedly unable to account for the wrongness of this last person's actions.[18] Yet the connection between this intuition and Routley's position is tenuous, given that the intuition might be explained away or accounted for via alternative means. John O'Neill opts for this approach, noting that the wrongfulness of the last person's actions can be accounted for by a traditional, Aristotelian ethic, given that those actions

[17] For further discussion and debate, see Stephen Stich, "Reflective equilibrium, analytic epistemology and the problem of cognitive diversity," *Synthese* 74, no. 3 (1988); Singer, "Ethics and Intuitions."
[18] Richard Sylvan, "Is There a Need for a New, an Environmental Ethic?," in *Environmental Ethics: An Anthology*, ed. Andrew Light and Holmes Rolston (Malden: Blackwell, 2003).

exhibit vicious character traits.[19] Thus, Routley's position seems vulnerable, because its foundation, namely an intuition regarding the last person, might not support his position after all.[20]

Conversely, my own approach rests on various intuitions about both cases and principles. On the one hand, I take intuitions about certain cases, such as that of the last person, to indicate that both actions and dispositions vis-à-vis non-human nature are morally assessable, such that actions of this sort can be morally praiseworthy or blameworthy and that particular dispositions toward non-humans can be genuinely virtuous or vicious. On the other hand, I also take it that intuitions about certain moral principles carry weight. In particular, I appeal to the principle that human moral agents have an obligation to cultivate virtuous dispositions, or that what Kant calls the duty to moral perfection (6:446) is a genuine moral obligation for human beings. The notion that we ought to cultivate morally good dispositions seems to be amenable not only to Kantians but also to virtue ethicists, care ethicists, and perhaps even consequentialists,[21] thus widening the potential appeal my position. Moreover, I argue that my position on duties regarding nature coheres well with other moral commitments, such as a duty to promote the happiness of other persons. Thus, the general methodology of my approach is to seek a state in which intuitions about cases and principles cohere with one another and provide mutual support. A position dependent upon such an approach need not crumble if some small subset of the intuitions should be cast into doubt.

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[19] See John O'Neill, "The Varieties of Intrinsic Value," *Monist* 75, no. 2 (1992): 132.
[20] Further, a foundationalist method will not be persuasive to those who do not already share some or all of the intuitions that support the position in question, thus limiting the appeal of this method.
[21] See Onora O'Neill, "Kant's Virtues," *How Should One Live?* 1, no. 9 (1998); Raja Halwani, "Care Ethics and Virtue Ethics," *Hypatia* 18, no. 3 (2003); Michael Slote, *From Morality to Virtue* (Oxford University Press, 1995); ———, "Utilitarian Virtue," *Midwest Studies In Philosophy* 13, no. 1 (1988).

This method of reflective equilibrium will guide much of the work done in subsequent chapters. I begin by critically examining influential approaches to environmental ethics, including non-anthropocentric theories that attribute intrinsic value to non-human entities while also recognizing direct duties to such entities. After raising some objections and concerns regarding these approaches, I turn in chapter two to a critical examination of attempts by contemporary Kantians to ground moral consideration for non-human entities in Kant's moral philosophy. I suggest that some of these attempts are problematic while others are promising, although the latter are in need of much further development. In the conclusion, I explicitly argue that the Kantian environmental virtue ethic fares better than its competitors in reaching a state of reflective equilibrium. While this argument must wait for my position to be developed first, I will show in that my Kantian environmental ethic is able to preserve widespread intuitions about environmental cases while also relying on intuitively plausible moral principles. This strengthens the case for accepting this ethic over competing positions.

Chapter One: Traditional Approaches to Environmental Ethics

Historically, many environmental ethicists have been non-anthropocentrists who hold that human moral agent have direct duties to some non-human natural entities, and this commitment is often closely related to claims regarding the intrinsic value and moral standing of such entities. But as I argue in this chapter, these non-anthropocentric positions are problematic, for they depend on the alleged existence of metaphysically suspect value properties and entail far-reaching deontic conflict. However, it would be a mistake to turn toward certain kinds of anthropocentrism, insofar as many anthropocentric views run contrary to intuitions regarding the evidently moral features of actions and attitudes vis-à-vis non-human nature. What is needed, I suggest, is an environmental ethic that avoids the problems of traditional non-anthropocentric views yet accounts in a plausibly way for the moral salience of actions and attitudes regarding non-human nature.

The Turn to Non-Anthropocentrism

At the 15th World Congress of Philosophy in 1973, Richard Routley (later Richard Sylvan) presented a paper entitled, “Is There a Need for a New, an Environmental Ethic?” Routley argued that traditional ethical approaches should be abandoned because they are committed to a principle he called “basic human chauvinism.” According to this principle, a human being is morally permitted to act however he wishes provided that (1) he does not harm other humans and (2) he does not harm himself.[1] Routley attempted to refute this principle by offering his so-called “last person argument.” He asks us to imagine a scenario in which a single person has survived a global cataclysm, leaving him the only remaining human on Earth,

[1] Sylvan, "Is There a Need for a New, an Environmental Ethic?," 49.

although numerous non-human organisms and ecosystems have also survived intact. For recreational purposes, this last person proceeds to destroy every living entity he can find, eliminating vast numbers of flora and non-human animals.[2] Since he is careful to avoid harming himself in this process, and since there are no other humans alive, the last person's actions cause no harm for either himself or other human beings. Moreover, since there is no prospect for the last person to reproduce,[3] there will be no future generations of humans, and thus his actions will not have any harmful effect for future human beings.

This scenario is designed to provide a case in which it is intuitively plausible to hold that a person's actions are morally wrong despite the fact that they do not violate the principle of basic human chauvinism. According to this principle, the last person's actions are morally permissible, given that they harm only non-human entities. Yet most are likely to have a strong intuition that the last person's actions are morally wrong despite the fact that they cause no harm to himself or other humans. Routley inferred from this that the principle of basic human chauvinism should be rejected. Further, since traditional ethical approaches are allegedly based on this principle, he argued that these approaches should likewise be abandoned and replaced with one that can account for the moral wrongness of the last person's actions. Hence the need for a new, an environmental ethic.

Of course, even if we limit consideration to approaches defended throughout the history of western philosophy, it is an exaggeration to hold that all traditional ethical approaches are committed the principle that humans are permitted to act however they wish, so long as their actions harm neither themselves or other humans. First, even prior to the twentieth century, some

[2] Throughout this and other chapters, I shall use the term "animals" always to refer to non-human animals.
[3] We may add that there are no reproductive technologies available to the last person that would allow him to bring about more humans via unconventional means.

utilitarians viewed harm to animals as relevant for whether an action is morally right or wrong.[4] Second, various non-utilitarian philosophers presumably would object to the implication that the harmlessness of some action vis-à-vis humans is a sufficient condition for the permissibility of that action. That is, on some ethical theories, whether an action results in harm or benefit to oneself or others is not the only factor determining whether that action is permissible. For example, Kantians could hold that a harmless lie is nonetheless morally wrong, given that it violates the categorical imperative.

This exaggeration notwithstanding, Routley's paper signaled the rise of an influential trajectory in environmental ethics, constituted by approaches seeking to develop non-anthropocentric ethics. Although critiqued by environmental pragmatists and anthropocentrists,[5] non-anthropocentric approaches remain influential in the environmental ethics literature, with many non-anthropocentrists impressed by Routley's last person argument.[6] We may define anthropocentrism as the position that all and only human beings deserve moral consideration.[7] The principle of "basic human chauvinism" that Routley critiques is, of course, an anthropocentric one. Conversely, we may define non-anthropocentrism as the position that at least some non-human entities deserve moral consideration.

In the wake of Routley's paper, Kenneth Goodpaster argued for the non-anthropocentric position that moral consideration, or "basic forms of practical respect," ought to be given to all

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[4] John Stuart Mill, "Utilitarianism," in *Utilitarianism and on Liberty* (Blackwell Publishing Ltd, 2008).
[5] Bryan Norton, "Epistemology and Environmental Values," *Monist: An International Quarterly Journal of General Philosophical Inquiry* 75, no. 2 (1992).
[6] Katie McShane, "Why Environmental Ethics Shouldn't Give Up on Intrinsic Value," *Environmental Ethics: An Interdisciplinary Journal Dedicated to the Philosophical Aspects of Environmental Problems* 29, no. 1 (2007); Christopher J. Preston, "Epistemology and Intrinsic Values: Norton and Callicott's Critiques of Rolston," *Environmental Ethics: An Interdisciplinary Journal Dedicated to the Philosophical Aspects of Environmental Problems* 20, no. 4 (1998).
[7] For discussion regarding definitions of anthropocentrism, see Tim Hayward, "Anthropocentrism: A Misunderstood Problem," *Environmental Values* 6, no. 1 (1997).

living entities.[8] This means that human moral agents ought to have practical respect for humans, animals, and flora. Those who accept this position reject what Routley called the principle of basic human chauvinism, replacing it with a biocentric principle that treats all living entities as having moral standing—or, as Goodpaster puts it, as "being morally considerable"—and thus making moral claims on human beings. Such a position can account for the intuition that the last person's actions are morally wrong, since he presumably fails to respect the entities with moral standing that he harms and destroys. The position of Goodpaster and many other non-anthropocentrists may be classified as a direct duty view, or the position that human moral agents have obligations to non-human entities themselves. This can be contrasted with anthropocentric views that hold human moral agents have direct duties only to human beings. I use the terms "moral standing" and "moral considerability" synonymously throughout this work. In general, an entity has moral standing if and only if it deserves moral consideration from moral agents. For example, if a non-human animal has moral standing, then moral agents (e.g., humans) have moral obligations to that animal. There are different ways in which to fill in the content of such obligations, of course. For example, they could be understood as duties to respect entities with moral standing (as Goodpaster holds), or they could be understood as duties to promote the well-being of such entities.

One worry about Goodpaster's and other non-anthropocentric approaches, however, is that it is unclear what grounds the claim that non-human entities deserve moral consideration. What is it about animals, flora, or microorganisms that makes them morally considerable? Goodpaster suggests that restricting moral standing to some subset of living entities would be arbitrary, but we might wonder whether it is less arbitrary to restrict moral standing to living

[8] Unfortunately, Goodpaster has little to say about what exactly counts as a "basic form of practical respect." Kenneth Goodpaster, "On Being Morally Considerable," *The Journal of Philosophy* 75, no. 6 (1978): 309.

entities alone. For example, David Schmidtz takes a more expansive view, arguing that all entities, including inanimate objects, have moral standing.[9] Conversely, Peter Singer takes a less expansive view, limiting moral standing to sentient entities.[10] It is a challenge for a non-anthropocentrist to establish non-arbitrarily that some (or, in the case of Schmidtz, all) non-human entities deserve moral consideration. One way of doing this is to formulate criteria for moral standing, such that an entity deserves moral consideration if and only if it meets these criteria. It might be thought that intrinsic value provides such a criterion and that some non-human entities have intrinsic value.

Non-Human Entities and Intrinsic Value

Although many environmental ethicists argue that non-human natural entities have moral standing,[11] they differ on both the question of what the necessary and sufficient conditions are for an entity to deserve moral consideration and the question of which entities in fact satisfy these conditions. In answering the first question, some environmental ethicists rely on concepts of intrinsic value.[12] Those who do so argue both that an entity's possession of intrinsic value is a sufficient condition (if not a necessary *and* sufficient condition) for it to be morally considerable and that at least some non-human entities in fact possess intrinsic value.

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[9] David Schmidtz, "Respect for Everything*," *Ethics, Policy & Environment* 14, no. 2 (2011).
[10] Peter Singer, *Animal Liberation* (New York: Harper Perennial, 2009); ———, "Not for Humans Only: The Place of Nonhumans in Environmental Issues," in *Environmental Ethics: An Anthology*, ed. Andrew Light and Holmes Rolston (Malden: Blackwell, 2003).
[11] See Holmes Rolston, *Environmental Ethics: Duties to and Values in the Natural World* (Philadelphia: Temple University Press, 1989), 45-93, 126-59, 60-91; Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Robin Attfield, *A Theory of Value and Obligation* (London: Croom Helm, 1987).
[12] See Rolston, *Environmental Ethics: Duties to and Values in the Natural World*; Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Attfield, *A Theory of Value and Obligation*.

However, “intrinsic value” remains an ambiguous term subject to equivocation in the literature.[13] It is important to have a clear understanding of what particular proponents mean by “intrinsic value.” I distinguish between two broad categories of intrinsic value as employed by environmental ethicists, namely what I call “realist intrinsic value“ and “mind-dependent intrinsic value.” I shall begin with a discussion and critique of realist intrinsic value, turning to the question of mind-dependent intrinsic value later in this chapter. The concept of realist intrinsic value is that of a mind-independent property possessed by entities irrespectively of any actual or possible valuer. Those who hold that realist intrinsic value is instantiated in some non-human entities thus deny that all value is human-dependent (i.e., anthropogenic), contending that some non-human entities have the property of intrinsic value in their own right and would retain this property even if there were no humans in the world to recognize it. Proponents of realist intrinsic value are committed to the existence of real value properties in the universe. Accordingly, theirs is a species of value realism, i.e. the view that there exist mind-independent moral facts in the actual world. The most influential proponent of the view that realist intrinsic value is instantiated in some non-human entities is Holmes Rolston.[14] In order to defend their position, proponents of realist intrinsic value must show that some non-human entities in the actual world possess intrinsic value as a mind-independent property.

Arguing for Realist Intrinsic Value

In defending this position, Rolston relies on a modified version of the last person argument. He asks us to imagine that nuclear war has sterilized all humans while leaving other animals and plant-life unscathed. After the current generation of humans dies, there will continue

[13] For a characterization of the various kinds of intrinsic value operative in environmental ethics, see O'Neill, "The Varieties of Intrinsic Value," 119-37.
[14] See especially Rolston, *Environmental Ethics: Duties to and Values in the Natural World*.

to be a biosphere, but a one that lacks human "valuers." Rolston appeals to two distinct intuitions about this case: (1) that the last generation ought not to destroy the biosphere, and (2) that after the last generation of valuers perishes, it would be better for this biosphere to continue to exist than not to exist.[15] The first intuition is familiar from Routley's last person argument, namely that it seems morally wrong to destroy non-human entities even if such destruction involves no harm to present or future humans.[16] However, the second intuition is slightly different from any intuition appealed to in Routley's version of the argument, insofar as it pertains to the alleged value of non-human entities. Rolston takes intuitions (1) and (2) as evidence that there is some value in non-human entities that is valuer-independent, and he holds that this value is realist intrinsic value.

Yet even if both these intuitions are widely shared, it is far from clear that they provide evidence that some non-humans have realist intrinsic value. It seems that both could be accounted for without appealing to realist intrinsic value. As for intuition (1), there are many possible reasons why we might hold that the last generation of humans ought not to destroy the biosphere. For example, as John O'Neill holds, such an intuition might rest on beliefs about what kinds of actions make a person virtuous or vicious, such that destroying the biosphere fosters (and/or indicates) a morally bad character and thus ought not be done.[17] Thus, one might affirm (1) without any reference to the alleged realist intrinsic value of non-human entities. Hence, this intuition by itself provides no particular reason to believe that non-human entities have realist intrinsic value.

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[15] ———, "Are Values in Nature Subjective or Objective?," *Environmental Ethics* 4, no. 2 (1982): 149-50.

[16] I focus primarily on the last person scenario because it is the most prominently discussed example in the literature. However, one could substitute analogous scenarios, such as a researcher who destroys ecological communities on a distant planet. Such an action involves no harm to human beings, but if it seems counter-intuitive to treat such an action as morally permissible, then this suggests that actions can be morally problematic even if they do not harm oneself or other humans.

[17] I return to O'Neill's view in much greater detail in chapter five. See O'Neill, "The Varieties of Intrinsic Value," 132.

Those who harbor intuition (2) find a biosphere without valuers to be in some sense better than no biosphere at all. However, it seems that there is nothing about this intuition (nor the thought experiment giving rise to it) that provides any particular reason to believe that non-humans in the biosphere have realist intrinsic value. Those who hold the intuition find one state to be preferable to another, but why is this so? Rolston claims that it is preferable because the biosphere has realist intrinsic value, but, as with intuition (1), this is only one of many possible explanations. Instead, perhaps the intuition is grounded in the fact that one finds the biosphere beautiful and desires the continuation of entities one finds beautiful, or perhaps one has a personal distaste for destruction *simpliciter* and thus would abhor the destruction of the biosphere. I am not here endorsing any of these alternative explanation. My objection to Rolston's argument is simply that it provides no particular reason to accept that non-human entities have realist intrinsic value, since both intuitions can be explained without invoking such value.

In a different, somewhat inchoate argument, Rolston claims that some non-human entities have realist intrinsic value because they are teleologically directed toward realizing their goods. Rolston notes that non-human organisms "promote their own realization" and that each organism has "a good-of-its-kind."[18] He adds that

> the values that attach to organisms result from their nonderivative, genuine autonomy (though environmentally situated) as spontaneous natural systems. The standards of performance, of excellence, are in the organism itself, relative to its

[18] Rolston, *Environmental Ethics: Duties to and Values in the Natural World*: 101.

> reference frame. These are not absolute standards, but they are objective standards in that they are not generated by subjective human preferences.[19]

Callicott helpfully glosses Rolston's argument as follows. “Organic beings have built-in *teloi*. Therefore, each is a conative end in itself. Therefore, each has intrinsic value. These facts generate duties.”[20] Non-human organisms are thought to have teloi of their own, which is a sufficient condition for them to be “conative ends,” which in turn is a sufficient condition for them to have realist intrinsic value.[21] Given that a non-human organism is teleologically directed toward realizing the good-of-its-kind, and given that this good is independent of the evaluations of human valuers, such an organism has realist intrinsic value.

There are several problematic claims in this argument. First, it is unclear that we are warranted in viewing non-human organisms teleologically, or as having “built-in teloi.” Teleological accounts of non-human organisms are controversial. As we shall see in chapter four, there is a concern that teleology is both incompatible with Darwinism and metaphysically objectionable. At the very least, Rolston owes an account of both what it is to judge organisms teleologically and how such judgments are warranted. Without such an account, the argument is vulnerable to the objection that teleological conceptions of organisms are unjustified or mistaken.[22] As it stands, the argument is at best incomplete. Second, it is not clear that having a

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[19] Ibid., 105.
[20] J. Baird Callicott, "Rolston on Intrinsic Value: A Deconstruction," *Environmental Ethics: An Interdisciplinary Journal Dedicated to the Philosophical Aspects of Environmental Problems* 14, no. 2 (1992): 135.
[21] Callicott adds that, for Rolston, one must recognize the moral considerability of non-human organisms on pain of self-contradiction, because the basis for recognizing the moral considerability of humans is that they are ends in themselves. Since non-human organisms are also ends in themselves, one who recognizes the moral considerability of humans but denies the moral considerability of non-human organisms would hold that being an end in itself both is and is not a sufficient condition for moral considerability. See ibid.
[22] I return to the issue of teleology in chapter four. I argue there that humans must judge organisms teleologically, but that such judgments have a heuristic status and are necessary for practical purposes, such as making sense of our experience of organisms.

telos is a sufficient condition for an entity to possess realist intrinsic value. This does not seem to be a conceptual truth, insofar as it is perfectly conceivable that some entity has a telos while lacking the property of realist intrinsic value. Rolston's argument is missing an explanation for why one may infer that some entity has realist intrinsic value from the fact (if it is one) that it has a telos. At least in its current state, this teleological argument does not seem to provide a good reason to accept that realist intrinsic value is a property of organisms.

Objections to Realist Intrinsic Value

Prominent critics of Rolston's position that non-human natural entities have realist intrinsic value include J. Baird Callicott and Bryan Norton.[23] Callicott holds that Rolston's position suffers from not offering an alternative to "the metaphysical foundations of modern science," such as the distinction between primary and secondary qualities.[24] He glosses Rolston's position as follows: "…while the greenness (the qual, not the radiation) of the tree exists only in the mind of the beholder, the moral and aesthetical value of the tree is really out there—no less categorically objective than the electromagnetic waves of precisely 550 nanometers—irrespective of the existence or non-existence of minds and beholders."[25] According to Callicott, it is implausible to treat value as a primary quality of things themselves while treating color as a secondary quality partly dependent on visual observers.[26] To make his conception of the intrinsic value of non-humans plausible, Rolston would have to reject these underlying assumptions of modern science. According to Callicott, these assumptions make it more plausible to suppose

[23] For a defense of Rolston against both critics, see Preston, "Epistemology and Intrinsic Values: Norton and Callicott's Critiques of Rolston," 409-28.
[24] Callicott, "Rolston on Intrinsic Value: A Deconstruction," 136.
[25] Ibid., 138. For Rolston's example of greenness, see Rolston, *Environmental Ethics: Duties to and Values in the Natural World*: 116-17.
[26] Callicott suggests that "postmodern" science, particularly quantum mechanics, offers an alternative to the "metaphysical foundations" of modern science, and he draws upon quantum mechanics to develop his own conception of intrinsic value. See Callicott, "Rolston on Intrinsic Value: A Deconstruction," 138-43.

that values are subjectively produced by valuers rather than objective properties of entities themselves. This suggests a "projectivist" theory of value, according to which the value of non-human natural entities has its source in human valuers who project that value onto them.

Norton critiques Rolston for claiming to know what states of affairs are like independently of any human standpoint. As Norton writes, Rolston's position, if justified, would require "epistemological access to the 'independent' and 'objective' world outside human experience in order to offer evidence for attributions of characteristics [such as intrinsic value] to objects. If that access is impossible… then Rolston's theory cannot escape a skeptical collapse."[27] Norton appeals to Quine and Sellars, who allegedly show that the "representational realism" and "foundationalism" on which Rolston relies are untenable.[28] Following Quine and Sellars, Norton argues that if Rolston's intrinsic value is "an observable, natural property," then knowledge of that property is already conditioned by human perception and language.[29] Accordingly, the property of realist intrinsic value is not known independently of any "human reference," and thus it is not clear that Rolston is justified in claiming that non-humans have intrinsic value as a property independently of such "human reference." Norton concludes that Rolston "at least owes some account of how we can learn about intrinsic values in nature," because without such an account it is not clear that there is any good reason to believe that non-human natural entities have realist intrinsic value.[30]

Despite their criticisms, both Callicott and Norton allow that Rolston might find ways to counter these objections. Callicott notes that Rolston could develop an alternative framework to

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[27] Bryan Norton, "Review of *Conserving Natural Value* by Holmes Rolston," *Environmental Ethics* 18, no. 2 (1996): 213. See also Holmes Rolston, *Conserving Natural Value*, vol. 18 (Columbia Univ Pr, 1994), 167-202.
[28] See W. V. O Quine, *From a Logical Point of View* (Harvard University Press, 1953); Wilfred Sellars, "Empiricism and the Philosophy of Mind," in *Minnesota Studies in the Philosophy of Science, Volume 1: The Foundations of Science and the Concepts of Psychology and Psychoanalysis*, ed. Herbert Feigl and Michael Scriven (Minneapolis: University of Minnesota Press, 1956).
[29] Norton, "Review of *Conserving Natural Value* by Holmes Rolston," 213.
[30] Ibid., 214.

that of modern science and thereby make it plausible to hold that intrinsic value exists as a mind-independent property. Norton notes that Rolston could offer an account that explains how one comes to discover realist intrinsic value in nature. However, I will offer an argument against Rolston's position that is stronger than either Callicott's or Norton's. This argument concludes that human investigators can never have evidence for the existence of realist intrinsic value, because all the observable properties of non-human natural entities could just as well be found in a possible world that lacks realist intrinsic value altogether. The argument in support of this objection is as follows.

An Argument Against Realist Intrinsic Value[31]

Imagine two different natural worlds, *A* and *B*, which are qualitatively identical in every respect, except that some non-human natural entities in *A* have realist intrinsic value while no non-human natural entity in *B* has realist intrinsic value.[32] Now imagine a human investigator, Hubert, who is fortunate enough to be able to explore *A* and *B* extensively, making careful observations and engaging in various experiences in both worlds. Has Hubert any reason to believe that some entities in *A* have realist intrinsic value? No, because insofar as he can observe and experience, the entities in *A* seem qualitatively identical to the entities in *B* that lack realist intrinsic value. Despite the fact that some entities in *A* do in fact have realist intrinsic value, Hubert can have no evidence to this effect, because there is nothing observable about the entities in *A* that would warrant inferring that they have realist intrinsic value. If Hubert were to infer that

[31] This section is taken largely from Toby Svoboda, "Why there is No Evidence for the Intrinsic Value of Non-Humans," *Ethics and the Environment* 16, no. 2 (2011).

[32] It might seem implausibly mysterious that two worlds could be identical in all respects save that one has intrinsic value properties while the other lacks such properties. However, this would be possible on Rolston's view, given that he conceives of intrinsic value as a mind-independent, discrete property that does not necessarily supervene on any natural property. If this seems implausible, then it grants credence to our skepticism about the existence of such intrinsic value.

an entity in *A* has realist intrinsic value due to some of its observable properties, then by consistency he should accept the view that all entities in *B* that have these same observable properties also have realist intrinsic value. But this would be mistaken, since no entity in B has realist intrinsic value. This shows that no set of the observable properties of an entity in *A* is sufficient for it to have realist intrinsic value, since there is also an entity in *B* with an identical set of observable properties that lacks realist intrinsic value.

The same is true for investigations within the actual world, at least for human inquirers. Since humans do not have a faculty of intuition that can perceive metaphysical properties directly, we could only infer the existence of realist intrinsic value from the observable properties of entities. However, we can conceive a world identical to our own in terms of observable properties but which nonetheless lacks realist intrinsic value. Yet we have no way of knowing which of these two worlds we reside in, because both would be observationally identical. This shows that no entity's set of observable properties is sufficient for it to have realist intrinsic value, and therefore we cannot infer legitimately the realist intrinsic value of an entity from its observable properties. Accordingly, it might be the case that some entities have realist intrinsic value in our world, but we have no evidence that they do.[33]

If this argument goes through, then any claim that a non-human natural entity has realist intrinsic value must be unjustified, because none of the observable properties of any entity in our world provide evidence for realist intrinsic value. Norton's request that Rolston offer an account

[33] Importantly, my claim here is not merely that, as a contingent matter of fact, we are unable to determine whether some entity has a given property. Such cases are not susceptible to the objection I have raised to Rolston's conception of intrinsic value. For example, we can imagine a case in which, given two seemingly identical paintings, we are unable to discern which is authentic and which is a copy. Here our inability to know which painting is authentic owes to various contingent factors—perhaps the differences between the paintings are exceedingly minor, the painter herself is dead and thus unable to identify the authentic one, available technologies date both paintings as being equally old, etc. This inability to determine which painting is authentic owes to various factors that might have been otherwise. Conversely, we are unable to determine whether an entity has realist intrinsic value *regardless* of the contingent factors, given that we never have any basis for determining whether we reside in world *A* or world *B*.

of "how we can learn about intrinsic values in nature" cannot be fulfilled,[34] since the argument shows that human investigators can never have evidence for realist intrinsic value.

This is argument is somewhat similar to so-called "arguments for humility," such as that offered by Rae Langton.[35] Arguments for humility contend that, for various reasons, humans cannot know the intrinsic properties of things. However, such arguments have not previously been directed toward the realist intrinsic value of non-human natural entities, and there are other important differences between them and the argument offered above. For example, Langton attributes an argument for humility to Kant, which holds that humans cannot know the intrinsic properties of things. Since humans know things only through their relational properties (e.g., their causal powers), and since these are not reducible to things' intrinsic properties, humans must remain ignorant of the intrinsic properties of things in themselves.[36] Langton's argument depends a great deal on Kant's metaphysical and epistemological theses, according to which things-in-themselves are unknowable but nonetheless give rise to objects of experience that humans can know.[37] The argument against realist intrinsic value presented above does not assume that things are unknowable but rather provides reasons why one cannot have evidence for an unobservable property like realist intrinsic value. Perhaps this argument should be classed as an argument for humility, but it is unique both insofar as it is directed toward the realist intrinsic value of non-human natural entities and insofar as it does not make the same assumptions as other arguments for humility. Put schematically, the argument defended in this paper is as follows.

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[34] Norton, "Review of *Conserving Natural Value* by Holmes Rolston," 214.
[35] See Rae Langton, *Kantian Humility: Our Ignorance of Things in Themselves* (Oxford University Press, 1998). See also Ann Whittle, "On an Argument for Humility," *Philosophical Studies: An International Journal for Philosophy in the Analytic Tradition* 130, no. 3 (2006): 461-97; Simon Blackburn, "Filling in space," *Analysis* 50, no. 2 (1990).
[36] Langton, *Kantian Humility: Our Ignorance of Things in Themselves*: 41-43.
[37] Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: Palgrave MacMillan., 2003), A19/B33 - A50/B73.

(1): If humans are justified in holding that some non-human natural entities have realist intrinsic value, then humans possess evidence that some non-human natural entities have realist intrinsic value.

(2): Such evidence must come via a faculty of intuition or via an inference from the observable properties of non-human natural entities.

(3): But this evidence cannot come via intuition, because humans lack such a faculty.

(4): Nor can this evidence come via an inference from observable properties, because those properties could just as well exist in a world that lacked realist intrinsic value.

(5): So humans do not possess evidence that some non-human natural entities have realist intrinsic value.

(6): Thus humans are not justified in holding that some non-human natural entities have realist intrinsic value.

There are several ways to challenge this argument. First, one could object to (4) by denying that the scenario envisioned by the thought experiment is even possible. That is, one could deny that it is possible for there to be two different worlds that are qualitatively identical save that one has realist intrinsic value while the other lacks it. For example, one might hold this by thinking that a certain set of observable properties is tied necessarily to the property of realist intrinsic value, such that an entity that has the former must also have the latter. Moore expresses a view like this. Although he denies that any given moral property is identical to any set of

natural properties, he allows that the existence of some set of natural properties might be a sufficient condition for the existence of moral properties. He writes that "if a thing is good (in my sense), then that it is so *follows* from the fact that it possesses certain natural properties, which are such that from the fact that it is good it does *not follow* conversely that it has those properties."[38] So despite the fact that moral properties are not identical to natural properties, the latter can entail the former (but not necessarily vice versa). According to Moore then, if two different objects are qualitatively identical in their natural properties, then they are also qualitatively identical in their moral properties. Analogously, a defender of realist intrinsic value might hold that the scenario in the thought experiment above is impossible, because it cannot be the case that two objects should have identical sets of observable properties yet only one of them have realist intrinsic value.

However, this objection to (4) is misguided, because the kind of possibility at issue in the thought experiment is logical possibility, not physical or metaphysical possibility. The scenario envisioned in the thought experiment is obviously logically possible, because one can conceive two worlds *A* and *B* that are qualitatively identical in terms of observable properties, and one can further conceive that realist intrinsic value exists in *A* but not in *B*. Since realist intrinsic value is a particular property, it is not tied to some set of observable properties by any logical necessity—there is no contradiction involved in conceiving worlds *A* and *B*. Hence, *A* and *B* are both conceivable, possible worlds. This means that the thought experiment does envision a possible scenario, and the above objection to (4) does not succeed.

Second, one could hold that human beings do have a faculty of intuition that allows them to perceive realist intrinsic value directly. This would be to challenge the assumption made in

[38] G. E. Moore, "A Reply to My Critics," in *The Philosophy of G. E. Moore*, ed. Paul Schilpp (Evanston: Northwestern University Press, 1942), 588.

(3). Although humans are not justified in inferring realist intrinsic value from any set of observable properties, one could claim that humans directly intuit realist intrinsic value and hence do not need to infer it from what is observed. Rolston himself does not opt for this strategy, and contemporary philosophers in general tend to be skeptical of such a purported faculty. Accordingly, objecting to (3) is unlikely to be attractive to most philosophers. However, if one were to appeal to intuition in this way, one would need to show that humans do have a faculty of intuition, that this faculty would be capable of perceiving realist intrinsic value, and that this intuition is reliable enough to afford actual evidence for realist intrinsic value. These are difficult tasks, and it is far from obvious that they could be accomplished.

Third, one could hold that (2) presents a false dichotomy, because intuition and inference from observable properties are not the only ways humans can acquire evidence about realist intrinsic value. For example, one might contend that realist intrinsic value is itself an observable property that can be known via ordinary observation. On this view, evidence for realist intrinsic value requires neither intuition nor inference. Instead, one could have evidence for realist intrinsic value simply by observing it, perhaps via sensory perceptions. This view also implies again that the thought experiment envisions an impossible scenario. If *A* and *B* are qualitatively identical in terms of observable properties, and realist intrinsic value is itself an observable property, then either both worlds have such intrinsic value or neither does. Accordingly, the scenario in which *A* has realist intrinsic value but *B* lacks it is not possible.

However, it is implausible to treat realist intrinsic value as an observable property, and few would be willing to make this claim. Humans do not seem to observe realist intrinsic value in the world. Consider Gilbert Harman's example of one witnessing two children setting a cat on

fire, an action one judges to be morally wrong.[39] In this case, one observes various non-moral facts (e.g., the children setting the cat on fire and the cat writhing in pain), but one does not observe some moral property such as wrongness. Rather, as Harman argues, it is simpler and more plausible to explain one's moral judgment of the action as wrong in purely psychological terms, i.e. without appealing to any purported realist moral properties.[40] Even if one contends that there is a realist property of wrongness involved in burning the cat, one has little choice but to treat it as supervenient on non-moral properties, because there is no obvious moral property that is observed in the children's action of burning the cat. The matter is likewise with attributions of realist intrinsic value to non-human natural entities. There is no obvious property of realist intrinsic value observed in non-humans. Either non-human natural entities have realist intrinsic value as a non-observable property or they lack realist intrinsic value altogether. In either case, the position that non-human natural entities have realist intrinsic value loses, because then the above argument goes through.[41]

A Critique of the Argument Against Realist Intrinsic Value

My argument has been critiqued by Lars Samuelsson, who challenges my fourth premise.[42] He objects that this premise must be false, for its truth would carry some very implausible implications if applied in parallel cases, such as that we cannot have evidence for the existence of other minds. After all, we do not directly observe other minds—rather, we infer their existence from other observable properties, such as the behavior of human beings. Yet as

[39] Gilbert Harman, *The Nature of Morality: An Introduction to Ethics* (Oxford University Press, USA, 1977), 6-9.
[40] Ibid., 8.
[41] Another possible defense of realist intrinsic value would be abductive in nature, such as by arguing that such intrinsic value offers the best explanation of some phenomenon. It is unclear how such a defense would work, however, given that it is unclear what explanatory work is done by the notion of realist intrinsic value.
[42] Lars Samuelsson, "On the Possibility of Evidence for Intrinsic Value in Nature," *Ethics & the Environment* 18, no. 2 (2013).

Samuelsson points out, there is some possible world identical to our own in every respect except that it is populated by zombies. He thinks that my premise, if applied to this case, would force one to conclude that we have no evidence for the existence of other minds, since the behavior we observe in humans "could just as well exist in a world that lacked" other minds. But surely we do have evidence for other minds, so my fourth premise must be false.

But there is an important disanalogy here, namely that the non-existence of other minds is *prima facie* implausible, whereas the non-existence of mind-independent intrinsic value is not *prima facie* implausible. While it is possible that our actual world is populated by zombies rather than other minds, I have reason to reject this view due to its inherent implausibility, and I thus have evidence for its converse, namely the existence of other minds. The same cannot be said for mind-independent intrinsic value. Since the non-existence of mind-independent intrinsic value is not implausible—after all, unlike the non-existence of other minds, this view has many sophisticated proponents—I do not have reason to reject it, and so I do not have evidence for its converse, namely the existence of mind-independent intrinsic value. This suggests a way of preserving at least the spirit of premise four while also resisting certain implausible implications: we can have evidence for non-observable properties whose converses are *prima facie* implausible, but this does not require us to allow that we have evidence for mind-independent intrinsic value.

Setting aside this issue, Samuelsson also objects that I have not sufficiently defended my fourth premise. In my earlier paper, I noted that we can conceive of two possible worlds, *A* and *B*, which are identical to our own in all observable respects, with the sole difference between the two being that mind-independent intrinsic value exists in *A* but not in *B*. I suggested that one's observations would be identical in both worlds, such that the existence or non-existence of mind-

independent intrinsic value would make no observable difference. If we inferred in *A* that some entity has mind-independent value due to some set of observable properties, by consistency we should draw that same inference for the observationally identical entity in *B*. But this would result in a false belief, given that (by hypothesis) *B* lacks mind-independent intrinsic value. Now Samuelsson objects that this does not demonstrate that the belief in question is unjustified, since it is possible to have evidence for false beliefs. He suggests that some set of observable properties in *B* might warrant the inference that mind-independent intrinsic value exists, even though it does not in fact exist in *B*. Thus the fact that we *could* reside in world *B* does not show that we are unjustified in inferring mind-independent intrinsic value from observable properties.

However, the thought experiment regarding *A* and *B* was not meant to show merely that it is possible that the actual world lacks mind-independent intrinsic value. More importantly, it was meant to motivate the consideration that we have no reason to suppose it more likely that we reside in world *A* than in world *B*. Once this is granted, it becomes clear why believing that mind-independent value exists in our world is not justified, although it might happen to be true. If both *A* and *B* are equally likely, for example, I would not be warranted in inferring from some set of observable properties that we reside in world *A*, for there is an equally good chance that we reside in world *B*, which also would contain the observable properties in question. Accordingly, the existence of some set of observable properties provides no evidence for mind-independent intrinsic value. When I wrote in the earlier article that "those [observable] properties *could just as well* exist in a world that lacked mind-independent intrinsic value" (emphasis added), I meant to indicate that, all observable properties remaining identical, a world without mind-independent intrinsic value is no less likely than a world with it.

Samuelsson recognizes this as a possible interpretation of my argument, but he suggests that I have not sufficiently argued for the equal likelihood of *A* and *B*. Yet at the very least, assuming this equal likelihood seems a reasonable starting point for inquiry on the question of whether mind-independent intrinsic value exists. After all, this is a controversial issue, with reasonable individuals on both sides of the debate. Making an *initial* presumption that either *A* or *B* is more likely arguably stacks the deck against the opposing view. Of course, even if we start from an initial assumption of equal likelihood, we might have good reasons to revise this in light of other considerations, perhaps in such a way that we eventually come to treat *A* as more likely than *B*. But it is difficult to see what considerations could move us in this direction. The thought experiment shows that the existence or non-existence of mind-independent intrinsic value would not make any difference for our experience of *A* and *B*, since as far as we could tell they would be qualitatively identical. This suggests that there would be no reliable "markers" of mind-independent intrinsic value in the world—or at least not any to which we have access—and so our experience would provide no reason to revise our initial assumption of the equal likelihood of *A* and *B*.

Finally, Samuelsson suggests that mind-independent intrinsic value might supervene on some set of observable properties, in which case it might be mistaken to suppose that *A* and *B* are both *possible* worlds. Given that mind-independent intrinsic value in world *A* supervenes on some set of observable properties, perhaps it follows that mind-independent intrinsic value also supervenes on any qualitatively identical set of observable properties, regardless of the possible world in which they are present. This would be bad news for my argument, which depends on the claim that *B* lacks mind-independent intrinsic value despite the fact that it is qualitatively identical to *A* in terms of observable properties. But this is so only if we assume *strong*

supervenience, according to which the supervenience relation holds across all possible worlds rather than merely within some world. I see no reason to accept strong supervenience here. After all, since mind-independent intrinsic value is taken to be distinct from any observable property or set thereof, we certainly can conceive of world *B*, and that suggests it is possible.

Callicott's Mind-Dependent Intrinsic Value

Given these concerns, I hold that it is not a promising approach to establish the moral standing of non-human entities on the basis of their (putative) realist intrinsic value. This view is shared by Callicott, who denies the existence of realist intrinsic value but claims that non-human entities have what I call mind-dependent intrinsic value. That is, some non-human natural entities are intrinsically valuable rather than merely instrumentally valuable, but this value is bestowed or projected onto them by human valuers. An entity has mind-dependent intrinsic value if and only if it is valued as an end-in-itself rather than instrumentally. Accordingly, mind-dependent intrinsic value depends upon a mode of valuing non-human entities, unlike realist intrinsic value. Those who accept that some non-human entities have mind-dependent intrinsic value are not thereby committed to the existence of real (in the sense of mind-independent) value properties in non-humans, because mind-dependent intrinsic value must be bestowed on non-human entities by valuers.[43] Callicott denies that non-human natural entities have realist intrinsic value, because he holds that all value requires a valuer to bestow or project it. However, he claims that non-human entities can (and should) be valued as ends-in-themselves by human

[43] Of course, one might accept that some non-humans have both realist and mind-dependent intrinsic value, but one coherently can accept the latter without accepting the former.

beings: "Thus one may value (verb transitive) some things instrument*ally*… Similarly, one may value (verb transitive) other things intrinsic*ally*."[44]

Doubts have been raised regarding whether Callicott's so-called intrinsic value is really a kind of intrinsic value at all. Rolston claims that it is actually a kind of extrinsic value, given that it is not intrinsic to its "locus" but rather originates elsewhere, namely in human valuers.[45] On Rolston's view, in order for some value to be genuinely intrinsic, it must be an intrinsic feature of the entity that has it. Additionally, Norton contends that Callicott's terminology is a case of "hairsplitting," given that the term is allegedly employed in an idiosyncratic fashion.[46] Both Rolston and Norton seem to presume that intrinsic value, properly understood, is a mind-independent property. Yet Callicott's conception fits at least one conventional sense of the term "intrinsic value," namely that which is contrasted with instrumental value. In being treated as an end-in-itself or valued for its own sake, an entity is valued non-instrumentally. While such value may be extrinsic in one sense, it is not idiosyncratic to treat it as a kind of intrinsic value, in the sense of something being non-instrumentally valuable or valuable for its own sake. It is doubtful that all senses of the term "intrinsic value" carry realist implications.[47]

It is helpful to understand Callicott's position as a species of metaethical constructivism, or the view that there are moral truths (or facts) but that such truths depend on "the practical standpoint."[48] Constructivist positions hold that there can be true judgments and utterances regarding moral phenomena—such as moral facts, properties, relations, or values—but that such judgments and utterances are true in virtue of something mind-dependent. For example, some

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[44] J. B. Callicott, "The Pragmatic Power and Promise of Theoretical Environmental Ethics: Forging a New Discourse," *Environmental Values* 11, no. 1 (2002): 10.
[45] Rolston, *Environmental Ethics: Duties to and Values in the Natural World*: 115.
[46] Norton, "Review of *Conserving Natural Value* by Holmes Rolston," 212. Norton offers a similar criticism in his earlier ———, "Epistemology and Environmental Values," 221.
[47] For a similar point, see Hill, "Finding value in nature," 340n2.
[48] Carla Bagnoli, "Constructivism in Metaethics," in *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: Metaphysics Research Lab, 2011).

constructivists view moral truths as dependent upon the procedures of practical rationality.[49] Other constructivists view moral truths as dependent upon the contracts agents would agree to under idealized conditions.[50] Importantly, unlike moral realists, constructivists do not hold that there is a mind-independent order of moral phenomena.[51] For two major reasons, it is appropriate to classify Callicott's position as a constructivist one. First, he holds that the intrinsic value of non-human entities is mind-dependent, claiming that humans are the "source" of such value even though non-humans are its "locus."[52] Second, like constructivists who reject moral realism, Callicott clearly rejects the view that non-humans have realist intrinsic value.[53]

While Callicott's mind-dependent intrinsic value avoids the metaphysical problems associated with realist intrinsic value, it is unclear whether—and if so, why—human valuers must or should bestow intrinsic value on non-human natural entities. Granting that one *can* value non-human entities as ends-in-themselves, we may ask why one *ought* to do so. After all, there are many classes of entity that I could value for its own sake—why should I value (say) non-human organisms as ends-in-themselves rather than humans alone or even nothing at all? Proponents of mind-dependent intrinsic value must provide an argument that humans ought to value non-human entities as ends-in-themselves, as well as specify what class of entities is to be valued in this fashion. Other moral constructivists have done this. For example, Christine Korsgaard develops a sophisticated Kantian constructivist account, according to which human

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[49] John Rawls, "Kantian Constructivism in Moral Theory," *The Journal of Philosophy* 77, no. 9 (1980).
[50] T. Scanlon, *What we owe to each other* (Belknap Press of Harvard University Press, 1998).
[51] For moral realist views, see, R. Shafer-Landau, *Moral Realism: A Defence* (Oxford: Clarendon, 2003); D.O. Brink, *Moral Realism and the Foundations of Ethics* (Cambridge University Press, 1989).
[52] J. Baird Callicott, "Non-Anthropocentric Value Theory and Environmental Ethics," *American Philosophical Quarterly* 21, no. 4 (1984): 305.
[53] See, for example, Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996).

beings ought to confer "normative value" on non-human animals.[54] While this is not the place to evaluate Korsgaard's arguments (see chapter two), she is responding to the need to support controversial claims regarding the putative moral value of non-human entities. Conversely, while Callicott avoids the metaphysical and epistemological problems associated with realist intrinsic value, this is not enough to show that we are to value non-human natural entities intrinsically.

Conflicting Duties and Moral Dilemmas

I have examined some of the difficulties involved in attempting to ground the moral standing of non-humans on their putative intrinsic value. However, putting aside problems with both realist and mind-dependent intrinsic value, there is also a major concern that extending moral standing to various non-human entities would give rise to conflicting moral duties. Recall that the turn to non-anthropocentrism was motivated by the idea that human beings have direct moral duties *to* non-humans, or that non-humans deserve moral consideration. Accordingly, although some non-anthropocentric positions extend moral standing further than others, this extension involves a very substantial increase in the number of entities to which human beings owe moral obligations. Whereas anthropocentrists recognize direct moral duties only to human beings, non-anthropocentrists recognize direct moral duties to human beings *and* some combination of non-human animals, individual flora, species, ecosystems, and even inanimate entities of various kinds.

Now one worry regarding this is that increasing the recipients of direct duties in such dramatic fashion will give rise to conflicting duties. For example, suppose that, as Goodpaster holds, all humans, non-human animals, and flora have moral standing and thus are all owed

[54] _____, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," in *The Tanner Lectures on Human Values*, ed. Grethe Peterson (Salt Lake City: Utah University Press, 2004).

respect. If so, then it is initially difficult to see how human moral agents can avoid violating their duties to some of these entities. Evidently, fulfilling one's duties to other humans, such as providing food for one's children, sometimes requires actions that involve harm or destruction to non-human organisms, such as animals or plants used for food, and it is hard to see how destroying or harming some entity is compatible with harboring "basic forms of practical respect" for it. Such cases seem to constitute genuine moral dilemmas, or situations of moral conflict in which it is impossible to avoid moral wrong-doing. For example, fulfilling one's duty to provide food for one's children might in some cases require violating one's duty not to destroy flora or animals, whereas fulfilling one's duty to respect flora and animals might require violating one's duty to meet the nutritional needs of one's children. If we have direct duties to both humans and non-humans, then we can reasonably expect to encounter many cases of moral conflict in which fulfilling one duty entails violating another.

There are possible solutions to this problem, of course. Here are three: simply accepting the fact that there are genuine moral dilemmas; prioritizing some duties over others; and holding that humans have duties to environmental wholes rather than individuals. First, while few are likely to do so, we might simply bite the bullet and accept that non-anthropocentrism gives rise to various moral dilemmas. While it is a controversial issue, some ethical theorists hold that there are genuine moral dilemmas in which it is impossible to avoid moral wrong-doing.[55] Accordingly, it simply might be the case that some of our moral duties genuinely conflict, such that fulfilling some entails violating others. On this view, the fact that non-anthropocentrism gives rise to conflicting duties is not viewed as an objectionable feature, since the existence of moral dilemmas is simply a part of our moral life. However, those who are willing to accept that

[55] See Terrance McConnell, "Moral Dilemmas," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: The Metaphysics Research Lab, 2010).

there are genuine moral dilemmas usually suppose that they are exceptional, rarely having an impact on everyday moral life. Unfortunately, at least for some versions of non-anthropocentrism, apparent moral dilemmas arise with alarming frequency. On a daily basis, various situations seem to constrain one's options such that one cannot avoid acting in ways that apparently would violate duties we might have to non-humans. Again, an obvious example is meeting the nutritional requirements of oneself or others, a commonplace need that seems to result in substantial harm or death to non-human entities. A moral theory is implausible if it entails that human cannot avoid serious moral wrong-doing on a daily basis.[56]

Second, and perhaps more promising, one could attempt to reduce or eliminate deontic conflict by prioritizing some duties over others. For example, Goodpaster distinguishes between moral standing (or "moral considerability," as he calls it) and moral significance. While the former is the quality of deserving moral consideration, the latter pertains to the *degree* of moral consideration some entity deserves.[57] On Goodpaster's view, while all living entities deserve moral consideration, some deserve greater consideration than others. While he offers neither an ordering of the moral significance of various entities nor guidelines for developing one, the notion of moral significance offers non-anthropocentrists a way of assuaging deontic conflict. For example, one might hold that humans, animals, and flora have moral standing, but that flora have less moral significance than animals, which in turn have less moral significance than humans. Further, one might hold that duties are to be prioritized according to the moral significance of the entities to which those duties are directed. Thus, if it is not possible to fulfill both some duty to humans and some duty to non-humans, perhaps the former takes priority. This

[56] Moreover, an ethic that entails frequent moral dilemmas would do a poor job of providing action-guidance to moral agents, since in a genuine moral dilemma there is no correct answer to the question of how a moral agent ought to act.
[57] Goodpaster, "On Being Morally Considerable," 311-12.

approach might provide suitable action-guidance for agents, thanks to priority conditions that specify how one ought to act despite conflicts among duties. There are concerns regarding this strategy, however. The notion that some entities deserve greater moral consideration than others is arguably in tension with the spirit of non-anthropocentrism, especially if humans are taken to stand at the pinnacle of moral significance. Indeed, one motivation driving some non-anthropocentrists is a rejection of the notion that human beings are superior to non-human entities.[58] Further, any proposed ordering of the moral significance of entities is likely to be controversial, and it is difficult to see what non-arbitrary procedures or principles could be used to settle disputes over competing orderings.

Taylor pursues a different kind of prioritizing strategy. As a "biocentric egalitarian," he denies that different entities deserve varying degrees of moral consideration. Instead of prioritizing some entities over others, Taylor proposes certain priority principles for duties themselves, which can be used to rank some kinds of duty over other kinds. For example, Taylor holds that one's duty not to harm a non-human entities outweighs one's duty not to deceive non-human entities (e.g., by catching a fish with a lure).[59] Thus, in cases in which these two duties conflict, one's duty not to harm entities takes precedence, such that one ought to deceive non-humans if that is necessary to avoid harming them. Indeed, Taylor treats the duty not to harm non-human entities (or the "rule of nonmaleficence") as the "most fundamental duty toward nature… Our respect for nature primarily expresses itself in our adhering to this supreme rule."[60] Accordingly, the rule of nonmaleficence takes priority over all other rules of duty Taylor identifies, such as those of non-interference (i.e., allowing non-human nature to function

[58] See Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 129-55.
[59] Ibid., 193.
[60] Ibid., 197.

independently of human meddling) and restitutive justice (i.e., correcting past wrongs committed against non-human nature).[61]

Yet it is unclear what guides the prioritization of some duties over others. For example, why should the duty not to harm non-human entities, as entailed by the rule of nonmaleficence, take priority over the duty to provide restitution (e.g., in the form of a restored habitat) for previously harmed non-human entities, as entailed by the rule of restitutive justice? Taylor imagines the following case.

> There is only one available habitat area to set aside for a species-population which we have harmed in the past. To protect the species we would have to kill some of its natural predators in the area. If no other alternative is open to us, then we must not use this method of making restitution to the population in question. […] …we should not favor the given population at the expense of other wild creatures. This kind of wildlife "management" is not justifiable. Nonmaleficence takes precedence over restitution.[62]

However, it is unclear why nonmaleficence takes precedence here. Taylor notes that, in harming some entities in order to make restitution to others, "we would be committing a further wrong in an attempt to make up for a past wrong."[63] Arguably, however, choosing not to provide restitution to the previously harmed species-population is a wrong as well, and it is not obvious that it would be impermissible to kill some natural predators in the case Taylor mentions. It does not seem unreasonable to hold the view that, if necessary for purposes of restitutive justice, some

[61] See ibid., 172-92.
[62] Ibid., 195.
[63] Ibid., 194.

non-humans may be harmed in order to redress past harms to (say) an endangered species, especially if the benefit to the previously wronged species would be substantially greater than the harm done to other non-humans. While there might be some good reason why non-maleficence should always take precedence over restitution, some argument is needed to show this. This is just one illustration of the concern that Taylor's priority principles are left unjustified, leading to a further concern that his approach assuages conflict among duties only at the cost of arbitrarily prioritizing some over others.

Third, one might avoid or at least minimize the occurrence of conflicting duties by recognizing the moral standing of natural wholes (e.g., ecosystems) rather than of individual entities. Arguably, the problem of conflicting duties arises for individualistic non-anthropocentric positions because such positions recognize the moral standing of many distinct individuals (e.g., all flora and animals). Since the needs, interests, or flourishing of individual entities are often in conflict with one another, this makes it difficult or impossible to fulfill all of one's various duties to these entities. Conversely, for some holistic non-anthropocentric positions, the problem of conflicting duties might not arise in the first place. Consider Aldo Leopold's land ethic, encapsulated in the following claim: "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."[64] According to Leopold, it is the "biotic community" that has moral standing, not individual biota. An implication of this is that individual organisms may be harmed or killed if doing so contributes to the "integrity, stability, and beauty" of the biotic community. Unlike Taylor's biocentric egalitarianism, which requires that individual organisms be given equal

[64] Aldo Leopold, *A Sand County Almanac* (Oxford: Oxford University Press, 1981), 224-25.

moral consideration, Leopold's position seems to avoid the serious problem of deontic conflict, given that it need not negotiate various competing duties to a large class of moral patients.[65]

Inspired by Leopold's land ethic, Callicott's early work included the development of a holistic environmental ethic that recognized the intrinsic value of the biotic community.[66] This position has been critiqued for its alleged "ecofascism" and "misanthropy," given that it arguably devalues the lives of individual biota and contains no provision against severely mistreating human beings for the sake of preserving the biotic whole.[67] One concern of such critics is that Callicott's position would sanction actions that seem intuitively wrong, such as sacrificing innocent children if doing so is necessary for the good of the biosphere (e.g., because it reduces human population). Especially for those who share the intuition that some individual entities have moral rights, various implications of Callicott's holistic view seem unacceptable.[68]

In later work, and partly in response to such critiques, Callicott has altered his position, holding the hybrid view that both biotic wholes and individuals have intrinsic value and thus moral standing.[69] This move might ease concerns about ecofascism and misanthropy, but it seems to reintroduce the problem of conflicting duties. If human moral agents have duties both to the biotic whole *and* to individual biota, it seems that there will be cases of conflict. Indeed, the deontic conflict for such a view might be even more frequent and severe than in the case of

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[65] A potential objection is that Leopold's position still countenances deontic conflict, insofar as respectively preserving the integrity, beauty, and stability of the biotic community might each require some action that is incompatible with the others. For example, perhaps preserving the beauty of some ecosystem would be at odds with preserving its integrity, thus giving rise to a conflict between these duties. It is beyond of the scope of this chapter to pursue this further, but I note that Leopold's holistic position at least seems greatly to reduce the frequency of deontic conflict in comparison to individualistic positions.

[66] See JB Callicott, *In defense of the land ethic: essays in environmental philosophy* (State University of New York Press, 1989).

[67] See Brennan and Lo, "Environmental Ethics."; Kristin Shrader-Frechette, "Individualism, Holism, and Environmental Ethics," *Ethics and the Environment* 1, no. 1 (1996); Tom Regan, *The Case for Animal Rights*, 2nd ed. (Berkeley and Los Angeles: University of California Press, 2004), 362.

[68] See ———, *The Case for Animal Rights*.

[69] See especially J. Baird Callicott, "Holistic Environmental Ethics and the Problem of Ecofascism," in *Beyond the land ethic: more essays in environmental philosophy* (Albany: SUNY Press, 1999).

individualistic positions, given that the former must deal with both conflicts among duties to individuals *and* conflicts between duties to individuals and duties to wholes. In short, holistic non-anthropocentric positions might only be able to avoid deontic conflict at the cost of sanctioning unacceptable treatment of individuals, whereas hybrid views do not seem to avoid the problem of deontic conflict at all.

The problem of conflicting duties is a serious disadvantage for those positions that recognize direct duties to non-human entities. None of the three responses I have considered seems satisfactory. While it is possible that some satisfactory solution will be found, it seems that a position avoiding this problem in the first place, all else being equal, is theoretically preferable. As I shall argue, a major advantage of the Kantian environmental ethic I develop in this work is that it avoids the problem of deontic conflict by recognizing only indirect duties regarding non-human entities. The challenge will be to show that this Kantian approach does not falter in other respects, but this argument must wait for later chapters.

Environmental Pragmatism

We have seen a number of problems that arise for non-anthropocentric *theories*. So-called environmental pragmatists critique non-anthropocentrism on practical grounds.[70] A common theme in environmental pragmatism is that theoretical speculation about the intrinsic value or moral standing of non-human entities is irrelevant and inimical to more important, practical concerns in regarding policy and action.[71] Andrew Light recommends "methodological

[70] See Bryan Norton, *Toward Unity Among Environmentalists* (New York: Oxford University Press, 1991); ———, "Epistemology and Environmental Values."; Andrew Light, "Contemporary Environmental Ethics: From Metaethics to Public Philosophy," *Metaphilosophy* 33, no. 4 (2002); A. Light and E. Katz, eds., *Environmental pragmatism* (Routledge, 1996).

[71] Norton writes, "I believe that preoccupation with the search for intrinsic value has diverted philosophers from the more important and creative work of constructing a new, ecological worldview, a new vocabulary, and a more

environmental pragmatism," which remains agnostic about the existence of intrinsic value in non-human entities and thus frees environmental ethicists "to take up the largely empirical question of what morally motivates humans to change their attitudes, behaviors, and policy preferences toward those more supportive of long-term environmental sustainability."[72] For environmental pragmatists, the major focus of environmental ethics should be the practical issues of environmental policy, and arcane debates regarding intrinsic value and moral standing allegedly obscure these practical issues.[73]

Perhaps the best-known manifestation of this pragmatic orientation is Norton's conversion hypothesis, according to which (roughly) both anthropocentrists and non-anthropocentrists will concur in supporting similar (if not the identical) environmental policies. Norton holds this hypothesis because he believes that "policies serving the interests of the human species as a whole, and in the long run, will serve also the 'interests' of nature, and vice versa."[74] Although anthropocentrists and non-anthropocentrists differ substantially in their theoretical commitments regarding the value and moral standing of non-human entities, and although these differing commitments might give rise to different *reasons* for or against supporting certain environmental policies, Norton suggests that they will nonetheless converge in endorsing the same policies. The convergence hypothesis is lent plausibility thanks to the proviso that it is the interests of humanity "as a whole, and in the long run" that coincide with the interests of non-human nature. It would be relatively easy to find examples of divergence among the individual, short-term interests of humans and non-humans. For example, the near-term economic interests

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adequate style of thinking about human roles in the natural world." See Norton, "Epistemology and Environmental Values," 209.

[72] Light, "Contemporary Environmental Ethics: From Metaethics to Public Philosophy," 446.

[73] Although cf. Callicott, who oddly claims that theoretical environmental ethics is itself a kind of environmental activism. J. Baird Callicott, "Environmental Philosophy is Environmental Activism: The Most Radical and Effective Kind," in *Environmental Philosophy and Environmental Activism*, ed. Don Marietta and Lester Embree (Lanham: Rowman and Littlefield, 1995).

[74] Norton, *Toward Unity Among Environmentalists*: 240.

of individual investors might be well-served by aggressive mining that devastates some ecosystem in ways that are obviously contrary to the interests of non-human entities. However, if we take into account the interests of all humans, including those of future generations, we may realize that short-term economic gains of this kind are contrary to the interests of humans as well, such as persons who might be harmed by the side-effects of pollution or future persons who might be harmed by the depletion of natural resources.[75] Given a more encompassing view, there is some initial plausibility to the claim that policies serving "natural interests" and human interests will converge.

Evaluating the convergence hypothesis is made somewhat difficult by the fact that Norton has formulated it in significantly different ways at different times, and so the hypothesis may be interpreted in different ways.[76] For example, on early formulations, the convergence hypothesis might be interpreted to mean that anthropocentrists and non-anthropocentrists, if fully informed and rational, would agree on *all* matters of environmental policy.[77] On this strong interpretation, a few counter-examples would be sufficient to falsify the hypothesis. More recently, however, Norton has offered weaker formulations of the convergence hypothesis: (1) that anthropocentrists and non-anthropocentrists "would approve many, perhaps all, of the same policies,"[78] and (2) "that anthropocentrists and nonanthropocentrists will tend to propose similar policies."[79] On (1) and (2), anthropocentrists and non-anthropocentrists merely agreeing on "many" policies, or harboring a tendency to accept "similar" policies, is sufficient for the

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[75] ———, "Environmental Ethics and Weak Anthropocentrism," in *Environmental Ethics*, ed. Andrew Light and Holmes Rolston (Malden: Blackwell, 2003).
[76] For a discussion of the convergence hypothesis in the context of climate change policy, see Toby Svoboda, "The Ethics of Geoengineering: Moral Considerability and the Convergence Hypothesis," *Journal of Applied Philosophy* 29, no. 3 (2012).
[77] See Norton, *Toward Unity Among Environmentalists*: 240.
[78] ———, *Sustainability: a philosophy of adaptive ecosystem management* (University of Chicago Press, 2005), 508.
[79] ———, "Convergence, Noninstrumental Value and the Semantics of 'Love': Comment on McShane," *Environmental Values* 17, no. 1 (2008): 5.

convergence hypothesis to be true. On these weaker formulations, a few examples of anthropocentrists and non-anthropocentrists diverging in their policy preferences would not be sufficient to falsify the hypothesis.

Leaving aside the question of which formulation to adopt, the convergence hypothesis might be a powerful tool for environmental policy-making. For practical purposes, it would certainly be useful if individuals with very different views about the value and moral standing of non-human entities could nonetheless come to agree about enacting similar environmental policies that are ethically acceptable by both anthropocentric and non-anthropocentric lights. However, as important as policy is, there is more to leading an environmentally ethical life than simply deciding which environmental policies ought to be implemented. I suggest three ways in which this is so.

First, the reasons, intentions, and motivations behind our policy choices arguably contribute to the moral value (or disvalue) of those choices themselves. It seems possible to promote a good environmental policy for the wrong reasons, with questionable intentions, or from some bad motivation. This issue is part of what is at stake in debates among anthropocentrists and non-anthropocentrists.[80] For example, although anthropocentrists and non-anthropocentrists might agree to legal prohibition against mining in some wilderness area, by non-anthropocentric lights it might be morally problematic if one does so solely to provide recreational space for humans. If our reasons, motivations, and intentions warrant moral assessment, as many moral theories suppose, then it seems that the truth of the convergence hypothesis does not render debates among anthropocentrists and non-anthropocentrists superfluous.

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[80] See Katie McShane, "Anthropocentrism vs. Nonanthropocentrism: Why Should We Care?," *Environmental Values* 16, no. 2; ———, "Convergence, Noninstrumental Value and the Semantics of 'Love': Reply to Norton," *Environmental Values* 17, no. 1 (2008).

Second, environmental ethical concerns are not limited to matters of policy-making but also include individual actions. One wishes to know, for example, whether it is permissible for *oneself* to eat meat, whether one should clear cut a forest on one's property, what one's personal responsibilities are (if any) vis-à-vis some local endangered ecosystem, and so on. Insofar as these are not questions of policy, it is unclear that the convergence hypothesis would offer much help in answering them. In addition to helping us decide on general policies to adopt, an environmental ethic should help us decide how to act and live as individuals, even when those individual choices have no obvious relation to general policies that are (or ought to be) in place.

Third, as evidenced by the recent surge of interest in environmental virtue, many environmental ethicists hold that one's individual dispositions, attitudes, or character traits vis-à-vis non-human nature are morally assessable.[81] On this view, it is not merely our policy choices or individual actions that are morally praiseworthy or blameworthy, but our character as well.[82] One might identify benevolence toward animals and humility with respect to one's place in nature as virtues while identifying malevolence toward animals and an attitude of domination toward non-human nature as vices. Since the convergence hypothesis pertains to matters of policy, it offers no guidance regarding what dispositions or character traits we ought to possess. Hence, if it is indeed appropriate to engage in ethical evaluation of our dispositions with respect to non-human nature, then the theoretical debates in environmental ethics are potentially relevant for determining what dispositions or character traits we ought to adopt. We wish to know, for example, whether we have good moral reason to cultivate benevolence vis-à-vis non-human organisms, and this involves reflecting on a range of issues that are under the purview of

[81] See chapter five for a detailed discussion of virtue-oriented approaches to environmental ethics.
[82] See Cafaro and Sandler, *Environmental Virtue Ethics*.

theoretical environmental ethics, such as whether there are genuine environmental virtues, what counts as benevolent action toward organisms, and so on.

None of this is to find fault with the convergence hypothesis per se. In one of its formulations, it may well be true, and it may also be a useful practical tool for building consensus around environmental policies despite disagreement on other issues. However, the convergence hypothesis does not speak to a variety of concerns that are *prima facie* important in environmental ethics. Even if the convergence hypothesis is true, a wide range of moral questions remains unsettled.

Why not Anthropocentrism?

If the question of anthropocentrism versus non-anthropocentrism should not be overlooked, and if non-anthropocentric positions are problematic, then why not accept some form of anthropocentrism? One could hold, for example, that the search for "a new, an environmental ethic"[83] that includes direct duties to non-humans was a mistake, perhaps because human moral agents have genuine direct duties only to one another. Accordingly, perhaps we should give up on this mistaken project and instead accept an anthropocentric position. Whether one finds this acceptable will of course depend in part on the details of the anthropocentric position that is put on offer. In order to be plausible, there are certain pitfalls that such an anthropocentric approach must avoid.

One might worry that anthropocentric positions permit radical exploitation of non-human nature. After all, if non-humans lack moral standing, it might seem that we are morally permitted to treat them however we wish. However, this need not be the case. Norton helpfully distinguishes between weak and strong versions of anthropocentrism:

[83] Sylvan, "Is There a Need for a New, an Environmental Ethic?."

> A value theory is *strongly anthropocentric* if all value countenanced by it is explained by reference to satisfactions of felt preferences of human individuals. A value theory is *weakly anthropocentric* if all value countenanced by it is explained by reference to satisfaction of some felt preference of a human individual or by reference to its bearing upon the ideals which exist as elements in a world view essential to determinations of considered preferences.[84]

Norton defines a felt preference as "any desire or need of a human individual that can at least temporarily be sated by some specifiable experience of that individual," while a considered preference is "any desire or need that a human individual would express after careful deliberation, including a judgment that the desire or need is consistent with a rationally adopted world view…"[85] Given their exclusive focus on felt preferences, strongly anthropocentric views apparently would tend to be short-sighted and friendly to various kinds of natural exploitation. Conversely, weakly anthropocentric views would seem to be less hospitable to exploitative actions. Norton cashes this out by defending a weakly anthropocentric environmental ethic according to which (1) "one ought not to harm other individuals humans unjustifiably" and (2) the present generation of humans ought to preserve natural resources for use by future generations.[86] After rational reflection and consideration of our considered preferences, we allegedly would realize that this version of weak anthropocentrism is to be preferred over stronger versions.

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[84] Bryan Norton, "Environmental Ethics and Weak Anthropocentrism," in *Environmental Ethics: An Anthology*, ed. Andrew Light and Holmes Rolston (Malden: Blackwell, 2003), 165.
[85] Ibid., 164.
[86] Ibid., 170.

The general procedure of Norton's kind of approach is to argue that moral consideration of human beings requires that we behave in environmentally responsible ways. Although non-human entities lack moral standing on such views, human moral agents nonetheless have good moral reason to abstain from treating such entities in ways that would result in harm to other humans or that would compromise the ability of future generations to sustain some level of well-being. Despite its exclusive moral focus on human beings, a weak form of anthropocentrism would seem to require or encourage certain actions that incidentally benefit non-humans and prohibit certain actions that incidentally harm non-humans. For example, given that anthropogenic climate change threatens to be substantially harmful to present persons and future generations, current humans ought to reduce their emission of the greenhouse gases that are driving climate change. As it happens, this would benefit some non-human organisms and ecosystems under stress from some of the impacts of these emissions, such as the ocean acidification that threatens to destroy coral reef ecosystems.[87]

Of course, non-anthropocentrists are unlikely to be impressed by such maneuvers. Some hold that human beings ought to abstain from certain kinds of treatment of non-humans *because* non-humans deserve moral consideration. This position is arguably supported by the last person thought experiment. Many have the intuition that it is morally wrong for the last person to destroy the biosphere, even though doing so would neither harm present humans nor compromise the needs of future generations. Arguably, despite the considered preferences of human beings, Norton's weak anthropocentrism is unable to account for the apparent wrongness of the last person's actions, since the last person violates neither (1) nor (2). However, anthropocentrists (weak or otherwise) might simply deny that the last person thought experiment tells us anything

[87] See Scott C. Doney et al., "Ocean Acidification: The Other CO2 Problem," *Annual Review of Marine Science* 1(2009).

ethically interesting, perhaps rejecting the claim that intuitions about the last person provide evidence as to the scope of moral standing. For example, they might hold that the circumstances in the last person scenario are so bizarre that intuitions pertaining to it are unlikely to track the moral truth. If this is correct, then perhaps the fact that Norton's weak anthropocentrism does not account for our intuitions regarding the last person would not be a weakness of his view.

However, objections to Norton's position need not be based on the last person argument alone. Humans seem to have a variety of intuitions that certain actions affecting non-humans are morally salient even if those actions affect neither present nor future humans. Imagine someone who tortures a stray cat for fun. Most of us would find such an action morally problematic, even though it does not harm other humans nor affects future generations. One can imagine many cases of this kind, which, unlike the last person scenario, need not involve unusual circumstances that might cast doubt on the validity of our intuitions. Moreover, we also seem to have intuitions that certain dispositions vis-à-vis non-human nature are morally better than others. For example, one might hold that it is morally good to harbor benevolence toward animals or humility toward old growth forests. If this is so, then Norton's weak anthropocentrism seems incomplete, given that it does not tell us much about what "environmental dispositions" are appropriate to adopt.

What is needed is an account that retains as many of the advantages of both anthropocentric and non-anthropocentric approaches as possible while also avoiding as many of their disadvantages as possible. As we have seen, non-anthropocentric approaches do well in making sense of intuitions regarding the moral assessability of actions and dispositions regarding non-human entities, but they face serious problems due to deontic conflict and various issues associated with recognizing intrinsic value on the part of non-humans. Alternatively, anthropocentric approaches can avoid such problems, but they face difficulties when it comes to

fitting with intuitions regarding environmental cases. In attempting to preserve these advantages and avoid these disadvantages, I take an approach that has been neglected by environmental philosophers, namely one based on indirect (rather than direct) duties regarding non-humans. Such an approach, often associated with Kant (see 6:442-3), is roundly criticized by philosophers interested in environmental and animal ethics.[88] However, as I will argue in subsequent chapters, an indirect duties approach has significant advantages over the major positions that have been defended. An indirect duty approach can avoid both the problem of deontic conflict (given that it does not expand the recipients of potentially conflict direct duties) and any problem associated with the putative intrinsic value of non-humans (given that it does not attribute any kind of intrinsic value to them). Nonetheless, an indirect duty approach can establish that human beings have good moral reasons both to treat non-human entities in certain ways and to develop certain dispositions with respect to them. In particular, I develop a *Kantian* indirect duty view, according to which a human being's duty to herself to increase her "moral perfection" entails that a human ought not to cause unnecessary harm to non-humans, that we have good reason to benefit non-humans as a way of fulfilling this duty, and that environmental virtues are constitutive of one's moral perfection. As I will show, this Kantian approach affords us excellent moral grounds to value non-humans in their own right, yet it does so without carrying the heavy costs of non-anthropocentric positions.

[88] Singer, *Animal Liberation*; Hursthouse, "Environmental Virtue Ethics."

Chapter Two: Kantian Approaches to Animal Ethics and Environmental Ethics

Environmental philosophers are generally not sympathetic to the view that we lack direct duties to nature. Kant claims in §16 of the *Doctrine of Virtue* that humans cannot have direct duties to non-human entities because "a human being has duties only to human beings (himself and others), since his duty to any subject is moral constraint by that subject's will" (6:442). Since non-humans allegedly lack the capacity to place us under obligation, we owe them no direct duties, and therefore non-human entities lack moral standing. This is of course incompatible with the commitments of non-anthropocentrists, who hold that moral standing extends beyond human beings to include (for example) animals, plants, or ecosystems. Plausibly, this incompatibility partly explains why Kant has not been an important figure for environmental and animal ethicists. While Kant does hold that there are *indirect* duties regarding nature—or that some direct duties to ourselves or other humans require us, indirectly, to treat non-human nature in certain ways—many critics argue that such an indirect duty account fails to ground adequate moral concern for non-humans.

In recent years, some have argued for generally Kantian approaches to environmental and animal ethics, although most of the focus has been on the latter. These approaches may be divided into two kinds. Proponents of the first contend that, after some significant modifications to Kant's moral theory, a compelling case can be made for why we ought to afford respect or other forms of direct moral consideration to non-human natural entities. On this approach, we allegedly can hold onto most of Kant's moral theory while also recognizing that we have direct moral duties to non-humans. Proponents of the second kind of approach contend that, without any significant modification, Kant's account of indirect duties regarding nature already provides

a suitable ground for a satisfying ethic regarding non-humans. This second approach often involves arguing that Kant's indirect duty view lacks the problems and inadequacies that critics have thought they detected in it.

My own position, which I develop in detail in the next three chapters, is of this second variety. In the present chapter, I examine five Kantian approaches to animal and environmental ethics, beginning with two—those of Allen Wood and Christine Korsgaard—that attempt to ground direct duties to non-humans. I suggest that these approaches are problematic and that recognizing direct duties to non-human nature is not promising. I then turn to three approaches—those of Lara Denis, Onora O'Neill, and Paul Guyer—developing the view that we have only indirect duties regarding nature. While sympathetic to these approaches, I identify a number of problems and outstanding questions that need to be addressed. The purpose of this discussion is to contextualize the Kantian environmental ethic I eventually develop in this book. Among other things, this ethic should avoid the problems discussed in the present chapter.

Respect for Entities with Fragments of Rational Nature

Allen Wood argues the Kant is committed to both logocentrism and the so-called "personification principle." According to logocentrism, there is "no value which is independent of the dignity of rational nature."[1] Logocentrism treats rational nature as the source or ground of all value, such that an object has value if and only if that value is ultimately dependent on rationality. According to the personification principle, "humanity or rational nature has a moral claim on us only *in the person of* a being who actually possesses it."[2] Wood contends that the personification principle implies that moral agents cannot have duties to non-persons, such as

[1] Allen Wood, "Kant on Duties Regarding Nonrational Nature," *Supplement to the Proceedings of The Aristotelian Society* 72(1998): 195.
[2] Ibid., 193.

animals or flora, which shed light on Kant's claim in the *Doctrine of Virtue* that humans lack direct duties to non-humans (6:442). A moral agent owes direct duties to humans because they are rational persons who thus make a moral claim on the agent. A moral agent lacks direct duties to non-humans because they are neither rational nor persons, and thus there is nothing in their case making a claim on the agent. Wood stresses that this does not entail that non-human nature lacks value altogether, since human beings may have indirect duties regarding non-rational nature.[3] However, if we accept the personification principle, then non-rational entities do not themselves deserve direct moral consideration, such as being respected as ends-in-themselves.

Wood finds this troubling and seeks a way to accommodate respect for non-human entities within a Kantian framework. He recommends rejecting the personification principle but retaining logocentrism, because one could then hold that respect for rational nature sometimes demands respect for non-rational nature as well, provided the latter have certain relations to rational nature, such as "having rational nature only potentially, or virtually, or having had it in the past, or having parts of it or necessary conditions of it."[4] Free of the limitations of the personification principle, logocentrists then have good reason to respect non-rational entities insofar as they exhibit traces, preconditions, or fragments of rationality. This also suggests a response to the so-called problem of "marginal cases," or cases of human beings who lack either personhood or full-blown rationality, such as infants. Free of the constraints of the personification principle, perhaps respect for rational nature requires respect for infants, since they have the potential for rational capacities and typically will develop them. According to

[3] In particular because one's direct duty to increase her own moral perfection prescribes and proscribes certain kinds of treatment of non-human nature, and having a certain kind of regard for non-human nature is constitutive of the good will that one ought to cultivate in oneself: "Kant is saying that whatever our other aims or our happiness may consist in, we do not have a good will unless we show concern for the welfare of nonrational beings and value natural beauty for its own sake." Ibid., 195.
[4] Ibid., 197.

Wood, to lack respect for infants, such as by treating them as mere things, would be to lack respect for rational nature as well, since infants display preconditions of rationality.

Wood argues that logocentrists who reject the personification principle have good reason to respect non-human animals, which possess capacities that serve as the "infrastructure" of rational nature. Here one might expect Wood to cite the various cognitive capacities some animals have for problem-solving, tool-use, and so on. Although not sufficient for fully constituting rationality in Kant's sense—which includes the capacity to reflect on one's own ends, for example—these capacities seems to be traces, fragments, or preconditions of rationality. However, Wood instead cites the fact that many animals have desires, the capacity to feel pleasure and pain, preference autonomy, and a natural teleology. He suggests that confounding an animal's desires or causing it pain without good reason shows "contempt" toward aspects of rational nature shared by both animals and humans. Similarly, borrowing from Tom Regan, Wood contends that many animals have "preference autonomy," or the capacity to have preferences and to act so as to satisfy them.[5] Although not sufficient for the rational autonomy displayed by humans, preference autonomy is "a necessary condition for rational autonomy and part of its structure."[6] Since one ought to respect rational nature, one ought to respect this necessary condition of rational nature as well. Finally, Wood notes that respect for rational human persons requires respecting the "natural teleology" of their animal nature. For example, Kant holds that human beings have duties to themselves as animal beings to avoid suicide and intemperance, and these duties are entailed by the respect owed to humans as rational persons who also possess an animal nature (6:422-8). Once the personification principle is

[5] Regan, *The Case for Animal Rights*: 84-86.
[6] Wood, "Kant on Duties Regarding Nonrational Nature."Wood, "Kant on Duties Regarding Nonrational Nature," 200.

dropped, however, Wood claims that this argument also requires respect for non-human entities with natural teleologies.

Dropping the personification principle involves rejecting "the most fundamental taxonomical principle of Kant's doctrine of virtue, the principle that divides all ethical duties exhaustively into duties to ourselves and duties to others."[7] If a moral agent can have direct duties to non-persons, then obviously not all duties are owed to oneself or other persons—rather, some duties would be owed to non-persons. Rejecting the personification principle does not require rejecting duties to oneself and other persons, of course, but only requires one to expand the recipients of direct duties to include some non-persons. Logocentrism, once free from the restrictions of the personification principle, requires respect both for rational nature in the persons of certain entities *and* for certain non-persons that display fragments of rational nature. Yet Wood's suggested modification would constitute such a major revision of Kant's moral theory that it is not obvious whether the resulting position would be genuinely Kantian.[8] This is not an objection to Wood's view as such, of course—perhaps there is compelling, independent reason to reject the personification principle and to respect entities displaying fragments of rationality. But if an adequate animal or environmental ethic requires rejection of the personification principle, then it is questionable whether an adequate animal or environmental ethic could be Kantian except in some minimal sense.

Setting aside this concern, Wood's account seem problematic in some respects. He claims that frustrating an animal's desires or maliciously causing it pain fails to show respect for an aspect of rational nature that is shared by both animals and humans, namely the capacities to desire and to experience pleasure or pain. However, it is not clear that these capacities are part of

[7] Ibid., 200.
[8] The account I present in subsequent chapters has the advantage of not requiring us to reject the personification principle while still delivering strong moral requirements regarding how non-human organisms may be treated.

a human's *rational* nature. Such capacities are not necessary for rational nature, since evidently we can conceive of a rational being that lacks capacities to desire and to feel pleasure or pain. Nor is it obvious that these capacities constitute rational nature in some other sense—rather, they seem to be aspects of our animal nature. It is thus unclear that these capacities are fragments, preconditions, or traces of rationality. If they are not tied to rational nature in this way, then it is perfectly consistent for a logocentrist to frustrate the desires of an animal or to cause it pain, because such actions do not involve disrespect for rational nature.

It is also difficult to see why a logocentrist ought to respect non-human entities in virtue of their natural teleology. In the case of human beings, our natural teleology regarding self-preservation, procurement of food and drink, and sex is not constitutive of rational nature—rather, it is constitutive of our animal nature. In committing suicide, for example, one fails to respect rational nature, but only because one's animal nature houses one's rational nature (see 6:423). In other words, since a human being has both an animal nature and a rational nature, killing oneself necessarily extirpates one's rational nature. But since non-human animals lack such a rational nature, it is difficult to see why a moral agent who does not respect the natural teleology of non-humans thereby fails to respect fragments, preconditions, or traces of rational nature.[9]

Preference autonomy seems to be a more plausible candidate for a fragment of rationality. We might take having preferences and acting to satisfy them to be a proto-rational capacity. However, it is not clear that this is so. Merely having brute preferences and acting to satisfy them requires nothing like the reflexivity that is a feature of rational nature. A human being is capable of thinking about her preferences, revising them, and deciding whether or not to

[9] Further, it is unclear whether and how we are warranted in making teleological judgments of organisms in the first place, a matter to which we return in chapter four.

act so as to satisfy them. It is doubtful whether animals—or at least very many of them—have similar capacities. Now it might be replied that this does not matter for Wood's position, since merely having preferences and acting to satisfy them, although not sufficient for full-blown rationality, is nonetheless a fragment of it. But it would need to be shown that preference autonomy is indeed a feature of our rational nature rather our animal nature. It is not at all clear that preference autonomy is either necessary for rational nature or constitutive of it. If it is only part of animal nature, then a logocentrist can choose not to respect the preference autonomy of a an animal while still managing to respect rational nature.

Arguably, desire, pleasure and pain, preference autonomy, and natural teleology are dimensions of animal nature, as distinct from rational nature. Although humans and non-human animals share these capacities, they do so in virtue of their shared animal nature. If this is correct, then it does not appear promising to ground respect for animals on respect for rational nature. Even logocentrists who eschew the personification principle can—and arguably should—coherently and plausibly deny that respect for rational nature requires respect for non-rational entities, at least in the cases Wood offers.

Direct Duties to Entities with a Natural Good

Christine Korsgaard argues that a Kantian approach can establish that human beings have *direct* duties to non-human animals. The immediate challenge to this claim is that Kant himself seems to repudiate it (6:442). Since animals lack wills, they are not capable of morally constraining human beings, and thus animals cannot place humans under obligation. Korsgaard interprets this to mean that an animal lacks a "legislative will," or the capacity to give universal

laws to itself.[10] Since Kant's universal law formulation of the categorical imperative commands one to act only on a maxim one could will as a universal law (4:402), the categorical imperative applies only to beings with the capacity to recognize and to endorse universal law as governing their own actions. This might explain why animals are incapable of morally constraining human beings, since they lack the capacity to legislate a universal law to govern the actions of humans. Korsgaard accepts that an animal does not have a legislative will and hence is not a moral *agent* to whom the categorical imperative applies—it would make no sense to offer moral praise or blame of an animal, for example. However, Korsgaard notes that it does not clearly follow that human beings lack obligations to animals. Although animals are not moral agents, they nonetheless might be moral patients. In other words, although animals do not owe duties to themselves or other entities, humans might still owe duties to animals, and this is view for which Korsgaard argues.

The argument for this position is complex. First, Korsgaard contends that Kant rejects "value realism," according to which "certain states of affairs or objects *just are* intrinsically valuable."[11] Instead, Kant is committed to a constructivist point of view, which grounds value in human beings' rational capacity to value objects via their legislative wills.[12] Accordingly, the value of any object has its source in some rational being, who "confers" that value on the object. This implies that non-human animals can have value only if it is conferred on them by human beings, since animals themselves lack the legislative wills to confer value on themselves. According to Korsgaard, this is why animals cannot obligate human beings. However, this does not rule out the possibility that human beings can themselves will laws that entail duties to

[10] Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," 87.
[11] Ibid.
[12] She writes that "value, as Kant sees it, is a human creation, made both possible and necessary by rationality." Ibid., 95.

animals, such that human beings are the source of laws that morally require humans to treat animals in certain ways. Of course, this would need to be demonstrated.[13]

Next, Korsgaard appeals to Kant's formula of humanity version of the categorical imperative, which commands one to act such that he treats the humanity in himself and others always as an end and never merely as a means (4:429). Initially, it would seem hopeless to base duties to animals on this formulation, since it seems explicitly focused on humans. However, Korsgaard thinks that taking this formulation seriously involves conferring value on what she calls the "natural good" of both humans and animals. Korsgaard claims that an animal has the ability to experience and to pursue what is "naturally good or bad" for it, experiencing pleasure upon the satisfaction of its desires and displeasure or pain when its desires are thwarted. Thus an animal has "incentives" to act for the sake of its own good, where something is naturally good for an animal from its own perspective.[14] If all this is correct, then animals have ends that they desire to achieve, and these ends constitute an animal's natural good. Importantly, Korsgaard thinks that humans also have a natural good in this sense, because we have an animal nature. As natural beings, both humans and non-human animals have incentives to achieve their ends by satisfying their needs or desires and by avoiding threats to their well-being. This is not to deny that the *content* of humans' natural good sometimes differs from that of non-human animals. Clearly, some of the particular ends and desires of human animals are unique to them—perhaps the desire to experience beauty, for example—just as the particular ends of animals of different species can differ from one another. Nonetheless, what all human and non-human animals have in common is that they have a natural good, whatever its particular content might be. Korsgaard

[13] As Korsgaard puts it, "The question, then, is whether we human beings ever find it necessary, on rational reflection, to will laws whose protection extends to the other animals." Korsgaard, "Fellow Creatures," 96.
[14] In short, Korsgaard holds that "an animal is an organic system that matters to itself, for it pursues its own good for its own sake." Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," 102-3.

admits that this fact does not by itself generate duties. Merely to recognize that animals, like humans, have incentives to achieve their ends is not sufficient to demonstrate that humans have any obligations to animals. Some further argument is needed to tie the natural good of animals to the legislative wills of human beings.

This is where the formula of humanity becomes important. According to Korsgaard, when a human being treats herself or another human as an end-in-itself, she not only confers value on her nature as an autonomous, rational agent—she also confers value on her animal nature, which includes her natural good. Although the enabling and necessary condition of conferring value on oneself is the legislative will that is part of one's autonomous nature, a target of this conferral is one's animal nature. This provides a basis for recognizing duties to animals. The formula of humanity directs human beings to treat themselves and other humans as ends-in-themselves. This requires conferring value on humans' animal nature and hence their natural good, which in turn generates duties to humans in virtue of their natural good, such as to promote their happiness by contributing to the satisfaction of their desires. But since non-human animals also have a natural good in the same sense humans do, we must likewise confer value on the natural good of animals, which likewise generates duties to them. Hence, human beings have direct duties to non-human animals.

There are a number of problems and challenges for Korsgaard's account. One objection simply would deny that humans' conferring value on their own natural requires conferring value on the natural good of animals. For example, one might admit with Korsgaard that the formula of humanity requires one to confer value on the animal nature and hence natural good of human beings, but only because this animal nature is tied to a rational nature. If this is correct, then a natural good deserves to have value conferred on it only if that natural good happens to belong to

a rational being. Accordingly, one could both accept the formula of humanity and confer value upon humans' natural good, yet quite consistently refrain from both conferring value on animals' natural good and recognizing any direct duties to animals.

Korsgaard addresses this objection, contending that someone who claims to confer value on his own natural good only because it is the natural good of a rational being is either lying or deceiving oneself. She asks us to imagine a white male who claims to value his own freedom only insofar as it is the freedom of a white male, denying that the freedom of other kinds of individual has any value. If this individual should later discover that he is really a black female—perhaps, Korsgaard suggests, due to some genetic test—by consistency she must deny that her own freedom has any value. Korsgaard contends that such a denial would be either insincere or self-deceptive, indicating that the individual is really committed to valuing anyone's freedom. If sincere and honest with oneself, this individual would continue to value her own freedom, and this is supposed to show that the original conferral of value did not depend upon the supposed fact that one's freedom was tied to being a white male. The same is true for a human who claims to value the natural good of only human beings. It would take either dishonesty or self-deception to claim that one's own natural good would cease to have value if he were somehow deprived of his rationality, for example. This shows that the human in questions values not only the natural good of rational beings but also the natural good of non-rational animals, or so Korsgaard argues.[15]

Yet it is not clear that valuing the natural good of only rational entities requires dishonesty or self-deception. After all, the formula of humanity requires one to respect the *humanity* of an individual as an end-in-itself. It is plausible to hold that this requires respecting the animal nature of human beings, since we are the kind of entity in which animal nature is

[15] Ibid., 104n66.

linked with rational nature, and so failing to confer value on the natural good of a human can constitute a failure to respect the humanity of that individual. But this is not clearly the case with non-human animals, because an animal lacks the rationality and autonomy characteristic of humanity. Thus one can abstain from valuing an animal's natural good without thereby failing to treat *humanity* as an end-in-itself. Not conferring value on the natural good of some animal need be neither dishonest nor self-deceptive—rather, this might be perfectly in line with the formula of humanity.

Another potential problem with Korsgaard's approach is that it seems to sanction duties to many non-animal entities, including plants, inanimate natural entities, and human-made artifacts. If humans have duties to animals in virtue of the natural good that both share, then by consistency humans have duties to anything with which they share a natural good. But plants also share a natural good with humans. As Korsgaard notes, a plant is an entity whose function is to maintain itself. The natural good of a plant consists of achieving its end as a flourishing member of its species, which requires it to grow, acquire nourishment, and so on. Korsgaard allows that even inanimate entities have a natural good: "its natural good is whatever enables it to function at all and to function well."[16] But if virtually all entities have a natural good in the sense that they can function well, and if Korsgaard's arguments goes through, then it seems that humans have direct duties to all entities. This would be very implausible, because it would include duties not only to trees and flowers but also to stones, cars, and refrigerators.

Korsgaard accepts that her argument might require recognizing direct duties to plants, inanimate entities, and artifacts, but she does not think this a *reductio* of her view.[17] She appeals

[16] Ibid., 102.
[17] "Our moral values spring from reflective endorsement of the natural good we are inclined to pursue as animals, but that natural good in turn depends on the sort of good to which plants are oriented, and that in turn to the general,

to cases in which humans are inclined to respond normatively to plants and artifacts. On occasion we take the fact that a plant is dehydrated as a reason to provide it water, we view neglect of tools as inappropriate, and we wince when objects are needlessly broken. Although these normative responses could be explained as anthropomorphizing projections, they also could be explained as a recognition of duties that humans owe to these entities. Korsgaard's point is not to argue that humans do in fact have such duties to plants and artifacts, but rather that this position is not absurd and hence does not damage her argument if it turns out to entail this wide array of duties. However, taking duties to plants and artifacts seriously threatens to create problems. How are we to act when satisfying our obligations to a washing machine is apparently incompatible with satisfying our obligations to a human being? To address problems like this, Korsgaard expresses sympathy for the view that moral standing comes in degrees, such that duties to some kinds of entity might take precedence over duties to other kinds of entity. If this is true, however, then moral agents need guidelines for ranking our various duties, which Korsgaard does not provide. This makes it difficult to know whether and how a multitude of duties to humans, animals, plants, inanimate entities, and artifacts can be organized in a plausible fashion.

Extending the scope of duties to include various non-humans is also problematic insofar as it seems to yield genuine moral dilemmas, especially if it is thought that we have an obligation to treat all entities with natural goods as ends-in-themselves. Are humans permitted to destroy plant-life for food or building material? Doing so involves damaging the natural good of such organisms, but concern for the natural good of humans requires that they have food and shelter. In such cases, it seems impossible to respect both humans and plants as ends-in-themselves. Korsgaard simply bites the bullet on this issue: "For Kant believed that moral standards, like all

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functional capacity for having a good. Why shouldn't we think that implicit in our endorsement of our own self-concern is a concern for the good of anything that has a good?" Ibid., 106n69.

rational standards, are essentially human standards, and there is no guarantee that the world will meet them, or make it possible for us to do so."[18] Facts about the world might on occasion make it impossible to act as we ought. If so, then philosophers must reject the principle that "ought implies can," because this means that moral agents can have duties that it is impossible for them to satisfy.[19] But this will strike many as very implausible.

There are three main difficulties with Korsgaard's account. First, it is not clear that conferring value on one's own natural good requires one to do so for the natural good of non-human animals as well. Second, it seems to follow from Korsgaard's argument that humans have duties to inanimate entities and human-made artifacts, which is implausible. Third, the account may entail far-reaching deontic conflict and perhaps genuine moral dilemmas. All else being equal, an account that avoids these difficulties would be preferable. Perhaps Wood and Korsgaard run into difficulties partly because they seek to ground direct moral consideration for non-human entities. We should consider whether an indirect duty account would fare better.

Indirect Duties Regarding Animals

Onora O'Neill notes that Kant is committed to "the indispensable anthropocentric claim that we are agents, to whom moral demands, indeed categorical imperatives, can be addressed."[20] Humans are morally distinctive because, unlike other animals, we are agents and thus subject to moral obligations determining how we ought to act. O'Neill claims that the view that humans are distinctive in this way is shared by virtually all moral theories, because there must be moral

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[18] Ibid., 108.

[19] To resolve the problem of conflicting duties, Paul Taylor suggests several "priority principles" that can adjudicate conflicts between different entities' goods. However, these principles risk being arbitrary, since it is not clear what justifies these principles in the first place. See Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 263-307.

[20] Onora O'Neill, "Necessary Anthropocentrism and Contingent Speciesism," *Aristotelian Society Supplementary Volume* 72, no. 1 (1998): 217.

agents if there are any moral obligations, yet there is little reason to suppose that non-humans are subject to moral obligations. Nonetheless, accepting such an "anthropocentric" position need not entail speciesism, or discrimination against non-humans merely on the basis of their species-membership.[21] Instead, one could accept that humans are the sole moral agents of which we know while holding that animals, plants, or other natural objects are moral patients that deserve some kind of moral consideration, despite the fact that they are not moral agents.

However, Kant himself evidently accepts the view that only rational nature has "absolute and unconditional worth," thus yielding a logocentric position.[22] Further, Kant has a "demanding view" of what counts as rational nature, "which he sees as a natural being with ability to act freely and to reason."[23] Given Kant's logocentrism, and given this demanding view of what counts as a rational entity, it is difficult to see how a Kantian approach could sanction direct duties to non-human entities. Since non-humans are not rational beings in the required sense, they lack the unconditional worth that is the basis of humans' direct duties to one another. At best, this makes it extremely difficult to show that non-human nature has rights or that they are ends-in-themselves, as many environmental ethicists and animal ethicists maintain.

O'Neill argues that Kant's position nonetheless puts powerful checks on speciesism, because it sanctions a concern for the welfare of non-human animals. Appealing to Kant's argument in §17 of the *Doctrine of Virtue*, O'Neill claims that humans have an indirect duty regarding non-human animals, because being concerned about the welfare of animals enhances one's own moral perfection. To the potential objection that this account is insufficient because it does not recognize the moral standing of animals, O'Neill replies that the burden of proof is on

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[21] Elsewhere, O'Neill defines speciesism as the "*unjustified* preference for the human species," which "accords humans moral standing, but unjustifiably accords animals of other species no, or only lesser, standing." ———, "Environmental values, anthropocentrism and speciesism," *Environmental Values* 6, no. 2 (1997): 128-9.
[22] ———, "Necessary Anthropocentrism and Contingent Speciesism," 218.
[23] Ibid., 214.

proponents of the moral standing of animals to offer a convincing argument that human moral agents have direct duties to animals, which she suggests is a notoriously difficult task. Proponents of moral consideration for animals often appeal to analogies between humans and animals. Such arguments typically claim that since humans are granted moral consideration, and since animals are like humans in certain relevant respects, animals should be granted moral consideration as well. Wood's arguments are examples of this: since the fragments or traces of rationality possessed by non-rational nature are analogous to the rational nature of humans, and since humans deserve respect in virtue of their rationality, non-human entities exhibiting fragments of rationality likewise deserve respect. This is also the strategy of Peter Singer, who holds that we grant moral consideration to humans on the basis of their having interests, and so we should extend such consideration to any being with interests. Many animals are sentient and thus, like humans, have interests in experiencing pleasure and avoiding pain, and so they deserve moral consideration as well.[24]

According to O'Neill, the problem with such arguments is that the alleged analogies between humans and animals fail to hold in some respects and begin to fade in others. When this happens, those who appeal to such analogies eventually must adopt something like Kant's indirect duties regarding nature for those entities that are, at best, only distantly analogous to humans: "As analogies with humans weaken, as sentience rather than fragments of rationality are viewed as the analogous feature, as sentience itself fades or takes forms remote from human sentience, it is likely that non-Kantian approaches to moral concern for non-human animals will also have to regard certain duties to non-human animals as indirect duties."[25] The point here is that non-Kantians who rely on human-animal analogies are no better off than Kantians when it

[24] Singer, *Animal Liberation*.
[25] O'Neill, "Necessary Anthropocentrism and Contingent Speciesism," 225.

comes to avoiding appeals to indirect duties regarding non-humans. At some point, even non-Kantians must either deny that entities unlike humans deserve moral consideration, or they must justify concern for animals in terms of some indirect duty.

Fortunately, a Kantian indirect duty approach need not be inimical to genuine concern for animal welfare. Indeed, the Kantian approach might be even more amenable to an environmental ethic than an approach based on animal rights: "An emphasis on animal rights is in effect an emphasis on a form of individualism that is not restricted to humans, and is not always hospitable to broader ethical claims about action that affects the environment."[26] O'Neill cites conflicts between the alleged rights of animals and preservation of species, habitats, or biodiversity. For example, preserving some particular species might require killing or harming individual members of predatory or non-native species that threaten the first species. But if these individual animals have moral rights, then it becomes very difficult to justify harming and killing individual animals, since doing so is a *prima facie* violation of their rights. By not attributing rights to animals in the first place, the Kantian approach avoids this difficulty. Nonetheless, our indirect duties regarding animals and our direct duties to humans provide us good moral reason to work for "clean waters, fertile soils, non-polluting technologies and stable habitats for human and non-human animals, as well as preserving biodiversity."[27] One reason for this is that a healthy environment is closely tied to human well-being. For example, insofar as excessive pollution, unsafe food, and lack of potable water are threats to human happiness, and insofar as humans have a duty to promote the happiness of others, we have good moral reason to preserve the environment so as to avoid these threats, thus generating indirect duties regarding non-human nature.

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[26] Ibid.
[27] Ibid., 226.

While O'Neill's account is promising, it requires further development. In particular, it is missing a detailed explanation of how a concern for animals contributes to a human's moral perfection. Her account thus invites at least three major questions. First, is a concern for animal welfare obligatory or only supererogatory? Even granting that concern for animals is morally praiseworthy, we need to know whether lack of such concern is morally blameworthy. An answer to this question would partly determine how demanding indirect duties regarding animals are. Are we obligated, for example, to alleviate animal suffering in certain cases, or is doing so merely meritorious insofar as it constitutes a way of increasing one's own moral perfection? Second, does one's duty to moral perfection entail duties regarding animals only, or does it also entail duties regarding plants and perhaps other natural entities? A Kantian environmental ethic must be clear on this point, because it determines what kind of consideration (if any) is deserved by non-animal aspects of non-human nature, such as individual flora, species, ecosystems, and non-organic entities. Third, why does concern for animals promote one's own moral perfection? If animals lack the unconditional worth that comes only from having a rational nature, then it is not obvious why a concern for animal welfare is at all relevant for one's status as a moral being. Some argument is needed to establish a connection between the duty to moral perfection and one's treatment of animals.

Perfect and Imperfect Duties Regarding Animals

Lara Denis is one of the few readers of Kant to hold that his account of indirect duties regarding non-rational nature grounds strong moral requirements for how one ought to treat non-human natural entities. Denis thinks there are three general reasons why Kant's position entails this. First, she notes that "certain *emotional predispositions*" or sentiments, such as sympathy,

are "useful" insofar as they can motivate humans to perform right actions "even when they lack the moral strength to do so."[28] Further, such emotional predispositions contribute to a human being's perfection as both an animal and rational being. Second, there are important analogies between humans and non-human animals, most notably that both have an animal nature driving them toward self-preservation, pro-creation, and community with other of their kind. Third, one's treatment of non-human animals "both affects and reflects our morally relevant emotional dispositions."[29]

As Denis interprets Kant, some of the duties human beings have vis-à-vis animals are grounded "perfect" duties humans have to themselves as animal and moral beings. As I shall discuss at some length in the subsequent chapter, a perfect duty specifies some kind of action we ought or ought not to perform. It is usually a proscription against some course of action, such as lying or suicide. Perfect duties to oneself as an animal and moral being require one both to acknowledge the value of one's animal nature as an indispensable basis of one's rational nature and to preserve that animal nature, particularly those dimensions of one's animal nature that directly support being moral.[30] A human's emotional predispositions or sentiments are part of her animal nature. Moreover, some of these sentiments, such as love and sympathy, are morally useful insofar as they support the performance of morally right actions. According to Denis, cruel treatment of animals tends to weaken morally useful sentiments and thus "constitutes a risk to a morally valuable aspect of our animal nature."[31] Accordingly, cruel treatment of animals is a *prima facie* violation of one's perfect duties to oneself as an animal and moral being. In other

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[28] Lara Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration," *History of Philosophy Quarterly* 17, no. 4 (2000): 406.
[29] Ibid., 407.
[30] "Respect for ourselves [as animal and moral beings] requires that we maintain the health of our animal nature—most obviously with regard to the aspects of it that are of direct moral use." Ibid., 409.
[31] Ibid.

words, one's duty to oneself to respect morally useful features of her animal nature implies a duty regarding animals, namely that they ought not to be treated in ways that threaten one's morally useful sentiments.

Denis argues that other duties regarding animals arise from "imperfect" duties a human being has both to other human beings and to oneself. Unlike a perfect duty, an imperfect duty specifies some maxim that we ought to adopt, but it does not specify specific actions that we ought or ought not to perform. First, one's imperfect duties to other humans—so-called duties of love—include beneficence, gratitude, and sympathy (6:452-8). Denis holds that these imperfect duties further imply a duty to cultivate sentiments that support the performance of these duties. She argues that imperfect duties to others require humans to cultivate the virtues of sympathy, gratitude, and beneficence while avoiding the corresponding vices that run contrary to these duties, namely envy, ingratitude, and malice. Second, one has imperfect duties to oneself to increase one's own natural and moral perfection. One can satisfy these imperfect duties to promote one's own natural and moral perfection by cultivating emotional predispositions or sentiments that support the performance of morally right actions. Such imperfect duties prohibit us from acting in ways that instantiate vices opposed to these imperfect duties. Accordingly, humans have an indirect duty not to treat animals in ways that instantiate such vices, which plausibly yields a prohibition on animal cruelty.

These considerations, according to Denis, have a number of significant implications for how humans may treat animals. First, one can fulfill one's imperfect duties to others (i.e., duties of love) by interacting with non-human animals in ways that foster virtues that are supportive of those duties. One might do this by being kind to animals that have been of service to her (see 6:443) or by reducing animal suffering. However, as Denis notes, this consideration establishes

only that interacting with animals is merely one way of cultivating virtues supportive of fulfilling duties of love. Presumably, it is also possible to cultivate these virtues by interacting solely with humans while disregarding animals. Nonetheless, Denis argues that there are three kinds of case in which humans have good moral reason to attend to non-human animals. First, doing so signals a commitment to cultivating virtue in oneself. If one could conveniently ease the suffering of some animal but chooses not to do so, it is questionable whether one is committed to the morally required end of human happiness. Second, a human who is serious about his imperfect duties to himself and others is not satisfied with performing the "moral minimum" but instead seeks, as Kant says, to widen her "field for the practice of virtue" (see 6:390).[32] Accordingly, a morally good person would not disregard animal suffering as a matter of course. Third, a person who interacts with both humans and non-human animals might better cultivate morally useful sentiments than a person who interacts with humans alone.

As for the second implication for how humans may treat animals, Denis holds that one's perfect duties to oneself as an animal and moral being entail that " it is *prima facie* wrong to treat animals in any way that involves hard-heartedness toward animality and so that opposes and may weaken our disposition to love."[33] Violation of this duty not only involves a failure to cultivate morally useful sentiments but also damages that constitute our moral perfection and "moral health" (see 6:419). This entails indirect duties regarding animals, which duties require us not to treat animals in ways that "disregard" or fail to respect our animal or moral nature.

This raises two questions. First, what ways of treating animals oppose or threaten humans' morally useful sentiments? Second, what countervailing considerations (if any) could justify treating animals in ways that threaten humans' morally useful dispositions? As for the

[32] Ibid., 411.
[33] Ibid.

first question, judging from Kant's own accounts of duties regarding animals (see 6: 443, 27: 459-60, 27:710), Denis concludes that "subjecting or abandoning an animal to pain, damage, or destruction" and observing others treat animals in this way involve violence and cruelty and thus cause an erosion of morally useful sentiments, such as sympathy and love.[34] Accordingly, such actions are prima facie wrong and ought not to be performed *unless* there is some countervailing reason for such actions that justifies them. Denis thinks that Kant's account permits using animals to provide services and some products, such as eggs or wool, provided that these animals are not harmed or killed in the process.

As for the second question, Denis holds that some treatment of animals that is *prima facie* wrong does not violate one's duty to oneself as an animal and moral being and thus is morally justified. Somewhat oddly, she says that this second question "amounts to, what sorts of maxims of cruelty do not show disrespect for one's rational nature?"[35] This implies that cruelty to animals that weakens one's morally useful sentiments can be permissible, provided that it does not violate one's perfect duty to oneself as an animal and moral being (nor, presumably, one's imperfect duties to oneself and others). Denis maintains that such cruelty is not justified if it diminishes morally useful sentiments for the sake of "trivial ends"—such as performing painful experiments on animals solely to satisfy one's intellectual curiosity—but she holds that it is justified in certain cases—such as, perhaps, killing animals for meat if no other means of nutrition is available. Importantly, fulfilling one's duties might require one to engage in actions that dull one's morally useful sentiments, as in the case of a doctor whose work saving human lives accustoms her to suffering and death. In such cases, Denis argues, it is morally permissible to act in ways that weaken one's morally useful sentiments.

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[34] Ibid.
[35] Ibid., 414.

Yet there are some potential problems for Denis' account. First, it seems very unlikely that Kant's position can countenance *perfect* duties regarding animals. According to Denis, there is good reason to treat some duties regarding animals as perfect, because some duties regarding animals are obligations to maintain perfections of one's nature—such as morally useful sentiments—that one already possesses rather than obligations to acquire new perfections. Since some actions regarding animals—say, torturing kittens for amusement—erode or damage one's morally useful sentiments, Denis thinks that they are morally proscribed, and this proscriptive dimension suggests that duties regarding animals are enjoined by perfect rather than imperfect duties. However, not all moral proscriptions need to be tied to perfect duties. Imperfect duties can entail proscriptions of certain kinds of action, such as those the performance of which would constitute a violation of an obligatory maxim that the imperfect duty prescribes. For example, one imperfect duty requires one to adopt a maxim whereby one strives to promote the happiness of others. Although imperfect, this duty plausibly is taken to proscribe actions that are *incompatible* with the adoption of this maxim, such as actions that actively inhibit the happiness of others. One need not posit some perfect duty in order to account for this proscription, since any action that actively inhibits the happiness of others would be incompatible with the maxim that the imperfect duty in question obligates us to adopt, and so the action would be impermissible since it constitutes a violation of that duty. Hence, although Kant holds that certain actions affecting animals are prohibited, it does not automatically follow some duties regarding animals arise from perfect duties. In order to establish perfect duties regarding animals, Denis would need to offer some further argument.

Second, it is questionable whether imperfect duties to other humans can plausibly ground duties regarding animals, as Denis holds. She argues that one can fulfill one's imperfect duties of

love—duties to beneficence, gratitude, and sympathy—by interacting with animals in ways that develop sentiments that support the fulfillment of such duties: "[f]ostering dispositions that help us practically express morally required appreciation and concern for others is itself a duty to others."[36] However, there seems to be a distinction between actually fulfilling some duty and acquiring sentiments that support fulfillment of that duty. Kant holds that the duty of beneficence requires one to promote the happiness of other persons, that the duty of gratitude requires honoring those persons who have benefited us, and that the duty of sympathy is a "duty of humanity" that requires one "*to share in others' feelings*" (6:452-6). While treating animals in certain ways might develop sentiments that favorably *dispose* one toward fulfilling these duties, it is difficult to see how such development could count toward fulfilling those duties. After all, Kant understands each of these as directed toward other human persons, making it unclear that such duties enjoin any kind of treatment of animals.

Third, Denis sometimes seems to conflate the roles played by two distinct duties to oneself, namely the duty to increase one's own natural perfection and the duty to increase one's own moral perfection. For example, she notes that developing morally good sentiments can increase one's own "natural (and, indirectly, moral) perfection."[37] However, it is unclear why Denis holds that the development of morally good sentiments contributes to one's *natural* perfection. Kant identifies three kinds of natural perfection, none of which obviously includes morally useful sentiments: powers of spirit (e.g., mathematical reasoning), powers of soul (e.g., imagination), and powers of body (e.g., gymnastics). As I argue in the next chapter, it is more plausible to treat the development of morally good sentiments or dispositions as contributing to one's moral rather than natural perfection.

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[36] Ibid., 409.
[37] Ibid.

Finally, cruelty is left undefined by Denis. This is problematic because it makes it difficult to evaluate the claim that cruel treatment of animals can be morally permissible. Moreover, however "cruelty" should be understood, it is unclear what distinguishes justified and unjustified cruelty. What is missing is an account that would help human beings decide whether or not particular cruel actions are morally permissible. Denis plausibly notes that cruelty to animals is not justified by "trivial ends," but it is not obvious what distinguishes trivial from non-trivial ends, nor is it obvious whether all non-trivial ends justify cruel treatment of animals. These distinctions might be inherently vague, but one should seek guiding principles that minimize this vagueness and help determine what kinds of actions affecting animals are morally permissible. In chapter five, I attempt to do this for my own approach, developing an account that forbids actions causing unnecessary harm to animals and other organisms.

The Beauty of Nature and the Imperfect Duty to Moral Perfection

Paul Guyer stresses that Kant's account of duties regarding non-human nature rests on nature's aesthetic properties. It is the beauty of non-human natural entities (and not their utility) that grounds duties regarding them. Moreover, such duties regarding non-human nature have their source in direct duties a human has to herself rather than to other humans.[38] As Kant puts it in the *Doctrine of Virtue*, "A propensity for wanton destruction of what is *beautiful* in inanimate nature (*spiritus destructionis*) is opposed to a human being's duty to himself…" (6:443). Such destruction is morally problematic not only because it harms other humans by damaging resources that are useful to them (e.g., by polluting their drinking water) but also because it is opposed to some duty a human being has to herself, a duty that is somehow served by

[38] Paul Guyer, "Duties Regarding Nature," in *Kant and the Experience of Freedom* (Cambridge: Cambridge University Press, 1993), 306-07.

appreciation of natural beauty. Guyer's interpretation is very helpful in showing that, contrary to the traditional interpretation I critique in the next chapter, Kant views certain actions vis-à-vis non-human nature as morally blameworthy or praiseworthy in their own right.

According to Guyer, there is a shift in Kant's thought on this issue that is evident both in the 1790 *Critique of Judgment* and the 1797 *Metaphysics of Morals*, of which the *Doctrine of Virtue* is part. Prior to this shift, in the *Critique of Practical Reason* (1788), Kant expresses the view that although appreciation of natural beauty can be conducive to morality it is not required by duty, since "this employment of the faculty of judgment… is not yet interest in actions and in their morality itself" (5:160). Guyer interprets this to mean that although aesthetic appreciation of nature might give rise virtue, that appreciation does not itself have moral content.[39] Kant suggests a stronger connection between aesthetic appreciation and moral duty in the *Critique of Judgment*. First, Kant holds that the "intellectual interest" a human can take directly in beautiful natural objects "is always a mark of a good soul" and that "this [fact] indicates at least a mental attunement favorable to moral feeling" (5:298-9). Although Kant does not claim that humans have a duty to appreciate natural beauty, he notes the following:

> …the mind cannot meditate about the beauty of *nature* without at the same time finding its interest aroused. But in terms of its kinship this interest is moral, and whoever takes such an interest in the beautiful in nature can do so only to the extent that he has beforehand already solidly established an interest in the morally good. Hence if someone is directly interested in the beauty of nature, we have cause to suppose that he has at least a predisposition to a good moral attitude (5:300-1).

[39] Ibid., 310.

There is a connection between natural beauty and morality insofar as one takes an analogous interest in both. Moreover, Kant's claim that intellectual interest in natural beauty "is always a mark of a good soul" (5:298) is stronger than his claim in the *Critique of Practical Reason* that aesthetic appreciation *can* be conducive to a morally good disposition. The latter claim suggests that taking an interest in the beauty of nature is a possible way to cultivate such a disposition, whereas the former claim suggests that such an interest is a sure sign that one already does have a morally good disposition.

However, this account falls short of establishing a duty for humans to take an interest in beautiful natural objects, for the interests of practical reasons are distinct from its duties. To illustrate this distinction, Guyer appeals to Kant's account in the second *Critique* of the highest good, which consists of the presence of both happiness and virtuousness (5:110). Although it is rational for one to will both her own happiness and the fulfillment of her duties, these are different objects of willing, given that one has an interest in her own happiness but not a duty to promote that happiness. Accordingly, the mere fact that practical reason takes an interest in objects of natural beauty is not sufficient to show that one has a duty to take such an interest, because it is possible that, like one's own happiness, this is an interest rather than a duty. Hence, this account does not yet ground any duty regarding objects of natural beauty.

Yet the *Critique of Judgment* does offer a sophisticated account of the analogies between natural beauty and morality. Kant argues that beauty is a "symbol of morality," because there are certain analogies between "the reflective *response* to beauty" and moral judgment. Kant identifies four such analogies:

> (1) The beautiful we like *directly* (but only in intuition reflect[ed upon], not in its concept, as we do morality). (2) We like it *without any interest*. (Our liking for the morally good is connected necessarily with an interest, but with an interest that does not precede our judgment about the liking but is produced by this judgment in the first place.) (3) In judging the beautiful, we present the *freedom* of the imagination (and hence [of] our power [of] sensibility) as harmonizing with the lawfulness of the understanding. (In a moral judgment we think the freedom of the will as the will's harmony with itself according to the universal laws of reason.) (4) We present the subjective principle for judging the beautiful as *universal*, i.e., as valid for everyone, but as unknowable through any through any universal concept. (The objective principle of morality we also declare to be universal[ly valid], i.e., [valid] for all subjects, as well as for acts of the same subject, but also declare to be unknowable through a universal concept.) (5:353-4).

As Guyer glosses this passage, both a response to beauty and a moral judgment are "immediate, disinterested, free, and universal."[40]

If beauty is indeed symbolic of morality, then perhaps humans have a duty to appreciate the beautiful objects of non-human nature. This might seem promising in light of Kant's view that appreciation of natural beauty, as a symbol of morality, is a way to cultivate a good moral

[40] However, there is an important disanalogy between beauty and morality, namely that beautiful objects are available to the senses whereas morality is available only through concepts. For example, one can have an intuition of a beautiful tree but not an intuition of morality, since the latter consists of ideas of reason and hence is not susceptible to experience. But as Guyer notes, this is exactly why beauty must be a *symbol* of morality—beautiful objects of experience are not themselves intuitions of moral concepts, but the former are analogous to moral concepts in the four ways listed above. See ibid., 316.

disposition: "Taste enables us, as it were, to make the transition from sensible charm to a habitual moral interest without making too violent a leap; for taste… teaches us to like even objects of sense freely, even apart from sensible charm" (5:354). By liking beautiful objects in an immediate, disinterested, free, and universal fashion, one cultivates a disposition that is favorable to morality, because a proper stance toward the morally good is likewise immediate, disinterested, free, and universal. Guyer notes that if Kant "could establish that the experience of beauty is an instrument toward morality at all, and then introduce a general duty to cultivate *all* means toward the development of a morally good disposition, he would also have an argument generating duty regarding natural beauty."[41] This raises the question whether cultivating all means to a good moral disposition is indeed a duty. Here Guyer appeals to the *Doctrine of Virtue*, in which Kant argues both that one has a duty to increase her own moral perfection (6:446-7) and that appreciation of natural beauty is one way to do this (6:443). Guyer claims that, although a human does not have any direct duty to beautiful natural objects themselves, one does have a direct duty to oneself that requires appreciating the beauty of natural objects. This is because appreciation of natural beauty cultivates feelings conducive to morality, and we have a duty to ourselves to cultivate all such feelings because they constitute our moral perfection. This generates an indirect duty regarding beautiful natural objects.

However, Kant classifies this duty to increase our own moral perfection as imperfect rather than perfect (6:390). That is, the duty to increase one's own moral perfection does not specify exactly what actions must be taken in order to achieve this end. This is unlike a perfect duty, which commands what actions one ought to perform or abstain from performing. This raises important questions about our duty to appreciate beautiful natural objects. Even if one allows that responding to the beauty of non-human nature is a way to increase one's own moral

[41] Ibid., 317.

perfection, this is not the only way to do so. Given that the duty to moral self-perfection is imperfect, it seems rather that aesthetic appreciation of non-human nature is only one means—perhaps among many others—to achieve the end of moral self-perfection commanded by that duty. If this is true, then appreciation of natural beauty may be only an optional path to fulfilling one's duty to moral perfection, suggesting that one could permissibly abstain from appreciating beautiful natural objects altogether.

Yet the status of the duty to moral self-perfection is somewhat ambiguous, as Guyer notes. This duty commands one to make the moral law the incentive of her actions, such that one always acts for the sake of duty rather than merely in accordance with it. Kant claims that this duty displays traits of both a perfect and an imperfect duty. It is perfect insofar as one ought always to have the moral law as the incentive of her actions, since this is necessary for one's actions to be morally right. It is never permissible to act merely in accordance with duty, since such actions fail to fulfill duty. However, moral self-perfection is an imperfect duty given the "fragility" of human beings, such that one can at best only approximate this goal and never achieve it (6:446-7). Although Kant does classify the duty to moral self-perfection as imperfect for this reason, Guyer writes that for Kant "we can only hope for a 'constant progression' to holiness and thus at best an imperfect *compliance* with what is in fact a strict duty always to make the moral law our incentive."[42]

This ambiguity extends to those duties regarding nature that proscribe both wanton destruction of beautiful natural objects and cruel treatment of non-human animals (6:443). Guyer remarks that Kant's discussion of these duties in the *Doctrine of Virtue* occurs in a chapter devoted to perfect duties to oneself as a moral being. This suggests that such duties regarding nature are perfect, but they also display features of imperfect duties. Kant labels his discussion of

[42] Ibid., 323.

duties regarding nature as an "episodic section," which Guyer takes to signal Kant's own uncertainty about how to classify them. On the one hand, the duties not to engage in wanton destruction of beautiful natural objects and not to be cruel to animals seem like perfect duties, because they proscribe certain actions that Kant says are "opposed to a human being's duty to himself" (6:443). That is, these duties specify how one ought to act rather than (like imperfect duties) specifying general maxims one ought to adopt, which allows for some leeway regarding the particular actions one may perform.[43]

This is an important distinction. Perfect duties typically are "negative" commands that proscribe certain actions, such as lying and suicide, whereas imperfect duties typically are "positive" commands that prescribe certain ends we ought to pursue, such as the happiness of others. Given the way Kant presents the above-mentioned duties regarding nature, they seem to be negative commands proscribing wanton destruction of natural beauty and cruelty to animals, which suggests that these are perfect duties. If they were imperfect duties, one would expect Kant not to proscribe such actions but rather to prescribe appreciation of natural beauty and kindness to animals as actions that promote the end of moral self-perfection. As Guyer proposes, perhaps the reason why Kant does not do this is that indifference to natural beauty or animal suffering *mitigate* one's own moral perfection. To destroy objects of natural beauty or to be cruel to animals is not merely to miss out on a chance to increase one's own moral perfection—rather, such actions plausibly diminish one's own moral perfection.[44]

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[43] According to Guyer, "Kant here proscribes an attitude of indifference toward natural beauties which 'weakens or destroys' a feeling or disposition favorable to morality, rather than prescribing a general policy of aesthetic contemplation which might develop rather than just maintain this disposition." Ibid., 324.

[44] In the next chapter, I defend this interpretation and develop its implications. Specifically, I argue that wanton destruction of flora or cruelty to animals is incompatible with the maxim the duty to moral perfection obligates us to adopt. Thus, such cruel or destructive actions are strictly proscribed, even though duties regarding nature are grounded in an imperfect duty.

Complicating this picture is the fact that these duties regarding nature are owed in virtue of one's duty to increase her own moral perfection, which Kant labels as an imperfect duty. In particular, Kant claims that a person's *spiritus destructionis* toward nature "weakens or uproots that feeling in him which, though not itself moral, is still a disposition of sensibility that greatly promotes morality or at least prepares the way for it…" (6:443). While appreciation of natural beauty is a way to cultivate a morally good disposition, this claim implies that it is merely one among many such ways, and so it is not obligatory. Although this duty requires one to conserve objects of natural beauty "so far as possible," Guyer concludes that this duty regarding flora is an imperfect duty. The same appears true for duties regarding animals. Compassion for animals tends to develop dispositions that are "useful for morality and must be conserved," whereas cruelty to animals damages this useful disposition. This runs parallel to Kant's account of perfect duties because it proscribes animal cruelty. On the other hand, Kant does not treat compassion for animals as required by some duty but only as conducive to being moral insofar as such compassion cultivates dispositions that make one more likely to fulfill his duties. This suggests that compassion for animals is an imperfect duty, because it is merely one of many means to enhance one's moral character.

Guyer thinks that construing duties regarding nature as imperfect harmonizes with common stances about how to treat nature: "That we have a duty to conserve natural beauty, although we are unable to say that in every case this duty must triumph, seems to me exactly right and to explain why we can never find a mechanical procedure for deciding between claims of the conservation and the development and exploitation of natural resources."[45] Humans have some latitude in deciding where and how to conserve natural beauty, and they must use judgment to determine when this duty regarding beautiful natural objects is outweighed by competing

[45] Guyer, "Duties Regarding Nature," 328.

considerations, such as our legitimate need for food and shelter. Further, an indirect duty to conserve natural beauty might sometimes conflict with other duties that take precedence over the former. For example, the duty to promote others' happiness might on occasion require destroying object of natural beauty, such as to construct affordable housing. However, although humans have some latitude in determining when to conserve natural beauty, Guyer stresses that this latitude does not rest on "personal preference or even whim" but rather "the latitude requisite to balance the fulfillment of imperfect duties with the performance of other duties and with the uncertainties of moral judgment…" This means that an imperfect duty cannot "be dismissed with a promise to honor it on some other occasion; it is one which must always be honored, but which does not always dictate a specific action."[46] This is reminiscent of Kant's claim that the latitude afforded by an imperfect duty "is not to be taken as permission to make exceptions to the maxim of actions but only as permission to limit one maxim by another" (6:390). While one is permitted to defer conserving natural beauty in some cases, one must have a good reason for doing so, such as the fact that the maxim of some other duty directs one to act otherwise. The fact that one is lazy, for example, is not a good reason for deferring conservation of natural beauty, since one's own laziness is not sanctioned by any duty.

Guyer very briefly considers Kant's account of the teleology of an organism, which reflective judgment is warranted in viewing as a physical purpose or end, but he quickly passes over this account, claiming that, according to Kant, there is "no suggestion of any moral relevance to the concept of a physical end… so we are spared from considering it further."[47] I return to this issue in chapter four, in which I argue that the teleology of organisms is morally

[46] Ibid., 328-9.
[47] Ibid., 331.

relevant insofar as it requires humans to view some of their actions as harmful or beneficial to those organisms.

Guyer's account of duties regarding nature is attractive for Kantians because it establishes firm restrictions on how nature may be treated but does not sacrifice Kant's claim that direct duties are owed only to oneself or other human beings. Unlike the accounts offered by Wood and Korsgaard, which significantly modify Kant's position in order to produce arguments in favor of respect for non-humans or direct duties to them, Guyer's account shows that Kant's position already has the resources needed to establish that certain kinds of treatment of nature are morally valuable insofar as they are ways to fulfill a direct duty to oneself. Accordingly, from the perspective of a Kantian who is concerned about the environment, Guyer's interpretation is quite promising. I believe that this interpretation is largely accurate and that basing a Kantian environmental ethic on the duty to increase one's own moral perfection is both the best route available for a Kantian and plausible in its own right. However, there are two points that need to be developed further.

First, Guyer does not fully appreciate the distinction between the prescriptive and proscriptive elements of duties regarding nature. Kant proscribes some kinds of action that affect nature, such as wanton destruction of beautiful objects and cruelty to animals. This suggests that such actions somehow violate one's duty, implying that some actions affecting non-human nature are impermissible. Here Kant expresses a stronger stance than merely recognizing that appreciation of non-human nature can promote morally good dispositions. On the other hand, Kant prescribes certain kinds of action that affect nature, such as appreciating natural beauty and promoting the well-being of animals. Performing such actions is meritorious and strengthens one's moral perfection, but opting not to perform them in some particular instance is not

blameworthy. Hence, imperfect duties regarding nature entail both proscriptions (e.g., against wanton destruction of beauty) and prescriptions (e.g., for conservation of beauty). A fully developed account of duties regarding nature must explain and ground the distinction between these two components. In particular, such an account must specify the morally relevant difference between actions affecting non-human nature that are culpable and those that are merely non-meritorious. I offer such an account in the next chapter, arguing that imperfect duties have proscriptive dimensions insofar as they prohibit actions that are incompatible with adopting the maxims that are required by those duties.

Second, Guyer is too quick to dismiss any moral relevance to Kant's claim that organisms may be judged teleologically. Although Kant does not explicitly draw the connection, his teleological account of the purposiveness of non-human organisms can help fill in the content of duties regarding plants and animals. In particular, viewing such organisms as natural purposes can help explain how and why causing unnecessary harm to them diminishes one's own moral perfection and hence violates one's duty to oneself. This is because organisms, as natural purposes, are teleologically directed toward achieving functions that are appropriate for them given the kinds of entity they are. Since we need some conception of what it is to harm or benefit an organism in order to make sense of our duties regarding nature, it seems mistaken to write off Kant's teleology as unimportant for such duties. In chapter four, I offer an account of the natural goods of organisms, treating such goods as constitutive of an organism's flourishing. This account allows one to explain how harming animals or plants is possible—such harm consists of preventing an organism from flourishing in the manner appropriate to it as a natural purpose. Causing *unnecessary* harm to an animal, for example, is cruel, because doing so needlessly

prevents it from achieving its natural goods and hence causes the animal to be harmed, thus making teleology morally relevant for the relations between humans and non-human organisms.

For reasons that will become clear by the conclusion of this book, I think Kantians are best advised to ground an animal or environmental ethic on indirect duties regarding non-humans rather than on direct duties to them. This is so for two broad reasons. First, deriving direct duties to non-humans requires such substantial alterations to Kant's moral theory that it is questionable whether the resulting ethics would be genuinely Kantian. Second, such direct duty approaches face philosophical difficulties in their own right, including deontic conflict. We have begun to see what an indirect duty approach might look like, but much remains to be developed. We need a detailed account of how and why one's treatment of non-humans is indirectly tied to some direct duty to oneself or others, why some actions affecting non-humans are proscribed whereas others are prescribed, whether an indirect duty approach can plausibly make sense of our moral intuitions, and what indirect duties regarding nature require of us in practical terms. I begin to develop such an account in the next chapter.

Chapter Three: Indirect Duties, Moral Perfection, and Virtuous Dispositions[1]

It is widely held that Kant's moral philosophy cannot accommodate adequate moral concern for non-human natural entities, such as plant-life and animals.[2] Although Kant recognizes certain indirect duties "regarding" nature, he denies that moral agents can have direct duties to non-humans (6:442-3).[3] According to what I call the traditional interpretation of Kant's account of duties regarding nature, one should abstain from treating non-humans in certain ways (e.g., cruelly) solely because doing so makes one more likely to violate one's duties to human beings. Unsurprisingly, philosophers who argue for some kind of moral consideration of non-humans often have found Kant's alleged account deficient. Indeed, J. Skidmore goes so far as to claim that the inability of Kant's moral theory to countenance duties to animals entails that Kant's theory as a whole is a "failure."[4]

Against such views, I shall argue that Kant's position entails much stronger limitations on how non-humans entities may be treated than the traditional interpretation recognizes. In particular, I defend an interpretation of duties regarding nature that strictly prohibits animal cruelty and wanton destruction of flora because such actions are violations of one's duty to increase her own moral perfection. On this reading, the ways in which we treat non-human

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[1] Some portions of this chapter are adapted from Toby Svoboda, "Duties Regarding Nature: A Kantian Approach to Environmental Ethics," *The Kant Yearbook* 4(2012). See also ———, "A Reconsideration of Indirect Duties Regarding Non-Human Organisms," *Ethical Theory and Moral Practice* (2013).

[2] Henceforth, the term "animals" should be understood to refer always to non-human animals. For examples of philosophers who accept the traditional interpretation of Kant on duties regarding nature, see Regan, *The Case for Animal Rights*: 179; Martha Nussbaum, "Beyond 'Compassion and Humanity': Justice for Nonhuman Animals," in *Animal Rights: Current Debates and New Directions*, ed. M.C. Nussbaum and C.R. Sunstein (New York: Oxford University Press, 2004), 300; Hursthouse, "Environmental Virtue Ethics," 159; Singer, *Animal Liberation*: 244; J. Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory," *The Journal of Value Inquiry* 35, no. 4 (2001): 541; Alexander Broadie and Elizabeth M. Pybus, "Kant's Treatment of Animals," *Philosophy* 49, no. 190 (1974).

[3] All parenthetical citations are to the volume and page numbers of the Academy edition of Kant's works (Kant, *Akademie-Ausgabe: I. Kant, Gesammelte Werke*., as reproduced in the *Cambridge Edition of the Works of Immanuel Kant*, in this case ———, *Practical Philosophy*.

[4] Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory."

organisms are intimately tied to the virtuous and vicious dispositions we possess or lack. Since we have a duty to cultivate virtuous dispositions, we are permitted to treat non-human entities only in ways that are consistent with that duty. Moreover, in light of this same duty, we have excellent moral reason to treat non-humans in ways that enhance our virtuous dispositions, such as by valuing them and promoting their flourishing. Compared to the traditional interpretation, this account renders a Kantian approach to environmental ethics much more promising than is usually recognized.

Kant on Duties Regarding Non-human Nature

At first glance, a Kantian approach to environmental ethics might seem to be a non-starter. After all, in §16 of the *Doctrine of Virtue*, Kant himself denies that moral agents have direct duties to non-humans, both because "duty to any subject is moral constraint by that subject's will" and because human persons are the only known entities capable of constraining others in this way (6:442). Kant here suggests that only an entity with a will has the capacity to place moral agents under obligation. This requirement rules out direct duties to entities that are not subjects with wills. Kant concludes that human beings can have direct duties only to one another, because other entities, such as animals, are non-subjects that lack wills. He identifies two conditions that must be met in order for an entity to be able to obligate a moral agent: "the constraining (binding) subject must, *first*, be a person; and this person must, *secondly*, be given as an object of experience, since the human being is to strive for the end of this person's will and this can happen only in a relation to each other of two beings that exist…" (6:442). This first condition suggests that human beings lack direct duties to non-humans because the latter are not persons. Similarly, in the *Groundwork for the Metaphysics of Morals*, Kant writes:

> Beings the existence of which rests not on our will but on nature, if they are beings without reason, still have only a relative worth, as means, and are therefore called *things*, whereas rational beings are called *persons* because their nature already marks them out as an end in itself, that is, as something that may not be used merely as a means, and hence so far limits all choice (and is an object of respect) (4:428).

On the assumption that non-human natural entities are "beings without reason," this passage implies that such entities are things and thus may be treated as mere means. This is in keeping with Kant's lectures on moral philosophy. According to the notes of Georg Ludwig Collins, recorded in 1784-5 Kant argued that all animals lack self-consciousness, meaning that they "exist only as means, and not for their own sakes" (27:458-9).[5]

If one believes that one does have direct duties to non-humans—a position held by many animal ethicists and environmental ethicists[6]—this is due to what Kant calls "an *amphiboly* in his *concepts of reflection*," whereby one confuses duties *regarding* non-humans with duties *to* non-humans (6:442). The difference between direct duties and indirect duties, or between "duties to" and "duties regarding," will be important throughout this book, so it is worth clarifying the distinction here. A moral agent has a direct duty to some entity *x* if and only if *x*'s will morally constrains the moral agent. Otherwise put, I have a direct duty to some entity if and only if I morally owe something to that entity itself, such as the performance of certain kinds of action

[5] Immanuel Kant, *Lectures on Ethics*, ed. J. B. Schneewind, trans. Peter Heath (Cambridge: Cambridge University Press, 1997).
[6] See Rolston, *Environmental Ethics: Duties to and Values in the Natural World*: 45-125; Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 169-92; Regan, *The Case for Animal Rights*.

(keeping a promise, for example). Importantly, the moral agent and the constraining entity can be identical, as in the case of direct duties to oneself. Alternatively, a moral agent has an indirect duty regarding some entity *x* if and only if that moral agent has a direct duty to some entity *y*, such that this direct duty involves actions affecting *x*. This duty would be indirect in the sense that the moral agent owes something to *y*, but by way of actions regarding *x*. We might say that indirect duties supervene on direct duties, insofar as the former depend upon direct duties that are indirectly owed.[7]

As I shall argue, Kant seems to hold that a person can have duties regarding non-human natural entities only insofar as certain actions or attitudes affecting or involving non-humans are tied to direct duties one has to human beings. On this view, neither animals nor flora deserve direct moral consideration. Nonetheless, one's direct duties (to oneself or other persons) can bear on one's actions or attitudes vis-à-vis non-human nature. This seems to have been a consistent view of Kant's. In his lectures on moral philosophy, he argued that all duties regarding animals are indirect duties to human beings (27:458-9). In §17 of his *Doctrine of Virtue*, Kant infamously writes the following:

> A propensity to wanton destruction of what is *beautiful* in inanimate nature (*spiritus destructionis*) is opposed to a human being's duty to himself; for it weakens or uproots that feeling in him which, though not itself moral, is still a disposition [*Stimmung*] of sensibility that greatly promotes morality or at least prepares the way for it: the disposition, namely, to love something (e.g., beautiful crystal formations, the indescribable beauty of plants) even apart from any

[7] For further discussion of indirect duties, see Jens Timmermann, "When the Tail Wags the Dog: Animal Welfare and Indirect Duty in Kantian Ethics," *Kantian Review* 10(2005).

> intention to use it. […] With regard to the animate but nonrational part of creation, violent and cruel treatment of animals is far more intimately opposed to a human being's duty to himself, and he has a duty to refrain from this; for it dulls his shared feeling of their suffering and so weakens and gradually uproots a natural predisposition that is very serviceable to morality in one's relations with other people. […] Even gratitude for the long service of an old horse or dog (just as if they were members of the household) belongs *indirectly* to a human being's duty *with regard to* these animals; considered as a *direct* duty, however, it is always only a duty of the human being *to* himself (6:443).

Combined with the claim that humans lack direct duties to non-human entities (6:442), Kant's position is clearly that human moral agents have only indirect duties regarding non-humans, such as animals and plant-life. Given this view, many environmental ethicists believe that Kant's moral philosophy provides a poor starting point for developing an environmental ethic, particularly a non-anthropocentric one.[8] Given the traditional interpretation, critics allege both that Kant misidentifies the reasons we have for treating non-human entities in certain ways and that Kant's account offers only very weak, easily defeasible constraints on how non-humans may be treated.[9] Since most scholarship on Kant's account of duties regarding non-humans focuses on duties regarding animals, I will begin by examining the traditional interpretation in light of this issue before turning to the question of duties regarding non-animal entities.

The Traditional Interpretation of Duties Regarding Non-human Nature

[8] See John O'Neill, Alan Holland, and Andrew Light, *Environmental Values* (London and New York: Routledge, 2008), 95.
[9] See Broadie and Pybus, "Kant's Treatment of Animals."

Many readers have taken Kant's account in both the *Doctrine of Virtue* and his lectures to be that one should not be cruel to animals because this makes one more likely to be cruel to humans. Since being cruel to human beings presumably violates a direct duty to them, it is therefore advisable to refrain from cruelty to animals. This reading falls under the traditional interpretation of duties regarding nature, according to which Kant is appealing to an alleged psychological tendency in human beings, namely that cruel treatment of animals desensitizes a human being to suffering in general. There is some empirical evidence that such a tendency is operative in at least some humans.[10] Allegedly, this tendency makes someone who is cruel to animals more likely to disregard the suffering of humans and thus less likely to fulfill his direct duties to humans, such as promoting their happiness (6:452-4).

This is the dominant interpretation of Kant's account of duties regarding nature.[11] Skidmore holds that Kant's account of duties regarding animals reduces to the claim that "if we develop a habit of treating animals cruelly this will damage our character and ultimately lead to inappropriate treatment of other human beings."[12] Peter Singer writes, "Perhaps it is true that kindness to human beings and to other animals often go together; but whether or not this is true, to say, as… Kant did, that this is the real reason why we ought to be kind to animals is a thoroughly speciesist position."[13] In a recent anthology, Russ Shafer-Landau introduces the above-quoted excerpt from Kant's lectures by writing, "But what of animals that roam the wild—is it permissible to treat them in just any way we please? Kant says no, since such behavior will make us more likely to treat our fellow human beings, who do possess rights, in the

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[10] See Matthew Altman, *Kant and Applied Ethics: The Uses and Limits of Kant's Practical Philosophy* (London: Blackwell, 2011).
[11] For a more optimistic account of the prospects for a Kantian approach to animal ethics, see Wilson, "The Green Kant: Kant's Treatment of Animals." See also Hill, "Finding value in nature."
[12] Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory."
[13] Singer, *Animal Liberation*: 244; see also ———, "Not for Humans Only: The Place of Nonhumans in Environmental Issues," 56.

same way."[14] According to these readers, Kant's position is that human beings ought to abstain from violent and cruel treatment of animals *only* because such treatment will make humans more likely to fail in their direct duties to one another.

Even Tom Regan, who generally offers sympathetic and careful consideration of Kant's views, concurs with this account.[15] On Regan's interpretation, "it is the effects that our treating animals in certain ways has upon our character, and… the effect our character has on how we treat human beings, that provide the grounds for morally approving or disapproving our treating animals in certain ways."[16] Accordingly, one should not be cruel to animals solely because such cruelty develops character traits whereby one is indifferent to suffering, and one should not develop such character traits solely because they make one more likely to be cruel to humans. Regan adds that Kant can defend his view that maltreating mere things, such as animals (see 4:428), is morally wrong by noting "that this will in time lead moral agents to maltreat individuals who exist as ends-in-themselves."[17] Again, this is because of a purported psychological tendency in human beings, namely that cruel treatment of animals develops dispositions that, in turn, make humans more likely to fail in their direct duties to human beings.

If this interpretation of duties regarding non-human nature is correct, then there is only a very tenuous link between the way one treats non-humans and being moral, given that the link would rest merely on psychological *tendencies* of human beings. On the traditional interpretation, Kant's view is that there is nothing inherently wrong with animal cruelty, although cruel actions are thought to weaken dispositions that might be useful for fulfilling one's direct duties to humans. It is thus advisable to abstain from animal cruelty. However, we may

[14] Shafer-Landau, *Ethical Theory: An Anthology*, 391.
[15] Regan, *The Case for Animal Rights*: 174-85.
[16] Ibid., 179.
[17] Ibid., 181.

question whether there is a strong connection, much less a necessary one, between cruelty to animals and a reduction in one's sensitivity to human suffering. One can imagine individuals who cause severe harm to animals but who nonetheless maintain a strong sensitivity to human suffering, perhaps because they are committed and consistent anthropocentrists. Shafer-Landau, critiquing Kant's alleged position, notes that it "assumes that we are unable to draw relevant distinctions between our treatment of those who (on Kantian grounds) are within the moral community, and those without."[18] If we instead internalized the alleged distinction between humans and animals, it is difficult to see why our treatment of the latter should affect our treatment of the former. Those who draw the proper distinction between rational persons and non-rational things should be able to distinguish between the suffering of animals, which is not morally significant, and the suffering of humans, which is morally significant. Those who make this distinction and internalize it might not harbor any psychological tendency whereby indifference to animal suffering dulls their sensitivity to human suffering. If so, then such a person would have no moral reason to avoid cruelty to animals, since she could both be cruel to animals and maintain her sensitivity to human suffering.

Moreover, even if there are particular persons who sensitivity to human suffering is diminished by animal cruelty, harboring such diminished sensitivity seems compatible with fulfilling one's direct duties to humans. That is, one can be cruel to animals and (let us suppose) thereby become indifferent to human suffering, but nonetheless fulfill all one's direct duties to human beings. It is certainly conceivable that such a person should respect herself and others as ends-in-themselves, promote the happiness of others, developing her talents, and so on. In the *Groundwork,* Kant arguably approves of just such a person in his example of the cold-hearted

[18] Shafer-Landau, *Ethical Theory: An Anthology*, 391-92.

benefactor.[19] Imagining a man who is "by temperament cold and indifferent to the suffering of others" yet who is nonetheless beneficent to other human beings, Kant declares that his "worth of character come outs, which is moral and incomparably the highest, namely that he is beneficent not from inclination but from duty" (4:398-9). Accordingly, although a sensitivity to suffering might support morally right actions vis-à-vis human beings, it does not seem necessary for the performance of such actions. Accordingly, even granting the claim that animal cruelty desensitizes us to human suffering, the traditional interpretation of duties regarding nature offers only a relatively weak reason for moral agents to abstain from cruelty to animals, namely that such abstinence can help maintain a disposition that is useful but not necessary for being moral vis-à-vis human beings.

These considerations have a very striking implication. It is now difficult to see how duties regarding animals would count as genuinely *moral* obligations, even indirect ones. On the traditional interpretation, it seems possible that one could torture orphaned kittens for fun while simultaneously being a moral exemplar. As we have seen, if some person is psychologically disposed such that torturing kittens does make it more challenging for him to be moral, this need not prevent him from fulfilling his moral duties. But if we grant this point, it then seems that duties regarding animals are merely non-moral counsels pertaining to what courses of action make one's moral life more or less difficult, in which case the "duty" to abstain from animal cruelty is merely optional advice. It is perhaps prudent to avoid cruelty to animals, given that cruel treatment of them risks creating obstacles to fulfilling one's moral duties, but there is no requirement to avoid such cruelty. If this is all Kant had in mind, then it was very odd of him to speak of "duties" regarding nature.

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[19] See Karen E. Stohr, "Virtue Ethics and Kant's Cold-Hearted Benefactor," *The Journal of Value Inquiry* 36, no. 2 (2002).

Finally, although commentators tend to pass over what Kant writes about non-animal entities, such as plant-life, proponents of the traditional interpretation presumably would offer the same interpretation of duties regarding flora as they offer for duties regarding animals. For example, moral agents could have duties regarding flora in the sense that wanton destruction of plant-life tends to weaken dispositions that are useful but not necessary for fulfilling one's direct duties to humans, such as the disposition "to love something… even apart from any intention to use it" (6:443). As with duties regarding animals, however, it seems that a human being could practice wanton destruction of plant-life while maintaining his morally useful dispositions, or that she could fulfill her direct duties to humans in the absence of such dispositions. In either case, one's "duties" regarding flora would be very weak. Moreover, since there would be nothing morally problematic in its own right about wanton destruction of flora, it is questionable whether duties regarding flora would qualify as genuinely moral obligations, even in an indirect sense. As with duties regarding animals, duties regarding plant-life would seem reducible to some non-moral counsel urging one to avoid creating obstacles to fulfilling one's duties to humans.

Given the tenuous link recognized by the traditional interpretation between the treatment of non-humans and being moral, the prospects for a Kantian approach to environmental ethics might seem very dim. Indeed, the widespread acceptance of this interpretation might explain why no major environmental ethicist adopts a Kantian approach.[20] At any rate, the traditional interpretation's account of duties regarding nature has been the target of severe criticism, and it is not surprising that those who both accept this interpretation and believe that non-humans deserve some kind of moral consideration are unimpressed by Kant's (alleged) position. Some

[20] Paul Taylor's theory in *Respect for Nature* is sometimes thought to be Kantian, but this is true only in a very general sense. Although Taylor defends a deontological approach and views non-human organisms as ends-in-themselves, he does not attempt to reconcile his position with Kant's. Indeed, his rejection of Kant's position is implied by the fact that Taylor argues for direct duties to non-human organisms. See Taylor, *Respect for Nature: A Theory of Environmental Ethics*.

philosophers conclude that we should part ways with Kant on this issue.[21] This would seem to be a reasonable course of action if there is good reason to suppose that our moral obligations vis-à-vis non-humans is stronger than Kant's position can allow. Another option would be to embrace the implication (on the traditional interpretation) that there is nothing morally problematic about animal cruelty or wanton destruction of flora in their own right, while recognizing that it might be prudent to avoid such actions. This would seem to be a reasonable course if there is good reason to suppose that moral obligations are owed exclusively to human beings. Yet another option would be to hold that Kant's moral theory, if modified or developed in significant ways, can accommodate adequate moral concern for non-humans. This option, favored by contemporary Kantians like Allen Wood and Christine Korsgaard,[22] would seem reasonable if the rest of Kant's moral theory was worth holding onto despite its deficiencies with respect to non-human entities. However, more attractive options present themselves if we question whether the traditional interpretation is a good one. In fact, there are very compelling reasons to suppose that it is deeply flawed. Once we see that duties regarding nature are intimately tied to one's duty to develop moral virtues, a more attractive course becomes available, namely that we can develop a robust and attractive environmental ethic starting from Kant's own account of duties regarding nature.

Cruel Treatment of Animals

[21] Nussbaum, "Beyond 'Compassion and Humanity': Justice for Nonhuman Animals."; Singer, *Animal Liberation*.
[22] Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," 82; Wood, "Kant on Duties Regarding Nonrational Nature," 193.

Kant's position on duties regarding non-human nature is much more sophisticated than the traditional, dominant interpretation maintains.[23] He writes that a human being "has a duty to refrain from" cruelty to animals (6:443). This suggests that abstaining from animal cruelty is not only instrumentally useful in fostering a disposition that is in turn useful for transacting one's direct duties to humans, but rather that abstinence from such cruelty is itself required by some duty. If this were not the case, then it would be very strange for Kant to say that one has a *duty* to avoid being cruel to animals. Of course, if animal cruelty is prohibited in virtue of some moral duty, then it is a mistake to hold, as the traditional interpretation implies, that duties regarding non-human nature are reducible to non-moral counsels. While Kant does think that a sensitivity to animal suffering tends to develop a "natural predisposition that is very serviceable to morality in one's relations with other people" (6:442), he also seems committed to the stronger claim that there is something morally problematic with animal cruelty in its own right. In fact, Kant insists that such cruelty "is intimately opposed to a human being's duty to himself" (6:443). This claim is difficult to account for on the traditional interpretation. If animal cruelty was discouraged merely because it makes one more likely to violate duties to human beings, then why would such cruelty be "intimately opposed" to a duty to oneself?

The traditional interpretation also has difficulty accounting for the three examples of cruelty to animals that Kant offers in the *Doctrine of Virtue*. The first two are given by implication: "The human being is authorized to kill animals quickly (without pain) and to put them to work that does not strain them beyond their capacities (such as work as he himself must submit to)" (6:443). This implies that killing animals painfully and slowly is prohibited, as is

[23] For rare exceptions to the traditional interpretation, see Heike Baranzke, "Tierethik, Tiernatur und Moralanthropologie im Kontext von § 17, Tugendlehre," *Kant-Studien* 96, no. 3 (2005); Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration."; Patrick Kain, "Duties Regarding Animals," in *Kant's Metaphysics of Morals: A Critical Guide*, ed. Lara Denis (New York: Cambridge University Press, 2010).

working animals beyond their capacities. As to the third example, Kant claims that "agonizing physical experiments for the sake of mere speculation, when the end could also be achieved without these, are to be abhorred" (6:443). The feature that all three of these examples have in common is that each causes unnecessary harm to animals. Typically, one could choose to kill animals quickly and painlessly, not overwork them, and avoid conducting frivolous and painful experiments on them. It thus seems reasonable to conclude that Kant views animal cruelty as involving the infliction of unnecessary harm on animals.[24]

A major problem with the traditional interpretation is that it does not fit well with Kant's evident position that inflicting unnecessary harm on animals is morally impermissible. The claim that some kinds of treatment of animals are "authorized" implies that other kinds of treatment are not authorized but instead prohibited. Arguably, the claim that frivolous and painful experiments "are to be abhorred" (6:443) has a similar implication. The traditional interpretation cannot account for this because it views animal cruelty as problematic only because it could make one more likely to fail in her duties to humans. Since, for the reasons discussed above, animal cruelty need not entail such a failure, the traditional interpretation cannot explain why cruel treatment of animals is prohibited. A proponent of the traditional interpretation cannot hold that torturing a dog is morally impermissible, but only that such an action is best avoided because it could weaken one's morally useful dispositions, which in turn could lead one to fail to fulfill some duty to human beings. But this interpretation seems too weak to make sense of what Kant explicitly writes. An adequate interpretation of duties regarding nature must account for Kant's apparent position that animal cruelty is prohibited.

[24] In chapter five, I argue that one's action causes unnecessary harm to an organism if either of two conditions is met: (1) that the end of the action could have been achieved by less harmful means or (2) that the end of the action is trivial. For the moment, I note only that interpreting Kant's notion of animal cruelty as the infliction of unnecessary harm on animals is plausible.

Moreover, on Kant's position, our duties regarding animals are not exhausted by a prohibition against cruel treatment of them, for such duties also can require certain positive actions. In a very interesting remark, Kant writes, "Even gratitude for the long service of an old horse or dog (just as if they were members of the household) belongs *indirectly* to a human being's duty *with regard to* these animals; considered as a *direct* duty, however, it is always only a duty of the human being *to* himself" (6:443). This duty to have gratitude toward certain animals is an indirect duty in the sense that, although it involves animals, it is in virtue of some duty to oneself that one ought to have such gratitude. Nonetheless, this duty to oneself *requires* showing gratitude to certain animals, and failure to do so constitutes a violation of some duty to oneself. As with Kant's evident proscription against animal cruelty, this prescription to have gratitude toward some animals does not fit well with the traditional interpretation. If such gratitude was merely a means to preserve or strengthen 'one's propensity to fulfill duties to humans, then why does Kant say that such gratitude is owed in virtue of some moral *duty*? This passage implies that, by not harboring gratitude toward domestic animals that have been of service for many years, one violates some duty. Yet on the traditional interpretation, not harboring such gratitude at worst only makes one less likely to harbor gratitude toward humans. Thus, Kant's claim in favor of showing gratitude to animals seems much stronger than this interpretation can accommodate.

To salvage their reading of duties regarding nature, proponents of the traditional interpretation might appeal to the Collins notes of Kant's lectures: "Since animals are an analogue of humanity, we observe duties to mankind when we observe them as analogues to this, and thus cultivate our duties to humanity" (27:459). Kant adds that someone who shoots an old dog

> thereby damages the kindly and humane qualities in himself, which he ought to exercise in virtue of his duties to mankind. Lest he extinguish such qualities, he must already practice a similar kindness towards animals; for a person who already displays such cruelty to animals is also no less hardened towards men (27:459).

Kant goes on to praise Leibniz for replacing insects on trees after he had finished observing them, and he mentions with approval a practice in England whereby butchers and doctors were prevented from serving on juries because their professions supposedly habituated them to death, thus making them unfit to render verdicts. These passages might seem susceptible to the traditional interpretation. However, even in these lectures, Kant's position seems stronger than the traditional interpretation allows. Although he does contend that cruelty to animals makes one more likely to fail in one's duties to other humans, the traditional interpretation would be correct only if this was the sole reason Kant gives for why we should abstain from animal cruelty. However, Kant's argument at 27:459 admits of a non-traditional interpretation, namely that a person who practices animal cruelty "damages his moral character."[25] On the assumption that one ought not to engage in actions that damage her own moral character, we have here a moral reason to abstain from animal cruelty that the traditional interpretation does not recognize. Rather than viewing animal cruelty as merely inadvisable inasmuch as it makes one more likely to violate proper duties to humans, we might view animal cruelty as morally impermissible due to the impact it has on our character, regardless of whether that impact also makes us more likely to violate other duties.

[25] O'Neill, Holland, and Light, *Environmental Values*: 96.

This alternative interpretation accounts well for the various remarks Kant made in his lectures concerning duties regarding animals. For example, he writes, “If a master turns out his ass or dog because it can no longer earn its keep, this always shows a very small mind in the master” (27:460). That such an action “always” exhibits a small mind arguably suggests that turning out one’s dog is morally problematic in its own right, regardless of any psychological tendency that could make one more likely to violate direct duties to human beings. According to notes recorded by Johann Friedrich Vigilantius in 1793-4, Kant more definitively claims, “Any action whereby we may torment animals, or let them suffer distress, or otherwise treat them without love, is demeaning to ourselves” (27:710). Kant’s description of such actions as “demeaning to ourselves” is instructive. It is clear that the problem with cruelty to animals is not simply that it has a tendency to make us cruel to humans—rather, there is something morally problematic with such cruelty itself. Otherwise, it would not be the case that any action of tormenting an animal would be demeaning to oneself. Accordingly, the traditional interpretation is on shaky ground.

Duties Regarding Non-Animal Nature

Even if it is granted that Kant’s position on animal cruelty is more sophisticated than the traditional interpretation allows, it does not automatically follow that a Kantian approach to environmental ethics is promising, of course. Environmental ethicists are often concerned not only about the moral status of actions affecting animals, but also about the moral status of actions affecting plant-life, species, and ecosystems.[26] As noted above, Kant recognizes duties regarding flora and even non-living entities, holding that appreciation of the beauty in non-

[26] Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Sylvan, "Is There a Need for a New, an Environmental Ethic?."; Goodpaster, "On Being Morally Considerable."; Rolston, "Are Values in Nature Subjective or Objective?."

human nature is "serviceable" for morality because it promotes a disposition "that greatly promotes morality or at least prepares the way for it: the disposition, namely, to love something… even apart from any intention to use it." Moreover, "A propensity for wanton destruction of what is *beautiful* in inanimate nature (*spiritus destructionis*) is opposed to a human being's duty to himself," given that it weakens that disposition (6:443). According to this claim, the aesthetic appreciation of an entity independently of its utility promotes a morally good disposition. Kant does not say exactly why this is the case in the *Doctrine of Virtue*. However, in the Vigilantius lecture notes, Kant claims that, regarding non-animal nature, moral agents have "a duty only to have no *animus destructionum*, i.e. no inclination to destroy without need the useable objects of nature" (27:709). This is both because "the need to love other things outside us must not be self-serving" and because one "cannot be more disinterestedly satisfied, from a moral point of view, than when this inclination is directed upon lifeless objects…" (27:710). According to this account, being moral includes regarding oneself and other persons in a manner that is not merely self-serving. This, of course, fits well with Kant's central claim that moral agents ought to treat one another as ends-in-themselves rather than as mere means (see 4:428-429). Appreciation of beautiful plant-life and non-living entities cultivates a very similar disposition, since one thereby admires beautiful entities apart from their propensity to serve one's own interests.

On the traditional interpretation, aesthetic appreciation of plants and non-living natural entities could help foster dispositions that make one more likely to fulfill her duties to human beings. As with interactions with animals, this would depend on a psychological tendency whereby one's appreciating the beauty of (say) a redwood tree independently of its utility could make one more disposed to respect other persons as ends-in-themselves. On this interpretation,

however, aesthetic appreciation of non-animal nature would not be morally required, given that one could fulfill all her proper duties without bothering to admire the beauty of non-human natural entities. Instead, such aesthetic appreciation would be merely one way to cultivate dispositions that might be helpful in transacting one's duties to others. Accordingly, a moral agent could without fault bypass all appreciation of beautiful flora, perhaps acquiring morally useful dispositions by other means or fulfilling his direct duties without the support of such dispositions. In that case, duties regarding non-animal entities would be exceedingly weak, evidently collapsing into non-moral counsels about optional courses of action that might facilitate the fulfillment of other, morally required actions.

However, this interpretation does not account for Kant's claim that humans have a *duty* not to possess a *spiritus destructionis*, or a propensity for wanton destruction. Since Kant holds both that wanton destruction of beautiful natural entities "is opposed to a human being's duty to himself" (6:443) and that humans have "a duty only to have no *animus destructionum*" (27:709), the above interpretation is not adequate. It is clear that Kant thinks wanton destruction of plant-life is morally problematic in its own right. If Kant held only that wanton destruction of plant-life was inadvisable in that it weakens dispositions that help one to treat humans as ends-in-themselves, then he would lack grounds either for finding such destruction to be *opposed* to one's duty or for holding that one has a duty not to possess a *spiritus destructionis*. Moreover, if the traditional interpretation was correct, then there would be nothing morally problematic about destroying large parts of non-animal nature, provided that one was careful not to violate any duty to human beings in the process. Imagine a human being who is vigilant in fulfilling all his direct duties to humans, who is always careful to respect others and himself as ends-in-themselves. Suppose that this person's weekend recreation consists of cutting down trees on his own private

property, leaving them to rot afterwards. Imagine that these trees are not put to any use, aside from satisfying this individual's idiosyncratic desire for destruction. His decimation of plant-life, which we may suppose gives him great pleasure, does not violate any duty to other persons. For example, it does not mitigate the aesthetic or recreational enjoyment of other humans, because the destroyed trees are located on property to which others lack access. A proponent of the view ascribed to Kant by the traditional interpretation must hold that there is nothing morally wrong with these actions in their own right, although such a proponent might counsel that these actions could weaken morally useful dispositions. But this does not fit with Kant's clear prohibition of wanton destruction as being opposed to some duty.

As with animal cruelty, wanton destruction of flora is plausibly taken to harm one's moral character. As I argue below, duties regarding nature are rooted in a duty to oneself to develop morally good dispositions, or virtues. On Kant's account, actions that develop a *spiritus destructionis* are strictly proscribed because they erode or weaken one's virtue, or because they develop vices. This alternative interpretation fares much better than the traditional one in explaining why Kant takes certain treatment of non-human entities to be morally wrong rather than merely inadvisable.

The Imperfect Duty to Increase One's Own Moral Perfection

It is clear that the traditional interpretation of duties regarding nature is deeply problematic. It relies heavily on an alleged psychological tendency of human beings to transfer the way they treat non-humans to the way they treat human beings. However, as Heike Baranzke contends, the most interesting component of Kant's account does not rest on such a

psychological tendency.[27] As we have seen, Kant holds that there is something inherently wrong with cruelty to animals and wanton destruction of flora, which are proscribed in virtue of some duty one has to oneself. In §17 of the *Doctrine of Virtue*, Kant does not identify explicitly the duty to oneself upon which duties regarding non-humans depend. Later in that work, however, he identifies a direct duty to oneself to increase one's own "moral perfection" (6:446). This is an imperfect duty, or a duty that specifies a maxim that one ought to adopt but does not specify particular actions that must be performed (6:388-90).[28] A perfect duty obligates a moral agent to adopt a maxim to perform (or abstain from performing) certain actions. Such duties include proscriptions against lying and suicide. An imperfect duty obligates a moral agent to adopt some principle of action (or maxim) that, although it ought to guide the specific actions one performs (or abstains from performing), is compatible with various courses of action. Such duties include a prescription that one ought to adopt a maxim whereby she strives for the end of her own perfection. While virtues can be associated with perfect duties (e.g., the virtue of temperance may support fulfillment of the perfect duty proscribing gluttonous actions), it is the imperfect duty to moral perfection that directly obligates us to cultivate virtues in general, including those virtues that might support fulfillment of our perfect duties.

According to Kant, there are two kinds of perfection that one has an imperfect duty to oneself to cultivate. The first is a duty to increase one's own "natural perfection," or to develop one's physical and mental talents (6:444). Such talents could include musical propensity,

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[27] Baranzke, "Tierethik, Tiernatur und Moralanthropologie im Kontext von § 17, Tugendlehre." See also ———, "Does Beast Suffering Count for Kant: A Contextual Examination of §17 in The Doctrine of Virtue," *Essays in Philosophy* 5, no. 2 (2004); Konrad Ott, "A modest proposal of how to proceed in order to solve the problem of inherent moral value in nature," in *Reconciling human existence with ecological integrity: science, ethics, economics and law*, ed. L. Westra, K. Bosselmann, and R. Westra (Earthscan, 2008), 47.

[28] Paul Guyer helpfully identifies perfect duties as "those duties for which it is fully determinate what constitutes their fulfillment (usually omissions)" and imperfect duties as "those duties the fulfillment of which (usually commissions) is indeterminate and therefore leaves open to judgment what actions and how much is required for the fulfillment." See Paul Guyer, *Kant and the Experience of Freedom* (Cambridge: Cambridge University Press, 1993), 321.

athleticism, and various intellectual capacities. This duty is imperfect because it does not include a rule specifying what specific actions ought to be performed in the course of increasing one's natural perfection. Kant holds that there is a "a playroom (*latitudo*) for free choice in following (complying with) the law, that is, that the law cannot specify precisely in what way one is to act and how much one is to do…" (6:390). Imperfect duties have this latitude because they give laws for maxims but do not give laws for actions (6:388-9). That is, an imperfect duty specifies the subjective principle one is to follow in order to fulfill that duty, but it does not specify precisely what actions must be performed in order to do so. Thus, a person who genuinely makes it her maxim to increase her own natural perfection could do so by cultivating her talents as a violinist, a marathon runner, a mathematician, or by various other pursuits.

Importantly, while a moral agent is free to choose the actions whereby she acts on the maxims tied to imperfect duties, such latitude of choice does not entail any degree of moral laxity. Kant writes that an imperfect duty "is not to be taken as permission to make exceptions to the maxim of actions but only as permission to limit one maxim by another" (6:390). That is, one may "limit" the maxim whereby one develops her talents in virtue of some other (permissible or obligatory) maxim. Someone who makes no effort to increase her natural perfection is plausibly taken to lack an obligatory maxim. Such a person is in violation of his duty no less than a person who violates the perfect duty not to lie (6:429-31). Yet this imperfect duty does not specify precisely how, when, or where we are to act according to the maxim of cultivating our natural perfection. This duty affords us some freedom in making such choices, and often it is permissible to pursue actions that do not cultivate such perfection. For example, consider the imperfect duty of beneficence (6:452-4), which requires us to adopt a maxim whereby we act to promote the happiness of others. In some cases, it will be permissible to act on a maxim of beneficence rather

than on a maxim of increasing one's natural perfection, such as when one sets aside some intellectual work in order to help someone in need. Choosing not to develop one's talents is permissible in particular cases, provided that one has adopted the relevant maxim in general.

The second kind of perfection Kant identifies is moral in nature and has two types. The first "consists subjectively in the *purity* (*puritas moralis*) of one's disposition to duty, namely, in the law being by itself alone the incentive… and in actions being done not only in conformity with duty but also *from duty*" (6:446). Moral purity is the disposition whereby one makes the moral law the incentive of one's moral actions—it is the disposition of acting from duty rather than merely in accordance with duty. This distinction is of course familiar to readers of Kant. The former consists in a merely external performance of the actions that the moral law obligates one to perform. The latter consists in performing such actions for the right reasons, namely because one is morally obligated to do so. In the *Groundwork*, Kant suggests that actions merely in conformity with duty lack "moral worth" (4:406). This is because one could perform actions that accord with duty for either non-moral or immoral reasons, such as abstaining from lying solely out of fear for the unpleasant consequences that would follow from being found out. Kant glosses this duty to moral purity as the command, "be holy" (6:446). The second type of moral perfection "consists objectively in fulfilling all one's duties and in attaining completely one's moral end with regard to oneself." Kant glosses this duty as the command to "be perfect" (6:446). A moral agent who attains this type of moral perfection is one who completely fulfills all duties to oneself and other humans. According to Kant, one has an imperfect duty to oneself to develop and increase both these kinds of moral perfection.

Initially, it might seem odd that Kant treats this duty to moral perfection as imperfect rather than perfect. Imperfect duties admit of some leeway concerning how they are fulfilled, but

how can a moral agent have any leeway regarding either acting from duty or fulfilling her particular duties? It seems that moral agents unequivocally ought to satisfy both these conditions. Kant offers a nuanced position on this issue. First, he allows that this duty is "*narrow* and perfect in terms of its quality" but insists that it is "wide and imperfect in terms of it degree, because of the *frailty* (*fragilitas*) of human nature." The explanation for this is that a human being has a duty "to *strive* for this perfection, but not to *reach* it (in this life), and his compliance with this duty can, accordingly, consists only in continual progress." One's duty to moral perfection is perfect regarding its "object," because "one should make it one's end to realize." However, this duty is imperfect regarding the "subject" or moral agent, because one cannot fully achieve moral perfection in this life (6:446).[29] Human beings are subject to numerous inclinations that can tempt them to stray from making duty the incentive of their actions. Especially given what Kant in his *Religion within the Boundaries of Mere Reason* calls the "radical evil" in human nature (6:20-22),[30] or the propensity to subordinate moral maxims to non-moral ones, human beings cannot satisfy the demand to "be holy." Since each of us harbors this propensity to prioritize some non-moral pursuit (e.g., satisfying certain inclinations) over the moral law, each of us seems to be by nature morally imperfect. Thus humans are unable to satisfy the duty to moral perfection in full, and so it must be imperfect in nature.[31]

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[29] Guyer notes that "this duty to oneself is imperfect not because it is 'in quality' anything less than 'strict and perfect,' but rather only because the 'fragility' of human nature means that we can only hope for a 'constant progression' to holiness and thus at best an imperfect *compliance* with what is in fact a strict duty always to make the moral law our incentive." Ibid., 323.

[30] Immanuel Kant, *Religion and Rational Theology*, ed. Allen Wood, trans. G. di Giovanni (Cambridge University Press, 2001).

[31] In arguing for this account, Kant contends that one cannot know whether her disposition is morally pure. In the *Groundwork*, he writes, "In fact, it is absolutely impossible by means of experience to make out with complete certainty a single case in which the maxim of an action otherwise in conformity with duty rested simply on moral grounds and on the representation of one's duty" (4:407). A human being who performs actions that accord with duty can never be certain whether the incentive of the moral law (rather than other incentives, such as a desire for praise) is the ground of his action. Kant argues that this inability to know for certain whether one's actions are truly moral disqualifies one's duty to moral perfection from being a perfect duty, because it is impossible to know whether one has achieved moral purity. Since one cannot know this, she likewise cannot know whether further

The imperfect duty to increase one's own moral perfection is distinct from the other duties to oneself Kant identifies in the *Doctrine of Virtue*. These include perfect duties to oneself as an "animal being" and perfect duties to oneself merely as a "moral being," as well the imperfect duty to increase one's own natural perfection.[32] The perfect duties to oneself as an animal being require one "*to preserve himself* in his animal nature" (6:421). Such duties include prohibitions on committing suicide, "defiling oneself by lust" (6:424), and "stupefying oneself by the excessive use of food or drink" (6:427). The perfect duties to oneself as a moral being include prohibitions on lying, avarice, and servility (6:429-37). Kant also discusses a duty to oneself "as his own innate judge," requiring one to appeal to one's conscience in order to judge the morality of one's actions (6:437-40), as well as "the first command of all duties to oneself," which is to know oneself "in terms of your moral perfection in relation to your duty" (6:441-2).[33] After examining more closely what constitutes moral perfection, I argue below that duties regarding nature are most plausibly understood as being rooted in the duty to moral perfection.

Moral Perfection, Virtue, and the Good Will

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actions would be necessary to achieve moral purity. Hence, the duty to increase one's own moral perfection cannot be perfect—instead, it must be an imperfect duty, or so Kant argues. One can contest Kant's argument, of course. Even granting that our true motives are inscrutable, it might not follow that the duty to moral perfection is imperfect, since knowing what one must do in order to increase one's moral perfection could be compatible with not knowing whether one has already attained moral perfection. In other words, since being perfect and knowing that one is perfect seem distinct, it is unclear that knowledge of one's moral perfection is necessary for fulfilling the duty to moral perfection. Elsewhere in the *Doctrine of Virtue*, Kant gives a different, more straightforward argument that the duty to moral perfection must be imperfect. Although that duty gives a law for a maxim, it does not give a law for actions themselves, given that it commands moral agents to adopt a maxim whereby they increase their own moral perfection, but it does not specify exactly what actions must be performed in order to attain moral perfection (see 6:392). In this sense, the duty to moral perfection allows some latitude of choice to moral agents, permitting them to pursue their own moral perfection by various means.

[32] As I note below, for Kant it is only because we are also moral beings that we have duties to ourselves as animal beings. With this in mind, we might refer to these as duties to ourselves as animal *and* moral beings.

[33] As we shall see below, this "first command," although related to the duty to moral perfection, is nonetheless distinct from it.

The duty to oneself to increase one's own moral perfection is a direct duty. In particular, moral purity is not merely a useful disposition that might support the performance of duty-fulfilling actions, but rather a disposition that moral agents have an obligation to cultivate in its own right. Being imperfect, this duty obligates one to adopt a maxim according to which he seeks to increase his own moral perfection. A human being who fails to adopt such a maxim violates this duty, just as a person who does nothing to develop her talents violates her duty to natural perfection. Early in the *Doctrine of Virtue*, Kant claims that one "has a duty to carry the cultivation of his *will* up to the purest virtuous disposition, in which the *law* becomes also the incentive to his actions that conform with duty and he obeys the law from duty. This disposition is inner morally practical perfection" (6:387). He adds that the "ultimate wisdom" for a human being is "to develop the original predisposition to a good will within him…" (6:441).

These allusions to a good will are important. A good will is one that acts from duty, or a will for which the moral law is itself the incentive for action. At the beginning of the *Groundwork*, Kant claims that a good will is the only conceivable object that is unconditionally good, because all other candidates (e.g., happiness, talents, health) cease to be good if the person who possesses them lacks a good will (4:393). According to Kant's argument, all other states and objects can be only conditionally good, because there are conceivable sets of circumstances in which, all things considered, these states and objects would not be good. However, the good will is unique because it remains good in any conceivable set of circumstances. It is unconditionally good "only because of its volition" and not because of "what it effects or accomplishes" (4:394). In fact, Kant holds that "[u]sefulness or fruitlessness can neither add anything to this worth nor take anything away from it" (4:394). Hence, a good will is good in itself—its value does not depend on certain conditions being met nor on its being instrumentally valuable in achieving

certain ends. Since moral purity is the disposition by which one acts from duty rather than merely in conformity with duty, it is plausible to treat having this disposition as constitutive of having a good will.

One's duty to increase her own moral perfection is an instance of what Kant calls duties of virtue, or ethical duties. Unlike duties of right, which Kant treats in the *Doctrine of Right* and which can be legislated externally, duties of virtue can be legislated only via internal laws that one gives oneself (6:239). For example, the fact that the law of some state requires one to observe the property rights of others is sufficient for one to have a duty of right to observe such property rights. Conversely, a duty of virtue cannot be established by such external measures. This is because duties of virtue not only constrain moral agents to observe certain rights but also specify ends that moral agents ought to achieve, such as their own perfection. This is why Kant speaks somewhat loosely in the *Doctrine of Virtue* of "an end that is also a duty" (6:382-4). More precisely, the end of a duty of virtue is one that we have a duty to strive for or achieve.

Kant defines virtue in terms of fortitude, or as "the strength of a human being's maxims in fulfilling his duty" (6:394). The chief obstacles to fulfilling one's duty are "natural inclinations, which can come into conflict with the human being's moral resolution" (6:394). One overcomes such obstacles via "self-constraint in accordance with a principle of inner freedom, and so through the mere representation of one's duty in accordance with its formal law" (6:394). That is, virtue is the disposition whereby one maintains one's maxims to fulfill one's duties, where a maxim is a subjective principle of action by which one acts for the sake of some specified end. Hence, virtue is the resolve to remain committed to those subjective principles of action whereby one fulfills one's moral duties. Strictly speaking, there is only one virtue, namely "the will's conformity with every duty, based on a firm disposition…" (6:395). However, since a

duty of virtue (as distinct from virtue itself) "has to do with… an end that is thought also as a duty" (6:394-5), and since there are multiple ends that one ought to achieve, there are multiple corresponding duties of virtue. Kant adds that "there are indeed many objects that it is also our duty to have as ends, but there is only one virtuous disposition, the subjective determining ground to fulfill one's duty…" (6:410). Virtue as a disposition is thus distinct from a duty of virtue.

Given that the duty to moral perfection is a duty of virtue, and since moral purity is constitutive of moral perfection, moral purity is an end toward which one has a duty to strive. However, since the duty to moral perfection is imperfect, a human being cannot completely fulfill it in this life. Further, since such moral purity is constitutive of a good will, a human being is likewise incapable of fully attaining a good will in this life. This implication raises an important question about what the duty to moral perfection amounts to for human beings, particularly regarding the relation between virtue and a good will. Following Robert Louden, I suggest that a virtuous person is someone who approximates a good will through "strength of mind," acting out of respect for the moral law despite inclinations to the contrary.[34] If nothing else, the propensity to radical evil seems to disqualify humans from fully achieving and maintaining a good will, so virtue is needed to approximate the good will as closely as possible. This virtuous agent has not fulfilled the command, "be holy" (6:446), because she still is liable to prioritize satisfaction of her inclinations over her moral maxims. A holy will, by contrast, is one whose "volition is of itself necessarily in accord with the [moral] law" (4:414), or a will that by

[34] While allowing that a good will is indeed "a will which steadily acts from the motive of respect for the moral law," Louden holds, "Kant's virtuous agent is a human approximation of a good will who through strength of mind continually acts out of respect for the moral law while still feeling the presence of natural inclinations which could tempt him to act from other motives." Robert B. Louden, "Kant's Virtue Ethics," *Philosophy* 61, no. 238 (1986): 477-78. See also O'Neill, "Kant's Virtues."; Thomas Hill, "Kantian virtue and virtue ethics," in *Kant's Ethics of Virtues*, ed. Monika Betzler (Walter De Gruyter, 2008).

its nature always has the moral law as the incentive of its actions. Since, unlike a being with a holy will, a human person is always subject to inclinations and thus cannot fully attain a good will, he must instead cultivate a virtuous disposition that approximates the moral purity of a good will. Thus, at least in the case of human beings, such a virtuous disposition is an end that is also a duty. The more virtuous one's disposition, the closer one comes to having the moral law as a determining incentive of her actions. Yet even a fully virtuous moral agent is still subject to the influences of inclination. This is why Kant writes that "human morality in its highest stage can still be nothing more than virtue, even if it be entirely pure… In its highest stage it is an ideal (to which one must continually approximate), which is commonly personified poetically by the *sage*" (6:383). Given remarks of this kind, the duty to moral perfection is arguably the central obligation of the *Doctrine of Virtue*, since it is this duty that explicitly requires us to cultivate virtue, or "human morality in its highest stage." In a way, this duty might encompass all other duties of virtue, for it directs one to strive for both holiness in one's will and perfection in fulfilling all one's moral duties.[35]

One implication of this account is that a virtuous disposition is not merely instrumentally valuable insofar as it helps one perform various duties—rather, human beings have a direct duty to cultivate their own virtue, and failure to do so is morally culpable. As I argue below, our possession of virtuous dispositions, the lack thereof, or our possession of vicious dispositions is intimately tied to our treatment of non-human entities. Before considering this, however, it will be helpful to examine more closely the nature of virtuous dispositions within a Kantian framework. I will suggest that virtues involve affective dimensions. Although Kant denies that

[35] Kant goes so far as to declare, "The supreme principle of the doctrine of virtue is: act in accordance with a maxim of *ends* that it can be a universal law for everyone to have. — In accordance with this principle a human being is an end for himself as well as for others… it is in itself his duty to make the human being as such his end" (6:395). Arguably, to make humanity one's end in her own case is to strive for her own moral perfection. If so, then this supreme principle is intimately tied to our duty to moral perfection.

emotion can serve as "part of the ground of morality," it nonetheless can be conducive to morality. In many passages, particularly in the *Groundwork*, Kant makes clear that morality cannot have its foundation in any special feature of human nature (see 4:410) but instead must be grounded "completely a priori in reason" (4:411). This is because morality must be universal and necessary, hence holding for all rational beings rather than for human beings alone (4:408). If morality instead were grounded in contingent facts of human nature (e.g., some set of emotions that humans happen to have), it would be neither universal nor necessary, being "valid" only for beings that are sufficiently like humans in these matters.

Yet having certain emotions can support virtues on the part of a moral agent, provided that these emotions are cultivated in appropriate ways. Kant argues that emotions can provide "*subjective* conditions of receptiveness to the concept of duty" (6:399). These conditions include moral feeling, or the propensity to feel pleasure (or displeasure) for actions that comply (or fail to comply) with the moral law; conscience, or the capacity of practical reason for "acquittal or condemnation" of oneself regarding whether one has fulfilled some duty; love of other human beings, or a benevolent inclination that serves as an "aptitude" to beneficence; and the feeling of respect for oneself, or the "self-esteem" following upon awareness of the moral law within oneself (6:399-403). Kant holds that we do not have a duty to harbor these subjective conditions in ourselves. In the case of moral feeling and love for humans, this is because having some particular feeling is involuntary and so cannot be obligatory (see 6:401). In the case of conscience and respect, these are already present in every human person, and so there is no need for an obligation directing us to acquire them. Nonetheless, Kant holds that these subjective conditions can support fulfillment of our moral duties. This rests on a link between emotion and virtue. As Nancy Sherman notes, Kant's understands virtue in terms of fortitude, or the strength

of one's will to obey the moral law. Such fortitude consists partly of "self-control" in resisting desires to violate the moral law. However, although Kant stresses virtue as self-control in the face of rebellious desires, Sherman thinks that a complete notion of Kantian virtue "rests not merely in control, but in transforming desires so they no longer rebel."[36] After all, Kant's account of one's duty to moral perfection obligates one "to carry the cultivation of his *will* up to the purest virtuous disposition, in which the *law* becomes also the incentive of his actions…" (6:387). Although the authority of this moral law is grounded a priori in reason, emotions can be cultivated to support the virtuous disposition that one has a duty to acquire.

Although Kant conceives of virtue as strength of will rather than, for example, a habit, there is still room for virtuous dispositions to have affective dimensions. Importantly, Kantian virtue is more than mere continence, or "rational self-constraint in conformity with the moral law."[37] While the merely continent person might resist his inclination to act in a morally impermissible fashion, the genuinely virtuous person harbors inclinations that are themselves in conformity with the moral law. Insofar as one is virtuous, one does not feel an inclination to violate the moral law, such as by prioritizing maxims of self-interest over moral maxims. Although Kantian virtue involves an element of self-control that is reminiscent of continence—perhaps necessary because of the radical evil in human nature—it also involves affective elements that approximate a good will. Such affective elements are plausibly taken to include moral feeling, conscience, love of others, and the feeling of respect (6:399-403), all of which can support fulfillment of one's duties. This has significant implications for the duty to moral perfection. Insofar as the virtuous dispositions of humans have emotional dimensions, human

[36] Nancy Sherman, *Making a Necessity of Virtue: Aristotle and Kant on Virtue* (Cambridge: Cambridge University Press, 1997), 136.
[37] Anne Margaret Baxley, *Kant's Theory of Virtue: The Value of Autocracy* (New York: Cambridge University Press, 2010), 72.

beings have good moral reason to cultivate morally salient inclinations. Although Kant holds that we do not have a proper duty to achieve moral feeling, conscience, love of others, or respect for ourselves, this does not disqualify such subjective conditions from promoting (and perhaps even partly constituting) one's moral perfection. For instance, in the case of love for others, a benevolent inclination can support one's duty to beneficence. Such benevolence is a virtue insofar as it inclines the person who has it to perform beneficent actions, and so possessing this virtuous disposition is plausibly taken to increase (and perhaps constitute) one's moral perfection.[38]

Moral Perfection and Duties Regarding Nature

This account of moral perfection and virtue sheds light on duties regarding nature. As we have seen, while Kant claims that a person indirectly violates some duty to herself by being cruel to animals or by wantonly destroying flora and other natural entities (6:443), he does not explicitly identify the duty to oneself in question. However, it is most likely the duty to increase one's own moral perfection,[39] since this is the most plausible candidate available among the kinds of duty to oneself Kant identifies in the *Doctrine of Virtue*.

One's treatment of non-human organisms is plausibly taken to be connected to one's virtues and vices. Specifically, it seems that actions that benefit non-humans can cultivate virtuous dispositions, such as benevolence, whereas actions that unnecessarily harm non-humans can erode virtuous dispositions, develop vicious ones, and instantiate pre-existing vices. If so, then a person who practices cruelty to animals or wanton destruction of flora weakens her own

[38] Although I have focused here on moral feeling, conscience, love of others, and respect, this should not be taken to exclude other candidates for increasing or constituting moral perfection. As I will argue in chapter five, a wide range of virtues is relevant for the duty to moral perfection.
[39] See Wood, "Kant on Duties Regarding Nonrational Nature," 195; Guyer, *Kant and the Experience of Freedom*: 324-29.

virtues, possibly developing vices in their place. But since the duty to moral perfection obligates one to develop virtuous dispositions, animal cruelty and wanton destruction of flora are morally problematic in their own right. As I will argue here, such actions are incompatible with the maxim prescribed by the duty to moral perfection. Thus, contrary to the traditional interpretation, duties regarding nature are not merely counsels against actions that make us more likely to fail in our duties to humans. More importantly, duties regarding nature are strict obligations not to act in ways that reduce our moral perfection by eroding virtues or developing vices. Therefore, animal cruelty and wanton destruction of flora are morally wrong, because they constitute violations of the duty to moral perfection. Importantly, this account also entails that we have positive duties regarding nature, since we can interact with non-humans in ways that cultivate genuine virtues.

Some might suspect that the duty to moral perfection cannot play the role of supplying prohibitions against both animal cruelty and wanton destruction of flora. For if imperfect duties are thought of as duties of commission rather than duties of omission,[40] it might be hard to see how the duty to moral perfection could *prohibit* any particular kind of action. While the duty to moral perfection requires that one make her own moral perfection her end, it also affords some latitude to a moral agent in deciding how to pursue that end (6:390). Now it might be granted that kindness toward animals and aesthetic appreciation of plant-life can increase our moral perfection, but one might doubt that the duty to moral perfection proscribes animal cruelty or wanton destruction of plant-life. Kant holds that every action that fulfills an imperfect duty of virtue is meritorious, but he denies that a moral agent is always culpable for failing to perform such actions (6:390). A missed opportunity to act on the maxim commanded by some imperfect duty indicates "mere *deficiency in moral worth*…" (6:390), but it is still compatible with the

[40] ———, *Kant and the Experience of Freedom*: 321.

acceptance of the maxim prescribed by the imperfect duty in question, because he might cultivate his moral perfection in various other ways at other times. One fails in fulfilling an imperfect duty only if "the subject should make it his principle not to comply with such duties" (6:390).

Passing on an opportunity to benefit animals, for example, is a missed chance to cultivate virtuous dispositions, since beneficent actions toward animals are plausibly taken to play a causal role in strengthening one's benevolence. Accordingly, one who opts not to benefit animals passes on an opportunity to perform a meritorious action tied to the maxim of increasing one's own moral perfection. Similarly, declining to appreciate the beauty of plant-life is a missed opportunity to cultivate the virtuous disposition to love something apart from its utility (see 6:443). However, a person who chooses not to benefit animals nor to appreciate beautiful flora is not thereby morally culpable, because declining a particular opportunity for meritorious action is compatible with possessing the maxim that is commanded by the imperfect duty to increase one's own moral perfection.

Given all this, we return to the concern noted above: how can the duty to moral perfection entail proscriptive duties regarding nature, such as a prohibition on animal cruelty? If it is obligatory merely to make moral perfection one's end, then what it is morally problematic about someone who strives to enhance her own moral perfection while also performing cruel actions with respect to animals? Further, it might seem possible for someone genuinely to adopt a maxim to strive for her own moral perfection while paying no attention to non-human natural entities. In that case, kindness toward animals or aesthetic appreciation of flora would be merely two optional ways to increase one's own moral perfection. If so, then it might seem that one is

morally permitted to ignore non-human organisms altogether. If these concerns go through, then duties regarding nature would be extremely weak.

But these concerns do not go through, because the duty to moral perfection does entail proscriptive, non-optional duties regarding nature. To see why this is so, it is important to mark a distinction between passing on an opportunity to perform actions that benefit non-humans and choosing to perform actions that unnecessarily harm non-humans. The former is merely a missed chance to cultivate one's virtuous dispositions, but the latter is plausibly taken to be a kind of action that weakens one's virtuous dispositions and thus decreases one's moral perfection. A person who tortures animals for fun, for example, erodes his benevolence by inflicting unnecessary harm. Such an action is contrary to the direct duty to increase one's own moral perfection, because it does exactly the opposite, namely weakening one's virtues and perhaps developing vices in their place. Accordingly, animal cruelty is a violation of the duty to moral perfection. As I argue below, such an action is incompatible with the obligatory maxim required by the duty to moral perfection. Duties regarding nature inherit much of their normative force from a strict proscription against actions that decrease one's moral perfection, such as animal cruelty or wanton destruction of flora. While one might be tempted to view imperfect duties in general as purely prescriptive and hence unable to ground proscriptions against certain kinds of action, this would be a mistake. Although the imperfect duty to moral perfection prescribes a maxim, this prescription entails a prohibition on any action that is incompatible with adopting and maintaining this maxim, except for when the maxim is "limited" by some other permissible or obligatory maxim (see 6:390). Thus, whereas one can blamelessly pass on an opportunity to benefit non-human organisms, causing them unnecessary harm is morally impermissible,

because doing so is incompatible with the maxim whereby one strives to increase her moral perfection.

Unlike the traditional interpretation, this interpretation can account for Kant's claim that animal cruelty and wanton destruction of flora are violations of some duty to oneself. Specifically, my interpretation fits well with Kant's claim that harming animals for sport is never acceptable (see 27:459-60) and with his example of the master who dismisses a dog that has served him for many years (27:459). The dog no longer being of any use, this person abandons it to suffering and death. On the account I am developing here, this person's moral perfection is damaged, his virtuous dispositions eroded, because he causes the dog unnecessary harm. By practicing cruelty against an animal that has served him throughout its life, the master mitigates his dispositions of benevolence, sensitivity to suffering, and gratitude (see 6:443).[41] This is why, as Kant says, causing unnecessary harm to animals in general is "demeaning to ourselves" (27:710). One does not demean oneself merely by passing on an opportunity for increasing one's moral perfection, but one does demean oneself by engaging in actions that decrease that moral perfection. Although the master does not fail in some direct duty to the dog, he does violate a direct duty to himself by behaving cruelly towards the dog. Hence, the master is morally culpable.

The same is true in cases of wanton destruction of flora. Kant claims that humans have a duty not to possess a *spiritus destructionis*, or an "inclination to destroy without need the useable objects of nature" (27:709). This destructive inclination is inimical to the disposition "to love

[41] There seems to be a proscriptive dimension to imperfect duties of love as well, such as that of beneficence (6:452). Since one is obligated to adopt a maxim to promote the happiness of others, it is morally impermissible to act contrary to this maxim. Interestingly, a single action could violate both the imperfect duty to beneficence and the imperfect duty to moral perfection. For example, an action that instantiates the vice of malevolence could both inhibit the happiness of others and weakens one's own virtuous dispositions. In this case, the action would be incompatible with both the obligatory maxims.

something… even apart from any intention to use it" (6:443), which is plausibly viewed as a virtuous disposition that contributes to one's moral perfection. Such love would seem virtuous insofar as it could support the fulfillment of what Kant calls duties of love—namely duties to beneficence, gratitude, and sympathy (6:448-58)—whereas the destructive inclination would seem vicious insofar as it opposes fulfillment of such duties. In performing beneficent actions, for example, one must value others for their own sakes, i.e. apart from their usefulness for one's own ends, and the disposition to love something apart from its utility seems capable of playing a supportive role here. Accordingly, the disposition to love in this way is a virtuous disposition that is constitutive of one's moral perfection, and one therefore has a duty to strive for this disposition. Now, according to Kant, wanton destruction of flora weakens this virtuous disposition to love something apart from its usefulness. Hence, such destructive actions decrease one's moral perfection. This means that wanton destruction of flora is incompatible with the maxim commanded by the duty to moral perfection. Since one ought to adopt the maxim whereby one increases her moral perfection, a person who acts contrary to this maxim performs a blameworthy action. Wanton destruction of flora is therefore proscribed by the duty to moral perfection.

On Kantian grounds, cruelty to animals and wanton destruction of plant-life are morally problematic, but not primarily because such actions make one more likely to fail in one's duties to oneself and other humans. More importantly, such actions decrease one's moral perfection and thus are directly opposed to one's duty to increase her own moral perfection. Actions that weaken one's virtuous dispositions are morally wrong because they are incompatible with the maxim commanded by this duty. While Kant does seem to hold that animal cruelty or wanton destruction of flora increases the likelihood of one's failing in his direct duties to human beings,

he also holds that such actions violate some duty to oneself, which I have argued is the duty to moral perfection. For example, although Kant does suggest that a *spiritus destructionis* "weakens or uproots that feeling in him which, though not itself moral, is still a disposition of sensibility that greatly promotes morality or at least prepares the way for it" (6:443), he also claims that humans have "a duty only to have no *animus destructionum*, i.e. no inclination to destroy without need the useable objects of nature" (27:709). Hence, Kant's position is that wanton destruction of flora both damages a disposition that is useful for being moral and violates one's duty to increase her own moral perfection. It is the latter, often overlooked claim that will be important for the Kantian environmental ethic I develop in this book.

Alternative Interpretations of Duties Regarding Nature

Merely by granting that duties regarding nature arise from the duty to moral perfection, it does not automatically follow that such duties do not *also* arise from some other duty to oneself. Here I argue that all duties regarding nature are best understood as being rooted in the duty to moral perfection, showing that alternative interpretations are unable to capture much of what Kant says about such duties.

Initially, although this approach would not ground duties regarding non-animal nature, one might be tempted to take perfect duties to oneself as an animal being as promising candidates for sanctioning duties regarding animals, such as the proscription against animal cruelty. After all, if we have duties to ourselves given our animal nature, it seems reasonable to ask whether we also have duties regarding other entities with an animal nature. Yet as Korsgaard cautions, our duties to ourselves as animal beings seem to depend on the fact that we are also moral beings, such that we ought not to treat our animal nature in ways "inconsistent with" our

moral nature.[42] Thus one has a duty "*to preserve himself* in his animal nature" (6:421) only because that animal nature is tied to one's moral nature, and failing to preserve the former entails disrespect for the latter. Hence, duties to oneself as an animal being do not typically give rise to duties regarding animals, since our treatment of them need not impact preservation of oneself in one's animal nature. Of course, given some set of circumstances, duties to oneself as an animal being might *incidentally* require certain actions vis-à-vis animals, such as if one's perfect duty to abstain from gluttonous actions happens to involve not consuming meat in some context. Nonetheless, there is nothing about duties to oneself as an animal being that explains why certain treatment of animals is morally wrong in its own right. Despite initial appearances to the contrary then, turning to duties to oneself as an animal being does not seem very helpful in understanding our duties regarding nature.

Nor do duties regarding nature seem to be entailed by the duty to oneself as one's own innate judge. This obligates us to maintain a working conscience whereby we can evaluate the moral permissibility of our actions and maxims (6:437-40), but it is evident that one could engage in animal cruelty or wanton destruction of flora while retaining a working conscience, fully aware that one's actions are morally wrong even as one performs them. Given this possibility, the wrongness of such actions must consist of violating some other duty. Likewise, "the first command of all duties to oneself" (see 6:441-2), which requires one to *know* oneself in terms of his moral perfection (or lack thereof), does not seem to prohibit animal cruelty or wanton destruction of flora, since there is no reason to suppose that engaging in such activities

[42] Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," 100n59.

would undermine one's moral self-*knowledge*. Again, someone who performs such actions could be fully aware that those actions are wrong.[43]

More plausibly, some Kant scholars hold that duties regarding nature arise from perfect duties to oneself as an animal and a moral being.[44] Lara Denis, who holds that at least some duties regarding animals arise from perfect duties to oneself, claims that certain human sentiments that belong to one's animal nature, such as love and sympathy, are morally useful insofar as they support the fulfillment of one's duties. She argue that humans have perfect duties to maintain such sentiments. However, since cruel treatment of animals weakens morally useful sentiments, it constitutes a prima facie violation of one's perfect duties to oneself as an animal and a moral being. According to Denis then, cruel treatment of animals is proscribed by these perfect duties.[45] Yet this does not fit well with Kant's account of perfect duties to oneself. He writes that certain "impulses" of one's animal nature prompt her to preservation of herself, of the species, and of her capacities to enjoy life "at the animal level only" (6:420). These impulses are tied to perfect duties to oneself as an animal being, such as proscriptions against suicide, lustful actions, and "stupefying" oneself through drunkenness or gluttony (see 6:422-8). These duties are owed to oneself as an "animal being" in the sense that they pertain to physical activities that are necessary in order to preserve one's own animal nature (6:421). Yet as we have seen, cruelty to animals does not seem to violate perfect duties of this kind, because such actions need not (and typically do not) run contrary to preserving oneself in one's animal nature.

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[43] It also seems obvious that the actions in question do not violate one's imperfect duty to increase one's own natural perfection, because it is evident that animal cruelty and wanton destruction of flora could be practiced by someone who carefully cultivates his physical and intellectual talents.

[44] Patrick Kain notes that Kant's discussion in the *Doctrine of Virtue* of duties regarding nature appears immediately after his discussion of perfect duties to oneself. This might be taken to suggest that Kant views duties regarding nature as tied to such perfect duties, rather than the imperfect duty to moral perfection. However, since Kant labels his discussion of duties regarding nature as an "episodic section," it is questionable whether much can be inferred from the fact that this section appears subsequently to the discussion of perfect duties. See Kain, "Duties Regarding Animals."

[45] Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration," 408-09.

One's duty to oneself merely as a moral being, on the other hand, "consists in what is *formal* in the consistency of the maxims of his will with the *dignity* of the humanity in his person" (6:420). These duties are owed to oneself as a moral being in the sense that they involve abilities that, at least according to Kant, are not shared by non-human animals, such as the capacity to lie. Compared to duties to oneself as an animal being, this seems a more promising category for housing duties regarding nature. Although neither animal cruelty nor wanton destruction of plant-life need involve violations of the three *examples* of such duties mentioned by Kant—namely proscriptions of lying, avarice, and servility (6:429-37)—it seems plausible that certain treatment of non-humans could involve some failure to respect "the *dignity* of the humanity" in one's person. Indeed, this seems consonant with Kant's claim that an "action whereby we may torment animals, or let them suffer distress, or otherwise treat them without love, is demeaning to ourselves" (27:710). Following Denis, perhaps preserving one's own dignity requires maintenance of morally useful sentiments. If this maintenance is threated by animal cruelty (and, we might add, wanton destruction of plant-life), it seems reasonable to hold that animal cruelty is prima facie wrong.

However, such perfect duties to oneself do not seem able to account for the positive dimensions of duties regarding nature that Kant identifies, such as an obligation to harbor some attitude with respect to non-humans, including gratitude toward animals that have served us (6:443). More generally, Kant holds that we have an indirect duty regarding nature to cultivate dispositions that are "serviceable to morality" (6:443), which is plausibly taken to include promotion of the flourishing of animals and plant-life. Now it is difficult to see how one's perfect duties to oneself merely as a moral being could include such positive duties. A perfect duty provides a determinate law for action, specifying what actions we must or must not

perform, yet there is a complex variety of ways to cultivate morally serviceable dispositions in one's interactions with non-human nature. A determinate law governing our actions vis-à-vis nature would need to specify what natural entities we must interact with, how often we must do so, what actions we must take with respect to them, and so on. It seems neither feasible nor desirable to provide such a law. Instead, this seems to be the domain of some imperfect duty, which specifies only a maxim we must adopt and thus affords a wide range of freedom in choosing among actions compatible with that maxim. Our positive duties regarding nature seem to be imperfect in nature, for there are many possible ways to cultivate morally good dispositions by interacting with nature, and there is no reason to suppose that we must take some particular course of action in doing so. Accordingly, at least our positive duties regarding nature seem tied only to some maxim (e.g., to act such that one develops morally good dispositions) and hence to be a matter of imperfect duty.

One might ask whether some duties regarding nature are perfect while others are imperfect. For example, one might grant that positive duties regarding nature are imperfect yet insist that negative duties regarding nature (e.g., not to cause them unnecessary harm) are perfect. One might motivate this position by noting that negative duties have a proscriptive element that seem to provide laws for action, such as that we ought to abstain from animal cruelty, and this seems to suggest that such duties are perfect. Yet recognizing both perfect and imperfect duties regarding nature is an unnecessary complication, because imperfect duties can entail strict proscriptions on certain courses of action. Since an imperfect duty is an obligation to adopt some maxim, it prohibits us from performing actions that are incompatible with that maxim. In the case of the imperfect duty to increase one's own moral perfection, one is obligated to adopt a maxim whereby one strives to cultivate virtuous dispositions. Now engaging in actions

that *decrease* one's moral perfection is incompatible with adopting this maxim. Accordingly, the imperfect duty to moral perfection entails a strict proscription of actions that decrease one's moral perfection. The negative duties regarding nature Kant identifies are plausibly understood as proscriptions entailed by this imperfect duty, and so there is no need to suggest that there are both perfect and imperfect duties regarding nature.

While Denis argues that human beings have a perfect duty to maintain morally useful sentiments, Kant does not mention such an obligation in his discussion of perfect duties to oneself (6:421-37). Instead, something like this obligation is entailed by the imperfect duty to increase one's own moral perfection, as we have seen. It is true that Kant mentions a duty to preserve one's moral health, which he notes is a duty of omission pertaining "to the *preservation* of his nature in its perfection" (6:419), but this duty is not explicitly presented as part of Kant's taxonomy of perfect duties to oneself, which begins at 6:421. It is thus unclear that we should take this to be a distinct duty on the order of those we have been discussing to this point. Indeed, this duty to preserve one's own moral health seems indistinguishable from the proscriptive dimension of the imperfect duty to moral perfection. As we have seen, performing actions that *decrease* one's moral perfection—or actions that fail to preserve one's "nature in its perfection," i.e. one's moral health—is inconsistent with genuinely adopting a maxim whereby one strives to increase one's own moral perfection. For this reason, the duty to moral perfection seems to encompass preserving one's moral health. On the whole then, it seems most appropriate to classify duties regarding nature under the imperfect duty to moral perfection. Doing so is both plausible in its own right and consistent with Kant's account of duties regarding nature.

The interpretation I have defended entails that duties regarding non-human nature are much stronger than the traditional interpretation recognizes. Rather than merely discouraging

animal cruelty and wanton destruction of plant-life on the basis that such behavior might create obstacles to being moral, Kant's position actually proscribes such behavior as morally impermissible. On this interpretation, we may hold that animal cruelty and wanton destruction of flora are morally wrong in their own right, because such actions weaken virtuous dispositions and develop vicious ones. Moreover, as we have seen, Kant's position also prescribes benefiting animals and plant-life as optional but nonetheless effective ways to cultivate virtuous dispositions and hence act on a maxim to increase one's own moral perfection. On my interpretation, a Kantian approach to environmental ethics becomes promising. Although human beings do not have direct duties to animals, this does not have the nefarious implications many commentators have supposed. As I show in subsequent chapters, this interpretation of Kant's position supports a robust account of duties regarding non-human nature that puts firm limits on how non-human organism may be treated while also giving us good moral reason to benefit such organisms and value their flourishing in its own right.

Chapter Four: Teleology and Non-Human Flourishing

Given our duty to cultivate virtues, we are morally prohibited from causing unnecessary harm to non-human organisms, and we have good moral reason to benefit such organisms and to value their flourishing for its own sake. But this raises three important questions: what is it to harm or benefit an organism, what kinds of entity are capable of being harmed or benefited, and how are judgments that some entity has been harmed or benefited warranted? In searching for an account that plausibly answers such questions, it is very tempting to appeal to teleology. Indeed, some of the best known accounts of non-human flourishing are explicitly teleological, where a plant's or animal's well-being is taken to be constituted by some end or sets of ends toward which that organism is purposively directed. Yet attributing teleological properties or relations to organisms is highly controversial. One might object both that teleology is metaphysically objectionable and that it is incompatible with well-established Darwinian conceptions of organisms. Given the controversial nature of teleology, those who appeal to it in crafting accounts of non-human flourishing owe some account of why doing so is warranted, particularly by answering such objections.

I provide such an account in this chapter, drawing upon Kant's *Critique of Judgment*. I develop a framework for grounding commonsense and expert judgments about non-human flourishing that avoids common objections to teleology. In order to make sense of our experience of non-human animals and plants, we must reflectively judge such entities *as if* they were naturally purposive, although we should abstain from attributing teleological properties or relations to nature itself. Such a judgment consists of taking an organism to be directed toward the achievement of its telos, which is constituted by certain functions that I call "natural goods."

I argue that we are warranted in judging an organism to be flourishing to the extent that it achieves the natural goods appropriate to its kind. This Kantian account of non-human flourishing avoids the highly controversial move of attributing teleology to nature itself, yet it affords us a plausible way of grounding judgments about organisms' flourishing by relying on the conceptual resources of teleology. This framework does well in addressing the three questions mentioned above. First, it takes harming an organism to be equivalent to inhibiting the realization of its natural goods and benefiting an organism to be equivalent to promoting the realization of its natural goods. Second, it suggests a non-arbitrary way to identify what entities are capable of being harmed or benefited, namely all and only those that we must judge teleologically. Third, judgments regarding non-human harm or benefit are warranted insofar as teleological judgment is at least practically necessary in order to make sense of our experience of organisms. I shall have much more to say about each of these three points throughout the present chapter.

Teleological Accounts of Non-Human Flourishing

Judgments about whether an organism is flourishing or defective are often matters of commonsense—it sometimes seems obvious that a particular organism is doing well or doing poorly. This does not imply that such judgments are always easy to make nor that commonsense judgments of this kind are always worth retaining. Nonetheless, it is a fact of our interactions with organisms that some of them seem clearly to be flourishing while other seem clearly to be defective. This fact provides a plausible starting point for an account of non-human flourishing. Yet such commonsense judgments are indeterminate and fallible. They are indeterminate because it is not immediately clear what is being claimed in judging an organism to be

flourishing or defective. Further, commonsense judgments about flourishing or defective organisms sometimes require revision, as when an apparently healthy cat is later found to have been subject to some internal disease. We may ask what warrants such judgment in general and how such revisions are to be made. What is needed is a framework for judgments regarding non-human flourishing that specifies both (1) what these judgments consist of, thus reducing their indeterminacy, and (2) what epistemic status these judgments occupy, thus accounting for their susceptibility to revision. I argue below that a Kantian teleological framework can satisfy both these requirements. To be clear, this is a *framework* for judgments pertaining to non-human flourishing, not a theory of the content of non-human flourishing. Before developing this framework, it will be useful to consider both some advantages and problems of teleological accounts of organisms.

In general, a teleological account of an organism appeals to some end, purpose, or goal, where this is supposed to account for some part or operation of the organism in question. On a teleological view, an organism's parts and operations are taken to be for the sake of specific ends. Such teleological accounts of organisms may be expressed by what Mark Bedau calls "in-order-to statements," such as, "This dog has a heart in order to pump blood" or "That tree performs photosynthesis in order to grow."[1] In such statements, an end is identified for some part or operation of an organ or organism, where this end is meant to account for why the organ or organism operates as it does. This is to view various organic operations as teleological functions—or, equivalently, "proper functions" —since it involves treating those operations as (purposively) directed toward achieving certain ends or goals, such as survival, nourishment, reproduction, and so on.

[1] Mark Bedau, "Where's the Good in Teleology?," *Philosophy and Phenomenological Research* 52, no. 4 (1992): 782.

Similarly, a teleological account of an organism's *flourishing* takes that flourishing to be constituted by some end (or set of ends) toward which that organism is purposively directed. Presumably, the end or set of ends constituting an organism's flourishing is not merely one among others but rather some particularly important end, perhaps even the preeminent one. A proponent of such an account might hold that an organism's proper function is to flourish, or that an organism's operations are for the sake of its own flourishing. Another formulation would be that an organism's flourishing is part of (or perhaps identical to) its telos, such that an organism is flourishing if and only if it has achieved its telos, or perhaps that it is flourishing to the extent that it has achieved its telos. Conversely, on a teleological account, a non-flourishing or defective organism would be one that has not achieved the end or ends constituting its flourishing.

In many situations, humans have little difficulty in identifying certain organisms as defective. A tree infested with non-native insects that have devoured all its leaves is judged as doing poorly, as is a dog with hip dysplasia that causes it to limp, a bird with a broken wing, or a browning houseplant. Likewise, humans often have little difficulty in identifying some organisms as flourishing. A tree that has reached maturity is judged to be doing well, as is a dog free of physical ailment, a bird with working wings, or a hydrated houseplant (assuming in each of these cases that there is not some other issue interfering with the organism's flourishing). It is an evident fact that humans routinely make such judgments about organisms. Moreover, humans often speak of organisms as flourishing or defective, doing well or poorly, and being benefited or harmed. This is a familiar fact of ordinary language. In general, such judgments and utterances do not strike us as mysterious. Teleological accounts are common in the literature on non-human flourishing. Paul Taylor offers an explicitly teleological account, which holds that all living

entities have goods because they are what he calls "teleological centers of life."[2] On this view, an organism by its nature is directed toward certain goals, the achievement of which either causes or constitutes that organism's good or flourishing. For Taylor, these goals include survival, reproduction, and the ability to adapt to changing environmental conditions. But such teleological accounts face difficulties.

Objections to Teleology

Appeals to teleology are controversial. I consider two major objections to teleological accounts of organisms—the spookiness objection and the incompatibility with Darwinism objection—showing that they raise serious challenges for teleological accounts of non-human flourishing.

Consider the first objection:

> The Spookiness Objection: Teleological accounts of organisms involve appeals to spooky entities or phenomena that have no place in our best metaphysics. Accordingly, teleological accounts of organisms should be rejected.

On this position, we should not view organisms teleologically, given that doing so allegedly would require us to adopt a disreputably "spooky" metaphysics, such as entelechies built into nature. Most obviously, it might be thought that genuine teleological functions in nature would

[2] "To say it [some entity] is a teleological center of life is to say that its internal functioning as well as its external activities are all goal-oriented, having the constant tendency to maintain the organism's existence through time and to enable it successfully to perform those biological operations whereby it reproduces its kind and continually adapts to changing environmental events and conditions. It is the coherence and unity of these functions of an organism, all directed toward the realization of its good, that make it one teleological center of activity." Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 121-22.

require an intelligent designer. It is at least tempting to think of natural function or purposiveness by analogy with artifactual function or purposiveness. Just as a tool functions to achieve some purpose only because it was designed to have that function and purpose, so we might hold that an organ or organism functions to achieve some purpose only because it was so designed. While there is nothing spooky about artifactual design (e.g., human design of tools), natural design seems to require a god-like entity capable of structuring the natural world. Accordingly, if the "natural teleology" allegedly operative in organisms (as opposed to what we might call the "artifactual teleology") entails intelligent design, then natural teleology also requires a god-like designer. Now, many philosophers (e.g., atheists, agnostics, and some varieties of naturalist) are likely to find such a designer to be a "spooky" entity, and here the objection gains traction. If there are good arguments for rejecting the existence of spooky entities or phenomena, and if teleological accounts of organisms depend on such entities or phenomena, then we have good reason to reject teleological accounts of organisms. The question, of course, is whether all teleological accounts indeed require spooky entities or phenomena. As I discuss below, perhaps teleology can be naturalized such that it does not require this.

There are two obvious routes one might take in defending teleology against the spookiness objection. The first would involve simply embracing the "spooky" elements of teleology, presumably while denying that those elements are problematic. For example, theists might be content to allow that teleology requires a supernatural designer, since they do not doubt the existence of this (putatively necessary) condition of teleology.[3] Yet this response has the disadvantage of being limited to those willing to embrace the existence of such phenomena—it is not available to atheists, naturalists, or others who may be unwilling to admit such into their ontologies. Alternatively, a second route would include showing that teleology need not involve

[3] A. Plantinga, *Warrant and Proper Function* (Oxford University Press, USA, 1993), 214.

spooky phenomena or entities. Perhaps there is a way to conceive of teleology in organisms without appealing to an intelligent designer, for example—indeed, some philosophers have taken this route by suggesting that teleology can be naturalized. As we shall see, however, it is unclear that naturalized teleology is robust enough to underwrite a plausible account of non-human flourishing.

Consider the second objection:

> The Incompatibility with Darwinism Objection: Teleological accounts of organisms are incompatible with Darwinian views that account for organisms in terms of natural selection. Since there is excellent evidence for such Darwinian accounts, teleological accounts of organisms should be rejected.

Whereas the first objection claimed that teleology is metaphysically suspect, this objection contends that we have good scientific grounds for rejecting natural teleology, namely that we have a well-supported account that successfully explains organisms but is incompatible with teleological accounts of organisms. Briefly put, there is a strong body of empirical evidence that organisms evolve via natural selection. Arguably, teleology is incompatible with Darwinism. The former explains the parts and functions of organisms by appealing to their purposes, e.g. that the heart functions to pump blood in order to assist the survival of the animal to which that heart belongs. The latter, eschewing appeals to purposes, explains the parts and functions of organisms in terms of random genetic mutations, subsequent fitness (or lack thereof), reproductive success, and the like. Given both the excellent empirical evidence for Darwinism and its explanatory

power, we have good reason to reject accounts that are incompatible with it. Accordingly, we should reject teleological accounts of organisms—or so the objection goes.

As with the spookiness objection, there are two obvious ways a defender of teleology could address this second objection. First, one might admit that teleology and Darwinism are incompatible, but then proceed to reject the latter instead of the former. Alvin Plantinga defends a view like this (*mutatis mutandis* in response to naturalism), holding that if organisms actually display "such things as proper function, damage, design, dysfunction, and all the rest" and if "there is no naturalistic analysis of these notions," then we have good reason to reject naturalism—or, as in this case, Darwinism.[4] The success of this response will depend partly on whether it is true that Darwinism cannot make sense of some genuine or proper function that is operative in organisms. Either way, the response has the drawback of being limited to those who are willing to reject Darwinism. In order for this response to have a broader appeal, it would need to be supplemented with a thorough and convincing critique of Darwinian views. Alternatively, the second way one might respond to this objection would involve denying that Darwinism is incompatible with teleology. If Darwinism and natural teleology are in fact compatible, then of course we need not reject one for sake of accepting the other. To support this claim, one would need to show that there is some teleological conception of organisms that does not run counter to the commitments of those who accept natural selection. Again, naturalized version of teleology might help here, since some directly ties an organism's teleology to those traits that have been naturally selected for in its ancestors. I briefly present such accounts in the next section.

Both of these objections are relevant to teleological accounts of non-human flourishing. If we should reject teleological accounts of organisms in general, then presumably we also

[4] Ibid.

should reject accounts of non-human flourishing that depend upon the putative teleology of organisms. Even if we are not fully convinced by either of these objections, we still should be skeptical of any account of non-human flourishing that does not defend its reliance upon teleology, given its controversial nature. For example, Taylor's teleological account of the goods of biotic entities is not supplemented with an argument for why such appeals to teleology are warranted. It is reasonable to wonder whether his account is objectionably spooky or incompatible with Darwinism. In the absence of answers to such objections, it is at best unclear whether we should accept teleological accounts of non-human flourishing.

Naturalized Teleology

In the rich philosophical literature on teleology, the most common kind of response to objections like those above is to argue both that teleological accounts of organisms are worth maintaining and that such conceptions can be naturalized so as to make them neither spooky nor incompatible with Darwinism.[5] The most common approach is to understand the proper functions of organisms both etiologically and in terms of natural selection, where some trait of an organism counts as a proper function if and only if that feature was selected for in the evolutionary history of that organism's forebears.[6] According to Karen Neander's version, "It is a/the proper function of an item (*X*) of an organism (*O*) to do that which items of *X*'s type did to contribute to the inclusive fitness of *O*'s ancestors and which caused the genotype, of which *X* is

[5] Although cf. Robert Cummins, who argues that such "neo-teleology" should be rejected. Instead, Cummins holds that a biological function is merely the causal role that some feature happens to play within a biological system. I take it that these so-called "Cummins functions" are non-teleological, given that they are not goal-directed. Since I am here examining the comparative merits of different *teleological* accounts of non-human flourishing, I will not discuss Cummins functions further. See Cummins Robert Cummins, "Neo-teleology," *Philosophy of Biology: An Anthology* (2010).

[6] Larry Wright offers the classic etiological account of functions. According to Wright, the function of *X* is *Z* if and only if "*X* is there because it does *Z*" and "*Z* is a consequence (or result) of *X*'s being there." Larry Wright, "Functions," *The Philosophical Review* 82, no. 2 (1973): 161. See also Ruth Garrett Millikan, "In Defense of Proper Functions," *Philosophy of Science* 56, no. 2 (1989).

the phenotypic expression… to increase proportionally in the gene pool" .[7] This account of an organism's proper functions is teleological insofar as it identifies a purpose or goal for some trait. To take an example from Neander, opposable thumbs were selected for in human beings for their ability to grasp things, and hence the proper function or purpose of opposable thumbs is to grasp things.[8]

This kind of naturalized teleology fares well against the objections considered above. First, it is fairly clear that this account is compatible with Darwinism, given that it understands proper functions in terms of selected-for traits. In presenting the incompatibility with Darwinism objection above, I noted that we might think natural teleology and Darwinism incompatible because the former appeals to purposes while the latter eschews them. Neander's account shows that there need be no such incompatibility, since we can understand the purposiveness of an organism's parts or functions to be *only a result* of natural selection. It seems that a good Darwinian may accept the view that (say) the purpose of the heart is to pump blood, because that is what hearts were naturally selected to do. Presumably, a good Darwinian should not accept any kind of natural purposiveness independent of natural selection, such as the view that hearts evolved because they fit into some grand cosmic plan. But Neander's account does not appeal to purposiveness of this latter kind. Second, Neander's etiological account seems able to sidestep the spookiness objection, since it does not appeal to supernatural or bizarre phenomena to ground

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[7] See Karen Neander, "Functions as Selected Effects: The Conceptual Analyst's Defense," *Philosophy of Science* 58(1991): 174. Or, as Denis Walsh and Andre Ariew put it: "The biological function of a trait, *x*, is to do *m* just in case individuals possessing *X* have been favoured by natural selection *in the past* because their *x*es have *m*ed." Denis M Walsh and André Ariew, "A taxonomy of functions," *Canadian Journal of Philosophy* 26, no. 4 (1996): 497.

[8] I focus on etiological accounts because I take them to constitute the most common and influential approach to naturalizing teleology. An alternative is to view some function of an organism as a feature with a "survival enhancing propensity" in the organism's natural environment. See John Bigelow and Robert Pargetter, "Functions," *The Journal of Philosophy* 84, no. 4 (1987): 192. This account is "forward-looking," given that it does not rely on the evolutionary history of an organism's ancestors but rather identifies an organism's functions as those features that increase the probability of its survival in the future. While I lack space to discuss this view in detail, I do mark several advantages and disadvantages of it below.

the proper functions of organisms. On her account, there is no need for intelligent design, for example, since the teleological features of organisms arise not from prior design but rather as a result of natural selection. Indeed, teleology of this sort seems perfectly compatible with a naturalistic metaphysics, and so the spookiness objection does not apply to it.

However, such a naturalized teleology faces certain difficulties. Neander's formulation seems to provide neither a necessary nor a sufficient condition for a proper function. It seems not to provide a sufficient condition due to cases of entities that undergo natural selection but which apparently lack proper functions. Bedau offers the example of clay crystals in a stream. Such crystals display variation relative to one another. Some of them possess features that better suit them to "surviving" in some stream, and these are more likely to reproduce crystals that also have those features. This process tends to result in the stream being populated by clay crystals with those features. Arguably, this is an instance of natural selection, but it is counter-intuitive to hold that the crystals are thereby teleological. Hence, according to Bedau, we have a counter-example to the etiological approach that ties teleology to natural selection.[9]

Further, Neander's formulation seems not to capture a necessary condition of proper functions, due to "[p]ossible but non-actual 'accidental-yet-instant creatures' would have parts with functions but no evolutionary history…"[10] Given that it seems we can imagine a kind of organism that has proper functions but lacks an evolutionary history, perhaps proper functions are not strictly reducible to those traits that have been selected for. Now a defender of Neander's view could simply deny that "accidental-yet-instant" entities have proper functions, but that would be an implausible claim. Intuitively, it seems that such an organism could have proper functions, such as an organ with the purpose of pumping blood. This suggests that, contrary to

[9] Mark Bedau, "Can Biological Teleology Be Naturalized?," *The Journal of Philosophy* 88, no. 11 (1991): 651-53.
[10] Richard Cameron, "How to be a realist about sui generis teleology yet feel at home in the 21st Century," *The Monist* 87, no. 1 (2004): 75.

Neander's etiological account, being naturally selected for is not a necessary condition for some trait to count as a proper function.[11]

A further concern is that it is unclear whether this etiological approach can underwrite a plausible account of non-human flourishing. I am sympathetic to Cameron's (and, as I discuss below, Hannah Ginsborg's) suggestion that a teleological judgment regarding some organ or organism appeals at least implicitly to a norm for how that organ or organism is supposed to operate. Cameron writes, "Norms appeal explicitly or implicitly to some good, where this supplies a regulative ideal in the evaluation of a thing's functioning. When we know that the heart's function is to pump blood we know what hearts are *supposed* to do, and it is both appropriate and informative to evaluate hearts as performing *well* or *mal*functioning."[12] It is not clear that an approach tying proper functions to selected-for traits can accommodate this normative component in a plausible fashion. Consider the case of male self-sacrifice during mating, as observed in some arachnid species. This practice is plausibly taken to be an evolved trait, naturally selected for its ability to increase the reproductive success of males that engage in it.[13] Accordingly, on the etiological account, self-sacrifice during mating would be a proper function of male spiders of the relevant species. But it is extremely implausible to view self-sacrifice as a constituent of the *flourishing* of these spiders, as if it were good for those spiders themselves to be devoured alive by their mates. This indicates that the constituents of an individual organism's flourishing are distinct from those of its features that have been naturally selected for, even if it is the case that there is substantial overlap between the two sets. This

[11] Bigelow's and Pargetter's forward-looking account *might* fare better here, since it does not appeal to natural selection in any way. Instead, a proponent of this view could hold that "accidental-yet-instant creatures" have proper functions insofar as some of their features would enhance the probability of their survival. However, one problem here is that the forward-looking account ties proper functions to survival-enhancement within the organism's natural habitat, and it is unclear that an accidental-yet-instant creature would have a natural habitat.
[12] Cameron, "How to be a realist about sui generis teleology yet feel at home in the 21st Century," 76.
[13] See Matthias W Foellmer and Daphne J Fairbairn, "Spontaneous male death during copulation in an orb-weaving spider," *Proceedings of the Royal Society of London. Series B: Biological Sciences* 270, no. Suppl 2 (2003).

suggests that the etiological account of teleology may not be a promising approach to developing an account of non-human flourishing.[14]

While these considerations are too brief to license dismissal of naturalized teleology, they do help identify a challenge faced by teleological accounts of non-human flourishing: to develop an account that is able to underwrite the normativity of judgments regarding non-human flourishing, but to do so while being neither objectionably spooky nor incompatible with Darwinism. In the remainder of this chapter, I sketch a Kantian framework for making sense of non-human flourishing in teleological terms. I show that this approach is able to overcome the objections considered above while also providing a plausible and attractive approach to accounting for non-human flourishing.

Kantian Teleological Judgment

Kant begins his "Critique of Teleological Judgment" in the *Critique of Judgment* with the claim that humans are warranted in judging some natural objects as teleologically purposive, "but only if we do this so as to bring nature under principles of observation and investigation by *analogy* with the causality in terms of purposes, without presuming to *explain* it in terms of that causality" (5:360).[15] Here teleological judgment provides a regulative principle for observing and investigating nature, allowing one to judge some natural entities *as if* they were designed and hence purposive. Such teleological judgment is "reflective" but not "determinative." In determinative judgment, one is given particular objects that are "subsumed" under *a priori* concepts, and these objects can be explained according to *a priori* principles, such as when the

[14] Similarly, the forward-looking account also seems insufficient for a plausible account of non-human flourishing, given that (intuitively) the flourishing of many organisms seems to involve more than just survival.
[15] All numerical parenthetical references are to Immanuel Kant, *Critique of Judgment*, trans. Werner Pluhar (Indianapolis: Hackett, 1987)., indicating the usual pagination reproduced from ———, *Akademie-Ausgabe: I. Kant, Gesammelte Werke*.

interaction of two colliding objects is explained according to a principle of efficient causality. In reflective judgment, one likewise is given particular objects, but here one lacks an *a priori* principle according to which such objects could be explained. Instead, one must provide some principle to perform this task. Kant holds that this "principle must be one that reflective judgment gives as a law, but only to itself…" (5:180).[16] Since humans lack knowledge of teleological properties or relations existing in nature itself, one is warranted in employing teleological judgment in only this reflective fashion.

Kant suggests that many natural objects and events are, via determinative judgment, susceptible to a "mechanistic" kind of explanation, or "*physical* efficient causal explanation."[17] Mechanistic explanation accounts for phenomena in terms of physical objects and their exertion of an efficient causal influence on one another, where the causality in question is unidirectional.[18] To offer a mechanistic explanation of some object is to account for it in terms of some previous series of efficient causes that resulted in that object being in its present state. Since the causality in question here is unidirectional, the idea of the whole plays no role in organizing the parts. This contrasts with teleological or final causation, in which parts are organized in accordance with some idea of the whole.

Yet Kant holds that some natural objects, particularly organisms, are not adequately accounted for by purely mechanistic explanations. This warrants humans in viewing organisms *as if* they were naturally purposive, or natural entities that are teleologically directed toward certain ends. In order to make sense of organisms and their apparent purposiveness, we must in

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[16] More specifically, Kant writes that "we adduce a teleological basis when we attribute to the concept of an object—just as if that concept were in nature (not in us)—a causality concerning [the production of] an object…" (5:360).
[17] Rachel Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment* (Cambridge: Cambridge University Press, 2007), 102-03.
[18] Paul Guyer, "Organisms and the Unity of Science," in *Kant's System of Nature and Freedom* (Oxford: Clarendon Press, 2005), 92.

reflective judgment seek a non-mechanistic principle, namely a teleological one. Importantly, however, we must refrain from attributing any teleological properties or relations to nature itself, since we have no basis for presuming that the purchase of teleological principles extends beyond the needs of our own judgment. Instead, reflective teleological judgment of organisms is needed because "*the peculiar character of my cognitive powers is such that* the only way I can judge [how] those things are possible and produced is by conceiving, [to account] for this production, a cause that acts according to intentions, and hence a being that produces [things] in a way analogous to the causality of an understanding" (5:397-8). Thus, one may judge organisms *as if* they were intentionally produced and organized by some designer, provided that one does not make the unwarranted determinative judgment that attributes such intentional design to organisms as a constitutive (as opposed to a regulative) principle.[19]

Kant offers the following line of reasoning to defend the claim that organisms cannot be explained mechanistically (see 5:404). As particular natural objects, organisms display a contingency vis-à-vis the mechanistic laws of nature, since those laws do not fully account for how organisms operate nor how they become organized, thus making it absurd "to hope that perhaps some day another Newton might arise who would explain to us, in terms of natural laws unordered by any intention, how even a mere blade of grass is produced" (5:400). Evidence for this claim is provided by the fact that, even with complete knowledge of mechanistic natural laws, it is at least unclear how one could explain the particular operations of organisms in particular cases. Such laws seem insufficient to account for the apparent contingencies in the

[19] Kant claims it is necessary for human cognizers to judge organisms as if they were intentionally designed "if we are to acquire so much as an empirical cognition of the intrinsic character of these products." This is because "we cannot even think them as organized beings without also thinking that they were produced intentionally" (5:398). Conversely, some philosophers suggest that it is not necessary to make any appeal to a designer in order to ground teleological judgments (e.g., Wright, "Functions."). Nonetheless, the *analogy* to intentional design may be a harmless and useful maneuver in *reflective* judgment of organisms.

behavior of organisms, such as that of a bird searching a patch of grass and eating worms. We are inclined to make a teleological judgment that the bird is searching the grass *in order to* find food.[20] Here some end or goal (acquiring food) is given for why the bird engages in a particular action. If we remove such teleological appeals, it is unclear that we could make sense of the bird's behavior by appealing solely to unidirectional, efficient causality. But if particular organisms and their behavior cannot be explained in terms of a mechanistic principle, then we must judge organisms by some other principle. Kant claims that the only alternative is a teleological principle, which should be employed only regulatively via reflective judgment.

This account raises many questions, of course. To begin with, we may ask for more details regarding what it means to judge an organism as naturally purposive. Importantly, Kant distinguishes between relative and intrinsic purposiveness. Final causality plays a role in both these varieties, since we view "the cause's action as based on the idea of the effect" (5:366-7). In cases of intrinsic purposiveness, one does this by treating the effect as a "product of art," or as something produced via intentional design. In cases of relative purposiveness, one does this by treating the effect as "only the material that other possible natural beings employ in their art" (5:367). As an example of relative purposiveness, Kant mentions the sandy soil of northern Europe, favorable for the growth of spruce trees. This soil, deposited by receding ancient seas, allowed spruce forests to develop (5:368), yet we have no reason to suppose that nature, in depositing the appropriate soil, pursued the end of making spruce forests possible there. The sandy soil is not intrinsically purposive, because it was not the product of some art—rather, it is merely a contingent fact that the sea receded and yielded sandy soil, a result from which spruce trees could benefit as a useful resource that happened to be available. In order for some object to

[20] For discussion of both "in order to" statements and a similar example, see Bedau, "Where's the Good in Teleology?," 782..

be intrinsically purposive, its cause must be something that can act in accordance with concepts (5:369). However, this is not sufficient for something to be *naturally* purposive, since some objects are the products of human art. Kant mentions the example of someone who comes across a regular hexagon drawn in the sand of a beach (5:370). One would be warranted in judging this figure as intrinsically purposive, for it displays features suggesting activity on the part of some intelligent designer, a human being who intentionally produced that object in accordance with the concept of a hexagon. However, one would not be warranted in judging this figure as *naturally* purposive, since it was produced by a human being.

In order to be both intrinsically and naturally purposive, Kant identifies two conditions that an object must meet. First, the possibility of its parts "must depend on their relation to the whole" (5:373), with each part existing for the sake of the whole, as a heart exists for the sake of the organism to which it belongs.[21] Once again, however, meeting this first condition is not sufficient for something to be *naturally* purposive, since the parts of objects of human artifactual production (e.g., houses) also exist for the sake of the whole. As a second condition, the parts of an object must "combine into the unity of a whole because they are reciprocally cause and effect of their form" (5:373). The parts of a naturally purposive entity give rise to one another, as when the leaves, branches, and trunk of a tree mutually maintain one another and are responsible for the growth of the tree as a whole (5:372).[22] This second condition is not met by human-made artifacts, whose parts are organized by an external source (e.g., a carpenter in the case of a

[21] Kant claims this must be the case because, if the object is genuinely purposive at all, then "it is covered by a concept or idea that must determine a priori everything that the thing is to contain" (5:373).

[22] Initially, Kant defines a naturally purposive entity as something that is both cause and effect of itself (5:370-371). Consider a tree. First, a tree is both cause and effect of itself "with regard to its *species*," insofar as individual trees come from their progenitors and serve as progenitors of new individual trees. Second, a tree is both cause and effect of itself insofar as it maintains itself through growth, both converting external material (e.g., sunlight and water) until it "has the quality peculiar to the species" and then continuing "to develop itself by means of a material that in its composition is the tree's own product." Third, a tree is both cause and effect of itself due to the fact that various of its parts mutually support one another, as when the limbs and roots of a tree require each other for the growth of the whole.

house) and do not by themselves give rise to the whole. Kant glosses both these conditions by noting that a naturally purposive entity must be both organized and self-organizing (5:374). An object that is not organized is not genuinely purposive. An object that is organized but not self-organizing is not naturally purposive. Only an object that is organized and self-organizing is naturally purposive.

The difference between organisms and artifacts can be seen using Kant's example of a watch: the parts of a watch do not produce one another; the cause of a watch's existence is not in nature itself but rather in a being capable of producing objects in accordance with its own concept; if some of the parts are removed, a watch does not replace these parts by its own activity; and if a watch is damaged, it does not repair itself (see 5:374). An organism is different in all these respects: the parts of an organism produce one another through growth; the cause of an organism existence and organization is in nature itself rather than in some human artificer; if some parts of an organism are removed, it often will replace those parts by generating new ones, as a deciduous tree will grow new leaves each year; and a damaged organism will often repair itself, such as when an animal's body heals its wounds.

Given these evident differences between organisms and artifacts, the mechanistic variety of explanation suitable for the latter does not seem suitable for the former. Instead, in order to make sense of our experience of organisms, one is drawn to viewing them as naturally purposive, or as self-organized entities. A teleological principle allows us to do just this. Although "experience must prompt" one to adopt a teleological principle, the "universality and necessity" of its application to organisms suggest that this principle is not empirical but rather has its source in the reflective judgment of those who encounter organisms. Accordingly, Kant treats this principle as an a priori (albeit regulative) "maxim" that guides the work of those investigating

plants and animals, since "abandoning that teleological principle leave them without anything for guidance in the observing the kind of natural things that have once been thought teleologically, under the concept of natural purposes" (5:376). Here Kant claims that judging organisms as intrinsically and naturally purposive is not only permissible but necessary for the practice of biological investigation. Unlike inanimate objects, organisms seem inexplicable from a mechanistic point of view, and so we require a teleological point of view if we are to make sense of our experience of them. Yet teleological judgment is necessary only in those cases in which mechanistic explanation is insufficient. For example, one need not employ a teleological principle in order to account for the utility plants have for animals and animals have for humans (5:378), because such utility (e.g., as sources of food) can be explained in terms of merely relative purposiveness (e.g., that some plant simply happened to be available to some animal that eats it). Self-organized entities, on the other hand, can only be accounted for teleologically. As a matter of natural science, however, Kant holds that one must "abstract entirely from the question as to whether natural purposes are purposes *intentionally* or *unintentionally*," or whether some supernatural being is a designer of nature or bestower of natural purposiveness (5:382). To answer this question would be to overstep the bounds of natural science in order to speculate about metaphysical and theological issues. Instead, in pursuing biological investigation, one may only use teleological judgment in a reflective fashion "to compensate for the inadequacy" of mechanistic explanations of natural phenomena (5:383).[23]

[23] Initially, this seems to yield conflicting "maxims" for investigating nature: (1) "All production of material things and their forms must be judged to be possible in terms of merely mechanistic laws," and (2) "Some products of material nature cannot be judged to be possible in terms of merely mechanistic laws. (Judging them requires a quite different causal law—viz., that of final causes)" (5:387). Arguably, Kant resolves this "antinomy" of judgment by pointing out that these are regulative (rather than constitutive) principles, for they govern how human judgment is to be deployed in explaining natural objects but do not necessarily reflect how those objects operate in themselves nor how they are possible. Kant's solution to the antinomy involves pointing out that the teleological judgment humans are warranted in employing in the cases of organisms is always reflective. The conflict arises only when teleological judgment is mistaken to be determinative of the way natural objects are in themselves. When properly employed,

Normative Teleological Judgment

Treating an object as purposive implies viewing it as directed toward some end or telos, so we may ask what ends organisms are viewed as being directed toward. Kant provides some clues in the "First Introduction" to the *Critique of Judgment*. There he writes, "A teleological judgment compares [two] concept[s] of a natural product; it compares what [the product] is with what it *is* [*meant*] *to be*" (20:240). To judge a natural entity as purposive is to judge it as subject to what Hannah Ginsborg calls "normative laws, standards, or constraints."[24] In judging an actual natural entity to be purposive, according to Ginsborg, "we take it that there is a certain way it ought to be (or, equivalently, a certain way that it should be, or is meant to be, or is supposed to be)."[25] This normative conception of teleological judgment fits well with Kant's appeal to the distinction between an eye used for seeing and a stone used for building. The latter is not naturally purposive, because a stone is not "[meant] to serve for building," but an eye is naturally purposive, because

> I make the judgment that it *was* [*meant*] *to* be suitable for sight; and though its shape, the character of its parts and their combination is quite contingent for my power of judgment if [it] judges them in terms merely of mechanistic laws of

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teleological judgment is "a guide for reflection, which meanwhile continues to remain open to [the discovery of] any basis for a mechanistic explanation…" (5:389). Further, such teleological judgment is appropriate insofar as it serves "only as a guide for observing these things so as to become acquainted with their character, without presuming to investigate their first origin" (5:389-90). Finally, Kant's strategy for solving the antinomy is to point out both (1) that the mechanistic and teleological principles apply only to natural objects as appearances and (2) that both these principle could be unified in natural objects as things-in-themselves (5:413).

[24] Hannah Ginsborg, "Kant on Understanding Organisms as Natural Purposes," in *Kant and the Sciences*, ed. Eric Watkins (Oxford: Oxford University Press, 2001), 249. See also ———, "Kant on Aesthetic and Biological Purposiveness," in *Reclaiming the History of Ethics: Essays for John Rawls*, ed. Andrews Reath, Barbara Herman, and Christine Korsgaard (Cambridge: Cambridge University Press, 1997), 339-43.

[25] ———, "Kant on Understanding Organisms as Natural Purposes," 249.

> nature, yet I think a necessity in this form and structure of the eye: [the] necessity of being built a certain way, namely, in terms of a concept which precedes [the action of] the causes that build this organ, and without which (unlike in the case of that stone) no mechanistic law of nature will allow me to grasp the possibility of that natural product" (20:240).

The examples of the stone and the eye are examples of relative and intrinsic purposiveness, respectively. A stone can be purposive merely in the relative sense that it might happen to be (say) of a size and shape suitable for constructing a building, whereas an eye is intrinsically purposive. The difference is that the eye *as an eye* ought to be a specific way, whereas there is no specific way that a stone as a stone ought to be. In particular, an eye is (reflectively) judged according to a normative standard, namely to be an organ capable of sight. A stone, conversely, is not judged according to any such standard. If some stone happens to be unsuitable for building, it is not thereby a bad or malfunctioning stone. Kant takes the evident organization displayed by an organ ("its shape, the character of its parts and their combination") to indicate a "necessity… in terms of a concept." This concept implies some standard for an eye, and one to which actual eyes are supposed to answer.

It is plausible to think that we are able to make teleological judgments about organs and organisms only because we have standards for what such entities ought to be. Indeed, if we lacked such standards, we would not be able to judge some organs or organisms as defective.[26] We typically think that hearts unable to pump blood are defective or malfunctioning hearts. This judgment is well accounted for by the hypothesis that, when we make such a judgment, we are relying on some standard for what a heart is supposed to be. Since the normative standard for a

[26] Ibid., 253.

heart plausibly includes the capacity to pump blood, a heart incapable of doing so falls short of this standard, and thus one may judge it as failing to be what it ought to be. Likewise, one can judge a heart that pumps blood as excellent (at least in one respect) because it succeeds in meeting the relevant standard (at least in one respect). If, on the other hand, one lacked such a normative standard, one would have no basis for judging whether an actual heart was defective, excellent, or somewhere in between. In such a case, one would simply be ignorant of what hearts ought to be and hence would not be in a position to judge concerning them. Indeed, Ginsborg argues that the possibility of biological investigation depends on employing such a normative conception of organisms. This is because organisms are contingent in terms of mechanistic laws (i.e., organisms and their activities cannot be explained solely from physical laws), yet they display lawlike regularities. Aside from mechanistic explanation, the only other plausible option is to understand organisms according to normative law.[27] This fits with Kant's claim that the purposiveness of organisms is "necessary for human judgment in dealing with nature" because it is "impossible to derive the particular laws, as regards what is contingent in them [organisms], a priori from the universal ones" (5:404). As discussed above, this consideration leads Kant to argue that organisms must be accounted for via a teleological principle, since their contingency is not captured by a mechanistic explanation.[28]

[27] Ibid., 251-52. One might worry that there is some circularity involved here. However, Ginsborg seems to be taking it as an evident fact that biological investigation is possible, since there are actual cases of it. Her argument is not the following, fallacious line of reasoning: if biological investigation is to be possible, then organisms must be regarded as lawlike; organisms must be regarded as lawlike; therefore biological investigation is possible.

[28] Another option would be to deny that organisms need to be judged as lawlike at all. For example, one might claim that the apparent "lawlike regularities" of organisms are illusory and that organisms thus resist being judged according to laws, whether mechanistic or teleological. However, this approach would not account for the fact that, as a matter of commonsense, we often have no difficulty in identifying flourishing and defective organisms, whereas the normative-teleological approach provides an excellent account of this, namely that organisms are judged to be flourishing if they meet the normative standard appropriate to them and are judged to be defective if they do not meet that standard.

It is worth noting here that a normative account of teleological judgment plausibly pertains to plants and animals but not to non-organic entities.[29] In order to account for them, non-organic entities need not be judged according to standards of what they ought to be. For example, a stone can be fully accounted for by appealing to the geological processes that produced it. No normative standard is necessary. Nor is it plausible to attempt to account for non-organic entities according to normative standards. For example, there is no plausible normative standard corresponding to stones—no one is tempted to say that a jagged or brittle stone fails to be what it ought to be *as a stone*. We sometimes say that a stone is good or bad for some end (e.g., as material for a sculpture), but failing to be good for such an end does not render it a bad stone. Contrast this with a heart unable to pump blood, which we think fails to be a good heart. I suggest that, in making a teleological judgment, an organism's telos is equivalent to its normative standard, such that teleological judgment consists of reflectively viewing an organism as directed toward the normative standard appropriate to its kind. That normative standard is constituted by certain functions, which I will now argue constitute the flourishing of organisms of that kind.

A Framework for Judgments of Non-Human Flourishing

We are now in a position to sketch a Kantian framework for judgments regarding non-human flourishing, taking such judgments to be reflective, teleological, and normative. What I present here is a *framework* for judgments regarding non-human flourishing rather than a theory regarding the *content* of such flourishing. I suggest that the normative standard corresponding to

[29] One might think that micro-organisms should be judged teleologically. However, it may be that micro-organisms are simple enough that mechanistic explanations suffice for them. If so, then we are not warranted in viewing them teleologically, since a teleological principle may be used only to supplement the inadequacies of mechanistic explanations.

some kind of organism is constituted by functions that we may call "natural goods." An organism is flourishing to the extent that it possesses the natural goods included in the normative standard of its kind and defective to the extent that it lacks such natural goods.[30] Following the clues in the "First Introduction," a judgment regarding the flourishing of some organism consists of comparing that actual organism to its normative standard, which includes the relevant natural goods. Depending on how the actual organism compares to this standard, we may judge that organism to be flourishing or defective.[31] Since I am presenting a framework for judgments of non-human flourishing, I will not attempt to provide anything like a complete list of natural goods, nor will I identify what natural goods are necessary and/or sufficient for different kinds of organism to flourish. We may, however, note some general characteristics of natural goods.

I distinguish an organism's natural goods from extrinsic conditions that are merely conducive to an organism's flourishing. In order to flourish, a tree typically requires sunlight, water, and carbon dioxide, but these things do not *constitute* a tree's flourishing. Rather, certain functions of a plant (e.g., photosynthesis) or an animal (e.g., respiration) constitute its flourishing. Of course, if an organism was deprived of access to extrinsic conditions that are necessary for it to achieve its natural goods, that organism's flourishing likewise would be inhibited. One might say that certain extrinsic conditions are instrumentally *good for* an organism insofar as their presence promotes that organism's flourishing and their absence could

[30] It should be noted this conception of natural goods is quite different from Christine Korsgaard's conception of an animal's natural good, which I discussed in chapter two. On her account, an animal's natural good is an end that an animal desires, the achievement of which the animal finds pleasant and the absence of which the animal finds painful. Importantly, this end is good from the animal's perspective and not necessarily good *for* the animal, nor is this end necessarily judged as appropriate for the animal. On my normative-teleological account, conversely, a natural good is a function that an organism (whether plant or animal) ought to possess in accordance with its telos or normative standard. This does not ground natural goods in desires, because it does not conceive of natural goods as desired ends but rather as functions that are constitutive of an organism's flourishing.

[31] Of course, there might be borderline cases in which we are unsure whether some organism is flourishing or defective. It might also be the case that both flourishing and defectiveness come in degrees, such that one organism could be flourishing to a greater extent than some other organism of the same kind.

inhibit that organism's flourishing. However, such extrinsic conditions are not proper natural goods, because the latter are defined as those functions that are *constitutive* of an organism's flourishing. The distinction here is that natural goods are part of what it is for an organism to flourish (i.e., they are items included in the relevant normative standard), whereas certain extrinsic conditions provide environments or materials that are favorable to (but distinct from) that flourishing itself.

There is no doubt some vagueness involved in judging an organism to be flourishing or defective, particularly in a case in which it has most but not all of its natural goods or has some of its natural goods to an imperfect degree. A primatologist might judge that a gorilla with a mild infection does not perfectly exhibit the natural good of health, but it would be odd to say that the gorilla is on the whole defective, particularly if the infection is temporary. It is more plausible to view an organism's defectiveness and flourishing as two poles of a continuum. Presumably, many actual organisms will fall somewhere in between these two poles. The gorilla with a mild infection, while not flourishing optimally, seems much closer to the flourishing pole than the defectiveness pole. Perhaps these intuitions are best accounted for by taking flourishing to be a matter of degree. All else being equal, a gorilla with a mild infection is flourishing to a lesser extent than one free from infection, because the latter possesses the natural good of health to a greater degree.

This framework is consonant with an objective list theory of organisms' well-being, with the natural goods of some organism counting as objective features of their flourishing.[32] On this view, an organism's objective list is equivalent to its normative standard, since the natural goods constituting that standard just are the objective features that make up the organism's well-being or flourishing. This contrasts with a hedonistic conception of non-human flourishing, which

[32] See Peter Sondøe, "Quality of life - three competing views," *Ethical Theory and Moral Practice* 2, no. 1 (1999).

takes the well-being of organisms to consist solely of the experience of pleasure and the avoidance of pain.[33] On a hedonistic view, an organism's well-being is reducible to its experience of pleasure, where other functions of the organism are at best instrumentally valuable insofar as they produce pleasure or avoid pain. For a hedonist, nourishment would not itself be part of the flourishing of an animal, although acquiring nourishment might well cause an animal to experience pleasure and thus flourish to some degree. Conversely, an objective list theory counts certain functions as *constituents* of an organism's flourishing. This list might include the experience of pleasure in the case of some organisms (e.g., sentient animals), but it is not plausibly limited to pleasure alone. The normative standard appropriate to some organism will include various other functions, such as respiration, social interaction, nourishment, and so on. One reason to prefer an objective list approach over a hedonistic one is that the latter implausibly limits the scope of organisms capable of flourishing (e.g., to sentient animals). As a matter of commonsense and expert judgment, it seems that non-sentient animals and plant-life are capable of flourishing, and we render judgments to this effect on a regular basis. Such judgments are easily retained on an objective list account of well-being within the Kantian framework, because it takes natural goods to encompass much more than the experience of pleasure alone.

Now determining what particular natural goods belong on an organism's objective list might require empirical investigation, which is one reason why expert judgment is important for my account of non-human flourishing. Beginning from common sense judgments, experts can refine and improve our understanding of what it is for a particular kind of organism to flourish. I take an organism's natural goods to be those functions that, given sufficient time and resources, a relevant community of experts would come to agree constitute the flourishing of organisms of that kind. Expert judgment is coextensive with commonsense judgment, both of which I take to

[33] See Singer, "Not for Humans Only: The Place of Nonhumans in Environmental Issues."

rest on intuitions regarding the well-being of organisms. However, expert judgment is more reliable, because experts are better equipped (e.g., with knowledge, training, and experience) to understand what the presence or absence of various functions does for some kind of organism. Of course, like their commonsense counterparts, expert judgments sometimes need revision. This is why it is preferable to understand the normative standard for some kind of organism to be that on which expert judgment would converge long-term. This allows for improvement and modification of expert assessment, thus accounting for the fact that accepted normative standards might change over time.[34]

I began this chapter by noting two desiderata for a framework for judgments of non-human flourishing: (1) that it make such judgments determinate by explaining their structure and (2) that it specify the epistemic status of such judgments, including how revisions of them are to be conducted. The Kantian framework meets both requirements. As for (1), in judging an actual organism to be flourishing or defective, we compare it to a concept of what it ought to be. This latter concept is a normative standard for the relevant kind of organism, which standard is constituted by certain functions (natural goods). An actual organism is judged as flourishing insofar as it possesses the functions specified by its normative standard, and it is defective insofar as it lacks these functions. Such judgments are teleological, for they take it that actual organisms are purposively directed toward achieving their normative standards.

As for (2), judgments of non-human flourishing are subject to revision in two broad ways. First, one might alter one's judgment regarding whether some actual organism possesses the natural goods constituting its normative standard. For example, one might discover that

[34] A related question is whether and how normative standards change over time as organisms themselves evolve. First, we might hold that a given kind of organism's normative standard changes to accommodate such evolution, such that the natural goods of a future organism of this kind are non-identical to the natural goods of its ancestors. Alternatively, we might hold that since evolutionary processes produce new kinds of organism, such processes likewise produce new normative standards of flourishing corresponding to these new kinds of organism.

sugarcane previously judged to be flourishing is actually infected with yellow leaf virus, which is often asymptomatic.[35] This discovery could lead one to revise her previous judgment and instead hold that the plant lacks some natural good it was previously thought to possess. In this case, one alters one's concept of what some actual organism is, which might make a difference in terms of how well the actual organism compares to its normative standard. Second, one might alter one's judgment about what constitutes the normative standard for some kind of organism. For example, careful observations of ant colonies might make one aware of the complex social relationships that hold between individual ants.[36] This could lead one to revise the relevant normative standard, now taking certain social functions to be natural goods for ants, or at least for some kinds of them.[37] Of course, there are outstanding questions regarding this framework, such as *how* experts render warranted judgments regarding whether a given organism is flourishing or defective. Answering this question in detail would require a more comprehensive theory of non-human flourishing than I am able to provide here, a theory that would fix the specific natural goods that comprise the *content* of the normative standard for different kinds of organism.

In comparing some actual organism to a concept of what it ought to be, the latter concept cannot be "empty"—rather, this concept needs to be filled in with some content, since only then will we have a portrait comprising the natural goods of the kind of organism in question. We may ask what criteria fix this content, but answering this question is controversial. To borrow from Taylor's account of non-human flourishing, we could hold that the relevant criteria are

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[35] Ewald Komor, Abdelaleim ElSayed, and Axel Lehrer, "Sugarcane yellow leaf virus introduction and spread in Hawaiian sugarcane industry: Retrospective epidemiological study of an unnoticed, mostly asymptomatic plant disease," *European Journal of Plant Pathology* 127, no. 2 (2010).

[36] Bert Holldobler and Edward Wilson, *The Ants* (Belknap Press of Harvard University Press, 1990).

[37] This framework also can deal with judgments about the flourishing of manipulated organisms, such as those that have been genetically modified by human intervention. By studying individual modified organisms, biological investigators might decide that some set of organisms has been modified to such an extent that they now constitute a new kind of organism, the normative standard for which might differ from that of the pre-modified kind.

survival, reproduction, and adaptability.[38] Thus we might say that some function belongs to the normative standard of a given kind of organism if and only if that feature promotes the survival, reproduction, or adaptability of organisms of that kind. On this account, an organism's natural goods are all (and only) those features that serve its survival, reproduction, and adaptability. Alternatively, on Rosalind Hursthouse's account, a plant is judged to be flourishing (or defective) with respect to two ends: "(1) individual survival through the characteristic lifespan of such a member of such a species and (2) continuance of the species."[39] Depending on the species in question, evaluating animals might involve a more complex array of ends, where flourishing includes freedom from pain, enjoyment of pleasure, and/or "the good functioning of the social group."[40] Borrowing from this account, we might say that some feature belongs to the normative standard of a given kind of organism if and only if that feature promotes survival, continuance of the species, experience of pleasure, freedom from pain, or "the good functioning of the social group."[41]

It is beyond the scope of this book to develop and defend criteria that can be used to determine the specific natural goods of various kinds of organism. Instead, my goal has been to develop a *framework* for teleological judgments of non-human flourishing, one that avoids objectionable spookiness and incompatibility with Darwinism while still licensing robust teleological judgments. The Kantian framework is compatible with a wide range of accounts regarding the *content* of such flourishing. One virtue of the Kantian framework is that it allows us to preserve and ground teleological theories of the content of non-human flourishing, such as

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[38] Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 121-22.
[39] R. Hursthouse, *On Virtue Ethics* (OUP Oxford, 1999), 198.
[40] Ibid., 198-201.
[41] Importantly, the same set of criteria can identify different features as natural goods, depending on the kind of organism in question. For example, having a set of working gills would promote the survival of a fish but presumably not that of a chimpanzee. Accordingly, on a survival criterion, we would have reason to think that having a set of working gills is a natural good for a fish, but we would lack reason to think this would be a natural good for a chimpanzee.

the two just mentioned. Absent such a framework, serious doubts arise regarding whether some teleological theory falls prey to the spookiness objection or the incompatibility with Darwinism objection. Without such a framework, we also should wonder whether teleological judgments are warranted and of what they consist. While I remain agnostic on the question of the specific content of various organisms' normative standards, the Kantian framework is worth adopting because it shows how teleology (reflectively employed) is warranted, and it offers a plausible account of the structure of teleological judgments of flourishing. As I will not show, this framework also fares well against the two objections to teleology previously considered.[42]

Reconsidering Objections to Teleology

This Kantian framework of non-human flourishing is attractive because it allows us to retain and ground commonsense and expert judgments about the flourishing of organisms without making the controversial move of attributing teleological properties or relations to nature itself. Such judgments are worth retaining if it is possible to do so without incurring heavy costs, since it is difficult to see how we could make sense of our experience of organisms without sometimes taking them to be flourishing or defective, and it is likewise difficult to see how we could take organisms to be flourishing or defective without viewing them as tied to normative

[42] It might be asked why I am focusing on the natural goods (and flourishing) of individual organisms rather than of wholes, such as species. See Callicott, "Holistic Environmental Ethics and the Problem of Ecofascism."; Leopold, *A Sand County Almanac*. One reason is that it is unclear that an abstract entity, such as a species, can flourish in its own right, unless we understand that flourishing in terms of the flourishing of individual members of the species. Another reason is that the metaphysical status of species is a controversial matter. Some philosophers holds that species do not exist, despite the useful taxonomic function the notion of species might serve. See Marc Ereshefsky, "Species Pluralism and Anti-Realism," *Philosophy of Science* 65, no. 1 (1998).

standards toward which they are (teleologically) directed.[43] Let us reconsider the two objections to teleology discussed above.

First, the spookiness objection contends that teleological accounts of organisms should be rejected because they depend upon or entail metaphysically objectionable entities or phenomena, such as an intelligent designer or entelechies. It is clear, however, that *reflective* teleological judgment neither requires nor entails such entities or phenomena, since reflective judgment involves finding some principle to judge an object by analogy. Kant stresses that in taking an organism to be purposive, one must judge the production of the organism only by analogy to intentional design, and this reliance on analogy does not require one to posit some actual designer.[44] Indeed, according to Kant we should abstain from supposing some actual designer produced the organism in question. Similarly, judging organisms as flourishing or defective within the Kantian framework does not presuppose entelechies or final causes built into the natural world, since such judgments are reflective rather than determinative. Judgments of the latter kind would affirm teleology to be a feature of the natural world independent of our experience, and so determinative judgments would be vulnerable to the spookiness objection. Alternatively, Kantian teleology entails no suspect metaphysical commitments, because the teleological principles employed are used to view organisms *as if* they were purposively directed toward certain ends. Since this framework does not attribute teleological properties or relations to natural objects independently of the needs of our own judgment, it does not involve any additional metaphysical phenomena, spooky or otherwise.

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[43] The option of simply eliminating all judgments of this kind is unattractive, given that this would require major revisions in the ways we both speak of organisms and interact with them, such as when we claim that a browning houseplant is doing poorly and proceed to water it for that reason.

[44] One might insist that *any* appeal to a designer is spooky. However, it is difficult to see how a mere analogy could be spooky, much less objectionably so.

Second, the incompatibility objection contends that teleological accounts of organisms should be rejected because they are inconsistent with well-established Darwinian accounts. However, even assuming that Darwinism is incompatible with attributing teleological properties or relations to organisms via determinative judgment, an exclusively reflective deployment of teleology once again sidesteps this objection. While the Kantian teleologist is not necessarily committed to Darwinism, her commitments are compatible with it, since judging such entities as if they were teleological does not require one to *deny* that such entities are products of evolution by natural selection. Again, by refraining from claims of what organisms are in their own right, we can view organisms teleologically without rejecting the possibility that organisms are in themselves non-teleological. Now one might ask why we need reflective teleology at all if organisms and their operations are the result of a (mechanistic) history of natural selection. One reason is that, since we cannot fully explain organisms and their operations in mechanistic terms, human investigators need some further means by which to make sense of their experience of organisms. This need is met by a reflective use of teleological principles, particularly when it comes to accounting for whether some organism is flourishing. As we have seen, the features constituting some organism's flourishing seem distinct from the features that were naturally selected for in that organism's ancestors. Accordingly, it is plausible to view reflective teleological judgment as a needed supplement to mechanistic judgments of organisms.

Yet one might respond that our inability to account for organisms in purely mechanistic terms is simply a contingent fact reflecting our current ignorance. Perhaps it is in principle possible to explain plants and animals purely as products of mechanistic laws, contrary to what

Kant supposed.[45] One might hold both that mechanistic models already account for much of our experience of organisms and that future progress will render organisms fully explicable according to such models.[46] In that case, perhaps Kantian teleology is at best a stopgap measure, one that will be made obsolete by future progress in the biological sciences. However, even if mechanistic laws can explain various parts and operations of organisms, it is not obvious how such laws could explain what Zuckert calls the "dynamic unity of the diverse and contingent" in organisms, or the "special unity" whereby the various components and processes of organisms are unified into a single whole.[47] It is one thing to explain a particular operation of an organism (e.g., reproduction) on purely mechanistic grounds, but quite another to explain mechanistically how this process is united with other processes and material parts in such a way as to form the concordant whole that an organism evidently is. One possible response for the mechanist is to hold that this apparent unity of an organism is merely an illusion. While we might be tempted to think of an organism as a unified whole, perhaps it is nothing but a set of individual parts and operations, such that there is no wholeness that needs to be explained. A second option for the mechanist is to accept that an organism does display a genuine unity and then to find some plausible mechanistic explanation for that unity.[48]

But neither of these options is compelling. The first option is problematic because the unity of organisms is "their defining characteristic, and thus is precisely that which must be explained."[49] By assuming that the "special unity" of an organism is illusory, the mechanist declines to explain what needs to be explained and thus provides an unsatisfactory account. The

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[45] For a defense of the use of Kantian teleology in contemporary science, see Andreas Weber and Francisco J. Varela, "Life after Kant: Natural purposes and the autopoietic foundations of biological individuality," *Phenomenology and the Cognitive Sciences* 1, no. 2 (2002): 97-125.
[46] Paul Guyer, "Purpose in Nature: What is Living and What is Dead in Kant's Teleology?," in *Kant's System of Nature and Freedom: Selected Essays* (Oxford: Oxford University Press, 2005), 355-6.
[47] Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment*: 126.
[48] Ibid.
[49] Ibid.

unity of organisms is what distinguishes them from inanimate objects. One could divide a piece of limestone however one wishes, but the resulting pieces would not cease to be limestone—there is no "special unity" to the original object that must be maintained in order for it to remain itself. The same does not hold of an organism. If one extracts a small portion of a tree's trunk, the resulting piece is not itself a tree but rather a bit of wood, evidently because that piece lacks the unity of diverse parts and processes maintained in the tree. Hence, unless there is some compelling argument that the apparent unity of organisms is an illusion, that unity should be accounted for rather than dismissed. This leaves the second option for the mechanist, namely to explain organisms' unity via mechanistic laws. It is not clear whether such an explanation could be successful, since it would require explaining every process and part of an organism *and* their organization and unification. Perhaps such an account is possible, but that seems to be merely a "promissory note."[50]

But even if the mechanist can make good on this promissory note, Kantian teleology still offers valuable resources in making sense of our experience of organisms. At least from a practical point of view, teleological judgment seems necessary for human beings who seek to account for non-human organisms, since one often will be unable to bring satisfying mechanistic explanations to bear. [51] In observing the behavior of a bird pulling worms out of the ground with is beak, it is difficult not to view the bird teleologically. We are inclined to suppose that it is searching the grass in order to find food, as well as that it is searching for food in order to nourish itself or its offspring. Moreover, we take some bird's being nourished as part of its well-being, and we view malnourished birds as doing poorly. If it is in principle possible, a purely

[50] Guyer, "Purpose in Nature: What is Living and What is Dead in Kant's Teleology?," 356.
[51] Guyer notes "that the common and inescapable experience of organisms—the plants and animals on which we all depend every day of our lives—makes the teleological perspective natural and plausible to all normal human beings in a way that abstract philosophical considerations… never could." ———, "From Nature to Morality: Kant's New Argument in the 'Critique of Teleological Judgment'," 342.

mechanistic explanation of the bird's behavior must be extremely complex, for it needs to specify in terms of purely efficient causes how the many involved parts and operations of the bird interact so as to yield the observed activities. If we are to retain something resembling our commonsense judgments of organisms, we seem to need teleology at least as a heuristic, even assuming the controversial point that organisms in principle susceptible to a non-teleological explanation.[52] To be clear, I am not granting the point that mechanistic explanations of organisms are in principle possible. However, if this was true, the Kantian framework would still have a very useful role to play in making sense of our experiences of organisms.[53]

For these reasons, the Kantian framework straightforwardly avoids both the spookiness and incompatibility objections. While some naturalized accounts of teleology also survive these objections, the Kantian framework has significant advantages over them.[54] As noted above, it is unclear that a trait's being selected for is either necessary or sufficient for it to be a proper function. Alternatively, on the Kantian framework, a teleological principle is to be employed only if some phenomenon is inexplicable in mechanistic terms. Therefore, unlike with some naturalist accounts, the fact that clay crystals display features of natural selection does not force the Kantian to judge such crystals teleologically. Further, the Kantian framework seems more

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[52] By allowing that reflective teleological judgment might be practically necessary but not necessary in principle, the account of non-human flourishing I develop here is potentially attractive to those who reject Kant's transcendental idealism. While the "Critique of Teleological Judgment" is bound up with Kant's broader critical project, including his transcendental idealism, I have argued that teleological judgment would still be practically necessary in accounting for organisms even if Kant is mistaken that organisms are in principle mechanistically inexplicable for human inquirers. Thus, the framework for judgments of flourishing I offer does not depend on Kant's transcendental idealism, although it is compatible with it. What my account does depend upon is the notion that human investigators need to employ reflective, teleological judgment in order to make sense of our experience of organisms.

[53] Matthew Ratcliffe similarly suggests that teleology should be used only as a heuristic device, although he does not suggest that this approach could be used to ground judgments regarding non-human flourishing. See Matthew Ratcliffe, "The function of function," *Studies in History and Philosophy of Science Part C: Studies in History and Philosophy of Biological and Biomedical Sciences* 31, no. 1 (2000): 132.

[54] As Angela Breitenbach notes, Kantian teleology is not an instance of naturalized teleology. See Angela Breitenbach, "Teleology in Biology: A Kantian Perspective," *Kant Yearbook* (2009). Nonetheless, Kantian teleology does not depend upon non-natural phenomena.

promising than naturalized teleology when it comes to accounting for non-human flourishing. As discussed above, on the etiological account, proper functions are reduced to selected for traits. But some selected for traits (e.g., self-sacrifice) are not plausibly taken to be constituents of an organism's flourishing, so the etiological account is unlikely to provide a plausible basis for a non-human flourishing. Conversely, the Kantian framework avoids this problem while remaining compatible with Darwinism, because it can distinguish between selected for traits and those functions constitutive of flourishing. For example, the Kantian can allow that male self-sacrifice was naturally selected in some species of arachnid (e.g., due to its promotion of reproductive success) but also hold that self-sacrifice is contrary to the flourishing of individual spiders. One possible form this might take is accepting that natural selection explains many of the parts and operations of organisms while denying that selected for traits are necessarily proper functions—perhaps proper functions are all and only those features that earn a place in some organism's normative standard (i.e., perhaps some feature is a proper function if and only if it is a natural good). While I am not committing myself to this view, it does illustrate that the Kantian teleologist can distinguish natural goods from selected for traits without transgressing Darwinian commitments.

However, we should consider a new objection, one that may apply specifically to the Kantian version of teleology that I have presented:

> The Objection to Reflective Teleology: At a minimum, any account of non-human flourishing should establish that non-humans actually are capable of flourishing. But teleological accounts of organisms that are merely reflective do not establish that organisms are *actually* teleological. Thus, any account of non-human

> flourishing solely dependent upon reflective teleology will fail to establish that organisms are actually capable of flourishing. Accordingly, reflective teleological accounts of non-human flourishing should be rejected, because they fail to meet this minimum requirement.

Since the Kantian approach I have suggested here holds that we should not attribute teleological properties or relations to organisms as a matter of determinative judgment, one could contend that my approach fails to meet a necessary condition for being an adequate account of non-human flourishing. In short, the Kantian framework allegedly fails to show that organisms judged to be flourishing are *really* flourishing at all, since judgments of non-human flourishing are merely reflective.

There are plausible responses available to this objection. To begin with, it should be noted that my approach does not entail fictionalism about non-human flourishing. In making reflective teleological judgments regarding the natural goods of organisms, one is not pretending to believe something that one takes to be false.[55] My approach does not *deny* that non-humans may be teleological in their own right—rather, following Kant, we simply are not in a position to know whether or not organisms are in themselves teleological. Thus, a reflective teleological framework would not have us rendering judgments that we know to be false, for it might be the case that organisms are teleological in their own right, despite our inability to know this.

More importantly, it should be noted that teleological judgments are not merely optional on the Kantian approach—rather, they are at least *practically* necessary for making sense of our experience of organisms as flourishing and defective, including the experiences of relevant

[55] Nor is one working with an implicit fiction operator when one makes such judgments, as would be made explicit in the utterance, "Within the fiction of teleology, it is the case that the healthy penguin is flourishing."

experts investigating biological phenomena. Teleological judgments can be either determinative or reflective. Yet as we have seen, there are reasons to be skeptical of determinative teleological judgments regarding flourishing. Non-naturalized versions (e.g., Plantinga's) are subject to the spookiness objection and the incompatibility with Darwinism objection, whereas naturalized, etiological versions may license very implausible judgments (e.g., that self-sacrifice is constitutive of an organism's flourishing). Alternatively, reflective teleological judgments regarding flourishing are not prone to these difficulties. Accordingly, unless there are other problems with them, we have good reason to prefer such reflective judgments over determinatives ones. Moreover, if it is true that we *need* teleology in our judgments regarding organisms, then we should not simply abandon teleological judgment of organisms—rather, we should search for some framework that preserves the teleological judgments we need while averting the problematic features of other teleological frameworks. The Kantian framework does just this.

Now in developing a teleological account of non-human flourishing, perhaps it would be optimal to establish that organisms are capable of flourishing and being defective in their own right while also avoiding the problems often encountered by naturalized and non-naturalized teleology. However, there are good reasons to think this goal cannot be achieved. This would require making determinative teleological judgments, and it is difficult to see either how we would be warranted in doing so or how doing so would avoid common objections to teleology without yielding implausible results. Absent a framework that deals with these difficulties in a satisfying way, a reflective framework becomes very appealing. If we cannot help but view organisms teleologically, and if we are unwarranted in making determinative teleological judgments, then the best we can do is view organisms *as if* they were teleological. While this

does not fully deliver on the demand made by the objection, it does suggest that this demand cannot be satisfied. If we are to have a teleological account of non-human flourishing, the Kantian framework becomes very attractive.

Natural Goods and Environmental Ethics

Appeals to the goods or flourishing of non-humans is common among philosophers interested in animal ethics and environmental ethics, and such goods are often thought to be possessed by all living beings, including non-sentient ones.[56] On the framework I have offered, an organism's natural goods are all and only those functions that, given sufficient time and resources, a relevant community of experts would identify as belonging to the normative standard for the kind of organism in question. A competing, non-teleological approach is to employ a normalcy criterion of flourishing, where an organism's goods are taken to be equivalent to those features that are "normal" for its kind.[57] On one permutation of this criterion, normal features are fixed by statistical averages, which can be known through empirical investigation. One might hold, for example, that some species' normal features just are those characteristics displayed by most of its members. On this criterion, an abnormal organism would be defective, since it would lack the normal features supposed to be constitutive of its flourishing.

But this "majority rules" approach would seem to sanction very implausible judgments. Imagine an animal species in which, during a typical year, 60% of individual organisms experience protracted pain and eventual death due to starvation. This would be normal for the

[56] O'Neill, Holland, and Light, *Environmental Values*: 102.
[57] As is mentioned by John O'Neill, Alan Holland, and Andrew Light: "A living thing can be said to flourish if it develops those characteristics which are normal to the species to which it belongs in the normal conditions for that species." Ibid., 103.

species, whereas avoiding starvation would be abnormal. Relying on a normalcy criterion of flourishing, we seem forced to take the starving animals to be flourishing and the nourished animals not to be flourishing. This would be a quite implausible view. Rather, it seems that a normalcy criterion does not provide an adequate benchmark for the flourishing of organisms, because in cases like this it fails to track our considered judgments. Further, it is plausible to hold that some species fare better in novel conditions than they do in conditions that are normal for them. For example, an increase in atmospheric aerosols due to anthropogenic pollution might enhance photosynthesis in some plant species by causing higher levels of diffuse sunlight.[58] Such plants would be abnormal compared to their present day counterparts, but it would be implausible to suppose that, all else being equal, the abnormal plants are not flourishing to a greater degree.

The Kantian framework for non-human flourishing fares much better here. Judging some organism to be flourishing or defective involves a comparison of the actual organism to a normative standard of its kind, and this standard is not fixed by what happens to be normal for members of that kind. It is plausible to take the normative standard for a given kind of animal to include freedom from pain, so we may judge animals of that kind to be defective to the extent that they are experiencing protracted pain, even if they constitute a majority. This harmonizes with commonsense judgments, and we can reasonably expect expert judgments to converge on this as well. Moreover, the Kantian framework can account well for the view that some organisms flourish better in novel conditions than in their normal conditions, since natural goods are distinct from the extrinsic conditions that might promote or inhibit their achievement. The performance of photosynthesis is plausibly taken to be a natural good for plants. This allows one

[58] Lina M. Mercado et al., "Impact of changes in diffuse radiation on the global land carbon sink," *Nature* 458, no. 7241 (2009).

to judge that a plant with enhanced photosynthesis thanks to higher levels of diffuse sunlight is flourishing more than other members of its kind, even when the former resides in abnormal conditions compared to its counterparts.

The Kantian framework has these advantages because it is teleological, tying flourishing to features that some kind of organism ought to have rather than to features that actual organisms happen to possess. This framework also has advantages over other teleological accounts of non-human flourishing. As we have seen, Taylor holds that any living entity is a "teleological center of life," meaning that its functioning is directed toward the goals of survival, reproduction, and adaptability to changing conditions. Taylor adds, "It is the coherence and unity of these functions of an organism, all directed toward the realization of its good, that make it one teleological center of activity."[59] This account avoids the problems that beset a normalcy criterion, for it makes no appeal to what is normal for actual members of some species, and its recognition of adaptability accommodates the possibility that organisms might flourish in novel conditions. Nonetheless, there are two other potential problems with Taylor's view.

First, it remains indeterminate what counts as an organism's good. Taylor mentions that an organism's goals of survival, reproduction, and adaptability are themselves "directed toward the realization of its good."[60] It is open to interpretation whether Taylor means that these goals are constitutive of an organism's flourishing or whether they are only instrumental to an organism's flourishing. If the latter, then Taylor's account is incomplete, since it does not specify what the other constituents of flourishing are. If the former, it is unclear whether or not these goals exhaustively constitute an organism's well-being. Is a living entity guaranteed to be flourishing simply if it is able to survive, reproduce, and adapt? This would have some

[59] Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 121-22.
[60] Ibid.

implausible implications. For example, is the function or activity of playing not constitutive of a bonobo's flourishing simply because play is distinct from survival, reproduction, and adaptability?[61] Conversely, if the goals of survival, reproduction, and adaptation are not constitutive of flourishing but only instrumental for achieving it, then it is remains unclear what actually constitutes an organism's good. On the Kantian framework, an organism is flourishing insofar as it possesses the functions contained in the normative standard converged upon by expert judgment.

Second, Taylor's account lacks a justification for attributing teleological purposiveness to natural entities. He seems to be making a determinative judgment about what organisms are in themselves, taking purposiveness to be a constitutive principle and thus attributing teleological properties or relations to the natural world, which runs into difficulties due to the spookiness and incompatibility with Darwinism objections. Taylor does not explain how teleological attributions avoid involving metaphysically bizarre phenomena, nor does he say whether and how teleological purposiveness in organisms is consistent with the view that organisms are the result of natural selection. Of course, it would be open to a proponent of this view to accept some naturalized version of teleology that might be both non-spooky and compatible with Darwinism, but we have already seen reasons to doubt that naturalized teleology can offer a compelling account of judgments regarding non-human flourishing.[62] All else being equal, we have good reason to prefer an account of non-human flourishing that avoids these two broad problems, which the Kantian framework does thanks to its reliance on reflective judgment.

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[61] It is open to Taylor to hold that play is instrumentally good for bonobos insofar as it might promote one of the three goals specified, but it might be plausible to hold the stronger view that play is constitutive of bonobo flourishing.

[62] Taylor's position also seems to be in tension with his own claim that his "biocentric outlook," which includes the tenet that organisms are teleological centers of life, is consistent with empirical knowledge. It is at least unclear how teleology and empirical knowledge are compatible here, since the empirical knowledge provided by the biological sciences consists of mechanistic explanations for many organic operations, such as growth and reproduction. Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 99-100, 58-59.

While I have argued that human investigators must reflectively judge non-human organisms to have natural goods and to be capable of flourishing, it does not automatically follow from this that non-human organisms have moral standing, or that they deserve moral consideration from moral agents. While our teleological judgments about organisms are normative, they are not *morally* normative. That is, such judgments concern what an organism ought to be given the relevant normative standard, but they concern neither how moral agents ought to value organisms nor how moral agents ought to act regarding them. Conversely, some environmental ethicists seem to treat having goods as sufficient for an entity to deserve moral consideration from moral agents. On such a view, the mere fact that some entity can flourish is by itself enough to establish that moral agents have direct moral obligations to that entity.[63] However, it is unclear that the fact that an entity has a good of its own is by itself a sufficient condition for that entity to have moral standing. It is at least coherent to admit that some entity is capable of flourishing while also denying that this entity is deserving of moral consideration. The fact that there is nothing incoherent about this stance suggests that it is at least not a conceptual truth that having a good of one's own is sufficient for something to deserve moral consideration. In other words, there is nothing about the concept of capacity for flourishing that entails moral standing on the part of entities with that capacity.

Of course, one could claim that it is nonetheless true (albeit not conceptually) that the class of entities capable of flourishing is equivalent to the class of entities with moral standing. But if this is the case, the connection needs to be made via some further argument. As we have seen, however, taking non-humans to have moral standing is beset by serious problems. We are better off viewing our obligations vis-à-vis non-human nature to be indirect duties. As I argued

[63] For example, Robin Attfield writes that "moral standing or considerability belongs to whatever has a good of its own, and that… this class is comprised by individual living organisms…" See Attfield, *A Theory of Value and Obligation*: 21-22.

in chapter three, we are morally prohibited from causing unnecessary harm to non-human organisms, and we have excellent moral reason both to benefit them and to value their flourishing for its own sake. The Kantian framework for non-human flourishing allows us to fill in these claims. Because plants and animals must be reflectively judged as purposively directed toward achievement of their respective normative standards, we likewise should view them as susceptible to being harmed or benefited through inhibition or promotion of their natural goods, respectively. This framework also affords us a plausible and non-arbitrary way to distinguish between natural entities capable of being harmed and benefited and those not so capable. The former class encompasses all and only those natural entities we must judge teleologically, namely organisms.[64] The latter class encompasses all and only those natural entities that we need not judge teleologically, including non-living entities. Accordingly, our interactions with organisms carry a special moral salience, since harmful or beneficial actions are intimately tied to the vices or virtues that we harbor as moral beings, a matter to which I turn in the next chapter.

[64] Again, arguably we should micro-organisms from this class, since their simplicity makes it plausible to suppose that mechanistic explanation is adequate in their case, and we are not warranted in viewing something teleologically if we can explain it mechanistically. For a different reason, we also should exclude wholes (e.g., species as such) from this class. First, it is unclear that wholes exist—for example, the species *Gorilla gorilla* is arguably a taxonomical artifact rather than a natural kind. Second, even if wholes do exist, it is unclear that we are warranted in viewing them teleologically, because it is not clear that we must take them to be purposively directed toward certain ends.

Chapter Five: A Kantian Environmental Virtue Ethic

In chapter three, I argued for an interpretation of Kant's *Doctrine of Virtue* that treats cruelty to animals and wanton destruction of flora as violations of one's duty to increase her own moral perfection, since these actions damage one's moral perfection by mitigating virtues or developing vices, specifically because they cause unnecessary harm to those organisms. Moreover, actions that benefit non-human organisms enhance one's moral perfection by cultivating virtues, and thus such actions contribute to a fulfillment of the duty to moral perfection. This is why it was important in chapter four to provide an account of what it is to harm and benefit non-human organisms. Animals and plants must be reflectively judged as naturally purposive, which involves taking them to have natural goods that can be promoted or inhibited. It is because animals and plants can be harmed or benefited through inhibition or promotion of their natural goods that actions regarding them have a special degree of moral salience, since harmful or beneficial actions are closely tied to the virtuous or vicious dispositions we possess.

With these accounts of duties regarding non-human organisms and of the natural goods of non-human organisms, I finally can present a framework for a Kantian environmental ethic. This is a virtue-oriented environmental ethic, or one that takes our interactions and attitudes with non-human nature to be morally governed by considerations of virtue and vice. Central commitments of this approach include both that we are morally prohibited from treating non-humans in ways that either erode virtue or develop vice and that we have excellent moral reasons to treat non-humans in ways that enhance virtue. The former commitment entails that it is morally wrong to cause unnecessary harm to non-human organisms. The latter commitment

entails that we have excellent moral reason to benefit non-human organisms and to value their flourishing. As I will show, these commitments generate a robust environmental ethic, one that both recognizes strong moral checks on what actions are environmentally permissible while also providing moral agents good reason to promote the flourishing of organisms.

Of course, many questions remain to be addressed. What counts as *unnecessary* harm to organisms? What reason is there to believe that some dispositions regarding nature are *genuinely* virtuous or vicious? What distinguishes environmental virtue or vice from virtue or vice more generally? And does the Kantian environmental virtue ethic survive common objections to environmental virtue ethics?[1] Addressing these questions will both fill in the content of the Kantian environmental ethic and show that it is an attractive option.

Distinguishing Necessary from Unnecessary Harm

The Kantian environmental ethic prohibits all actions that cause unnecessary harm to organisms, where causing harm is taken to be interfering with the realization of an organism's natural goods. The proviso of "unnecessary" is important here. The position I defend does not prohibit all harm to organisms *simpliciter*. Such a position would be untenable since many actions that are essential to human life cause some harm for non-human organisms, such as converting some animal habitat for agricultural use, harvesting timber for building materials, and using plants for food. It is virtually impossible for human beings to live such that they cause no harm whatsoever to organisms. Intuitively, there are cases in which harm to organisms is unavoidable and thus morally permissible.

But what counts as unnecessary harm? Without a clear answer to this question, it might often be indeterminate whether or not a particular action that harms an organism is permissible.

[1] For a broad range of work on environmental virtue and vice, see Cafaro and Sandler, *Environmental Virtue Ethics*.

If the Kantian approach I have developed is to offer adequate guidance for action, one must know what distinguishes permissible from impermissible harm, such that one can recognize and avoid causing the latter. Here I defend the view that an action causing harm to a non-human organism is morally permissible only if (1) that action does not violate any of one's various duties aside from the duty to moral perfection, (2) the end of that action could not be achieved by harmless means, (3) the end of that action could not be achieved by less harmful means, and (4) the end of that action is not trivial (see figure 5.1 below).[2] But in order to be helpful, we must become clear on what counts as unnecessary harm.

First, an action causes unnecessary harm to organisms if the end of that action could have been achieved by other means that do not cause harm to organisms. Suppose that one's end is the enjoyment of some recreational activity in a wilderness setting and that either hunting game for sport or hiking would achieve this end equally well. The harm of sport hunting in this case counts as unnecessary harm because one's end could be just as well achieved by an activity that causes no harm to non-human organisms. If one nonetheless chooses to hunt, one engages in an optional activity that causes harm. Accordingly, one way of determining whether an action causes unnecessary harm to organisms is to determine whether the end of that action could be achieved instead by harmless means.

Unfortunately, it is often not the case that harmless actions are available for achieving some end. Suppose that one's end is to acquire suitable nourishment. This often requires killing and consuming organisms, which clearly involve inhibiting their natural goods. At least given current food technologies, it is not typically feasible for a human being to acquire suitable

[2] While (2) already is entailed by (3), it is helpful for purposes of discussion to distinguish them here.

nourishment without causing some harm to plant-life or animals.[3] When all feasible actions involve harm to organisms, a plausible principle is that we ought to adopt that course of action which achieves one's end while causing the least possible harm to organisms.[4] By following this principle, one causes only as much harm as is necessary in order to achieve her end, thus avoiding needless harm to organisms. Assuming that this action does not violate some other duty that one has, and assuming that the end of this action is not trivial (see below), such an action is morally permissible because it does not cause unnecessary harm.[5]

Relying on this principle to the case just mentioned, one should act to acquire nourishment in such a way that one minimizes harm to non-human organisms, since additional harm is not necessary for achieving her end. This implies that, if possible, one ought not to support agricultural practices that cause excessive harm to organisms, which would seem to proscribe reliance on factory farming practices in which animals suffer from severe over-crowding and painful procedures, such as the debeaking in the case of chickens.[6] Further, it seems that one ought to minimize or, if possible, eliminate one's reliance on animal products, such as meat and dairy items. This is because the production of such items, even outside factory farms, often relies on practices that clearly inhibit the natural goods of animals: confinement,

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[3] I am assuming that it is not feasible (at least for a large number of humans) to follow a kind of fruitarian diet that averts killing or otherwise harming plant-life while also meeting all our nutritional needs.

[4] One might object that this principle has an implausible implication, namely that minimizing harm to organisms could in some cases be too demanding by requiring one to impose excessive burdens on oneself. There are various replies to make to this objection. First, the mere fact that some moral principle is demanding is not by itself a convincing objection—it might well be the case that morality is more demanding than we typically suppose. Second, although the duty to moral perfection does not have a lesser deontic status than other duties, it must be remembered that the principle of minimizing harm is constrained by the various other duties one has, such as respecting persons and promoting their happiness. Hence, one is not obligated (indeed, one ought not) to minimize harm to organisms if doing so involves violating one of these other duties.

[5] In assessing the plausibility of this, it is important to consider what is actually harmful to non-human organisms and what is not. For example, from my claim that one ought to minimize harm to non-human organisms in acting for some end, it does not follow that one may not step on grass in walking between two points. This is because such an action is not plausibly taken as harmful to the grass, since merely stepping on it is not plausibly taken to inhibit any natural good of the grass, such as its health or physical integrity.

[6] See Peter Singer and Jim Mason, *The Ethics of What We Eat: Why Our Food Choices Matter* (Emmaus: Rodale, 2006), 40.

pain, and premature death. If one is able to adopt a vegan diet but persists in consuming animal products, then one makes a causal contribution (e.g., by purchasing such products) to a process that causes needless harm to non-human animals. By adopting a healthy plant-based diet, one could achieve one's end by less harmful means, and so on the Kantian environmental virtue ethic one is obligated to adopt a vegan diet if one is able.

Of course, a vegan diet typically inhibits the natural goods of plant-life, and thus one might ask why it is on balance less harmful than a diet based on animal products. One answer is that the latter results in the destruction of—and hence harm to—many more organisms than does a plant-based diet. This is because livestock typically are fed vast amounts of grain in order to be raised and maintained in the course of providing meat, eggs, and dairy products, thereby harming many plants in the process.[7] This is not only an inefficient way to produce food, but it also means that more organisms are harmed in order to support an animal-based diet than a plant-based diet. Thus, we can reasonably expect to cause less total harm if we consume plants directly than if we consume meat or other products from animals that are fed plants. This means that, if able, one ought to rely on a vegan diet, because a diet of meat or animal products results in unnecessary harm to organisms.

The proviso of "if able" is an important one. It might be the case that one's economic, dietary, or geographical circumstances put severe limits on the degree to which one is able to minimize the harm caused to organisms while still achieving the end of acquiring suitable nourishment. Humans who suffer from absolute poverty might be unable to afford a nutritious vegan diet. In such a case, eating animal products might not inflict unnecessary harm on organisms, since some diet consisting of animal products might be the least harmful means available to achieving this end. Given possibilities like this, I do not defend a prohibition on any

[7] For a similar point, see Singer, *Animal Liberation*: 236.

particular activity that is harmful to organisms, but rather a prohibition on causing *unnecessary* harm to organisms. What actions count as necessarily or unnecessarily harmful depends in part on various facts regarding one's circumstances.

Finally, an action causes unnecessary harm to an organism if the end of that action is trivial. I suggest that an agent's end is trivial if it is not necessary for survival or some important aspect of some person's or organism's flourishing. Acting for the sake of some whimsical preference, for example, is an action whose end is trivial. Satisfying one's preference in this case is neither necessary for survival nor is it plausibly taken to contribute to an important aspect of one's flourishing.[8] There is nothing necessarily wrong with acting for the sake of trivial ends—such actions need not violate any moral duty. However, if acting for the sake of a trivial end involves causing harm to organisms, it is plausible to view that harm as unnecessary, since it is not justified by some important end. If so, then such an action is morally impermissible on the Kantian environmental virtue ethic. Some of the ends of human beings are non-trivial, such as nourishment, access to shelter, interpersonal relationships, happiness, and so on. Achieving such ends sometimes involves causing harm to non-human organisms, such as in acquiring food or building materials. Such harm is morally permissible if it is required in order for humans to survive and flourish. Other ends of human beings, however, are trivial. Imagine someone who removes the limbs of a tree solely because he dislikes the shape of its leaves. This person inhibits the natural goods of the tree in pursuit of an end that is trifling, for that end is not plausibly taken

[8] Whatever the best account of human flourishing might be (e.g., objective list, hedonistic, or preference-satisfaction theories), a matter on which I remain agnostic here, it could differ markedly from the account of *non-human* flourishing I offered in chapter four. At any rate, I am not assuming that the flourishing of humans consists solely of the achievement of their natural goods. Particular ends might be trivial because they are not on a plausible objective list of human goods, but particular ends alternatively might be trivial because they do not contribute significantly to one's pleasure or to the satisfaction of one's preferences. For a discussion of these three theories of well-being, see Derek Parfit, *Reasons and persons* (Oxford University Press, 1986), 493-502; Sondøe, "Quality of life - three competing views."; Roger Crisp, "Hedonism Reconsidered," *Philosophy and Phenomenological Research* 73, no. 3 (2006).

to be either necessary for survival or constitutive of anyone's flourishing. Here the agent values an unimportant end above the flourishing of the affected organism, and for that reason the harm caused is plausibly taken to be unnecessary, and so that action is impermissible.[9]

What counts as a trivial or non-trivial end might not be completely clear cut, of course. There may be cases of vagueness in which reasonable, sincere, and informed persons disagree as to whether or not some end is trivial. Consequently, these persons could likewise disagree on whether some action that harms non-human organisms is morally permissible. Whether or not there is a determinate fact of the matter regarding who is correct in such cases, a certain amount of vagueness might be an ineliminable feature of moral life.[10] Yet in many cases this matter is reasonably clear. Trivial ends plausibly include satisfying momentary whims and achieving goals that are by one's own judgment unimportant. Non-trivial ends plausibly include survival, having meaningful interpersonal relationships, and health. In such clear cut cases, a momentary whim or goal taken to be unimportant does not justify harm to non-human organisms, whereas any of the non-trivial ends mentioned could justify such harm, provided that the end could not be achieved by harmless or less harmful means, and provided that the action does not violate some other duty. Importantly, a non-trivial end need be in service to oneself, since one might act to promote the survival or flourishing of other persons or other organisms. For this reason, harming one

[9] While I have focused so far on the wrongfulness of causing harm to non-human organisms under certain conditions, it might be asked whether it also can be wrong to *allow* them to be harmed. On my account, the duty to moral perfection does not strictly prescribe that one actively benefit non-humans, although doing so is one way (often among many) to increase one's moral perfection. However, this duty does proscribe courses of action that decrease one's moral perfection. Thus, if some case of allowing a non-human to be harmed involves a mitigation of one's moral perfection, then allowing that harm to occur is wrong. Imagine a person who encounters a lost and injured dog in one's neighborhood, but neither helps the animal nor alerts someone else who can help it. Even though this person did not cause the dog to be harmed, allowing it to suffer arguably involves a mitigation of one's virtue and hence a reduction in one's moral perfection. So it seems that allowing harm to occur to non-humans can be morally wrong, provided that doing so involves a decrease in one's moral perfection.

[10] See Rosalind Hursthouse, "Normative Virtue Ethics," *How Should One Live?* 1, no. 9 (1998): 19-37.

organism to benefit another might be permissible, such as in causing slight harm to the former in order to secure the survival of the latter.

Now one might object that my account of non-triviality and permissible harm is implausibly lax in some respects and implausibly demanding in others. Specifically, one might worry that my account permits too much harm to non-humans in cases in which one has some non-trivial end, and one might also worry that my account implausibly prohibits very minor harm to non-humans in cases in which one has some trivial end. The former concern can be assuaged if we remember that factors other than non-triviality are relevant for whether an action is permissible, such as whether the action violates some duty other than the duty to moral perfection and whether some less harmful action is available for achieving the end in question. On my account, it is certainly not the case that any action harming non-human organisms is automatically permissible if it is in the service of a non-trivial end. Even granting this, however, one might still worry that there will be cases in which the least harmful action for the sake of some non-trivial end causes harm to non-human organisms that is so substantial that it is counter-intuitive to hold that such an action is permissible.

Yet this worry can be allayed by viewing the non-triviality criterion as relative to the amount of harm caused rather than as an absolute criterion. That is, one and the same end might count as trivial with respect to some actions but not to others, depending on how harmful the respective actions are and how important the end is in some context. For example, the end of enjoying a gourmet meal might be non-trivial if it involves little harm but trivial if it involves substantial harm.[11] Imagine a case in which an action for the sake of the end of enjoying a gourmet meal causes harm to non-human organisms, does not violate some duty other than the

[11] For the sake of this illustration, suppose in each case that the least harmful means available in that scenario is chosen.

duty to moral perfection, and is the least harmful means available for achieving that end. Whether the action is permissible depends on whether the end is trivial, and this depends on a consideration of both the amount of harm caused by the action and the importance of the end in question. If enjoying a gourmet meal in some case can come only at the cost of causing massive harm to non-human organisms, then I hold that the end is in this case trivial and thus that the action is impermissible. Alternatively, if the action causes only minor harm to non-humans, then the end may be non-trivial, in which case the action would be permissible. By understanding the triviality criterion in this non-absolute sense, my account can avoid being too demanding. Further, my account avoids being too lax, such as by permitting massive harm to non-humans for the sake of absolutely non-trivial ends. Again, whether some end is non-trivial is partly determined by how harmful its corresponding action is. If in some context enjoying a gourmet meal would require extensive harm to organisms, that end would become (relatively) trivial.[12]

The foregoing concerns what counts as morally impermissible *action* with respect to non-human organisms, but we should not forget that this is grounded in consideration of virtuous dispositions. As we saw in chapter three, actions that cause unnecessary harm are impermissible because they involve virtue-erosion or vice-formation. The Kantian environmental ethic is grounded in the commitments that there are genuine environmental virtues constitutive of our moral perfection and that there are genuine environmental vices inconsistent with our moral perfection. I turn now to a consideration of environmental virtuous and vicious dispositions.

[12] Of course, introducing a relative conception of triviality may invite yet more disagreement about what ends are trivial or non-trivial in various cases. However, in practice, it might be rare that this difficult matter needs to be settled, as it may often be obvious that, even taking into account their relative importance, some ends (e.g., those based on whims) are trivial while others (e.g., those necessary for survival or flourishing) are non-trivial. Moreover, in cases where this is not obvious, the permissibility or impermissibility of some action often will hinge on other considerations, such as whether some less harmful action is available for achieving the end.

Environmental Virtue and the Last Person Argument

As we saw in chapter one, Richard Routley argues that a radically new, environmental ethic is needed to ground intuitions that the last person on Earth would act wrongly in destroying the biosphere. This is because Routley holds that traditional ethics are committed to human chauvinism, and thus the last person would not act wrongly by the lights of such ethics.[13] However, it does not seem correct that all traditional ethics would deem such actions permissible. For example, John O'Neill suggests that an Aristotelian virtue ethic can provide a framework by which the last person's actions are impermissible.[14] The thought here is that every human being has a duty to cultivate the moral and intellectual virtues that constitute a flourishing life, and this might involve letting non-humans flourish as well as valuing their flourishing for its own sake. Wantonly destroying non-human natural entities is contrary to this end, and so the last person's actions are impermissible. As an analogue to this, O'Neill suggests Aristotle's account of friendship.[15] A flourishing human life partly consists of valuing others for their own sake and not merely as means to one's own satisfaction. A relationship in which one does not value another for her own sake is not a case of genuine friendship. Someone who lacks genuine friends would be missing an important component of a flourishing life. Analogously, someone who fails to value non-humans for their own sake is arguably lacking an important component of a flourishing life.[16]

It is not clear whether O'Neill's account provides a compelling counter-example to Routley's claim that the last person scenario demonstrates the need for a radically new kind of

[13] Sylvan, "Is There a Need for a New, an Environmental Ethic?."
[14] O'Neill writes, "The flourishing of many other living things ought to be promoted because they are constitutive of our own flourishing. […] It is compatible with an Aristotelian ethic that we value items in the natural world for their own sake, not simply as an external means to our own satisfaction." O'Neill, "The Varieties of Intrinsic Value," 132.
[15] Aristotle and T. Irwin, *Nicomachean ethics* (Hackett Pub. Co., 1999), 119-53.
[16] O'Neill notes: "the last man's act of vandalism reveals the man to be leading an existence below that which is best for a human being, for it exhibits a failure to recognize the goods of non-humans." O'Neill, "The Varieties of Intrinsic Value," 133.

ethic. Perhaps concern for non-human nature can be grounded in a traditional virtue ethic roughly along the lines of that defended by Aristotle. Yet we may ask whether valuing non-human nature for its own sake is required by traditionally recognized virtues or whether it is required by new, distinctively environmental virtues.[17] If the former, then we could maintain that an Aristotelian environmental ethic is not a radically new kind of ethic but rather an application of a traditional virtue ethic to environmental issues. Here one might rely on an Aristotelian catalogue of the virtues and vices, showing that certain actions and attitudes regarding non-human nature involve virtue while others involve vice. The unique feature of this approach would be to stress that—contrary to what we might expect—how one treats or views nature partly determines the virtues or vices that one possesses, which in turn partly determine whether one is leading a flourishing life. If all this goes through, we would have a traditional ethic that is capable of accounting for the wrongness of the last person's actions, and so we would have a reason to reject Routley's claim that a radically new, environmental ethic is needed. But perhaps it is the case that traditionally recognized virtues and vices do not have much relevance in the last person scenario, such that an Aristotelian ethic proscribes the last person's actions only if it brings in new, distinctively environmental virtues not typically recognized by Aristotelians. Perhaps such an ethic would count as an example of the new, environmental ethic called for by Routley, for this ethic would involve identifying new dispositions as virtuous.

For these reasons, an adequate defense of an environmental virtue ethic must show not only (1) *that* some actions or attitudes regarding non-human nature are genuinely virtuous or vicious—it must also (2) clarify which virtues and vices are involved in relevant actions or attitudes regarding non-human nature, in particular specifying whether these are traditional or

[17] O'Neill says that his account of an Aristotelian environmental ethic is only "a promissory note" and that his approach still "requires detailed defence." Ibid.

new virtues and vices. An account of an environmental virtue ethic that does not address these issues would be significantly incomplete for two reasons. First, environmental virtue ethics rely fundamentally on the claim that there are genuine virtues and vices vis-à-vis nature, but it is not immediately obvious that this view is true. If this is not true, then environmental virtue ethics are in trouble, since they crucially depend on this view. Second, it is a controversial matter whether or not environmental virtues and vices are reducible to certain non-environmental virtues and vices. Failure to settle this issue may leave it unclear what dispositions an environmental virtue ethic directs us to cultivate. Thus, I treat (1) and (2) as tasks to be completed, given that they pose important but difficult questions about the possibility and character of an environmental virtue ethic.

Task (1): Establishing Genuine Environmental Virtues

Thomas Hill argues that what I refer to as the first task is not accomplished by environmental virtue ethicists. He contends that certain attitudes regarding non-sentient nature, although providing a "natural basis" for virtue, are not themselves genuine virtues.[18] While one should generally seek to promote attitudes such as cherishing non-sentient nature for its own sake, there is nothing necessarily vicious about lacking such an attitude, such as by being indifferent with regard to non-sentient entities.[19] Indifference to non-sentient nature "is likely to reflect either ignorance, a self-importance, or a lack of self-acceptance that we must overcome to have [the virtue of] proper humility."[20] One way these virtue-mitigating traits are likely to be

[18] Hill brackets consideration of sentient non-human nature, such as mammals and birds.
[19] Hill writes that "although indifference to nonsentient nature does not *necessarily* reflect the absence of virtues, it often signals the absence of certain traits that we want to encourage because they are, in most cases, a natural basis for the development of certain virtues." Hill, "Ideals of Human Excellence and Preserving Natural Environments," 51.
[20] Ibid., 56.

developed is through indifference to non-sentient nature. Conversely, one who does cherish non-sentient nature, all else being equal, is less likely to develop the traits of ignorance, self-importance, and a lack of self-acceptance. Thus there is often a contingent connection between cherishing non-sentient nature and possessing virtue. We might for this reason take cherishing non-sentient nature to be propaedeutic to virtue, since this attitude is not properly a virtue but can help us develop proper virtue.

Environmental virtue ethicists need to explain why, contra Hill, certain dispositions regarding nature are themselves genuinely virtuous rather than merely propaedeutic to virtue. This is because virtue-oriented approaches to environmental ethics depend on the claims that there are genuine environmental virtues (or vices) and that certain actions or stances vis-à-vis non-human nature are themselves genuinely virtuous (or vicious). If Hill's account goes through, then these claims are mistaken, presumably a fatal result for environmental virtue ethics. Two clear approaches are available for in pursuing this task. First, one might question Hill's claim that there is nothing necessarily vicious about indifference toward non-sentient nature. Obviously, this would need to include an argument that such indifference is indeed vicious in its own right. Second, one might grant that indifference toward nature is not a genuine vice but argue that there are nonetheless genuine virtues regarding non-sentient nature. Unless some disposition counts as a genuine virtue only if its absence would entail a genuine vice, it is open to the environmental virtue ethicist to argue that cherishing non-sentient nature is genuinely virtuous even if indifference toward non-sentient nature is not necessarily vicious.[21] While only one of these two approaches need be successful in order to establish that there are genuine environmental virtues, I will suggests routes for pursuing both.

[21] This is compatible with the view that other dispositions regarding nature, such as malevolence, may be genuinely vicious.

The first approach must show that indifference toward non-sentient nature is a genuine vice. This view gains some plausibility if we consider that such indifference is very likely to involve harm to non-sentient nature. If I do not care either way whether my actions harm or benefit (say) non-sentient organisms, then the recognized fact that some action would be harmful to a non-sentient organism provides me no motivation whatsoever to reconsider performing that action. We may reasonably expect that this indifference often will lead to harm, since avoiding or reducing harm to non-sentient organisms is often inconvenient. Imagine that one could avoid harm to a stand of trees on a lot of land by building a house on a different but slightly more expensive lot. All else being equal, one will not be motivated to pay the extra cost if he is indifferent to non-sentient nature, since by his lights the harm to the trees does not count for anything. Admittedly, this indifference does not count as malevolence toward nature, for if I am genuinely indifferent I do not care if my actions should happen to harm *or* benefit non-sentient nature. Nonetheless, we might think that indifference to non-sentient nature is a vice precisely because it is likely to involve such harm, just as indifference to other persons seems vicious insofar as it is likely to cause them harm.

It is *prima facie* plausible to think that at least some dispositions qualify as vices because they involve causing harm, including harm to non-sentient organisms capable of flourishing.[22] As O'Neill, Holland, and Light contend, "the specification of ethical virtues requires references to other goods and harms… One cannot state why a virtue like courage is a virtue without mentioning that it involves standing firm against certain independently defined harmful states of affairs."[23] This of course fits well with my accounts of duties regarding nature and the flourishing of non-human organisms. Non-sentient organisms must be viewed as being

[22] See Philip Cafaro, "Gluttony, Arrogance, Greed, and Apathy: An Exploration of Environmental Vice," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005), 139.
[23] O'Neill et al., 82.

susceptible harm, or as having natural goods that can be inhibited. We may reasonably expect indifference to non-sentient organisms sometimes to result in easily avoidable harm to them. But as I argued in chapter three, causing unnecessary harm erodes virtuous dispositions and may develop vicious dispositions. Arguably, indifference to non-sentient nature is such a vicious disposition, because it reliably results in unnecessary harm to organisms. Thus, it is not true that indifference to non-sentient nature is not a proper vice. This is one way to address the first task. The appeal to harm offers an account of why certain dispositions regarding the environment are genuinely vicious rather than merely propaedeutic to vice.

The second approach to contesting Hill's position involves showing that the attitude of cherishing non-sentient nature is a genuine virtue even if its absence is not a genuine vice. Assuming for the moment that indifference toward nature is not a vice, it does not follow that the attitude of cherishing nature is not a virtue. In general, it seems that merely lacking some virtue is insufficient to entail the possession of some corresponding vice. For example, simply lacking benevolence does not necessarily make one malevolent. Now one might respond that while merely lacking benevolence is not a sufficient condition for possessing malevolence, lacking benevolence entails possession of some other (possibly nameless) vice. Perhaps, for example, indifference toward the well-being of other persons is vicious despite the fact that such indifference does not constitute malevolence. But if that is the case, then it is unclear why indifference toward non-sentient nature is not likewise a vice. This is not sufficient to show that there are genuine environmental virtues, of course. The second approach to task (1) also requires some positive argument. This is a matter to which I return below, after arguing for an generalist view of putative environmental virtues. I will suggest that many virtues and vices are plausibly defined in sufficiently general terms that they are pertinent in a variety of non-human cases,

giving us good reason to suppose that there are genuine virtues and vices with respect to non-human nature.

Task (2): Characterizing Environmental Virtue and Vice

The second task is to determine the nature of environmental virtues and vices, such as by specifying whether they are mere extensions of traditional virtues and vices or new, distinctively environmental ones. The difference between a *genuine* environmental virtue and a *distinctively* environmental virtue is important. A disposition counts as a genuine environmental virtue if and only if it is a genuine virtue that is operative in our interactions with non-human natural entities. A virtue counts as distinctively environmental if and only if necessarily it is operative *only* in our interactions with non-human natural entities. Thus a disposition can be a genuine environmental virtue without being distinctively environmental, because some trait could be a genuine virtue that is operative with respect to non-human nature without it being necessary that it is operative only with respect to non-human nature. Consider benevolence. This is a genuine virtue, but *prima facie* it is not operative only in environmental cases, since benevolence also can be operative in our dispositions toward other persons. For that reason, it is not a distinctively environmental virtue. Yet benevolence seems to pertains to environmental cases as well, since we can be disposed to promote the well-being of non-human organisms. Provided that the benevolence in each case is the same disposition—a view for which I argue below—we have an example of a genuine environmental virtue that is not distinctively environmental.

This issue is sometimes cast as a debate between so-called “extensionalist” and “non-extensionalist” view of environmental virtue and vice. On an extensionalist view of some environmental virtue, one argues that “a character disposition considered to be a virtue in

interpersonal interactions or relationships" is morally salient in environmental cases as well.[24] Here an environmental virtue is taken to be identical to some interpersonal virtue, differing only in terms of what entities are taken to be appropriate objects of it. An extensionalist analysis is also available for environmental vice. Peter Wenz argues that a consumerist lifestyle involves traditionally recognized interpersonal vices, such as gluttony, envy, intemperance, and selfishness. Assuming that these are genuine environmental vices due to their impact on non-humans harmed by climate change, pollution, and habitat loss, we might interpret them as nothing more than extensions of the interpersonal vices just mentioned.[25]

As an example of a non-extensionalist environmental virtue, Sandler suggests Paul Taylor's attitude of respect for nature, which "is not reducible to any combination of the conventional interpersonal virtues extended to ecological contexts."[26] Allegedly, the virtue of respect for nature is distinctively environmental, because it does not consist merely of extending some traditionally recognized, interpersonal virtue to cover environmental cases. It is unclear, however, whether Taylor's respect for nature really is a non-extensionalist environmental virtue, for it is unclear that the respect involved here is distinctively environmental. After all, respect is an attitude that is generally recognized as appropriate to have towards oneself and other persons. Why then is respect for nature not simply an extension of an interpersonal virtue of respect? The putatively distinctive feature Sandler cites about respect for nature is a matter of justification: "The attitude [of respect for nature] is justified by a distinctively biocentric outlook, and central

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[24] Ronald Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005), 219. See also ———, *Character and Environment: A Virtue-Oriented Approach to Environmental Ethics* (Columbia University Press, 2009).
[25] Peter Wenz, "Synergistic Environmental Virtues: Consumerism and Human Flourishing," in *Environmental Virtue Ethics*, ed. Ronald Sandler and Philip Cafaro (Lanham: Rowman and Littlefield, 2005), 198.
[26] Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops," 219-20. See also Taylor, *Respect for Nature: A Theory of Environmental Ethics*.

to it is the denial of human superiority and the acceptance of species impartiality…"[27] But this does not show that the virtue of respect for nature is distinct from the virtue of respect for persons—it only suggests that the justification for the claim that respect for nature is a virtue presumably would be different from justifications offered for the claim that respect for persons is a virtue. This is not sufficient to establish that respect for nature and respect for persons are different virtues, however, because Taylor's biocentric outlook just as well could be viewed as a justification for why the interpersonal virtue of respect *extends* to cover environmental cases. In order to defend a non-extensionalist interpretation of respect for nature, one would need to show that different *kinds* of respect are involved in interpersonal and environmental cases.

How the Kantian Environmental Virtue Ethic Accomplishes Both Tasks

We are now in a position to evaluate how my account fares with respect to tasks (1) and (2). I shall begin with the latter for reasons that will become clear.

I suggest that we accept neither an extensionalist nor a non-extensionalist conception of environmental virtue and vice. Instead, I defend a "generalist" conception, according to which virtues and vices are sufficiently general that many of them can have both environmental and non-environmental orientations. To take an example, on my view benevolence vis-à-vis non-human organisms is not an extension of interpersonal benevolence, nor is it a distinctively environmental virtue—rather, the virtue of benevolence is a disposition to benefit *simpliciter*. This view rejects the non-extensionalist claim that different dispositions are involved in interpersonal versus environmental benevolence—rather, both interpersonal and environmental orientations of benevolence involve the same disposition. This view also rejects the extensionalist claim that benevolence is first and foremost an interpersonal virtue—rather,

[27] Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops," 220.

benevolence is first of all neither interpersonal nor environmental, but simply a disposition to benefit.

This generalist conception of virtue and vice is attractive in part because it allows us to avoid many of the problems faced by both extensionalists and non-extensionalists. It is difficult to identify a plausible candidate for a non-extensionalist environmental virtue, since most putative environmental virtues seem to name traditionally recognized virtues rather than distinctively environmental ones (and *mutatis mutandis* for environmental vice). It is hard to see why respect for nature should be deemed different in kind from respect for persons, or environmental arrogance different in kind from interpersonal arrogance. This consideration might seem to favor extensionalism, but that view faces the difficulty of explaining why we should view virtues as first and foremost interpersonal traits. After all, there are many virtues we do not typically define in interpersonal terms, and in some cases it would seem ill-advised to try. Courage, for example, does not appear to be an *inter*personal disposition, because it is possible for an individual to be courageous even in isolation from other persons, such as when one braves frightening conditions in order to save one's own life. This suggests that there is nothing essentially interpersonal about some virtues. If that is correct, then extensionalism might be on the wrong track, for it takes environmental virtues and vices to be extensions of interpersonal ones. A generalist conception seems more plausible here, because it can allow that some virtues and vices are not interpersonal.

This generalist conception of virtue affords an attractive approach to task (1) as well. If some general disposition is a genuine virtue, then particular orientations of that disposition are likewise genuine virtues. On a generalist conception, in specifying what counts as a virtue or vice no reference need be made to the class of entities that might be involved in certain

orientations of that virtue or vice. If a disposition to benefit *simpliciter* is a genuine virtue, then that disposition is a virtue when oriented toward any entity that can be benefited. Thus, a disposition to benefit non-human organisms is a genuine virtue. This is so for the same reason that a disposition to benefit humans is a genuine virtue: both humans and non-human organisms are susceptible to being benefited, and so it is possible for one's actions to benefit members of either class. Accordingly, if the genuine virtue of benevolence is simply a general disposition to benefit, then it does not matter whether the objects of that disposition are human or non-human. Environmental benevolence is thus a genuine virtue, just as interpersonal benevolence is a genuine virtue, since both are particular guises of benevolence in general. If this generalist conception is correct, then certain dispositions regarding non-human organisms are not mere propaedeutics to virtue and vice but rather genuine virtues and vices.

Hill's challenge is a serious problem for both extensionalist and non-extensionalist accounts of environmental virtue and vice. Given the extensionalist view, it is at least puzzling why we should extend interpersonal virtues to cover interactions with non-human entities. If benevolence is defined as a disposition to benefit other persons, then why would it be appropriate to extend that benevolence to non-persons? Indeed, if benevolence is by definition interpersonal, it might not be possible to extend it to non-persons. After all, if benevolence is necessarily (because by definition) a disposition to benefit *persons*, then it would seem to be a category mistake to extend benevolence to non-persons. An extensionalist should not respond that benevolence vis-à-vis non-persons is only an analogue to interpersonal benevolence, for in that case environmental benevolence would not be an extension of that virtue. At best, it would be some other virtue, or perhaps just an imitation of genuine benevolence.

Hill's challenge is likewise important for non-extensionalist accounts of environmental virtue and vice. Defenders of such accounts must explain why some disposition regarding non-human nature is virtuous or vicious in its own right. Yet even if plausible *candidates* for non-extensionalist environmental virtue or vice can be found, it would remain to argue that the dispositions in question are genuinely virtuous or vicious. Taylor does so by appealing to his "biocentric outlook," according to which non-human organisms deserve respect because they are teleological centers of life. Hence, respect for non-human organisms is allegedly a genuine virtue because it is the morally appropriate stance to adopt toward such entities. It would be unfortunate, however, if the genuineness of some environmental virtue or vice were made to stand or fall along with some substantive moral theory. If we do not accept the biocentric outlook, for example, then Taylor's argument will not convince us that respect for non-human organisms is a genuine environmental virtue. Alternatively, my generalist approach is much more stable. It relies on two claims: that many proper virtues and vices are sufficiently general that they are defined in neither interpersonal nor environmental terms, and that some of these general virtues and vices pertain to environmental cases.

My reason for holding that there are genuine environmental virtues therefore does not depend on the other moral views I have defended in this book. One may, for example, reject my account of indirect duties regarding organisms while still accepting my view that there are genuine environmental virtues. Nonetheless, my account of genuine environmental virtue fits well with this account of indirect duties. This is because promoting the natural goods of organisms is plausibly taken to develop dispositions commonly recognized as (general) virtues, whereas unnecessarily inhibiting the natural goods of non-human organisms weakens such dispositions or develops dispositions commonly recognized as (general) vices. A generalist

conception of virtue provides a straightforward account of why this is the case. A disposition to benefit *simpliciter* is a genuine virtue and thus constitutive of one's moral perfection. Causing unnecessary harm to some entity is plausibly taken to damage one's general disposition to benefit. Non-human organisms are entities susceptible to being harmed or benefited, because they must be judged to possess natural goods. Thus, causing unnecessary harm to non-human organisms erodes a genuine virtue and thus violates one's duty to moral perfection.

The Kantian approach is well-placed to accomplish tasks (1) and (2) in a plausible fashion, namely by treating environmental virtues and vices as general virtues and vices that are oriented toward non-human nature. Thus, environmental virtues and vices inherit their genuineness from that of the general virtues and vices of which they are particular orientations. Moreover, this account simply sidesteps the controversy of extensionalism and non-extensionalism—as well as the problems each faces—by declining to define virtues and vices as either interpersonal or environmental.

A Restricted Environmental Virtue Ethic

Many environmental virtue ethicists seem to be global virtue ethicists, because their virtue-oriented environmental ethics seem to fit within larger normative frameworks that are likewise virtue-oriented. One might be an environmental virtue ethicist because one is a virtue ethicist in general, taking the cultivation and maintenance of virtue to be the central feature of leading a morally good life. For this reason, we might think that accepting an environmental virtue ethic requires one to reject non-virtue-oriented global normative frameworks, including both consequentialist and deontological ones. But this is not so. The Kantian environmental

virtue ethic I defend here can fit within a broader deontological framework, such as one that emphasizes following the categorical imperative from the motive of duty.

This might seem strange at first. One might wonder how a deontological normative framework should give rise to an environmental virtue ethic. However, this this appears less strange if we recall that virtue plays a prominent role within Kant's deontological framework.[28] While virtue is not foundational in Kant's normative ethical theory, it is indispensable for human beings insofar as we have a duty to develop virtuous dispositions. The duty to moral perfection requires us to cultivate our virtues, or dispositions to follow the moral law from the motive of duty. It is plausible to view this duty as giving rise to an environmental virtue ethic. Assuming we lack direct duties to non-human organisms, our duties regarding them will be unlike our duties to human persons. Nonetheless, given that our actions can harm or benefit them, our treatment of non-human organisms is non-accidentally tied to our duty to moral perfection. This is because that duty directs us to cultivate virtues and eliminate vices, many of which are closely tied to the harms and benefits we cause through our actions. On this account, we have excellent moral reason to cultivate environmental virtues, because these are specific orientations of genuine virtues and thus possessing them contributes to our moral perfection. Likewise, we are morally prohibited from either weakening environmental virtues or developing environmental vices, again because doing so weakens genuine virtues or develops genuine vices, either of which damages our moral perfection.[29] One need not be a global virtue ethicist to hold such views.

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[28] For a discussion of the role played by virtue in deontological and consequentialist ethics, see Martha C. Nussbaum, "Virtue Ethics: A Misleading Category?," *The Journal of Ethics* 3, no. 3 (1999).

[29] As discussed in chapter three, virtue-eroding and vice-enhancing actions are incompatible with the obligatory maxim to strive to enhance one's moral perfection. Thus, such actions are not merely missed opportunities for virtue-enhancement—rather, they are morally culpable because they constitute violations of the duty to moral perfection.

We may call the Kantian environmental virtue ethic I am defending a "restricted" virtue ethic, since it pertains to dispositions and associated actions vis-à-vis non-human nature but does not clearly extend beyond that domain.[30] This is because human moral agents have direct duties to themselves and other humans but lack direct duties to non-human organisms. Hence, duties between human beings can be understood in the explicitly deontological terms that Kant's theory affords. As I have argued, however, one's duty to moral perfection both proscribes and prescribes certain treatment of non-human organisms, both because that duty requires one to develop virtuous dispositions in general and because out treatment of non-human organisms is tied to such dispositions.

Consider again the last person on Earth, who lays waste to the biosphere yet avoids harming himself or any other human in the process. Without attributing intrinsic value to non-human nature or recognizing direct duties to non-human organisms, the Kantian environmental virtue ethic plausibly accounts for the deep moral wrongness of the last person's action: he greatly damages virtuous dispositions and develops vicious ones by causing enormous unnecessary harm to many non-human organisms. By causing massive unnecessary harm, the last person acts in a fashion that is contrary to the maxim prescribed by the duty to moral perfection. Moreover, the last person's action is plausibly taken to indicate a defective moral character, for it instantiates dispositions plausibly taken to be vices, including arrogance, malevolence, or selfishness. We might say that, acting in character, only a morally vicious person would act as the last person does.

[30] As I note below, it is possible that genuine environmental virtues or vices are operative in our interactions with non-organisms, such as species or ecosystems. However, the fact that we must view organisms as susceptible to harm or benefit—combined with the fact that we are not warranted in viewing species or ecosystems in this fashion—renders our actions and dispositions regarding organisms of particular moral interest. As have seen, many virtues and vices, as well as instantiations thereof, seem tied to harms and benefits.

The Kantian environmental virtue ethic has both anthropocentric and non-anthropocentric features. As for the former, it denies that human moral agents have direct duties to non-human natural entities, since direct duties are owed only to beings capable of placing one another under obligation via their wills (see 6:422). Since non-human organisms lack this capacity, they also lack moral standing.[31] Yet the Kantian environmental virtue ethic is not exclusively centered on human well-being. Instead, it gives us good moral reason to care about and value non-human organisms themselves, to promote their flourishing, and to cultivate genuine environmental virtues. In these ways, the ethic is non-anthropocentric. Recalling Norton's distinction, my view is neither strongly nor weakly anthropocentric, because it does not depend on either felt or considered preferences.[32] Given weakly anthropocentric commitments, we have moral reasons to preserve natural resources for consumption by future generations of humans, but we do not have moral reasons to care about non-human organisms themselves. Conversely, on the Kantian environmental virtue ethic we do have moral reasons to care about organisms in their own right, given that such an attitude is non-accidentally tied to the possession (or lack thereof) of genuine virtues. These moral reasons are not rooted in our preferences but rather in a duty to develop and maintain virtuous dispositions. Accordingly, if this ethic is anthropocentric, it is not objectionably so.

Objections to Environmental Virtue Ethics

Despite the recent attention environmental virtue ethics have enjoyed, there is no shortage of objections and concerns that have been raised regarding them. Here I trace some

[31] Strictly speaking, this does not entail that only humans have moral standing, since it is possible that there are non-human with the requisite capacity to obligate, such as intelligent extra-terrestrial life.
[32] See Norton, "Environmental Ethics and Weak Anthropocentrism."

responses that the Kantian environmental virtue ethicist can offer to some of the best known of these.

One objection to a virtue-oriented environmental ethic is that it would be objectionably self-regarding.[33] Rolston expresses concern that environmental virtue ethics focus solely on human flourishing, ignoring the value of non-human nature and encouraging an exclusive focus on cultivating oneself. He notes that those who benefit others solely because they are obsessed with acquiring the virtue of nobility "miss the mark," since they lack a genuine concern for the well-being of others, a concern they morally ought to possess.[34] Similarly, a person who acts to preserve wilderness areas solely because doing so increases her own virtue allegedly fails to possess a genuine concern for non-human nature. The potential problem here is that environmental virtue ethics may treat non-human nature merely as a "moral resource" for human beings to develop excellent character traits, taking non-human nature to be nothing more than an occasion for the practice or development of virtue. This raises a question for the Kantian environmental virtue ethic: in pursuing our duty to moral perfection vis-à-vis non-human organisms, is non-human nature treated merely as a moral resource for acquiring virtuous dispositions, and if so is that morally problematic?

Yet Rolston's objection overlooks the fact that many environmental virtue ethicists take the stance of valuing nature for its own sake as itself virtuous.[35] While valuing nature for its own sake may be conducive to human flourishing, this does not entail that an environmentally virtuous person may treat non-humans as mere resources for his own self-improvement. Indeed, someone who does so seems to lack important environmental virtues. Environmental

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[33] See my discussion of this objection in Svoboda, "A Reconsideration of Indirect Duties Regarding Non-Human Organisms."
[34] Holmes Rolston, "Environmental Virtue Ethics: Half the Truth but Dangerous as a Whole," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005), 70.
[35] See, for example, O'Neill, "The Varieties of Intrinsic Value," 132.

benevolence, for example, is a disposition to benefit non-human organisms. In order to be a genuine disposition, this requires that one actually care about the well-being of organisms and that one be motivated to promote their well-being, which entails having genuine concern for organisms. Someone who does not care about organisms' well-being lacks a necessary condition for environmental benevolence. If one is environmentally benevolent, necessarily one has a genuine regard for non-human organisms. The kind of person Rolston imagines, who views non-human nature merely as an opportunity for the practice or development of environmental virtue, is engaged in a self-defeating project, attempting to develop environmental virtue without actually being environmentally virtuous. On the Kantian environmental virtue ethic, environmental virtues are constitutive of one's moral perfection because they are orientations of general virtues. Thus, in cultivating environmental virtues, one increases her moral perfection. Yet this is not objectionably self-regarding, because having environmental virtue involves a genuine regard for non-human organisms. One who views organisms merely as resources to be used in pursuing her own moral perfection undermines her own end. The pursuit of moral perfection through interactions with non-human nature requires that we value organisms themselves.

A second objection is that virtue-oriented environmental ethics—and virtue ethics in general—do not provide adequate action-guidance. This is because virtue ethics are sometimes thought to lack rules of action, unlike consequentialist or deontological ethics, which allegedly specify clear principles "of a suitably algorithmic character" for how moral agents ought to act.[36] After all, it is one thing to identify various dispositions as being virtues or vices, but quite another to specify how one ought to act in light of this identification. For example, van Wensveen identifies numerous environmental virtues that we may assume are morally good to

[36] David Solomon, "Internal Objections to Virtue Ethics," *Midwest Studies In Philosophy* 13, no. 1 (1988): 432.

possess and numerous environmental vices that we may assume are morally bad to possess, listing 189 virtues and 174 vices discussed in the "environmental literature" between 1970 and 2000.[37] Yet recognizing that these dispositions are genuine virtues and vices is compatible with a variety of view regarding how we ought to act in light of them. Whereas consequentialist and deontological theories provides rules for how one ought to act, virtue-theoretic theories allegedly do not. However, virtue ethics can indeed guide action by specifying certain "virtue rules." Hursthouse suggests the principle, "An action is right iff it is what a virtuous agent would characteristically (i.e., acting in character) do in the circumstances," where a virtuous agent is one who "has and exercises the virtues."[38] Of course, in order to be a helpful guide to action, this principle needs to be supplemented with an account of what the virtues are, and competing virtue ethics offer different accounts. Yet Hursthouse's general point is plausible: a virtue ethic need not fail to be action-guiding, because it can offer rules that specify right or wrong action in addition to specifying what the virtues are. Of course, whether a *particular* virtue ethic is satisfactorily action-guiding will depend on the details of how its normative rules are worked out.[39]

Much work in environmental virtue ethics is concerned with the admittedly important task of identifying what counts as environmental virtue and vice, as well as identifying particular environmental virtues and vices.[40] Yet accomplishing these tasks is not sufficient to provide determinate action-guidance. Aside from the minimal point that we have moral reasons to

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[37] Louke Wensveen, *Dirty Virtues: The Emergence of Ecological Virtue Ethics* (Amherst: Humanity Books, 2000), 163-67.
[38] Hursthouse, "Normative Virtue Ethics," 19-37.
[39] For example, Michael Slote attempts this by comparing rules of virtue to Kantian imperfect duties. See Slote, *From Morality to Virtue*: 104-16.
[40] See Cafaro, "Gluttony, Arrogance, Greed, and Apathy: An Exploration of Environmental Vice."; Geoffrey Frasz, "Benevolence as an Environmental Virtue," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005); Wenz, "Synergistic Environmental Virtues: Consumerism and Human Flourishing."

cultivate environmental virtues and to eschew environmental vices, it remains indeterminate to what extent we are obligated to cultivate environmental virtue, how we ought to act if there is apparent conflict involved in instantiating environmental virtue (e.g., when benevolence toward some organisms seems incompatible with benevolence toward others), whether instantiating environmental vice is always impermissible, and so on. Perhaps existing accounts of environmental virtue ethics could offer good replies to the action-guiding objection, but at present those replies have not been made explicit.

The Kantian environmental virtue ethic fares well on this score, providing clear action-guidance. This ethic does not merely contain the vague instruction that human moral agents ought to harbor environmental virtues—it also specifies determinate rules for what that entails. First, it includes a clear moral proscription: one ought not to cause unnecessary harm to non-human organisms. Second, the criteria for determining whether some particular action causes unnecessary harm (see figure 5.1) reduce the ambiguity involved in acting according to this rule in actual circumstances. Third, the Kantian environmental virtue ethic includes a clear (although not strictly obligatory) moral prescription: one has good moral reason to benefit non-human organisms and to value their flourishing for its own sake.[41] It also should be noted that the action guiding features of my account do not come at the cost of instituting implausibly rigid rules. By including a proscription against causing *unnecessary* harm, the Kantian approach is flexible insofar as the context of some harmful action is relevant for determining whether or not it is virtue-eroding and thus whether or not it is permissible. However, this approach is not arbitrarily flexible, insofar as it contains clear criteria for determining whether some action is unnecessarily

[41] Recall from chapter three that this prescription is non-obligatory because opting not to benefit non-human organisms need not entail a *violation* of one's duty to moral perfection. One violates this duty only if she fails to adopt—or acts contrary to—the maxim of increasing her own moral perfection. Since one could adopt this maxim without benefiting non-human organisms, benefiting non-humans is not obligatory but rather one way of acting on that maxim.

harmful (see figure 5.1). Taken together, these components make the Kantian approach an attractive one in terms of action-guidance. This grants the Kantian environmental virtue ethic a major advantage over those environmental virtue ethics that do not provide clear guidance for action.

A third objection is that the Kantian environmental virtue ethic in particular might allow one to dodge responsibilities to other humans for the sake of enhancing his own environmental virtues. Take, for example, someone who ignores the pressing material needs of his children in order to build turtle platforms at a nearby pond, an activity me may assume has the non-trivial effect of benefiting the turtles that live there. We might worry that the Kantian environmental virtue ethic wrongly permits such behavior, even though it would result in serious harm to one's children by disregarding their basic needs. In general, the worry here is that moral self-improvement might swamp other duties that are *prima facie* more important. However, my account does not permit such an activity if it comes at the cost of violating other duties. Since one's duties regarding nature are grounded in the imperfect duty to moral perfection, the person in this example would do no wrong in opting not to benefit the turtles, given that this would not by itself erode his environmental virtue , enhance environmental, nor instantiate any environmental vice. Moreover, this person would be free to enhance his environmental virtue via other means or at other times. By instead benefiting non-humans at the cost of ignoring the needs of one's dependents, one presumably violates one's duties to those dependents. If so, then it is not permissible to ignore their needs in order to focus on one's moral perfection.

Fourth, one might object that the Kantian environmental virtue ethic fails to recognize environmental virtues or vices oriented toward non-organisms in nature, such as natural landforms, species as wholes, ecosystems, or nature itself. While it is controversial to hold this,

perhaps (contra Hill) cherishing nature itself is genuinely virtuous, and perhaps indifference toward an endangered species (rather than toward members of that species) is genuinely vicious. But the Kantian environmental virtue ethic is not incompatible with granting these controversial points. I have suggested that at least many virtues and vices are sufficiently general as to allow for various orientations of them. Just as some virtues and vices may be operative in both our interactions with humans and non-human organisms, so might some virtues and vices be operative in our interactions with landforms, ecosystems, species, and nature as a whole. Perhaps the virtue of humility and the vice of arrogance are genuine environmental virtues that we can have with respect to non-organisms. I have not denied this possibility, although neither have I advocated it.

What I have argued for is that our interactions with organisms carry a special moral salience, because they are entities that we must reflectively judge as capable of flourishing and thus of being harmed or benefited. That we must view organisms in this way opens a wide range for virtue and vice. It is possible to be benevolent or malevolent with respect to plants and animals, for example, but it does not seem possible to harbor this virtue or vice toward landforms, ecosystems, species, or nature itself, for we have no basis for judging these things teleologically, and so we have no basis for taking them to have natural goods that we could be disposed to promote or inhibit. Given that many virtues and vices seem closely tied to harms and benefits, the dispositions we harbor toward organisms will enhance or erode our moral perfection more frequently and reliably than the dispositions we harbor toward non-organisms in nature.

Yet the Kantian environmental virtue ethicist still has good moral reason to preserve threatened species or ecosystems, even when genuine virtues toward such wholes are not in play, since the extinction of some species or collapse of some ecosystem will almost certainly harm

individual plants and animals that rely on them. Benevolence toward individual organisms includes some motivation to avert harm to them. Similarly, we are prohibited from making a causal contribution to any process that results in unnecessary harm to individual organisms, since doing so involves virtue-erosion or vice-formation. Further, something close to Hill's account may well be true of dispositions regarding non-organisms in nature, insofar as attitudes regarding them might be propaedeutic to virtue or vice. Perhaps cherishing ecosystems or landforms is to be encouraged because it prepares the way for genuine virtue. If so, then one has good reason to cherish non-organisms in nature, even though doing so is not itself a genuine virtue.

We have seen that the Kantian environmental virtue ethic is a coherent environmental ethic, and it should be attractive to those who are already inclined to accept an environmental virtue ethic. However, I have yet to argue that the Kantian environmental virtue ethic should be accepted over other environmental ethics. In particular, I have yet to address directly whether and why the Kantian environmental virtue ethic is preferable to either non-anthropocentric or anthropocentric ethics. In the next, concluding chapter, I argue that the Kantian environmental virtue ethic has major advantages over these other approaches, a task that involves returning to the critiques of these positions offered in chapter one. We will see that there are compelling reasons to accept the Kantian environmental virtue ethic over its competitors.

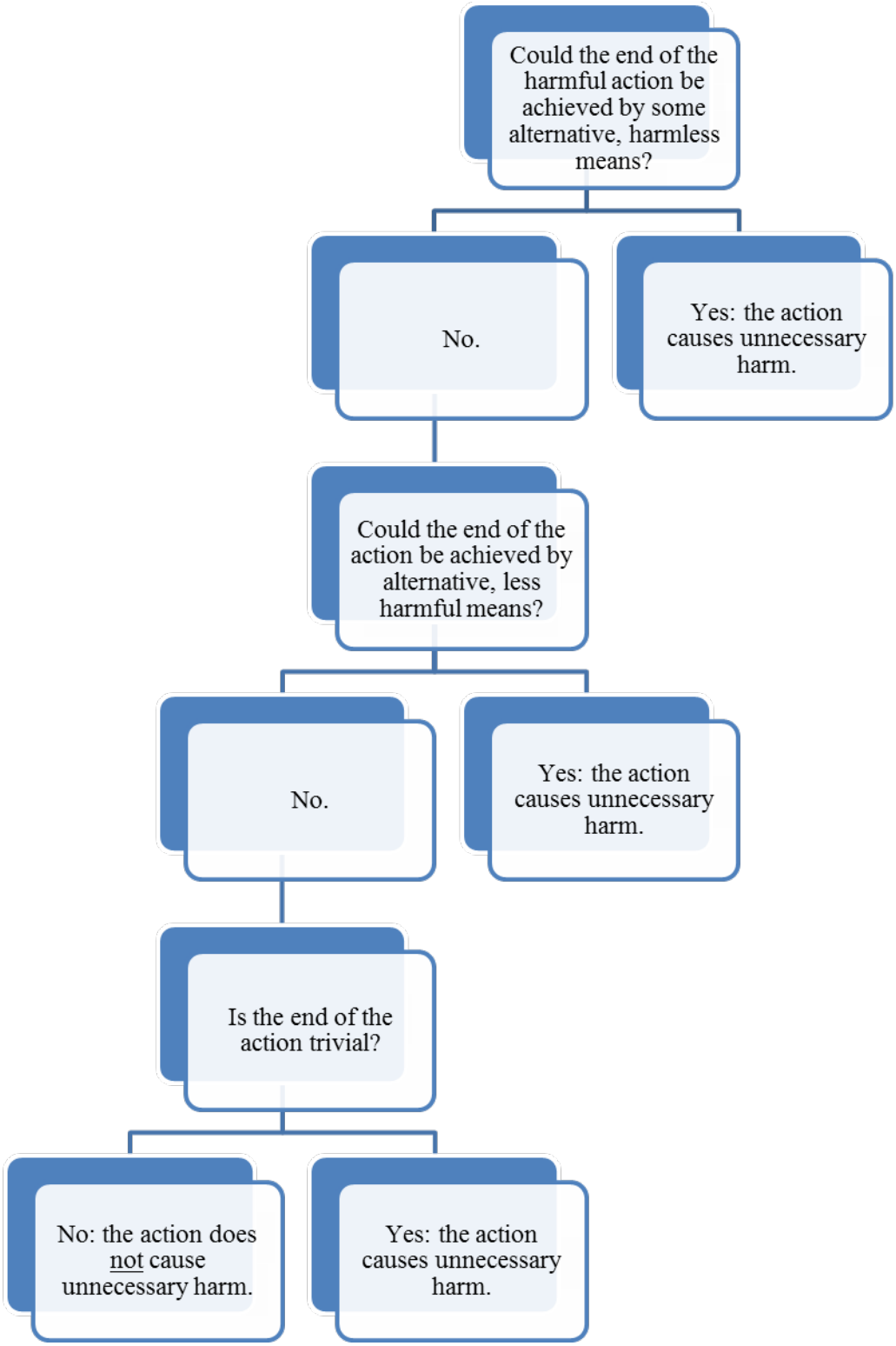

Figure 5.1: Determining what counts as unnecessary harm.

Conclusion: Advantages of the Kantian Environmental Virtue Ethic

I have sought in the preceding chapters to develop a Kantian environmental ethic. This involved showing that such an ethic is coherent, plausible, and robust. Yet this is not sufficient to show that we ought to accept the Kantian environmental virtue ethic, for it might be the case that some other environmental ethic is, all things considered, preferable to the coherent, plausible, and robust environmental ethic I have developed.[1] We should consider whether or not there is good reason to prefer the Kantian environmental virtue ethic over other environmental ethics that have been defended, and this would involve comparing the respective advantages and disadvantages of competing views. Here I will argue that the Kantian environmental virtue ethic both avoids many of the major problems faced by other approaches and fits well with our moral intuitions regarding both cases and principles. The implication of this is that we have good reasons not only to find the Kantian environmental virtue ethic compelling, but also to accept it. To be clear, I do not attempt to demonstrate here that the Kantian environmental virtue ethic is to be preferred over all comers—a task of that magnitude would require a separate book. However, I do show that the Kantian environmental virtue ethic is very attractive because it has distinct advantages over some major competitors.

We have already observed some merits of the Kantian environmental virtue ethic. For one, as we saw in chapter four, it relies on an attractive framework of non-human flourishing, utilizing reflective teleological judgment to avoid problems faced by other frameworks while still managing to ground robust judgments pertaining to non-human flourishing. For another, the Kantian environmental virtue ethic provides clear action-guidance, including guidelines for determining whether some action involves unnecessary harm to organisms. But the Kantian

[1] For reasons discussed in the introduction to this book, I am supposing here that we need *some* environmental ethic.

environmental virtue ethic has additional merits. Unlike certain influential positions discussed in chapter one, my approach avoids problems related to both intrinsic value and deontic conflict, and it does so while fitting with our moral intuitions.

Genuine Regard for Entities without Intrinsic Value

Unlike some approaches environmental ethics, mine does not rely upon the putative intrinsic value of non-human natural entities. This has the advantage of averting the myriad problems that arise as a result of attributing intrinsic value of various kinds to non-humans. Realist intrinsic value—a mind-independent value property allegedly possessed by non-human natural entities—faces deep epistemological problems.[2] In chapter one, I presented an argument against Rolston's view that non-human entities have realist intrinsic value. Briefly, this argument contends that we do not directly intuit intrinsic value, since we lack a special faculty of intuition that would allow us to do so; nor are we warranted in inferring the existence of realist intrinsic value from our experiences, since the world as we experience it would be qualitatively identical with or without that property, for we can conceive a world identical to ours but lacking the property of intrinsic value; therefore human inquirers cannot have evidence for the existence of realist intrinsic value.[3] If this argument goes through, then while it is possible that realist intrinsic value exists in nature, we can have no reason to believe that it does. This is a serious problem for environmental ethics that depend upon realist intrinsic value, because it means they depend upon a commitment that cannot be justified. My environmental ethic does not fall victim to this epistemological problem, of course, because it does not attribute realist intrinsic value to non-humans. This is an advantage of my approach. Although on the Kantian environmental

[2] See Norton, "Epistemology and Environmental Values."
[3] See also Svoboda, "Why there is No Evidence for the Intrinsic Value of Non-Humans."

virtue ethic we have good moral reason *to value* non-human organisms and their flourishing, this does not commit us to the existence of mind-independent value properties in nature. As Hill points out, valuing nature for its own sake does not imply "metaphysical value realism," for it is possible to value natural entities in a non-instrumental sense.[4]

The variety of intrinsic value defended by Callicott avoids the epistemological problems of Rolston's realist position, because Callicott takes intrinsic value to be something bestowed or projected by human valuers onto non-human natural entities. On this view, intrinsic value is not some mind-independent, metaphysical property to be discovered—rather, it is a mind-dependent feature rooted in the human activity of valuing. Yet it is unclear what, if anything, warrants bestowing such intrinsic value on non-humans.[5] I argued in chapter one that Callicott's position is a species of metaethical constructivism, given that he rejects realism about intrinsic value and instead views intrinsic value as dependent upon human valuers. Yet it is unclear whether or why human valuers should bestow intrinsic value on non-human entities, and this is deeply problematic for a constructivist theory of intrinsic value. Lacking such an account, we are left merely with the controversial assertion that we ought or must value non-humans intrinsically, or as ends-in-themselves. This is a severe disadvantage of Callicott's approach. All else being equal, an environmental ethic that avoids these difficulties is to be preferred to one that is mired in them. Again, my own approach avoids this problem, for it does not attribute value *properties* to organisms, yet it provides a plausible ground for why human beings should harbor practical attitudes of *valuing* organisms. On the Kantian environmental virtue ethic, we have excellent moral reason to value the flourishing of non-human organisms, because our valuing the flourishing of non-humans is tied to one or more of the virtuous dispositions we have a duty to

[4] Hill, "Finding value in nature," 336-37.
[5] See J. Baird Callicott, "Intrinsic Value in Nature: A Metaethical Analysis," in *Beyond the Land Ethic: More Essays in Environmental Philosophy* (Albany: State University of New York Press, 1999).

cultivate. For this reason, the Kantian environmental virtue ethicist has a good answer to the question of why we should value non-human flourishing.

A potential objection to my position is that, although the Kantian environmental virtue ethic avoids problems associated with intrinsic value, it also undercuts our moral reasons to care about the well-being or flourishing of non-humans. After all, if non-human organisms are not intrinsically valuable, why should we mind if our actions cause them harm? At least one motivation for holding that non-humans have intrinsic value is provided by intuitions that certain kinds of treatment of non-humans are morally assessable, and one could straightforwardly account for this by holding that non-human entities have intrinsic value, Perhaps it is morally wrong for the last person to destroy the biosphere both because its constituents are intrinsically valuable and because it is *prima facie* wrong to destroy entities with intrinsic value. One might worry that, if non-humans are thought to lack intrinsic value of any kind, we would not be able to account for such intuitions, since we would allegedly lack moral reasons to care about non-humans. Accordingly, perhaps it is a serious flaw for any environmental ethic not to include a commitment to the intrinsic value of non-human nature.

The Kantian environmental virtue ethicist can offer a compelling answer to this objection. While my approach does not rely on the putative intrinsic value of non-humans, it nonetheless requires us to have a genuine regard for the flourishing of non-human organisms. As we saw in chapter five, the enhancement or maintenance of certain virtues is non-accidentally tied to how we regard and treat organisms, for some virtues have environmental orientations, particularly with respect to those entities capable of being harmed or benefited. Importantly, this requires us to care about organisms in their own right, especially in regard to their flourishing and how our actions impact them. That such entities are taken to lack intrinsic value does not

change the fact that I must view them as capable of flourishing, and so my attitudes and actions regarding them must be consistent with my obligation to enhance and maintain virtuous dispositions, including those operative in interactions with entities susceptible to harm and benefit. I thus have excellent moral reason to value the flourishing of these entities, even though they are taken to lack intrinsic value.[6]

One might object that my account nonetheless fails to afford an adequate *kind* of concern for non-humans, given that our moral reasons to care about them are inextricably bound up with a duty to cultivate our own virtues. In particular, one might worry that this takes non-human organisms to be merely resources that serve the instrumental purpose of allowing human beings to become virtuous.[7] However, this would be to misunderstand the Kantian environmental virtue ethic. As we saw in chapter five, seeking to cultivate virtue vis-à-vis some organism while simultaneously failing to care about that organism is a self-defeating project. Benevolence, for example, involves a genuine regard for the well-being of others. In cultivating environmental benevolence with respect to plants and animals, I must actually care about the well-being of those organisms. Someone who viewed non-human organisms merely as objects to be exploited *en route* to attaining virtue would be missing the point. While we have good moral reason to cultivate genuine environmental virtues, such virtues involve caring about non-human organisms in their own right.

For these reasons, the Kantian environmental virtue ethic can ground our various intuitions that certain actions and attitudes vis-à-vis non-human nature are morally assessable, and it can do so without incurring the various costs of intrinsic value approaches. At first this might seem a surprising result for an environmental ethic grounded on indirect duties and which

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[6] For a discussion of why rejecting value realism regarding non-human nature need not be objectionably anthropocentric, see also Hill, "Finding value in nature," 337-39.
[7] See Rolston, "Environmental Virtue Ethics: Half the Truth but Dangerous as a Whole."

disavows both the intrinsic value and moral standing of non-human natural entities. Yet as I have argued, Kant's account of indirect duties regarding non-human organisms is far more robust than is often thought, and it is plausibly taken to ground an environmental virtue ethic that direct us to have such genuine regard for non-human organisms. Accordingly, the Kantian environmental virtue ethic does not avoid problems related to intrinsic value only at the cost of extirpating our reasons for caring about non-humans. Fortunately, we can have it both ways, maintaining moral reasons to care about organisms while declining to take on the difficulties attending attributions of intrinsic value.

On this point, the Kantian environmental virtue ethic also has an advantage over Norton's weak anthropocentrism.[8] While Norton also eschews intrinsic value, and while our moral obligations to present and future humans give us good reason to preserve natural resources, this anthropocentric view does not accommodate any moral reason to care about organisms themselves. This runs contrary to many of our intuitions regarding cases: that animal cruelty is wrong in its own right, that the last person's actions indicate moral vice, that non-human flourishing is something to be valued even when it does not benefit humans, and so on. The Kantian environmental virtue ethic can do justice to these intuitions without attributing intrinsic value to non-human nature. Of course, Norton could hold that we should reject such intuitions, but this would require some plausible reason for why we should do so. This reason cannot be that genuine regard for non-human organisms requires belief in some metaphysically objectionable property in nature, such as mind-independent value. As seen in the case of the Kantian environmental virtue ethic, we can have good moral reasons to care about non-human organisms in their own right while also declining to believe that they have intrinsic value. All else being

[8] Norton, "Environmental Ethics and Weak Anthropocentrism."

equal, the Kantian environmental virtue ethic seems preferable to Norton's weak anthropocentrism, since the former accounts for moral intuitions regarding environmental cases.

Avoiding Deontic Conflict

Another advantage of the Kantian environmental virtue ethic is that it straightforwardly averts deontic conflict, and it does so without sacrificing determinate action-guidance. Non-anthropocentric environmental ethicists often hold that some non-human natural entities have moral standing and so a human moral agent has direct duties to such entities. But as we saw in chapter one, this quickly leads to (at least apparent) conflict among our moral duties and threatens to make moral dilemmas implausibly commonplace.[9] In order to ease this problem, some proponents of direct duties to non-humans have introduced various principles meant to prioritize some duties over others.[10] Yet as we also in chapter one, such priority principles run a high risk of being *ad hoc*, and in many cases it might be unclear how to apply them. While proponents of direct duties might find suitable solutions to it, the problem of deontic conflict poses a serious challenge.

Alternatively, the Kantian environmental virtue ethic does not lead to deontic conflict. Since it recognizes only indirect duties regarding non-humans, it does not introduce new direct duties that might conflict with others. Thus, there is no need for (potentially *ad hoc*) priority principles to organize our duties vis-à-vis nature into some hierarchy. For example, following the normative rules presented in chapter five, it is morally permissible to harm non-human organisms under certain conditions, such as cases in which no less harmful means is available to achieve some non-trivial end. In such scenarios, it is not the case that some duties take priority

[9] See also my discussion in chapter two of Korsgaard's Kantian view, which faces this difficulty as well. Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals."
[10] See Taylor, *Respect for Nature: A Theory of Environmental Ethics*: 172-92.

over others, as if a duty to achieve some end outweighed a duty not to harm organisms. Rather, human moral agents always have a duty to abstain from causing unnecessary harm to non-human organisms. As I have noted, what counts as *unnecessary* harm will, of course, depend on certain conditions, but the status of this duty remains constant across various scenarios. This is an advantage of my approach. By avoiding deontic conflict in the first place, we need not solve the thorny problems such conflict would create.

A major reason why the Kantian environmental virtue ethic is able to avoid deontic conflict is that it rests on an imperfect duty, thus affording a fair degree of flexibility. Since the imperfect duty to moral perfection obligates us to adopt a *maxim* whereby we strive to cultivate virtuous dispositions, we have ample freedom in deciding when, where, and how to perform actions pursuant to that end. Importantly, we may curb pursuit of this end when some other duty is pertinent. For example, if some perfect duty requires some immediate action, I may—indeed, I ought to—put on hold my beneficent activities vis-à-vis organisms. Yet this would not be a case of the perfect duty outweighing the imperfect duty. Since the latter directs me only to adopt some maxim, I can be in compliance with that duty even when I am not performing actions in keeping with that maxim. Admittedly, if I sincerely adopt some maxim, then I will perform actions in keeping with it, but I may—again, I ought to—perform those actions in a fashion that does not run contrary to my other obligations. Given this flexibility, we can reasonably expect that indirect duties regarding organisms will not entail conflict with other duties, since it is possible to maintain the obligatory maxim of increasing one's moral perfection while performing actions required by other duties. Nonetheless, as we saw in chapter three, indirect duties regarding nature are not weakened by this flexibility. Because we have a duty to maintain the maxim just mentioned, we are morally prohibited from acting *contrary* to it, such as by unnecessarily

harming organisms. More generally, the duty to moral perfection strictly requires that we not treat organisms in virtue-eroding or vice-enhancing ways. This duty also directs us treat and regard organisms in virtue-enhancing ways, but it affords a large amount of latitude in deciding how to do this, and this is cause for optimism regarding the avoidance of deontic conflict.

One might object once again that my account avoids the problem of conflicting duties at an unacceptable cost. By recognizing only indirect duties vis-à-vis non-human nature, perhaps the Kantian environmental virtue ethic clashes with our intuitions that non-human organisms deserve direct moral consideration.[11] Again, given intuitions regarding the moral assessability of our interactions with them, it might be thought that organisms have moral standing, a fact that my approach fails to countenance. However, as I have argued explicitly since chapter three, such criticisms underestimate how robust an indirect duties approach can be. The Kantian environmental virtue ethic can ground the moral assessability of actions and attitudes regarding organisms, taking such to be intimately tied to our virtues and vices. Contrary to the traditional interpretation of Kant on this issue, indirect duties regarding nature are neither weak nor easily overridden. On the contrary, although they depend on the direct duty to oneself, these indirect duties have far-reaching implications, including a strict moral prohibition against causing unnecessary harm to non-human organisms. On this environmental ethic, we may assess actions and attitudes regarding organisms as morally blameworthy or praiseworthy, permissible or impermissible, and so on.

Seeking Reflective Equilibrium

My purpose has not merely been to list various advantages of the Kantian environmental ethic I have developed, but rather to prepare the way for an argument that various features of my

[11] See Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory."

position can help us reach a state of reflective equilibrium, establishing coherence among our moral intuitions.[12] These include intuitions about cases (e.g., that of the last person) and about moral principles (e.g., that moral agents have a duty to cultivate virtuous dispositions). I suggest that the Kantian environmental virtue ethic does well not only in consistently accounting for our intuitions, but also in showing how these various intuitions mutually support one another.

First, the Kantian environmental virtue ethic coherently grounds various intuitions about cases, including those pertaining to morally assessable actions vis-à-vis *both* non-humans and human beings. That is, the Kantian account encompasses intuitions that we ought to treat non-human nature in certain ways, but it does so without running contrary to intuitions that we ought to treat human beings in certain ways as well. For example, my account can explain why animal cruelty or the destruction of the biosphere is morally wrong, namely that such actions violate one's duty to moral perfection by eroding virtues, enhancing vices, and/or indicating vices already present in one's character. Yet in accounting for intuitions that such actions are indeed morally wrong, my position does not have counter-intuitive implications for how we may treat human beings. For example, since it recognizes various direct duties to oneself and other humans—such as to respect others as ends-in-themselves and to promote their happiness—this environmental ethic does not sanction "misanthropic" attitudes or actions. Hence, although indirect duties regarding nature are far-reaching and require a genuine regard for organisms, these are limited by our non-environmental duties. This contrasts with some non-anthropocentric views, such as Callicott's (see chapter one), which seems to permit substantially harming or killing individual human beings in the course of fulfilling one's duties to ecological wholes.[13] While such holistic views might do well in accounting for moral intuitions pertaining to how we

[12] See Daniels, "Wide Reflective Equilibrium and Theory Acceptance in Ethics."
[13] Callicott, "Holistic Environmental Ethics and the Problem of Ecofascism."

ought to treat and regard non-human nature, they seem to violate moral intuitions pertaining to how we ought to treat human beings. Conversely, my Kantian approach can accommodate both intuitions that we ought to treat and regard non-humans in certain ways and intuitions that "misanthropic" actions are morally impermissible.[14] This Kantian approach to environmental ethics has the resources to balance plausible moral requirements vis-à-vis both humans and non-humans.

Second, the Kantian environmental virtue ethic relies on moral principles that cohere well both with one another and with intuitions about cases. Perhaps most importantly, the principle that human beings ought to increase their own moral perfection—along with its corollary that humans ought not to act in ways that decrease their moral perfection—provides a far-reaching yet plausible ground for duties regarding non-human nature. This principle is plausible because it directs us to cultivate and maintain dispositions that are both *prima facie* morally good and support the performance of obligatory and supererogatory actions. To see why this principle coheres well with our intuitions about cases, consider that this principle is not merely consistent with our intuitions about cases but also provides support for those intuitions. For example, we may judge animal cruelty to be morally wrong *because* the unnecessary harm it inflicts erodes the virtue of benevolence or develops the vice of malevolence, either of which is strictly proscribed by the duty to moral perfection.

Moreover, this moral principle is compatible with various other moral principles, such as one's imperfect duty to promote the happiness of others and one's perfect duty not to lie. While strictly prohibiting actions that cause unnecessary harm, the principle that one ought to increase one's own moral perfection still has a great deal of flexibility. As an imperfect duty, Kant holds

[14] For a discussion of the "vice" of misanthropy, see Lisa Gerber, "What Is So Bad about Misanthropy?," *Environmental Ethics* 24, no. 1 (2002).

that one has a fair degree of latitude in choosing when and how to increase one's moral perfection (see 6:388-9). This helps ease conflicts that might otherwise arise among one's various duties. For example, the duty to moral perfection does not implausibly require us always to prioritize our own moral perfection over other moral commitments, for adopting the maxim of increasing one's own moral perfection does not require that one always act for the sake of this end. Indeed, adopting this maxim is compatible both with adopting the maxims required by one's other imperfect duties (e.g., to increase the happiness of others) and with performing actions required by one's perfect duties (e.g., to abstain from lying). This flexibility on the part of the duty to moral perfection helps make reflective equilibrium a reasonable goal, for we can consistently accept that we have both far-reaching indirect duties regarding non-human organisms and direct duties to human beings. Similarly, the guidelines offered in chapter five for determining what counts as unnecessary harm are plausible in part because they help to establish balance among our intuitions. By permitting harm to non-humans in cases in which no less harmful means is available for achieving some non-trivial end, my account fits well with the intuition that it is often morally permissible to harm non-human organisms, such as when it is necessary for one's survival or flourishing. A less nuanced account, such as one that starkly prohibited harming animals in any scenario, would have difficulty accounting for intuitions of this kind.

On the whole, the Kantian environmental virtue ethic affords robust moral proscriptions and prescriptions regarding our treatment of organisms, and it recognizes genuine environmental virtues and vices that we have good moral reason to cultivate and extirpate, respectively. This environmental ethic averts common problems associated with other influential approaches, while also establishing a satisfying state of reflective equilibrium among our moral intuitions regarding

cases and principles. For these reasons, the Kantian approach I have developed is not merely a coherent environmental ethic but a very attractive one.

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