

The Pennsylvania State University

The Graduate School

College of the Liberal Arts

**DUTIES REGARDING NATURE:  
A KANTIAN APPROACH TO ENVIRONMENTAL ETHICS**

A Dissertation in

Philosophy

by

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Submitted in Partial Fulfillment

of the Requirements

for the Degree of

Doctor of Philosophy

August 2012

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## ABSTRACT

This dissertation develops a Kantian approach to environmental ethics. After critically examining traditional approaches in environmental ethics that recognize direct duties to non-human nature, I argue instead that human beings have indirect duties regarding non-human nature. Specifically, I contend that humans have a duty to abstain from causing unnecessary harm to non-human organisms, because doing so erodes one's virtuous dispositions.

In the *Doctrine of Virtue*, Immanuel Kant holds that human beings have duties “regarding” flora and non-human animals. These duties regarding nature arise from a direct duty a human being has to herself, namely the duty to increase her own moral perfection. I argue that such moral perfection is constituted by possessing traditionally recognized virtues, such as benevolence. Kant mentions animal cruelty and wanton destruction of flora as examples of actions that diminish one's moral perfection and hence violate one's duty to moral perfection. I argue that one ought to abstain from such actions because they cause unnecessary harm to organisms, a kind of action that erodes one's virtuous dispositions and hence violates one's duty to moral perfection. Moreover, benefiting a non-human organism can increase one's moral perfection, because such beneficence is a way of cultivating virtues and hence fulfilling one's duty to increase one's own moral perfection.

Kant's account of organisms, primarily presented in the *Critique of Judgment*, provides a basis for understanding what it means to harm and benefit non-human organisms. According to this account, human investigators are warranted in taking organisms to be natural purposes, or entities that are natural yet also exhibit teleological features of design. In particular, Kant holds that to judge an organism as purposive is to judge it as an entity that ought to be a particular way. I use the term “natural goods” to refer to those states and functions that are constitutive of what

an entity ought to be as a natural purpose. I argue that judgments about the natural goods of a given kind of organism are best exemplified by the assessment of relevant experts. This conception of natural goods helps ground duties regarding non-human organisms: since organisms have natural goods, it is possible to harm and benefit them by inhibiting or promoting the achievement of their natural goods. These considerations ground a robust, virtue-oriented environmental ethic that has significant advantages over traditional approaches to environmental ethics.

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## ACKNOWLEDGEMENTS

I would like to thank the members of my dissertation committee—John Christman, Jennifer Mensch, Nancy Tuana, and Daniel Purdy—for their support and feedback during the various stages of this project. I would also like to thank David Agler, Joe Balay, Daniel Brunson, Marcus Dracos, Ryan Pollock, Kate Woodford, an anonymous reviewer for *Ethics & the Environment*, and audiences at Colby College, Fairfield University, Pennsylvania State University, and the University of North Florida for comments and advice on various aspects of the research comprising this work. Finally, I am grateful both to the journal *Ethics & the Environment* and Indiana University Press for permission to include portions of a previously published paper in chapter one of this dissertation.

## Introduction: Kant and Environmental Ethics

I have set out in this work to develop a Kantian approach to environmental ethics. This task immediately raises a question: why should we want an environmental ethic at all, much less a Kantian one? In this introduction, I briefly address both this question regarding the motivation of my project and a question regarding its methodology. I suggest both that an environmental ethic is needed in order to think through the difficult environmental problems we currently face and that a Kantian approach, although often neglected in the sub-discipline of environmental ethics, is promising for several reasons. Second, I briefly discuss the method of reflective equilibrium that I use in making the case for a Kantian approach to environmental ethics, suggesting that it is preferable to foundationalist approaches.

### Why Environmental Ethics?

Human beings face serious environmental problems, such as those associated with climate change, loss of biodiversity, and air pollution.<sup>1</sup> Moreover, 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 social and economic injustice.<sup>2</sup> Moreover, the impact of human activities on the environment (e.g., ocean

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<sup>1</sup> See IPCC, *Climate Change 2007: The Physical Science Basis* (Cambridge: Cambridge University Press, 2007); 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).

<sup>2</sup> 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); R. Stein, *New Perspectives on Environmental Justice: Gender, Sexuality, and Activism* (New Brunswick: Rutgers University Press, 2004).



acidification due to anthropogenic emissions of greenhouse gases) threatens to cause substantial harm and even extinction to some non-human entities.<sup>3</sup> Yet it is often not immediately obvious either how we ought to address these environmental problems or how we ought to address disagreement regarding proposed responses to these problems. In particular, individuals might disagree on the nature of our moral obligations regarding non-human nature, including whether non-human entities count morally at all.

In the most general sense, an environmental ethic provides a framework for thinking through our moral obligations vis-à-vis the natural environment. Such a framework seems desirable, given both the above-mentioned environmental problems and uncertainty regarding how to address them. Potentially, a well-crafted environmental ethic can assist us in answering difficult questions, such as who bears responsibility for certain kinds of environmental wrongs, whether we have duties to non-human entities, what weight such duties have compared to duties to human beings, and so on. Such an ethic could guide us in both policy-making and living ethical lives. That is, careful considerations about our obligations vis-à-vis the environment could help us both craft environmental policies and make individual choices that are ethically conscious. For example, it is a pressing question what policies ought to be adopted for dealing with climate change, but we may also ask whether it is morally permissible to clear cut a woodland on one's property. An environmental ethic provides a way to think through such questions.

There are many different forms an environmental ethic could take, of course. One controversial issue is whether an adequate environmental ethic can be grounded on traditional

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<sup>3</sup> O. Hoegh-Guldberg et al., "Coral Reefs under Rapid Climate Change and Ocean Acidification," *Science* 318, no. 5857 (2007).

ethical theories or whether (as Richard Routley argues) a radically new approach is needed.<sup>4</sup> I address this and other such issue throughout this work. Nonetheless, whatever a *satisfactory* environmental ethic turns out to be, such an ethic clearly seems to be worth having, given that we need to think through the difficult and ethically charged environmental problems human beings currently face. One important task of environmental ethics as a discipline is to craft and evaluate ethics that respond to this need.

### Why Kant?

Kantian approaches are notably absent within the environmental ethics literature.<sup>5</sup> While some theories in environmental ethicists might be deemed Kantian in a very general sense (e.g., insofar as they are deontological),<sup>6</sup> very few explicitly engage Kant's moral philosophy. This seems strange, at least initially. In virtually any other sub discipline of ethics, such as bioethics,<sup>7</sup> explicit appeals to Kant's moral theory are frequent and often influential. This is not to deny, of course, that Kant and Kantianism also have numerous critics in these other sub-disciplines. Nonetheless, the virtual absence of Kant is seemingly unique to environmental ethics. Presumably, this absence is explained due to the fact that Kant's moral theory, particularly its account of indirect duties regarding nature (6:442-3),<sup>8</sup> is often taken to be inimical to the goal of

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<sup>4</sup> 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).

<sup>5</sup> 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).

<sup>6</sup> See, for example, Paul Taylor, *Respect for Nature: A Theory of Environmental Ethics* (Princeton: Princeton University Press, 1986).

<sup>7</sup> See, for example, Onora O'Neill, *Autonomy and Trust in Bioethics* (Cambridge: Cambridge University Press, 2002).

<sup>8</sup> Throughout this work, all parenthetical citations are to the volume and page numbers of the "Academy Edition" of Kant's works (Immanuel Kant, *Kants Gesammelte Schriften*, ed. Königlich Preußische (later Deutsche) Akademie der Wissenschaften, 29 vols. (Berlin: Georg Reimer (later Walter de Gruyter), 1900-), which are typically reproduced in English translations, as in this case: Immanuel Kant, *Practical Philosophy*, trans. Mary J. Gregor (Cambridge: Cambridge University Press, 1999).

grounding adequate moral concern for non-human natural entities.<sup>9</sup> 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 work 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. While the details must wait until chapter three, I critique the traditional interpretation of Kant on duties regarding nature. According to this interpretation, Kant's view is that we should avoid animal cruelty and wanton destruction of flora, but only because such actions make us more likely to fail in our duties to human beings.<sup>10</sup> On this view, there would be nothing morally wrong about animal cruelty or destroying plant-life, although it might be prudent not to perform such actions, since they allegedly increase one's propensity to violate duties to humans. Alternatively, I argue that Kant's account actually sanctions much stronger moral requirements vis-à-vis non-human nature than the traditional interpretation recognizes. In particular, I defend a reading of Kant that strictly prohibits causing unnecessary harm to non-human organisms, given that doing so weakens or erodes our morally good dispositions and hence violates what Kant calls the duty to moral perfection. Moreover, on this reading, we also have good moral reason to benefit organisms, since doing so is a way to cultivate or strengthen morally good dispositions and thus provides a way to fulfill the duty to moral perfection. Drawing upon Kant's theory of teleological judgment, I develop an account of the "natural goods" of non-human organisms (see chapter four), an account that can help determine what actions affecting non-humans count as harmful or

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<sup>9</sup> Andrew Brennan and Yeuk-Sze Lo, "Environmental Ethics," in *The 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.

<sup>10</sup> Russ Shafer-Landau, ed. *Ethical Theory: An Anthology* (Malden: Blackwell, 2007), 391.

beneficial. Finally, I show that Kant's account of duties regarding nature can plausibly be taken to give rise to an environmental virtue ethic, i.e. an ethic that morally requires human beings to develop morally good dispositions vis-à-vis non-human nature (see chapter five). If this interpretation and development of Kant's thought is appropriate, then the prospects for a Kantian approach to environmental ethic are much brighter than is usually thought.

In addition to showing that a Kantian approach to environmental ethics is possible, a second goal of this work is to show that such an approach is plausible and attractive in its own right. In attempting to achieve this goal, first I develop some of the details of a Kantian environmental ethic, including criteria for what counts as unnecessary (and hence impermissible) harm to non-humans (see chapter two). In part, this demonstrates that the Kantian approach gives rise to plausible normative requirements with respect to non-human nature, given that it can account well for certain intuitions (e.g., those regarding the last person) while also avoiding certain counter-intuitive implications (e.g., by being implausibly demanding). Second, in the conclusion to this work, I argue that the Kantian environmental ethic I develop has significant advantages over other approaches to environmental ethics. For example, since it recognizes only indirect duties regarding non-humans, my approach does not face the problem of conflicting duties, a very difficult issue for those who recognize direct duties to various non-human entities, as discussed in chapter one.

If I am successful in these ventures, then I will have established not only that a robust Kantian environmental ethic is coherent, but also that such an approach deserves serious consideration and perhaps acceptance by environmental ethicists. Although they have been largely overlooked hitherto, a Kantian approach to environmental ethics seems promising and worth exploring further, something I have attempted in the present work.

### Methodology of the Project

In developing and arguing for my own position (see chapters three through five), I rely on a method of reflective equilibrium.<sup>11</sup> Specifically, I begin with intuitions regarding both the moral status of particular cases and the plausibility of general moral principles. However, instead of taking some set of such intuitions to be foundational and then deriving my own position from it, I treat these rather as working intuitions subject to revision or even rejection. Thus, the criteria for evaluating our intuitions about cases and principles include not only their initial plausibility, although this provides a reasonable starting point. In addition, such intuitions are assessed 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.”<sup>12</sup> The idea here is that our various moral commitments should not merely avoid contravening one another, but also 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 (e.g., 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) and intuitions about principles (e.g., that human beings have a duty to be beneficent, that all living

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<sup>11</sup> See Norman Daniels, “Wide Reflective Equilibrium and Theory Acceptance in Ethics,” *The Journal of Philosophy* 76, no. 5 (1979); Norman Daniels, “Reflective Equilibrium and Archimedean Points,” *Canadian Journal of Philosophy* 10, no. 1 (1980).

<sup>12</sup> Norman Daniels, “Reflective Equilibrium,” in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: Metaphysics Research Lab, 2003).

entities are morally equal, that humility vis-à-vis nature 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 rejecting some of them. Importantly, this method need not treat any intuition or set thereof as privileged with respect to the others, and thus positions depending on this method are not particularly vulnerable to collapsing along with their foundations. Conversely, a foundationalist method, or one that bases some position on a comparatively small set of intuitions as the position's ground, seems to have several disadvantages compared to a method of reflective equilibrium.

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.<sup>13</sup> A position dependent on a foundationalist method rests on potentially tenuous grounds, given that the justification for it stands or falls with the intuitions upon which it is based. Imagine that a set of intuitions put forward as supporting some position is discredited or shown not to support the position in question. If that position was justified solely in terms of those intuitions, which are no longer able to support it, then the warrant 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 that continue to lend the position support.

Consider intuitions about the so-called last person (see also chapter one). On the basis of the intuition that it would be morally wrong for the last person on Earth to destroy the biosphere, despite the fact that doing so would involve no wrong to human beings, Richard Routley holds

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<sup>13</sup> For further discussion and debate, see Stephen Stich, "Reflective Equilibrium, Analytic Epistemology and the Problem of Cognitive Diversity," *Synthese* 74, no. 3 (1988); Peter Singer, "Ethics and Intuitions," *The Journal of Ethics* 9, no. 3 (2005).

that we require a radically new, environmental ethic, given that traditional ethics are unable to countenance the wrongness of the last person's actions.<sup>14</sup> Yet the connection between this intuition and Routley's position is tenuous, given that the intuition might be explained away (e.g., as an anthropomorphizing response to a highly unusual case) or accounted for via alternative means. John O'Neill opts for the latter, noting that the wrongfulness of the last person's actions could be accounted for by a traditional, Aristotelian position, given that those actions exhibit vicious character traits.<sup>15</sup> Thus, Routley's position seems vulnerable, because its foundations (i.e., intuitions regarding the last person) might not support his position after all.

Conversely, my own approach relies 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, e.g., that such actions can be morally wrong or praiseworthy and that such dispositions 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 morally good dispositions, or what Kant calls the duty to moral perfection (6:446). It seems plausible to hold that human moral agents have such a duty. At the very least, it does not seem especially controversial to hold this view. The notion that we ought to cultivate morally good dispositions would seem to be amenable not only to those who follow Kant on this point, but also to virtue ethicists, care ethicists, and even consequentialists.<sup>16</sup> While proponents of these respective positions might disagree regarding which particular dispositions are morally

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<sup>14</sup> For detailed discussion of this "last person argument," see chapters one and five. Sylvan, "Is There a Need for a New, an Environmental Ethic?"

<sup>15</sup> See John O'Neill, "The Varieties of Intrinsic Value," *Monist* 75, no. 2 (1992): 132.

<sup>16</sup> See Onora O'Neill, "Kant's Virtues," in *How Should One Live? Essays on the Virtues*, ed. Roger Crisp (New York: Oxford University Press, 1998); Raja Halwani, "Care Ethics and Virtue Ethics," *Hypatia* 18, no. 3 (2003); Michael Slote, *From Morality to Virtue* (New York: Oxford University Press, 1995); Michael Slote, "Utilitarian Virtue," *Midwest Studies In Philosophy* 13, no. 1 (1988).

good, it seems to be a widely shared view that we ought to develop such dispositions, whatever they turn out to be.

Throughout this work (see especially chapter five), I argue both that intuitions about environmental cases and intuitions about the duty to moral perfection reinforce one another, insofar as certain actions affecting non-human nature strengthen or weaken one's morally good dispositions. Specifically, I develop an account of indirect duties regarding nature, which are grounded in the more general duty to increase one's moral perfection. Moreover, I argue that this account coheres well with other moral commitments (e.g., to human beings). For example, unlike many non-anthropocentric positions in environmental ethics, it does not give rise to numerous conflicting duties. The general methodology of my approach is to seek a state of reflective equilibrium, 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.

### Closing Remarks

In the proceeding chapters, I critically examine influential approaches to environmental ethics (see chapter one), including both non-anthropocentric theories that attribute intrinsic value to non-human entities and recognize direct duties to such entities and anthropocentric theories that recognize only direct duties to human beings. After raising some objections and concerns regarding these various approaches, I turn to a critical examination of attempts by contemporary Kantians to ground moral consideration for non-human entities on Kant's moral philosophy (see chapter two). I suggest that some of these attempts are problematic but that others are very promising, although they require much further development. This motivates a closer examination



of Kant's account of duties regarding nature, offered in his *Doctrine of Virtue* (6:442-3). I argue for a reading of Kant that recognizes much stronger prohibitions on how human beings may treat non-human organisms, namely that we are morally proscribed from causing them unnecessary harm (see chapter three). This account in turn requires some account of what it is to harm and benefit non-human organisms. Departing from Kant's teleological conception of organisms in the *Critique of Judgment*, I develop an account of the natural goods of non-human organisms, understanding harmful actions as those that inhibit the achievement of an entity's natural goods (see chapter four). Building off this work in chapters three and four, I sketch the contours of a Kantian environmental ethic, arguing that Kant's account of duties regarding nature is plausibly taken to give rise to an environmental virtue ethic (see chapter five). Finally, in the conclusion to this work, I show that this Kantian environmental ethic has significant advantages over those positions critiqued in chapters one and two. If this project is successful, I will have shown that a robust Kantian environmental ethic is not merely possible, but also that it is deserving of serious consideration as a compelling account of how human beings ought to treat non-human nature.

## Chapter 1: Traditional Approaches to Environmental Ethics

### Introduction

Historically, many environmental ethicists have adopted the non-anthropocentric position that some non-human natural entities have both intrinsic value and moral standing.

Consequently, many environmental ethicists also have held that human moral agents have direct duties to those non-human entities with moral standing and intrinsic value. In this chapter, I critically examine views of this kind, including the intuitions motivating them and the arguments used to support them. I argue that the position that human moral agents have direct duties to non-humans is seriously flawed, given that it both is based on problematic appeals to the intrinsic value of non-humans and gives rise to various conflicting duties. However, I also argue that it would be a mistake to turn toward certain kinds of anthropocentrism, insofar as many anthropocentric views do not account for intuitions pertaining to the moral features of actions and dispositions vis-à-vis non-human nature. What is needed, I suggest, is a position that recognizes indirect duties regarding non-human entities, a position I develop in subsequent chapters.

### The Turn to Non-Anthropocentric Environmental Ethics

At the 15<sup>th</sup> 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 of what he called “basic human chauvinism.” According to this principle, humans are morally permitted to act however they wish provided that (1) they do not harm other humans and (2) they do not harm themselves.<sup>17</sup> 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, 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.<sup>18</sup> 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,<sup>19</sup> 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 what Routley calls 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, present or future. 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

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<sup>17</sup> Sylvan, “Is There a Need for a New, an Environmental Ethic?” 49.

<sup>18</sup> Throughout this and other chapters, I shall use the term “animals” always to refer to non-human animals.

<sup>19</sup> 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.

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 utilitarians viewed harm to animals as relevant for whether an action is morally right or wrong.<sup>20</sup> 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.<sup>21</sup>

This exaggeration notwithstanding, Routley's paper signaled the rise of a dominant trajectory in environmental ethics, which was constituted by approaches seeking to develop non-anthropocentric ethics. Although it has been critiqued by environmental pragmatists and anthropocentrists,<sup>22</sup> non-anthropocentric approaches remain influential in the environmental ethics literature.<sup>23</sup> Many non-anthropocentrists have been impressed by Routley's last person argument.<sup>24</sup> We may define anthropocentrism as the position that all and only human beings

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<sup>20</sup> John Stuart Mill, "Utilitarianism," in *Utilitarianism and on Liberty*, ed. Mary Warnock (Malden: Blackwell, 2008).

<sup>21</sup> See, for example, James Edwin Mahon, "Kant and the Perfect Duty to Others Not to Lie," *British Journal for the History of Philosophy* 14, no. 4 (2006).

<sup>22</sup> Bryan G. Norton, "Epistemology and Environmental Values," *Monist: An International Quarterly Journal of General Philosophical Inquiry* 75, no. 2 (1992).

<sup>23</sup> Katie McShane, "Why Environmental Ethics Shouldn't Give up on Intrinsic Value," *Environmental Ethics* 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).

<sup>24</sup> Alan Carter, "Projectivism and the Last Person Argument," *American Philosophical Quarterly* 41, no. 1 (2004).

deserve moral consideration.<sup>25</sup> The principle of “basic human chauvinism” that Routley critiques is, of course, an anthropocentric principle. Conversely, we may define non-anthropocentrism as the position that some non-human entities deserve moral consideration. The non-anthropocentric trajectory Routley initiated (at least for environmental ethics as an academic sub-discipline) was particularly influential beginning in the late 1970s and running through the 1980s.<sup>26</sup>

Five years after 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 living entities.<sup>27</sup> 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 the non-human entities he harms and destroys are morally considerable and thus deserve practical respect. The position of Goodpaster and many other non-anthropocentrists may be classified as a direct duties view, or the position that human moral agents have obligations to non-human entities. This can be contrasted with anthropocentric views that hold human moral agents have direct duties only to human beings.

It might be helpful here to clarify what is meant by the terms “moral standing” and “moral considerability,” which I use synonymously throughout this work. In general, an entity has moral standing if and only if it deserves moral consideration from moral agents. For

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<sup>25</sup> For discussion regarding definitions of anthropocentrism, see Tim Hayward, “Anthropocentrism: A Misunderstood Problem,” *Environmental Values* 6, no. 1 (1997).

<sup>26</sup> Holmes Rolston, III, “Are Values in Nature Subjective or Objective?,” *Environmental Ethics* 4, no. 2 (1982); Kenneth Goodpaster, “On Being Morally Considerable,” *The Journal of Philosophy* 75, no. 6 (1978); J. Baird Callicott, “Intrinsic Value in Nature: A Metaethical Analysis,” in *Beyond the Land Ethic: More Essays in Environmental Philosophy* (Albany: SUNY Press, 1999).

<sup>27</sup> Unfortunately, Goodpaster has little to say about what exactly counts as a “basic form of practical respect.” Goodpaster, “On Being Morally Considerable,” 309.

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. Importantly, questions about the moral standing of some entity are distinct from questions about that entity's intrinsic value. Although these issues can be connected in important ways (see below), it is possible for some entity to be deserving of moral consideration regardless of whether it has intrinsic value.

In Goodpaster's view, human beings have a direct duty to afford "basic forms of practical respect" to all living entities. One worry about this 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 it seems no less arbitrary to restrict moral standing to only living entities. For example, David Schmidtz takes a more expansive view, arguing that all entities, including inanimate objects, have moral standing.<sup>28</sup> Conversely, Peter Singer takes a less expansive view, limiting moral standing to sentient entities.<sup>29</sup> 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. Several influential environmental ethicists have argued both that intrinsic value provides

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<sup>28</sup> David Schmidtz, "Respect for Everything\*," *Ethics, Policy & Environment* 14, no. 2 (2011).

<sup>29</sup> Peter Singer, *Animal Liberation* (New York: Harper Perennial, 2009); Peter Singer, "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).

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,<sup>30</sup> they differ on both the conceptual question of what the necessary and sufficient conditions are for an entity to deserve moral consideration and the (usually) empirical question of which entities in fact satisfy these conditions. In answering the first question, some environmental ethicists rely on concepts of intrinsic value.<sup>31</sup> 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.

However, "intrinsic value" remains an ambiguous term subject to equivocation in the literature.<sup>32</sup> It is important to have a clear understanding of what particular authors mean by "intrinsic value," especially since some claim that recognizing the intrinsic value of non-human entities is a necessary condition for an ethic to count as an *environmental* ethic at all.<sup>33</sup> I distinguish 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-

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<sup>30</sup> See 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).

<sup>31</sup> See Rolston, *Environmental Ethics: Duties to and Values in the Natural World*; Rolston, "Are Values in Nature Subjective or Objective?"; Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Attfield, *A Theory of Value and Obligation*.

<sup>32</sup> For a characterization of the various kinds of intrinsic value operative in environmental ethics, see O'Neill, "The Varieties of Intrinsic Value," 119-37.

<sup>33</sup> *Ibid.*, 119.

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 moral 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 III.<sup>34</sup> 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.

#### Rolston's Thought Experiment Argument for Realist Intrinsic Value

In order to argue that some non-human entities have realist intrinsic value, Rolston relies on a modified version of the last person argument. Rolston 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 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.<sup>35</sup> The first intuition is familiar from the last person argument, namely that it seems morally wrong to destroy non-

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<sup>34</sup> See especially Rolston, "Are Values in Nature Subjective or Objective?"; Rolston, *Environmental Ethics: Duties to and Values in the Natural World*.

<sup>35</sup> Rolston, "Are Values in Nature Subjective or Objective?," 149-50.



human entities, even if such destruction involves no moral wrong to present or future humans.<sup>36</sup>

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 a morally bad character and thus ought not be done.<sup>37</sup> 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.

Those who harbor intuition (2) find a biosphere without valuers to be better (in some sense) 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

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<sup>36</sup> 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.

<sup>37</sup> I return to O'Neill's view in much greater detail in chapter five. See O'Neill, "The Varieties of Intrinsic Value," 132.

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. There are many other possible ways to account for intuition (2). 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 realist intrinsic value.

### Rolston's Teleological Argument for Realist Intrinsic 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.”<sup>38</sup> 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 reference frame. These are not absolute standards, but they are objective standards in that they are not generated by subjective human preferences.<sup>39</sup>

Callicott 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

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<sup>38</sup> Rolston, *Environmental Ethics: Duties to and Values in the Natural World*, 101.

<sup>39</sup> *Ibid.*, 105.

duties.”<sup>40</sup> As Callicott interprets Rolston's argument, non-human organisms 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.<sup>41</sup> 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.

Yet there are several problematic claims in Rolston's 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 at best controversial, given the apparent success of non-teleological principles (e.g., natural selection) in explaining natural phenomena, such as the reproduction and evolution of non-human organisms. At the least, Rolston owes an account of both what it is to judge organisms teleologically and how such judgments are warranted. Without such an account, his argument seems vulnerable to the objection that teleological conceptions of organisms are unfounded or otherwise mistaken.<sup>42</sup> As it stands, the argument is at best incomplete.

Perhaps Rolston could provide an account as to why teleological conceptions of organisms are warranted. Even supposing this, however, it is not at all clear that having a telos or good-of-its-kind is a sufficient condition for an entity to possess realist intrinsic value. Rolston does not specify why this should be so. 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

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<sup>40</sup> 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.

<sup>41</sup> 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.*, 135.

<sup>42</sup> 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.

value. Again, Rolston's argument seems incomplete, insofar as it is missing an explanation for why it is appropriate to infer that some entity has realist intrinsic value from the fact (if it is a fact) that it has a telos. At least in its current state, this teleological argument does not seem to provide a good reason to accept Rolston's position.

### Objections to Realist Intrinsic Value

Prominent critics of Rolston's position that non-human natural entities have realist intrinsic value include Callicott and Bryan Norton.<sup>43</sup> 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.<sup>44</sup> Callicott glosses Rolston's position, namely that some entities have intrinsic value as a mind-independent property, 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."<sup>45</sup> 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.<sup>46</sup> 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 that values are subjectively produced by valuers rather than objective properties of entities themselves.

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<sup>43</sup> For a defense of Rolston against both critics, see Preston, "Epistemology and Intrinsic Values: Norton and Callicott's Critiques of Rolston," 409-28.

<sup>44</sup> Callicott, "Rolston on Intrinsic Value: A Deconstruction," 136.

<sup>45</sup> *Ibid.*, 138. For Rolston's example of greenness, see Rolston, *Environmental Ethics: Duties to and Values in the Natural World*, 116-17.

<sup>46</sup> 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.

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."<sup>47</sup> Norton appeals to Quine and Sellars, who allegedly show that the "representational realism" and "foundationalism" on which Rolston relies are untenable.<sup>48</sup> 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.<sup>49</sup> 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.<sup>50</sup>

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 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

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<sup>47</sup> Bryan G. Norton, "Review," review of *Conserving Natural Value*, by Holmes Rolston, III, *Environmental Ethics* 18, no. 2 (1996): 213. See also Holmes Rolston, *Conserving Natural Value* (New York: Columbia University Press, 1994), 167-202.

<sup>48</sup> 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).

<sup>49</sup> Norton, "Review," 213.

<sup>50</sup> *Ibid.*, 214.

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<sup>51</sup>

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.<sup>52</sup> 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 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

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<sup>51</sup> Toby Svoboda, "Why There Is No Evidence for the Intrinsic Value of Non-Humans," *Ethics & the Environment* 16, no. 2 (2011).

<sup>52</sup> 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.

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.<sup>53</sup>

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 of "how we can learn about intrinsic values in nature" cannot be fulfilled,<sup>54</sup> since the argument

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<sup>53</sup> 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*.

<sup>54</sup> Norton, "Review," 214.

shows that human investigators can never have evidence for realist intrinsic value.

This argument is somewhat similar to so-called “arguments for humility,” such as that offered by Rae Langton.<sup>55</sup> 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.<sup>56</sup> 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.<sup>57</sup> 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.

(1): If humans are justified in holding that some non-human natural entities have

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<sup>55</sup> 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* 130, no. 3 (2006): 461-97; Simon Blackburn, “Filling in Space,” *Analysis* 50, no. 2 (1990).

<sup>56</sup> Langton, *Kantian Humility: Our Ignorance of Things in Themselves*, 41-43.

<sup>57</sup> Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (New York: Palgrave MacMillan., 2003), A19/B33 - A50/B73.



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.

### Defending the Argument

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.”<sup>58</sup> 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 (3). Although humans are not justified in inferring realist intrinsic value from any set of

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<sup>58</sup> G. E. Moore, “A Reply to My Critics,” in *The Philosophy of G. E. Moore*, ed. Paul Schilpp (Evanston: Northwestern University Press, 1942), 588.

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.<sup>59</sup> In this case, one observes various non-moral

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<sup>59</sup> Gilbert Harman, *The Nature of Morality: An Introduction to Ethics* (New York: Oxford University Press, 1977), 6-9.

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.<sup>60</sup> 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.<sup>61</sup>

### 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 *mind-dependent* intrinsic value. The concept of mind-dependent intrinsic value is that of a way of valuing non-human entities as ends-in-themselves. On this concept, intrinsic value is contrasted with the instrumental value placed on an entity in virtue of its being a means to some end other than itself. An entity has mind-dependent intrinsic value if and only if it is

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<sup>60</sup> Ibid., 8.

<sup>61</sup> 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.

valued for itself rather than instrumentally. Accordingly, “mind-dependent intrinsic value” denotes a *mode* of valuing non-human entities, whereas “realist intrinsic value” denotes a real property of non-human entities. Those who accept that some non-human entities have mind-dependent intrinsic value are not thereby committed to the existence of realist value properties in non-humans, because mind-dependent intrinsic value must be bestowed on non-human entities by (human) valuers.<sup>62</sup>

Callicott is the chief proponent of the position that some non-humans have mind-dependent intrinsic value.<sup>63</sup> He denies the realist intrinsic value of non-humans because he holds that all value requires a valuer. However, he claims that non-human entities can (and should) be valued as ends-in-themselves by human beings: “Thus one may value (verb transitive) some things *instrumentally*... Similarly, one may value (verb transitive) other things *intrinsically*.”<sup>64</sup> A non-human entity has mind-dependent intrinsic value if and only if it is valued “intrinsically” by some valuer, where an entity is valued intrinsically if it is valued for its own sake rather than as a means to some other end.

It may be 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 are not fixed by facts that are independent of the practical standpoint, however characterized; rather, they are constituted by what agents would agree to under some specified conditions of choice.”<sup>65</sup>

Constructivist positions hold that there are true judgments and utterances regarding moral phenomena (e.g., moral facts, properties, relations, or values) but that the truth of such judgments

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<sup>62</sup> 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.

<sup>63</sup> Callicott, “Intrinsic Value in Nature: A Metaethical Analysis,” 259-61.

<sup>64</sup> J. B. Callicott, “The Pragmatic Power and Promise of Theoretical Environmental Ethics: Forging a New Discourse,” *Environmental Values* 11, no. 1 (2002): 10.

<sup>65</sup> Carla Bagnoli, “Constructivism in Metaethics,” in *Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: Metaphysics Research Lab, 2011).

and utterances is mind-dependent, or dependent upon “the practical standpoint,” in some sense. For example, some constructivists view moral truths as dependent upon the procedures of practical rationality,<sup>66</sup> others upon the contracts agents would agree to under idealized conditions.<sup>67</sup> Importantly, unlike moral realists,<sup>68</sup> constructivists do not hold that there is a realist order of moral phenomena.

For two major reasons, it seems appropriate to classify Callicott’s position as a constructivist one. First, like constructivists, he holds that the intrinsic value of non-human entities is mind-dependent, claiming that humans are the “source” of such intrinsic value but that non-humans are the “locus” of that value.<sup>69</sup> As noted above, Callicott also contends that all value, including the intrinsic value of non-humans, requires a valuer. Second, like constructivists who reject moral realism,<sup>70</sup> Callicott clearly rejects the position that non-humans have realist intrinsic value. Thus, given that he both treats non-human intrinsic value as mind-dependent and rejects this realist position, a constructivist interpretation of Callicott’s view is fitting.

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 comes from elsewhere, namely human valuers.<sup>71</sup>

Rolston implies that, in order for some value to be truly intrinsic, it must be intrinsic to the entity that has it. Callicott’s mind-dependent “intrinsic” value does not meet this condition.

Additionally, Norton contends that Callicott’s terminology is a case of “embarrassing

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<sup>66</sup> John Rawls, “Kantian Constructivism in Moral Theory,” *The Journal of Philosophy* 77, no. 9 (1980).

<sup>67</sup> Thomas Scanlon, *What We Owe to Each Other* (Cambridge: Harvard University Press, 1998).

<sup>68</sup> See, for example, Russ Shafer-Landau, *Moral Realism: A Defence* (Oxford: Clarendon Press, 2003); David Brink, *Moral Realism and the Foundations of Ethics* (Cambridge: Cambridge University Press, 1989).

<sup>69</sup> J. Baird Callicott, “Non-Anthropocentric Value Theory and Environmental Ethics,” *American Philosophical Quarterly* 21, no. 4 (1984): 305.

<sup>70</sup> See, for example, Christine Korsgaard, *The Sources of Normativity* (Cambridge: Cambridge University Press, 1996).

<sup>71</sup> Rolston, *Environmental Ethics: Duties to and Values in the Natural World*, 115.

hairsplitting,” given that Callicott allegedly employs the term “intrinsic value” in a non-standard fashion.<sup>72</sup> Yet despite these criticisms, Callicott’s conception does fit 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, an entity is valued non-instrumentally. While such value is extrinsic to the valued entity, it does not seem idiosyncratic to treat it as a kind of intrinsic value, insofar as intrinsic value is routinely contrasted with non-instrumental value.<sup>73</sup>

The problem with Callicott’s mind-dependent intrinsic value is that he does not provide an argument as to why human beings should confer intrinsic value on non-human entities (i.e., treat them as ends-in-themselves, or value them intrinsically). Granting that one *can* value non-human entities as ends-in-themselves, we may ask why one *ought* to do so. Clearly, the mere fact that one is able value non-human entities “intrinsically” does not establish that those entities have moral standing. Proponents of mind-dependent intrinsic value must provide an argument that humans ought to value non-human entities as ends-in-themselves, but Callicott provides no such argument. Other moral constructivists have offered detailed arguments for their positions. For example, Christine Korsgaard develops a sophisticated Kantian constructivist account, according to which human beings ought to confer “normative value” on non-human animals.<sup>74</sup> While this is not the place to evaluate Korsgaard’s arguments (see chapter two), she recognizes 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, his position is left unsupported.

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<sup>72</sup> Norton, “Review,” 212. Norton offers this same criticism in his earlier Norton, “Epistemology and Environmental Values,” 221.

<sup>73</sup> See O’Neill, “The Varieties of Intrinsic Value.”

<sup>74</sup> Christine Korsgaard, “Fellow Creatures: Kantian Ethics and Our Duties to Animals,” in *The Tanner Lectures on Human Values, Volume 25/26*, ed. Grethe Peterson (Salt Lake City: Utah University Press, 2004).

### Conflicting Duties and Moral Dilemmas?

I have examined some of the difficulties involved in attempting to ground the moral standing of non-human on their (putative) intrinsic value. However, putting aside problems with both realist and mind-dependent intrinsic value, there is 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, which entails moral standing for non-human entities, was motivated by the notion that human beings have moral duties *to* non-humans, or that non-humans deserve moral consideration.<sup>75</sup> Accordingly, although some non-anthropocentric positions extend moral standing further than others, this extension involves a 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 inanimate natural entities of various kinds.

Now, one worry 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 meaning that all such entities are owed “basic forms of practical respect.”<sup>76</sup> 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 (e.g., feeding one’s children) sometimes requires actions that involve the destruction of non-human organisms (e.g., animals or plant-life for food), and it is hard to see how destroying some entity is compatible with harboring “basic forms of practical respect” for it. Such cases

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<sup>75</sup> For discussions by non-anthropocentrists recognizing direct duties to non-humans, see Rolston, *Environmental Ethics: Duties to and Values in the Natural World*, 94-125; Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 169-92.

<sup>76</sup> Goodpaster, “On Being Morally Considerable,” 309.



seem to constitute moral dilemmas, or situations in which it is impossible to avoid moral wrong-doing.<sup>77</sup> For example, fulfilling one's duty to provide food for one's children might 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.

Non-anthropocentrists are aware of this potential conflict among duties, of course. I consider three responses to this problem: simply living with the fact that there 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, one 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, or cases of irresolvable moral conflict, such as those in which it is impossible to avoid moral wrong-doing.<sup>78</sup> Accordingly, it simply might be the case that some of our moral duties genuinely conflict, such that fulfilling one entails violating another. However, those who are willing to accept that 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 arguably violate various duties. Again, an obvious example is meeting the nutritional needs of oneself or others, a commonplace need that seems to result in substantial harm, disrespect, or death to non-human entities. Presumably, a moral theory is very implausible if it entails that human moral agents face numerous genuine moral dilemmas on a daily basis. Moreover, a moral theory that countenances frequent moral dilemmas would do a poor job of

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<sup>77</sup> See Walter Sinnott-Armstrong, *Moral Dilemmas* (B. Blackwell, 1988).

<sup>78</sup> See Terrance McConnell, "Moral Dilemmas," in *The Stanford Encyclopedia of Philosophy*, ed. Edward N. Zalta (Stanford: The Metaphysics Research Lab, 2010).

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.

Second, and perhaps more promising, one could attempt to reduce or eliminate such 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 whereby some entity deserves moral consideration at all, the latter pertains to the *degree* of moral consideration some entity deserves.<sup>79</sup> On Goodpaster’s view, while all living entities deserve moral consideration, some deserve greater consideration than others. While he offers neither a ranking of the moral significance of various entities nor guidelines for developing one, the notion of moral significance offers non-anthropocentrists a way of assuaging conflict among duties. 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, the former takes priority. Technically, this approach does not eliminate or even reduce *conflict* among duties, insofar as human beings would still have genuine duties to various entities, not all of which can be fulfilled. Yet this approach does provide action guidance to agents, thanks to priority conditions that specify how one ought to act despite conflicts among duties.

There are concerns regarding this strategy, however. First, 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

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<sup>79</sup> Goodpaster, “On Being Morally Considerable,” 311-12.

human beings are superior to non-human entities.<sup>80</sup> Second, 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. Perhaps there is some non-arbitrary way to settle such disputes, but Goodpaster does not suggest one.

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, 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).<sup>81</sup> 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.”<sup>82</sup> 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 independently of human meddling) and restitutive justice (i.e., correcting past wrongs committed against non-human nature).<sup>83</sup>

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

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<sup>80</sup> See Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 129-55.

<sup>81</sup> *Ibid.*, 193.

<sup>82</sup> *Ibid.*, 197.

<sup>83</sup> See *ibid.*, 172-92.

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 creature. This kind of wildlife “management” is not justifiable. Nonmaleficence takes precedence over restitution.<sup>84</sup>

However, Taylor does not provide an argument as to why nonmaleficence takes precedence here, except to note 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.”<sup>85</sup> Arguably, however, choosing not to provide restitution to the previously harmed species-population is a wrong as well, and it is not at all obvious that it would be impermissible to kill some natural predators in the case Taylor mentions. It does not seem unreasonable to hold that view that, if necessary for purposes of restitutive justice, some non-humans may be harmed in order to redress past harms to (say) an endangered species. While there might be some good reason why non-maleficence should always take precedence over restitution, no argument to this effect is offered. 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 at the cost of arbitrarily prioritizing some over others.

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<sup>84</sup> Ibid., 195.

<sup>85</sup> Ibid., 194.

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 numerous individuals (e.g., all flora and animals), whose needs, interests, and well-being are in conflict, thus making it difficult, if not impossible, to fulfill all of one's duties to these various 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."<sup>86</sup> 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 moral consideration, Leopold's position seems to avoid the serious problem of conflicting duties, given that it need not negotiate various competing duties to numerous moral patients.<sup>87</sup>

Inspired by Leopold's land ethic, Callicott's early work included the development of a holistic environmental ethic that placed intrinsic value on the biotic community and merely instrumental value on constituents members of that community (e.g., humans, animals, and

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<sup>86</sup> Aldo Leopold, *A Sand County Almanac* (Oxford: Oxford University Press, 1981), 224-25.

<sup>87</sup> 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 section 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.

flora).<sup>88</sup> 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 mistreating human beings for the sake of preserving the biotic whole.<sup>89</sup> 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. Especially for those who, like Tom Regan, hold that some entities (e.g., humans and animals) have moral rights, various implications of Callicott’s holistic view seem unacceptable.<sup>90</sup>

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.<sup>91</sup> 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 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.

The problem of conflicting duties is a serious disadvantage for those positions that recognize direct duties to non-human entities. I have considered three responses to this problem,

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<sup>88</sup> See J. Baird Callicott, *In Defense of the Land Ethic: Essays in Environmental Philosophy* (SUNY Press, 1989).

<sup>89</sup> 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.

<sup>90</sup> See Regan, *The Case for Animal Rights*.

<sup>91</sup> 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).

none of which seems satisfactory. While it is possible that some satisfactory solution will be found (e.g., a set of well-supported, non-arbitrary priority principles), it seems that a position avoiding this problem, all else being equal, is theoretically preferable. A major advantage of the Kantian environmental ethic I develop in this work is that it avoids the problem of deontic conflict vis-à-vis. 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

Given the various problems of non-anthropocentrism, such as those pertaining to intrinsic value and conflicting duties, some environmental ethicists have sought to move beyond these theoretical debates. Environmental pragmatists such as Norton, Andrew Light, Ben Minteer, and Eric Katz are critical of intrinsic value and non-anthropocentrism on practical grounds.<sup>92</sup> A common theme in environmental pragmatism is that theoretical speculation about the intrinsic value or moral standing of non-human entities is irrelevant for and/or inimical to more important concerns in environmental ethics. 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 adequate style of thinking about human roles in the natural world.”<sup>93</sup> Light recommends “methodological 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

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<sup>92</sup> See Bryan Norton, *Toward Unity among Environmentalists* (New York: Oxford University Press, 1991); Norton, “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).

<sup>93</sup> Norton, “Epistemology and Environmental Values,” 209.

preferences toward those more supportive of long-term environmental sustainability.”<sup>94</sup> For both Norton and Light, a major concern of environmental ethics should be the practical issues of environmental policy.<sup>95</sup> Both believe that the “metaethical and metaphysical debates”<sup>96</sup> about the intrinsic value of non-human entities obscure these practical issues.

The best-known manifestation of this pragmatic orientation is probably Norton’s conversion hypothesis, according to which (roughly) both anthropocentrists and non-anthropocentrists will concur in supporting at least similar (if not the same) environmental policies.<sup>97</sup> 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.”<sup>98</sup> 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 agree 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 short-term economic interests 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

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<sup>94</sup> Light, “Contemporary Environmental Ethics: From Metaethics to Public Philosophy,” 446.

<sup>95</sup> 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).

<sup>96</sup> Light, “Contemporary Environmental Ethics: From Metaethics to Public Philosophy,” 446.

<sup>97</sup> See Norton, *Toward Unity among Environmentalists*, 240.

<sup>98</sup> *Ibid.*, 240.



generations, we may realize that short-term economic gains of this kind are contrary to the interests of humans as well, such as present humans who might be harmed by the side-effects of pollution or future humans who might be harmed by the depletion of natural resources by previous generations.<sup>99</sup> Hence, when taking into account the interests of all present and future humans beings, it may be the case that anthropocentrists would endorse (or at least ought to endorse) the same policies as non-anthropocentrists.

Evaluating the convergence hypothesis is made difficult by the fact that Norton has formulated it in significantly different ways at different times. For example, the above-quoted might be interpreted to mean that anthropocentrists and non-anthropocentrists would agree on all matters of environmental policy. 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,”<sup>100</sup> and (2) “that anthropocentrists and nonanthropocentrists will tend to propose similar policies.”<sup>101</sup> Given (1) and (2), Norton suggests that anthropocentrists and non-anthropocentrists merely agreeing on “many” policies, or harboring a tendency to accept “similar” policies, is sufficient for the convergence hypothesis to be true.

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 the same, ethically responsible policies. However, there is more to environmental ethics

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<sup>99</sup> Bryan Norton, “Environmental Ethics and Weak Anthropocentrism,” in *Environmental Ethics*, ed. Andrew Light and Holmes Rolston (Malden: Blackwell, 2003).

<sup>100</sup> Bryan Norton, *Sustainability: A Philosophy of Adaptive Ecosystem Management* (University of Chicago Press, 2005), 508.

<sup>101</sup> Bryan Norton, “Convergence, Noninstrumental Value and the Semantics of ‘Love’: Comment on Mcshane,” *Environmental Values* 17, no. 1 (2008): 5.

than simply deciding which environmental policies ought to be implemented. First, the reasons, intentions, and motivations behind our policy choices arguably contribute to whether our policy choices are morally blameworthy or praiseworthy, insofar as it seems possible to promote a good environmental policy for the wrong reasons. This issue is part of what is at stake in debates among anthropocentrists and non-anthropocentrists.<sup>102</sup> 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, then it seems that the truth of the convergence hypothesis does not render debates among anthropocentrists and non-anthropocentrists superfluous.

Second, environmental ethical concerns are not limited to matters of policy-making but also cover 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 own property, what one's personal responsibilities are (if any) vis-à-vis some local endangered ecosystem, etc. Insofar as these are not questions of policy, it is unclear that the convergence hypothesis would offer much help in answering them. Instead, it seems plausible that the individual actions one ought to perform depend in part on whether non-human entities have moral standing.

Third, as evidenced by the recent surge of interest in environmental virtue,<sup>103</sup> many environmental ethicists hold that one's individual dispositions vis-à-vis non-human nature are morally assessable. On this view, it is not merely our policy choices, individual actions, or reasons that are morally praiseworthy or blameworthy, but our individual character traits as

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<sup>102</sup> See Katie McShane, "Anthropocentrism Vs. Nonanthropocentrism: Why Should We Care?," *Environmental Values* 16, no. 2; Katie McShane, "Convergence, Noninstrumental Value and the Semantics of 'Love': Reply to Norton," *Environmental Values* 17, no. 1 (2008).

<sup>103</sup> See chapter five for a detailed discussion of virtue-oriented approaches to environmental ethics.

well.<sup>104</sup> One might hold, for example, that one ought to be benevolent and humble vis-à-vis non-human nature while not being insensitive or arrogant vis-à-vis nature. Again, since the convergence hypothesis pertains to matters of policy, it offers no guidance regarding what dispositions or character traits we ought to adopt, such as whether the virtue of benevolence should be directed toward non-humans. 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.

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 does seem to be a useful practical guide for building consensus around environmental policies despite disagreement. However, the convergence hypothesis does not speak to a variety of concerns that are important in environmental ethics, such as what actions individuals ought to perform and what character traits they ought to possess. More generally, the tendency in environmental pragmatism to view as irrelevant questions about the moral standing of non-humans seems too quick. On the contrary, even if the convergence hypothesis is true, the question of whether or not non-humans have moral standing seems relevant for the various non-policy concerns that environmental ethics covers. If this is so, then it would seem to be a mistake to ignore this question—despite its theoretical nature, it seems relevant for at least some practical issues.

### Why not Anthropocentrism?

I have discussed a number of problems with non-anthropocentric positions, including

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<sup>104</sup> See Philip Cafaro and Ronald Sandler, eds., *Environmental Virtue Ethics* (Lanham: Rowman and Littlefield, 2005).

objections to intrinsic value approaches and concerns regarding conflicts among duties. Moreover, I have expressed skepticism regarding the pragmatic claim that we can safely overlook the question of anthropocentrism versus non-anthropocentrism. Now, if this question 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”<sup>105</sup> that includes direct duties to non-humans was a mistake, e.g. because human moral agents have 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 depend in part on the details of the anthropocentric position that is put on offer.

One might worry that anthropocentric positions implausibly permit radical exploitation of non-human nature. However, this need not be the case. Norton distinguishes between weak and strong versions of anthropocentrism:

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.<sup>106</sup>

Norton defines a felt preference as “any desire or need of a human individual that can at least

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<sup>105</sup> Sylvan, “Is There a Need for a New, an Environmental Ethic?”

<sup>106</sup> Norton, “Environmental Ethics and Weak Anthropocentrism,” 165.

temporarily be sated by some specifiable experience of that individual,” whereas he defines a considered preference as “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...”<sup>107</sup> 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.<sup>108</sup> 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.<sup>109</sup> 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.

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, on such views, non-human entities lack moral standing, human moral agents nonetheless have good moral reason to abstain from treating non-human entities in ways that would result in harm to other present humans or that would compromise the ability of future generations to sustain a minimum 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

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<sup>107</sup> Ibid., 164.

<sup>108</sup> It is unclear whether any actual moral theorists accept strong anthropocentrism, but the distinction between it and weak anthropocentrism is nonetheless helpful in emphasizing that anthropocentric views need not entail the permission of short-sighted and rapacious actions with respect to non-human nature.

<sup>109</sup> Norton, “Environmental Ethics and Weak Anthropocentrism,” 170.

future generations, present humans ought to reduce their emission of the greenhouse gases that are driving climate change.<sup>110</sup> As it happens, this would benefit 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.<sup>111</sup>

Of course, non-anthropocentrists are unlikely to be impressed by such maneuvers. One might have the intuition, for example, that human moral agents ought to abstain from certain kinds of treatment of non-humans, and that they ought to do so because these non-humans themselves deserve moral consideration. This is the intuition that is supposed to be isolated by the last person thought experiment. We might hold that it is morally wrong for the last person to destroy the biosphere, even though doing so would neither harm individual humans nor compromise the needs of future generations. Arguably, despite the considered preferences of human beings, weak anthropocentrists are unable to account for the apparent wrongness of the last person's actions. However, anthropocentrists (weak or otherwise) might simply reject 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 unusual that intuitions pertaining to that scenario are not reliable. If this is correct, then the fact that Norton's weak anthropocentrism does not account for our last person intuitions 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 blameworthy even if those actions neither harm individual humans nor negatively impact future generations. Imagine someone who tortures a stray cat that does not belong to

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<sup>110</sup> See Stephen M Gardiner, "Ethics and Global Climate Change," *Ethics* 114, no. 3 (2004).

<sup>111</sup> See Scott C. Doney et al., "Ocean Acidification: The Other Co2 Problem," *Annual Review of Marine Science* 1(2009).

anyone. Most of us would find such an action morally problematic, even though it does not harm others (e.g., because the cat is of no sentimental or economic value to anyone) 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 reliability of our intuitions. Moreover, we also seem to have intuitions that certain dispositions vis-à-vis non-human nature are morally better than others.<sup>112</sup> For example, one might hold that it is morally appropriate to harbor benevolent dispositions with respect to animals and humble dispositions with respect to old growth forests. If this is so, then Norton's weak anthropocentrism seems incomplete, given that it does not explain why some dispositions are morally better than others.

#### Indirect Duties Regarding Non-Human Entities

What is needed is an account that makes sense of these various intuitions (i.e., those regarding the moral assessability of actions and dispositions affecting non-human entities) while not falling prey to the problems associated with non-anthropocentric positions, such as the problem of conflicting duties and the various issues associated with intrinsic value approaches. In attempting this task, I take an oft-neglected approach in the environmental ethics literature, namely one that is based on indirect duties regarding non-humans, rather than direct duties to non-humans. Such an approach, often associated with Kant (see 6:442-3), is roundly criticized by philosophers interested in environmental and animal ethics.<sup>113</sup> However, as I will argue in subsequent chapters, an indirect duties approach has significant advantages over non-anthropocentric and weakly anthropocentric positions. As for the former, an indirect duties approach avoids both the problem of conflicting duties (given that it does not greatly multiply

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<sup>112</sup> Ronald Sandler, *Character and Environment: A Virtue-Oriented Approach to Environmental Ethics* (Columbia University Press, 2009).

<sup>113</sup> Kant, *Practical Philosophy*; Singer, *Animal Liberation*; Hursthouse, "Environmental Virtue Ethics."

the number of duties human moral agents possess) and any problem associated with the putative intrinsic value of non-humans (given that it does not attribute any kind of intrinsic value to non-humans). As for the latter, an indirect duties approach can establish that human beings have good moral reasons both to treat non-human entities in certain ways and to develop certain dispositions vis-à-vis non-humans. In particular, I develop a *Kantian* indirect duties approach, according to which a human being's duty to herself to develop morally good dispositions entails (1) that a human ought not to cause unnecessary harm to non-humans and (2) that benefiting non-humans is a way to fulfill one's duty to develop morally good dispositions.

The development of this Kantian approach to environmental ethics requires some substantial work. I begin in chapter two by exploring existing Kantian approaches to animal ethics and environmental ethics, suggesting that some of these are very promising but incomplete. In chapter three, I critique a traditional interpretation of Kant's account of indirect duties, which holds that Kant's position does not prohibit animal cruelty and wanton destruction of flora, but merely discourages it on the basis that such actions make one more likely to fail in one's duties to humans. Alternatively, I argue that actions of these kind are morally prohibited on Kant's account, given that they erode one's morally good dispositions and hence violate one's duty to develop such dispositions. In chapter four, I develop an account of the flourishing of non-human organisms that is based on Kant's notion of teleological judgment, an account that can help us determine what actions affecting non-humans are beneficial or harmful to them. Chapter five develops the normative elements of my indirect duties approach, such as by providing criteria for determining whether some action causes unnecessary harm to non-humans. Finally, in the conclusion, I argue explicitly that the Kantian environmental ethic I develop has substantial advantages over the kinds of approaches critiqued in this current chapter. If I am successful in



my attempt, the following chapters will show not only that a Kantian approach to environmental ethics is possible and coherent, but also that such an approach deserves serious consideration by environmental ethicists.

## Chapter 2: Kantian Approaches to Animal Ethics and Environmental Ethics

### Introduction

In this chapter, I offer a critical examination of attempts by contemporary Kantians to establish that humans have duties vis-à-vis nature. The purpose of this examination is to begin developing my own position by building off the accounts of others. Considering these accounts will help clarify potential strengths and weaknesses of a Kantian approach to environmental ethics as well as identify pitfalls to be avoided. While I raise a number of objections to most of these approaches, they all include valuable points that we would do well to keep in mind. In the course of my discussion, particularly when raising questions or objections regarding some claim or argument, I will indicate alternative positions that I defend in later chapters.

The five Kantian accounts I consider here may be divided into two classes. Two accounts argue that moral agents have direct duties *to* non-human nature, thus breaking with Kant, who holds that moral agents have only indirect duties *regarding* non-human nature. Allen Wood argues that humans have duties to respect non-human nature insofar as it displays fragments, preconditions, or traces of rationality. Christine Korsgaard argues that humans owe direct duties to animals (and perhaps flora and non-living entities as well) because animals have natural goods that are relevantly similar to the natural goods of humans. The other three accounts follow Kant more closely in his account of duties regarding nature. Lara Denis argues that one's treatment of animals is tied to morally useful sentiments and that human beings have both perfect and imperfect duties with respect to animals. Onora O'Neill argues that humans have a duty to strive for their own moral perfection, which requires them to be concerned about animal welfare

insofar as such concern develops a morally good disposition. Finally, Paul Guyer argues that humans have a duty to conserve natural beauty and avoid cruelty to animals in virtue of their duty to increase their own moral perfection. I consider each of these accounts in turn, offering a critical evaluation of each.

### Wood on 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.”<sup>114</sup> Wood writes that logocentrists like himself “think that there is at tight connection between the fact that rational beings are capable of appreciating and accepting valid norms and values and the idea that their rational capacity, which provides the sole possible authority for such norms and values, must be seen as their ground.”<sup>115</sup>

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 in some way.

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.”<sup>116</sup> Wood contends that the personification principle implies that moral agents cannot have duties to non-persons, such as animals, flora, or abstract entities.<sup>117</sup> This helps explain Kant’s claim in the *Doctrine of Virtue* that humans lack duties to animals because “duty to any subject is moral constraint by that subject’s will” (6:442). Human beings owe one another duties because each of them puts the others under obligation via his or her will. Since non-persons presumably lack wills, and since

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<sup>114</sup> Allen Wood, “Kant on Duties Regarding Nonrational Nature,” *Supplement to the Proceedings of The Aristotelian Society* 72(1998): 195.

<sup>115</sup> *Ibid.*

<sup>116</sup> *Ibid.*, 193.

<sup>117</sup> *Ibid.*, 194.

something must have a will in order to be owed a duty, non-persons are not owed duties.

However, Wood stresses that this does not imply that non-human nature lacks value altogether. Following Kant in the *Doctrine of Virtue*, he notes that human beings have duties *regarding* non-rational nature, in particular because one's direct duty to increase her own moral perfection prescribes and proscribes certain kinds of treatment of non-rational nature. Having a certain kind of regard for non-rational nature is constitutive of the good will that one ought to cultivate in oneself. As Wood puts it, "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."<sup>118</sup> However, given the personification principle, for Kant non-rational entities do not deserve respect nor ought they to be valued in themselves. Wood finds this troubling and seeks a way to accommodate respect for non-human entities via Kantian lights.

Wood recommends rejecting the personification principle but retaining logocentrism, because one could then hold that respect for rational nature "sometimes requires us to behave with respect toward nonrational beings *if they bear the right relations to rational nature*."<sup>119</sup> Among such relations, Wood includes "having rational nature only potentially, or virtually, or having had it in the past, or having parts of it or necessary conditions of it."<sup>120</sup> Wood's point is that, free of the limitations of the personification principle, logocentrists have good reason to respect non-rational entities insofar as they exhibit traces or preconditions of rationality. For example, respect for rational nature might require one also to respect infants. Although not rational and hence not persons in Kant's sense, infants have the potential for rationality and typically will develop rational capacities. According to Wood, to lack respect for infants (e.g., to

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<sup>118</sup> Ibid., 195.

<sup>119</sup> Ibid., 197. My italics.

<sup>120</sup> Ibid.

treat them as mere things) would be to lack respect for rational nature as well.<sup>121</sup> The same is true for a human being suffering from a debilitating disease that destroys his rational capacities. Although technically neither rational nor a person, this human being still deserves respect because he previously was rational. In such a case, respect for rational nature requires respect for a non-rational entity.

This lead Wood to suggest that Kant should not have accepted the personification principle, because it conflicts with his logocentrism. If one ought to respect rational nature only *in the person of* rational entities, then it would not be the case that one ought to respect infants, which would license treating infants as mere things. But if Wood is correct, failing to respect infants and thus treating them in such a way would constitute a failure to respect rational nature, because infants have the potential for rationality. This suggests both that the personification principle and logocentrism are in tension and that the former should be dropped. As Wood recognizes, rejecting the personification principle requires 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.”<sup>122</sup> If a moral agent can have duties to non-persons, then obviously not *all* duties are owed to oneself and other persons, since some duties would be owed to non-rational non-persons. 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 count as Kantian.<sup>123</sup>

However, rejecting the personification principle does not require rejecting duties to oneself and other persons—rather, it only requires one to expand the set of recognized duties by

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<sup>121</sup> Ibid., 198.

<sup>122</sup> Ibid., 200.

<sup>123</sup> The account I present in subsequent chapters has the advantage of not requiring us to reject the personification principle while still delivering strong moral prohibitions on how non-human organisms may be treated.

also recognizing some duties to 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 have traces or preconditions of rational nature. For example, logocentrists have good reason to respect non-human animals because they “have capacities which we should value as the infrastructure... of rational nature.”<sup>124</sup>

Here one might expect Wood to cite the various cognitive capacities of some animals for problem-solving, tool-use, and other endeavors. Although not sufficient for constituting rationality in Kant’s sense, having these capacities seems to be part of what it is to be rational. However, Wood instead cites the fact that many animals possess desires, the capacity for pleasure and pain, “preference autonomy,” and a natural teleology. Wood writes, “To frustrate an animal’s desires or to cause it pain maliciously or wantonly is to treat with contempt that part of rational nature which animals share with human beings.”<sup>125</sup> Similarly, borrowing from Tom Regan,<sup>126</sup> Wood contends that many animals have “preference autonomy,” i.e. they have preferences and are able to act so as to satisfy them. Although not sufficient for the rational autonomy possessed by humans, preference autonomy is “a necessary conditional for rational autonomy and part of its structure.”<sup>127</sup> Since one ought to respect rational nature, one ought to respect this necessary condition of rational nature as well. Finally, Wood notes that Kant holds that respect for rational human persons requires respecting the “natural teleology” of humans’ 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 that also possess an animal nature (6:422-8). Once the personification

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<sup>124</sup> Wood, “Kant on Duties Regarding Nonrational Nature,” 200.

<sup>125</sup> *Ibid.*, 200.

<sup>126</sup> Regan, *The Case for Animal Rights*, 84-86.

<sup>127</sup> Wood, “Kant on Duties Regarding Nonrational Nature,” 200.

principle is dropped, however, Wood claims that “it seems reasonable to extend this argument and claim that respect for rational nature requires similar constraints regarding the natural teleology in nonrational living things.”<sup>128</sup>

Wood’s arguments seem problematic in some respects. First, he claims that frustrating an animal’s desires or causing it pain maliciously fails to show respect for an aspect of rational nature that is shared by both animals and humans, namely the capacities for desire and for pleasure or pain. However, it is not clear that these capacities are part of humans’ *rational* nature. On the contrary, they seem to be part of humans’ animal nature. Further, such capacities seem neither necessary nor constitutive of rational nature, since one can imagine a rational being that lacks capacities for desire, pleasure, and pain. Hence, it seems perfectly consistent for a logocentrist to frustrate the desires of an animal or cause it pain, because such actions seem to lack respect only for animal nature and not for rational nature. The same seems true for Wood’s claim about preference autonomy. Assuming it is true that animals have both preferences and the ability to act so as to satisfy them, it is not at all clear that such preference autonomy is either a necessary condition of rational autonomy nor constitutive of it. Again, preference autonomy seems to be a part of some beings’ animal nature rather than rational nature. If that is the case, then one can choose not to respect the preference autonomy of a non-rational entity while still managing to respect rational nature.

Moreover, even if one rejects the personification principle, it is difficult to see why a

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<sup>128</sup> Ibid. Wood also discusses duties vis-à-vis non-rational nature as a whole. In the *Critique of Judgment*, Kant treats human beings as the ultimate end of nature (5:425-34), but according to Wood this does not license “putting nonrational nature at our arbitrary disposal” but rather “imposes on us the responsibility both of making sense of nature as a purposive system and then acting as preservers and guarantors of that system” (Wood, “Kant on Duties Regarding Nonrational Nature,” 204). In virtue of being the ultimate end of the system of nature, human beings have duties to understand and preserve that system, which rules out treating non-rational nature merely as a pool of resources that can be disposed of however one wishes. Unfortunately, it is not clear how Kant’s teleology generates such duties to understand and preserve non-rational nature. Although Wood is surely correct that Kant’s logocentrism is compatible with a non-exploitative regard for non-rational nature, it is not obvious how viewing nature as a purposive system with humans as its ultimate end requires such a regard.

logocentrist ought to respect non-rational entities in virtue of their natural teleology. According to Kant, humans have duties to themselves as animal beings only because humans are *also* rational beings. The natural teleology of humans regarding self-preservation, food and drink, and sex is not constitutive of humans' rational nature—rather, it is constitutive of humans' animal nature. In committing suicide, for example, one fails to respect rational nature only because the entity killing itself is a rational entity (6:423). In other words, since a human has both an animal nature and a rational nature, a human being who kills herself necessarily extirpates her rational nature. But since non-human animals lack such a rational nature, and since their natural teleology is not constitutive of 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, necessary conditions, or traces of rational nature.

While initially attractive, Wood's claim that respect for non-human nature can be grounded in respect for fragments or preconditions of rational nature does not seem promising for a Kantian approach to environmental ethics. This is because even logocentrists who eschew the personification principle can coherently and plausibly deny that respect for rational nature requires respect for non-rational entities, at least in the cases Wood offers as examples. The challenge for an approach like Wood's is to find examples of fragments or preconditions of rationality that are possessed by non-rational entities. However, the capacities of animals for desire and for pleasure or pain, the preference autonomy of some animals, and the natural teleology of non-rational entities do not seem to be instances of these.

### Korsgaard on Direct Duties to Animals

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 repudiates it. In §16 of the *Doctrine of Virtue*, Kant claims that humans cannot have duties to non-human animals 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 animals lack wills, they are not capable of morally constraining human beings, i.e. animals cannot put humans under obligation. Korsgaard interprets this to mean that an animal lacks a “legislative will,” or the capacity to give universal laws to itself.<sup>129</sup> 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). Hence, the categorical imperative applies only to beings with the capacity to recognize universal law and to adopt universal law as governing their own actions. Humans have this capacity while animals lack it, i.e. only humans have legislative. This explains why animals are incapable of morally constraining human beings, because animals lack the legislative wills that could give 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 for an animal. However, Korsgaard writes, “But it is not obvious why Kant should think that it follows that we have no obligations to them.”<sup>130</sup> 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.

Korsgaard’s argument for this position is complex. First, she contends that “Kant rejects a certain form of value realism, which holds that certain states of affairs or objects *just are*

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<sup>129</sup> Korsgaard, “Fellow Creatures: Kantian Ethics and Our Duties to Animals,” 87.

<sup>130</sup> *Ibid.*, 87.

intrinsically valuable.”<sup>131</sup> Instead, he is committed to a constructivist account that grounds value in humans’ rational capacity to value objects via their legislative wills: “value, as Kant sees it, is a human creation, made both possible and necessary by rationality.”<sup>132</sup> Accordingly, the value of any object has its source in rational beings, who “confer” that value on the object.<sup>133</sup> This implies that non-human animals can have value only if it is conferred on them by human beings. Since animals themselves lack legislative wills, they are not sources of value. 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 animals. In other words, human beings could be the source of laws that morally require human beings to treat animals in certain ways. Of course, this would need to be demonstrated. 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.”<sup>134</sup>

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 is 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. I will return to the Formula of Humanity briefly, but first I must explain what is meant by an animal’s natural good.

Korsgaard claims that “an animal has the capacity to experience and pursue what is naturally good or bad for it.” This means that “an animal experiences the satisfaction of its needs

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<sup>131</sup> Ibid., 87.

<sup>132</sup> Ibid., 95.

<sup>133</sup> Ibid., 93.

<sup>134</sup> Ibid., 96.

and the things that will satisfy them as desirable or pleasant, and assaults on its being as undesirable and unpleasant. These experiences are the basis of its incentives, making its own good the end of its actions.” 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.”<sup>135</sup> Further, “When we say that something is naturally good for an animal, we mean that it is good from its point of view.”<sup>136</sup> 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 humans 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.<sup>137</sup> Clearly, some of the particular ends and desires of human animals are unique to them (e.g., the desire to experience beauty), just as the particular ends of animals of different species can differ from each other. Nonetheless, what all human and non-human animals have in common is that they have a natural good, whatever its particular content might be.<sup>138</sup> Korsgaard admits that this fact does not by itself generate duties.<sup>139</sup> 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 connect the natural good of animals to the legislative wills of human beings.

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<sup>135</sup> Ibid., 102-3.

<sup>136</sup> Ibid., 104.

<sup>137</sup> Ibid., 105.

<sup>138</sup> In some ways, I am sympathetic to Korsgaard’s account of natural goods. However, my own account, presented in chapter four, differs from Korsgaard’s in some significant respects: first, I do not view natural goods as connected solely to animal desires; second, I tie natural goods to teleological judgment; third, I develop an account of the natural goods of both flora and animals; and fourth, I view judgments about natural goods as heuristic judgments that are necessary from a practical point of view.

<sup>139</sup> Korsgaard, “Fellow Creatures,” 104.

This is where the Formula of Humanity becomes important. According to Korsgaard, when a human 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 the natural good she shares with non-human animals. Although the enabling and necessary condition of conferring value on oneself is the legislative will that is part of one’s autonomous nature, the targets upon which value is conferred include both one’s animal and rational natures.<sup>140</sup> This provides the basis for recognizing duties to animals. The Formula of Humanity directs human beings to treat themselves and other humans as ends-in-themselves.<sup>141</sup> 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 (e.g., 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, humans must likewise confer value on these animals’ natural good, which likewise generates duties. Hence, human beings have duties to non-human animals.

There are a number of problems and challenges for Korsgaard’s account. The most obvious objection simply would be to deny that humans’ conferring value on their own natural good entails or requires conferring value on the natural good of non-humans. For example, one might admit with Korsgaard that the Formula of Humanity requires one to treat the natural good of humans as ends-in-themselves, but *only because* this is the natural good of rational beings. 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 both refrain from

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<sup>140</sup> Ibid., 100-101.

<sup>141</sup> Accordingly, this formulation seems to presuppose what Wood calls the personification principle, insofar as it requires us only to treat ourselves and other persons as ends.

conferring value on animals' natural good and refrain from recognizing any duties to animals.

Korsgaard addresses this exact objection in a footnote. She contends 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 “engaged in self-deception.”<sup>142</sup> 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 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 everyone's freedom. 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. 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.<sup>143</sup>

Unfortunately, it is far from 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 humans as well, since humans are the kind of entity in which animal nature is connected to rational nature. Failing to confer value on the natural good of a human can constitute a failure to respect the humanity of that individual, but only because the individual with the natural good is same individual who also has a rational nature. This is not the case with non-human animals, because one can abstain from valuing their natural good without

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<sup>142</sup> Korsgaard, “Fellow Creatures,” 104n66.

<sup>143</sup> Ibid.

thereby failing to treat humanity as an end-in-itself. Contrary to Korsgaard's argument, it seems that the Formula of Humanity only requires one to confer value on the natural good of humans. Doing so need be neither dishonest nor self-deceptive—rather, this might be exactly what it is to follow the Formula of Humanity.

Another 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. Her argument is that humans have duties to animals in virtue of the natural good that both share. But plants also share a natural good with humans. As Korsgaard notes, a plant is an entity whose function is to maintain itself.<sup>144</sup> 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, not be destroyed, etc. The natural good of humans is similar, because they too require growth, nourishment, and freedom from destruction in order to achieve their natural good. But this similarity implies that humans have direct duties to plants as well as animals. Further, Korsgaard allows that even inanimate entities have a natural good: "An entity, I said, is matter organized so as to do something, to serve some purpose or function. In one familiar sense of the term 'good,' any entity in this sense has a good: its natural good is whatever enables it to function at all and to function well."<sup>145</sup> But if all entities have a natural good in the sense that they can function, then it seems that humans have direct duties to all entities, even to machines and other artifacts. This is very implausible, because it would include duties not only to trees and flowers but also to stones, cars, and refrigerators.

In a footnote, Korsgaard accepts that her argument might require recognizing direct duties to plants, inanimate entities, and artifacts. She writes:

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<sup>144</sup> Ibid., 102.

<sup>145</sup> Ibid.

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, 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?"<sup>146</sup>

Korsgaard appeals to cases in which humans are inclined to respond normatively to plants and artifacts. Humans sometimes take the fact that a plant needs water as a reason to provide it water, view neglect of tools as inappropriate, and wince when objects are needlessly broken.<sup>147</sup> Although these normative responses could be explained as anthropomorphizing projections onto entities that do not deserve any moral consideration, these response could also be explained as 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 refute her argument if the position follows from it. However, taking duties to plants and artifacts seriously creates the challenge of how to organize these duties relative to one another. Are all duties equally strong, such that one's duty to a washing machine is no less important than one's duty to another human? Or are some duties more important than others, perhaps such that one is morally permitted to neglect a washing machine in order to fulfill one's duty to a human? 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

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<sup>146</sup> Ibid., 106n69.

<sup>147</sup> Ibid.

kinds of entity.<sup>148</sup> If this is true, however, then moral agents need some criteria by which to rank their various duties in order to know what they ought to do. Unfortunately, Korsgaard does not provide such criteria, so it is difficult to know whether and how a multitude of duties to humans, animals, plants, inanimate entities, and artifacts can be organized coherently.<sup>149</sup>

Extending the scope of duties to include various non-humans is also problematic insofar as it seems to yield obligations that are virtually impossible to fulfill. Korsgaard addresses this objection as well, stating it as follows: “Many people are struck with the idea that if we are obligated to treat all animals as ends-in-themselves then it is nearly impossible to lead a morally decent life. [...] Do you kill the spiders in your bedroom? Do you feed your cat meat?”<sup>150</sup> This problem is exacerbated if one also recognizes duties to plants, whose natural good is often in conflict with the natural good of humans. Are humans permitted to destroy flora for food or building material? Doing so violates their 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 for humans to fulfill their duties to both themselves and flora. Korsgaard simply bites the bullet on this issue: “For Kant believed that moral standards, like all 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.”<sup>151</sup> Although Korsgaard claims that humans can fulfill many of their duties, she holds that facts about the world might on occasion make this impossible. If so, then philosophers must reject the principle that “ought implies can,” because this means that moral

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<sup>148</sup> Ibid.

<sup>149</sup> An advantage of the account I develop (see especially chapter four) is that it can non-arbitrarily demarcate between entities with natural goods and those without them. Specifically, following Kant in the *Critique of Judgment*, I argue that from a practical point of view we must view organisms as teleologically directed toward achieving their natural goods, but that we are not warranted in doing so in the cases of non-organisms.

<sup>150</sup> Korsgaard, “Fellow Creatures,” 106.

<sup>151</sup> Ibid., 108.



agents can have duties that it is impossible for them to satisfy.<sup>152</sup> This is very implausible and suggests that there is some problem in Korsgaard's account.

The problem might be that her account does not offer guidance for action. Although Korsgaard argues that humans have direct duties to animals (and evidently to plants, inanimate entities, and artifacts as well), she specifies neither what those duties are nor how humans are to fulfill them. Do humans have a duty to make the ends of animals their own ends, similar to the way in which humans have a duty to promote the happiness of other humans? Or are humans' duties to animals weaker, perhaps requiring them only to abstain from causing unnecessary harm for animals? If these questions were answered, it might be possible to specify how duties to animals, plants, etc. avoid conflict with one another, or at least to offer an account of which of these duties should take priority over others. Lacking such action guidance, however, the apparent impossibility of fulfilling one's duties to non-humans remains a problem.

To summarize, there are three main problems 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 animals as well. Second, it seemingly follows from the argument that humans have duties to inanimate entities and human-made artifacts, which is implausible. Third, the account seems to recognize duties that are impossible to fulfill. While Korsgaard's account is original and interesting, her approach does not seem a promising way to establish direct duties to animals.

### Denis on Perfect and Imperfect Duties vis-à-vis Animals

Although she focuses exclusively on duties regarding non-human animals, Lara Denis is

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<sup>152</sup> 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.

one of the few readers of Kant to hold that his account of 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."<sup>153</sup> Further, such emotional predispositions contribute to a human being's perfection as both an animal and rational being, a matter to which I return below. Second, there are important analogies between humans and non-human animals, most notably that both have an animal nature that drives them toward self-preservation, pro-creation, and community with their own kind. Third, one's treatment of non-human animals "both affects and reflects our morally relevant emotional dispositions," and hence the way we treat such animals can be morally important.<sup>154</sup>

As Denis interprets Kant, *some* of the duties humans have vis-à-vis animals are had in virtue of perfect duties humans have to themselves as animal and moral beings. These duties to oneself "require agents practically to recognize the value of their animal nature as an essential means for their existence and efficacy as rational beings..." (see 6:420).<sup>155</sup> Put another way, Denis claims, "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."<sup>156</sup> A human's emotional predispositions or sentiments are part of her animal nature. Moreover, some of these sentiments (e.g., love and sympathy) are morally useful insofar as they support the performance of morally right actions. According to Denis, cruel treatment of animals

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<sup>153</sup> Lara Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration," *History of Philosophy Quarterly* 17, no. 4 (2000): 406.

<sup>154</sup> *Ibid.*, 407.

<sup>155</sup> *Ibid.*, 408-09.

<sup>156</sup> *Ibid.*, 409.

tends to weaken such morally useful sentiments and thus “constitutes a risk to a morally valuable aspect of our animal nature.”<sup>157</sup> 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 words, a human’s duty to herself 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.

Whereas some duties regarding animals arise from these perfect duties to oneself, Denis argues that other duties regarding animals arise from imperfect duties a human being has both to other humans and to himself. First, one’s duties to other humans (or duties of love) include beneficence, gratitude, and sympathy. Denis holds that these imperfect duties further imply a duty to cultivate sentiments that support the performance of these duties: “[f]ostering dispositions that help us practically express morally required appreciation and concern for others is itself a duty to others.”<sup>158</sup> Second, cultivating morally useful sentiments also promotes one’s own “natural (and, indirectly, moral) perfection”<sup>159</sup> One can satisfy these imperfect duties to promote one’s own natural and moral perfection by fostering emotional predispositions or sentiments that support one in performing morally right actions. Denis argues that imperfect duties to others require humans to cultivate the “virtues” of sympathy, gratitude, and beneficence while avoiding the corresponding vices that are contrary to the performance of these duties, namely envy, ingratitude, and malice.<sup>160</sup> Accordingly, humans have an indirect duty not to treat animals in ways that “instantiate” such vices as are contrary to humans’ imperfect duties to

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<sup>157</sup> Ibid.

<sup>158</sup> Ibid.

<sup>159</sup> Ibid.

<sup>160</sup> Ibid.

others and themselves.<sup>161</sup>

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. For example, one might do this by being kind to animals that have been of service to her (see 6:443) or by relieving animals of their suffering. However, as Denis notes, this consideration establishes only that interaction with animals is but one way of cultivating virtues that satisfy duties of love. Presumably, it is also possible to cultivate these virtues by interacting solely with humans while disregarding animals.<sup>162</sup> While these might be true in many cases, Denis argues that there are three kinds of case in which humans have good moral reason to attend to non-human animals. First, "if one has an opportunity to promote an obligatory end [of an imperfect duty] with little inconvenience and one does not do so, one's behavior calls into doubt one's commitment to that end."<sup>163</sup> In Denis' example, if one could easily aid an injured animal but chooses not to do so, it is questionable whether one is committed to the morally required end of human happiness, since one could cultivate morally useful sentiments by aiding the injured animal. 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).<sup>164</sup> Accordingly, a morally good person would not "*adopt a policy* of ignoring animal suffering."<sup>165</sup> Third, a person who interacts with both humans and non-human animals might better cultivate morally useful sentiments than a

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<sup>161</sup> Ibid.

<sup>162</sup> Ibid., 410.

<sup>163</sup> Ibid.

<sup>164</sup> Ibid., 411.

<sup>165</sup> Ibid.

person who interacts with humans alone.<sup>166</sup> Perhaps more to the point, Denis writes, “Since Kant says that we must avoid the vices of malice, ingratitude, and any other dispositions that oppose duties of love, we must avoid any ways of acting toward animals as well as toward people that evince such vices.”<sup>167</sup> Examples of treatment to be avoided include amusing oneself by causing animals pain (see 6:440-1) and abandoning animals that have been of service (see 27:459).

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 “say 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.”<sup>168</sup> Violation of this duty not only involves a failure to cultivate morally useful sentiments but also “shows disregard for, and quite possibly contributes to the destruction of, dispositions that are part of the ‘perfection of our nature’ and help constitute our ‘moral health’ [6:419].”<sup>169</sup> This implies duties regarding non-human animals insofar as humans ought not to treat them in ways that “disregard” or fail to respect one’s animal or moral nature.

According to Denis, this raises two questions. First, what ways of treating animals oppose or threaten humans’ morally useful sentiments and are thus *prima facie* wrong? Second, what “countervailing considerations” (if any) could justify treating animals in ways that threaten humans’ morally useful dispositions?<sup>170</sup> As for the 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

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<sup>166</sup> Ibid. Unfortunately, Denis neither expands upon nor argues for this third claim.

<sup>167</sup> Ibid.

<sup>168</sup> Ibid.

<sup>169</sup> Ibid.

<sup>170</sup> Ibid., 412.

sentiments, such as sympathy and love.<sup>171</sup> 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 (e.g., guide dogs) and products (e.g., eggs and 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?"<sup>172</sup> 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" (e.g., performing painful experiments on animals solely to satisfy one's intellectual curiosity, eating animals solely because one likes the taste of meat), but she holds that it is justified in certain cases (e.g., killing animals for meat if no other means of nutrition is available).<sup>173</sup> 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.

This account of duties regarding animals leads to an interesting puzzle. As Denis notes, whether or not one's morally useful sentiments are eroded by actions involving cruelty to

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<sup>171</sup> Ibid.

<sup>172</sup> Ibid., 414.

<sup>173</sup> Ibid.

animals seems to depend on whether or not one is aware of that cruelty. If one ignorantly causes severe harm to non-human animals, his action seems incapable of diminishing morally useful sentiments because one does not represent that harm to himself in any way that could affect his sentiments. Suppose that a consumer of eggs is blissfully unaware of the cruel conditions endured by factory-farmed hens. By purchasing such products, it does not seem that one erodes any morally useful sentiment, especially if one mistakenly supposes that the hens who produce one's eggs are treated well on some idyllic farm. But since this person's actions do not erode any morally useful sentiments, it does not seem to violate any duty regarding animals. The implausible implication of all this is that cruelty to animals is *prima facie* wrong *only* in those cases in which one is aware that her actions involve cruelty to animals, whereas those who are ignorant of that cruelty (e.g., because they do not bother to inquire concerning the sources of their meals) are permitted to continue causing it.

Denis' solution is to claim that one has an imperfect duty "to think about where one's goods come from."<sup>174</sup> Although Kant does not identify this as a specific imperfect duty, it is plausible to treat a duty to acquire relevant knowledge as a corollary to the various imperfect duties Kant does identify. Obviously, some empirical knowledge is needed in order to promote the end of the happiness of others, an end that is required by an imperfect duty. Since the concept of happiness, according to Kant, is derived from experience and cannot be formulated a priori (4:418), one cannot know what others' happiness consists of without making some empirical inquiry. Hence, in order to fulfill one's imperfect duty to promote the happiness of others, one must first acquire knowledge of what actions will in fact make others happy. It is plausible, then, to hold that the imperfect duty to promote others' happiness itself implies an imperfect duty to

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<sup>174</sup> Ibid., 416.

discover what means will in fact achieve this end.<sup>175</sup>

Analogously, the imperfect duty to develop one's morally useful sentiments is plausibly viewed as implying an imperfect duty to inquire whether specific actions will promote or erode those sentiments. If so, then one would have an imperfect duty to expend some effort in discovering where one's animals products come from and how they are produced. If this is correct, then ignorance does not justify actions involving cruelty to animals because one has an imperfect duty not to be ignorant of such matters. Nonetheless, as Denis notes, it might be extremely difficult to live up to one's duties regarding animals, especially if this requires not enjoying any benefits from actions that involve cruelty to animals. Denis admits that, on her account, it is not obvious in all cases how humans ought to treat animals. For example, it is unclear whether one must "go vastly out of [one's] way to find food that does not have this taint of cruelty," and she allows that her account might "need a better sense of our moral responsibilities with regard to benefiting from and endorsing the wrongdoing of others [e.g., in the course of producing food products]."<sup>176</sup>

There are a number of problems and questions for Denis' account. First, it seems very unlikely that Kant's position can countenance *perfect* duties regarding animals. Guyer, for example, interprets Kant such that all duties regarding nature (and hence all duties regarding animals) depend on imperfect duties to oneself.<sup>177</sup> According to Denis, however, there is good reason to treat some duties regarding animals as perfect. On her account, some duties regarding animals are obligations to maintain perfections of one's nature (e.g., morally useful sentiments)

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<sup>175</sup> The same seems to hold for one's imperfect duty to promote one's own natural perfection. In order to fulfill this duty, I must know which of my capacities lend themselves to development and which do not, for example.

<sup>176</sup> *Ibid.*, 417.

<sup>177</sup> Paul Guyer, "Duties Regarding Nature," in *Kant and the Experience of Freedom* (Cambridge: Cambridge University Press, 1993), 315-30.



that one already possesses rather than obligations to acquire new perfections.<sup>178</sup> Since some actions regarding animals (e.g., torturing kittens for amusement) erode or damage one's morally useful sentiments, Denis thinks that they are morally proscribed. Hence, some duties regarding animals seem to be enjoined by perfect rather than imperfect duties, because .

However, not all proscriptions need to be tied to perfect duties. Alternatively, imperfect duties can entail proscriptions of certain kinds of action, such as those the performance of which would constitute a violation of a maxim prescribed by some imperfect duty. For example, one imperfect duty prescribes that one adopt a maxim whereby she strives to promote the happiness of others. Although it is imperfect, this duty plausibly is taken to proscribe actions that are incompatible with the adoption of this maxim, such as actions that inhibit the happiness of others. One need not posit some perfect duty in order to account for this proscription, since any action that inhibits the happiness of others would be incompatible with the maxim that one is obligated to adopt in virtue of this imperfect duty. Hence, although Kant proscribes certain actions affecting animals, such a proscription could be accounted for by an imperfect duty rather than a perfect one. Accordingly, Denis would need to offer some further argument to establish her claim that Kant's position recognizes perfect duties regarding animals.

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

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<sup>178</sup> Denis, 421-22n16. Such duties seem to be perfect because they *proscribe* any treatment of animals that reduces or erodes one's perfection, whereas imperfect duties prescribe the adoption of maxims to promote certain ends (e.g., to increase one's own moral perfection or the happiness of others). As Kant puts it, "Negative [i.e., perfect] duties *forbid* a human being to act contrary to the end of his nature and so have to do merely with his moral *self-preservation*; positive [i.e., imperfect] duties, which *command* him to make a certain object of choice his end, concern his *perfecting* of himself" (6:419).

others.”<sup>179</sup> 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 “consists in *honoring* a person because of a benefit he has rendered us,” and that the duty of sympathy “is the 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 fulfill one’s duties to beneficence, gratitude, and sympathy, especially since Kant understands each of these duties as being directed toward other human persons.

Third, Denis seems sometimes 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.”<sup>180</sup> 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: 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 much more plausible to treat the development of morally good sentiments or dispositions as contributing to one’s duty to moral rather than natural perfection.

Fourth, cruelty is left undefined by Denis. This is problematic because it makes it difficult to evaluate the odd 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

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<sup>179</sup> Ibid., 409.

<sup>180</sup> Ibid., 409.

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.<sup>181</sup> 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 by developing an account that forbids actions causing unnecessary harm to animals (and other organisms).

### O’Neill on Indirect Duties Regarding Animals

In commenting on Wood’s paper, 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.”<sup>182</sup> Humans are morally distinctive because, unlike other animals, they are agents and thus subject to moral obligations determining how they ought to act. The view that humans are distinctive in this way is shared by virtually all moral theories and discourses, because there must be moral 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, i.e. discrimination against non-humans on the basis of their species-membership. 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.”<sup>183</sup> In other words, one could accept that humans are the only moral agents but still recognize that animals, plants, or

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<sup>181</sup> Ibid., 114.

<sup>182</sup> Onora O’Neill, “Necessary Anthropocentrism and Contingent Speciesism,” *Aristotelian Society Supplementary Volume* 72, no. 1 (1998): 217.

<sup>183</sup> Onora O’Neill, “Environmental Values, Anthropocentrism and Speciesism,” *Environmental Values* 6, no. 2 (1997): 128-29.

other natural objects are moral patients that deserve some kind of moral consideration.

However, Kant combines this kind of anthropocentrism with the position that only rational nature has “absolute and unconditional worth,” thus yielding his logocentrism.<sup>184</sup> Further, Kant has a “demanding view of what it is to be a rational nature, which he sees as a natural being with ability to act freely and to reason.”<sup>185</sup> 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 duties to non-human entities. Since non-humans are not agents in the required sense, they lack the unconditional worth that is the basis of humans’ 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.<sup>186</sup>

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 contributes to one’s own self-improvement.<sup>187</sup> Caring about the welfare of animals and working to alleviate their suffering increases one’s own moral perfection, making one a better person. To the potential objection that this account does not provide a sufficient basis for the moral standing of animals, O’Neill replies that the burden of proof is on proponents of animal rights to offer a convincing account that humans have direct duties to animals. It is notoriously difficult to find such an account “that animals who are not agents must also be regarded as having unconditional

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<sup>184</sup> Onora O’Neill, “Necessary Anthropocentrism and Contingent Speciesism,” 218.

<sup>185</sup> *Ibid.*, 214.

<sup>186</sup> See, for example, Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Regan, *The Case for Animal Rights*.

<sup>187</sup> Onora O’Neill, “Necessary Anthropocentrism and Contingent Speciesism,” 223.

worth, and should have rights without duties...”<sup>188</sup> In lieu of this very strong claim, 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 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, non-rational nature deserves respect. This is also the strategy of Peter Singer, who holds that many animals deserve moral consideration in virtue of the fact that they are sentient and thus, like humans, have interests in experiencing pleasure and avoiding pain.<sup>189</sup>

According to O’Neill, the problem with such arguments is that the analogies between humans and animals fail in some respects and begin to fade in others. This means that those who appeal to such analogies must adopt something like Kant’s duties regarding nature for those entities that are only distantly analogous to humans. O’Neill writes, “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.”<sup>190</sup> O’Neill’s point is that non-Kantians who rely on human-animal analogies are no better off than Kantians when it comes to avoiding appeals to duties regarding non-humans. At some point, even non-Kantians must either deny that entities that are quite unlike humans deserve moral consideration, or they must justify such moral consideration in terms of some direct duty owed to oneself or others.

Fortunately, the Kantian approach need not be inimical to genuine concern for animal

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<sup>188</sup> Ibid., 224.

<sup>189</sup> Singer, *Animal Liberation*.

<sup>190</sup> Onora O’Neill, “Necessary Anthropocentrism and Contingent Speciesism,” 225.

welfare. Indeed, the Kantian approach might be even more amenable to an environmental ethic than an approach based on animal rights. O'Neill writes, "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."<sup>191</sup> O'Neill cites conflicts between the alleged rights of animals and "the importance of preserving other features or aspects of the environment such as species, habitats, or biological diversity"<sup>192</sup> For example, preserving a particular species might require killing or harming individual members of predatory or non-native species. But if these individual animals have moral rights, then it becomes very difficult to justify violating those rights by causing suffering for those individuals. By not attributing rights to animals, the Kantian approach avoids this difficulty. By recognizing direct duties to humans and only indirect duties regarding animals, O'Neill argues that humans have good 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."<sup>193</sup> This is because a healthy environment is necessary in order for humans to fulfill their direct and indirect duties. 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, humans ought to preserve the environment so as to avoid these threats.

O'Neill's account is promising but has not been fully developed. In particular, it is missing a detailed explanation of how a concern for animals contributes to a human's moral self-perfection. Her account thus invites at least three major questions. First, why does concern for animals promote moral self-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

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<sup>191</sup> Ibid.

<sup>192</sup> Ibid.

<sup>193</sup> Ibid., 226.

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. In chapter three, I will argue that, on Kant's account, a concern for non-human organisms promotes moral perfection because such entities are susceptible to being harmed or benefited, and harming or benefiting some entity is tied to one's virtuous dispositions or the lack thereof. In short, I will suggest that unnecessarily harming an organism violates one's duty to moral perfection, whereas benefiting an organism is a way to fulfill this duty.

Second, how strict are indirect duties regarding animals and their welfare? This is an important question, because the answer would determine whether concern for animals is sometimes obligatory or always only supererogatory. If the latter, then concern for animals is meritorious but lack of such concern is not blameworthy. This would be the case if, for example, a regard for animal welfare was merely one among many ways of increasing one's own moral perfection, such that one could work toward moral perfection while ignoring the welfare of animals. If, instead, a concern for animal welfare is sometimes obligatory, then lack of such concern is sometimes blameworthy. For example, the absence of a regard for a suffering pet might be blameworthy insofar as it involves a mitigation of one's moral perfection. However, it is unclear from O'Neill's account how strict duties regarding animals actually are. On my own account (see especially chapters three and five), duties regarding nature have both proscriptive and prescriptive components. As for the former, I hold that one is strictly prohibited from causing unnecessary harm to non-human organisms, given that such actions reduce one's moral perfection. As for the latter, I hold that benefiting non-human organisms is a way of fulfilling one's duty to moral perfection.<sup>194</sup> I have yet to defend these claims, but I mention them here to signal what I shall be arguing for in developing my positive position.

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<sup>194</sup> This is not quite the same as holding that benefiting non-humans is always only supererogatory, of course.

Third, does one's duty to moral perfection entail duties regarding animals only, or does it also entail duties regarding plants and other natural entities? A Kantian environmental ethic must be clear on this point, because it determines what kind of moral consideration (if any) is deserved by non-animal aspects of non-human nature, such as individual flora, species, ecosystems, and non-organic entities. My own position, as discussed in chapters three and four, is that non-human animals and flora have what I call natural goods, thus making it possible for human actions to benefit or harm them. This makes animals and flora particularly important for one's duty to moral perfection, given that, as I argue, benefiting or harming organisms respectively increases or decreases one's moral perfection.

O'Neill might have perfectly good answers to all these questions, but she does not provide them. This is quite understandable given the limitations of space in a journal article, but these answers must be forthcoming if O'Neill's Kantian approach is to ground an adequate environmental ethic. In the next chapter, I accept something very close to O'Neill's basic claim, namely that a human's duty to increase her own moral perfection entails certain duties regarding non-human organisms. However, I attempt to develop a more detailed account that can provide satisfactory answers to the three questions I have asked above, as hinted in the brief answers above.

#### Guyer on the Beauty of Nature and the 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.<sup>195</sup> 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 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. While there are points of significant agreement (see below), in the next chapter I will build on much of what Guyer says about duties regarding nature.

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 a virtuous disposition may grow out of aesthetic sensitivity to natural beauty, there is no direct moral content to aesthetic contemplation...”<sup>196</sup> However, 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).

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<sup>195</sup> Guyer, “Duties Regarding Nature,” 306-07.

<sup>196</sup> *Ibid.*, 310.

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).

Guyer offers the following interpretation of Kant's account:

Kant's idea seems to be that since (practical) reason is inevitably interested in nature complying with the demands of morality, it is interested in all signs that nature complies with any of our—at least not immoral—ideas and expectations at all. So although natural beauty has no directly moral content, and our disinterested contemplation of it no immediately obviously moral value, nevertheless the very existence of natural beauty... shows that nature is not hostile to our own ideas and endeavors; and it should therefore give us encouragement in our effort to be moral as well...<sup>197</sup>

There is a connection between natural beauty and morality insofar as one takes an analogous

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<sup>197</sup> Ibid., 312.

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, Guyer admits that this account falls short of establishing a duty for humans to take an interest in beautiful natural objects. Guyer contends that "practical reason has *interests* in the satisfaction of its objectives which are not identical with its *duties*."<sup>198</sup> To illustrate this distinction, he appeals to Kant's account in the second *Critique* of the *summum bonum* or highest good, which consists both of 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. This is because 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 happiness) this is an interest to which no duty applies. Hence, Kant's account does not ground a 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 in §59 of the third *Critique* that beauty is a symbol of morality. This is 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

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<sup>198</sup> Ibid., 314.

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.”<sup>199</sup> 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<sup>200</sup>—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.

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<sup>199</sup> Ibid., 316.

<sup>200</sup> Ibid.

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 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 presents the imagination as admitting, even in its freedom, of determination that is purposive for the understanding, and it 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 can cultivate 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.”<sup>201</sup> 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 “the fact that the appreciation of natural beauty can contribute to the development of feelings favorable to morality in us, combined with the acknowledgment of a general duty to cultivate all such feelings, generates a duty toward

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<sup>201</sup> Ibid., 317.

ourselves but regarding nature.”<sup>202</sup> On this account, although a human does not have any direct duty to beautiful natural objects themselves, she does have a direct duty to herself that requires appreciating the beauty of natural objects. Hence, humans have an indirect duty regarding beautiful natural objects, because humans’ duty to moral perfection requires appreciation of the beauty of non-human nature.

However, Kant classifies this duty to moral self-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 the 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 perfection by cultivating feelings that contribute to such 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 is only an optional path to fulfilling one’s duty to moral perfection, which suggests that one could abstain from appreciating beautiful natural objects altogether and still fulfill his duty.

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

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<sup>202</sup> Ibid., 318.

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 Kant

virtually concedes that his classification is misleading when he says 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.<sup>203</sup>

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 (Part I, Chapter II) 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 duties regarding nature as an “episodic section,” which Guyer takes to signal Kant’s own uncertainty about how to classify them.<sup>204</sup> 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

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<sup>203</sup> Ibid., 323.

<sup>204</sup> Ibid., 324.

imperfect duties) specifying general maxims that permit some leeway in one's actions. 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."<sup>205</sup>

This is an important distinction. Perfect duties typically are "negative" commands that proscribe certain actions (e.g., lying and suicide), whereas imperfect duties typically are "positive" commands that prescribe certain ends (e.g., the happiness of others and the cultivation of one's own talents). 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 they are perfect duties. If they were instead 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 decrease one's own moral perfection, and perhaps this is why Kant proscribes such actions as if humans have perfect duties to abstain from them. In the next chapter, I defend this interpretation and develop its implications. Specifically, I argue that wanton destruction of flora or cruelty to animals violates the maxim of striving to increase one's moral perfection, hence violating one's duty to strive for moral perfection.

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 (despite those ambiguities discussed

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<sup>205</sup> Ibid.



above) 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). This claim implies that appreciation of natural beauty is merely one among many ways to cultivate a morally good disposition and hence not required by any duty. As Guyer says, this "suggests the idea of an open-ended improvement of moral character associated with the imperfect duty to moral self-knowledge and holiness rather than the determinacy characteristic of the perfect duties to oneself."<sup>206</sup> 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.<sup>207</sup> The same appears true for duties regarding animals. As Guyer interprets Kant, 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 "parallels" Kant's account of perfect duties because it proscribes animal cruelty.<sup>208</sup> On the other hand, Kant does not treat compassion for animals as required by 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 "one means among many to the preservation and improvement of moral character..."<sup>209</sup> Guyer concludes that duties regarding animals are best understood as imperfect duties.

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,

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<sup>206</sup> Ibid.

<sup>207</sup> Ibid., 326.

<sup>208</sup> Ibid., 325.

<sup>209</sup> Ibid.

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.”<sup>210</sup> 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 considerations, such as humans’ need for food and shelter. Further, the 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 in order to tend to the welfare of other human beings.<sup>211</sup> 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.”<sup>212</sup>

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 or finds amusement in the destruction of beautiful objects is not a good reason for deferring conservation of natural beauty, since one’s own laziness or amusement is not sanctioned by any duty. According to Guyer’s

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<sup>210</sup> Ibid., 328.

<sup>211</sup> Ibid.

<sup>212</sup> Ibid., 328-9.

interpretation of Kant, one must always honor the maxim commanded by an imperfect duty, even if circumstances temporarily prevent one from acting on it.

Like Wood, Guyer also addresses the potential objection that Kant's claim in the *Critique of Judgment* that humans are the ultimate end of nature undercuts any genuine moral concern for non-human nature. The concern is that viewing humanity as the end of nature might authorize humans to treat nature however they wish. Also like Wood, Guyer replies that Kant's claim is "that nature can be seen as 'teleologically subordinated' to mankind only in the latter's purely moral capacity."<sup>213</sup> Far from permitting cruelty to animals or destruction of beautiful natural objects, viewing humanity as the moral end of nature requires recognizing those duties regarding nature that Kant argues for in the *Doctrine of Virtue*. Since "the end of morality is unconditional or ultimate for humans themselves," humans are permitted to use nature only in ways that are sanctioned by morality.<sup>214</sup> Accordingly, treating humanity as the ultimate end of nature does not threaten the status of duties regarding nature. Guyer also briefly considers Kant's account of the teleology of an organism, which reflective judgment is warranted in viewing as a physical purpose or end that is "*both cause and effect of itself*" (5:371), 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."<sup>215</sup> I return to this issue in chapter four, in which I argue that the teleology of organisms is morally relevant insofar as it requires humans to view some of their actions as harmful or beneficial vis-à-vis 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

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<sup>213</sup> Ibid., 331.

<sup>214</sup> Ibid., 333.

<sup>215</sup> Ibid., 331.

Wood and Korsgaard, which seek to modify Kant's own 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 achieve one's 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 in Guyer's account 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 natural objects and cruelty to animals. This suggests that such actions somehow violate one's duty, implying that some actions affecting non-human nature are blameworthy and ought not to be performed. 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 other kinds of action that affect nature, such as appreciating natural beauty and promoting the well-being of animals. Performing such actions is meritorious and contributes to one's own 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 in Kant's claim that organisms may be judged as natural purposes (or as Guyer calls them, "physical ends"). This is potentially a significant mistake. Although Kant does not explicitly make the connection, his teleological account of the purposiveness of non-human organisms can help fill in the content of duties regarding plant life and animals. In particular, viewing animals (and, I argue, flora) 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 states that are appropriate for them given the kinds of entity they are. Given that 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 flora 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 suffer harm. While there may be no moral significance in the teleology of organisms taken in isolation, this teleology is morally relevant for the relations between humans and non-human organisms.

### Closing Remarks

In this chapter, I have critically examined accounts by contemporary Kantians for how they might consistently and satisfactorily countenance duties vis-à-vis non-human nature. While these accounts are both interesting and promising, there are also some major problems and questions that need to be addressed. I suggested that Wood's approach of respecting fragments or preconditions of rationality in non-human nature is problematic because it is unclear that the examples he cites (desire, a capacity for pleasure and pain, preference autonomy, and natural teleology) are fragments of rationality rather than components of non-rational, animal nature. I suggested that Korsgaard's approach of conferring value on the natural good of animals is problematic because it is unclear that conferring value on one's own natural good requires doing so for animals as well, both because her approach seems to yield an implausible scope for direct duties (e.g., duties to inanimate entities), and because it seems to follow from her account that human beings have some duties that are impossible to fulfill.

Both these accounts rely on substantial departures from Kant's own views. Wood dispenses with the personification principle, whereas Korsgaard dispenses with Kant's claim that human beings do not have direct duties to non-humans. Alternatively, the approaches of O'Neill, Guyer, and Denis do not depart in major ways from Kant's own account of duties regarding nature. Instead, they argue that Kant's account is more satisfactory than is often supposed. However, I have argued above that all three of these approaches are incomplete in important ways. O'Neill's account is missing an explanation of how and why one's treatment of non-humans is tied to one's duty to moral perfection, thus raising questions about what this duty entails vis-à-vis non-human nature. Guyer's account is missing an explanation for why some actions affecting non-humans are proscribed whereas others are prescribed, and it lacks a sufficient appreciation for the moral relevance of the teleology of organisms. Denis' account

misidentifies certain duties regarding nature as perfect rather than imperfect, and it does not explicate what is meant by cruelty, among other problems.

In chapter three, I follow O'Neill and Guyer by holding that Kant's account of duties regarding nature, as entailed by one's duty to moral perfection, grounds a robust moral concern for non-human nature. However, I attempt to account for why certain actions affecting non-human nature are relevant for one's duty to moral perfection, namely that causing unnecessary harm to non-human organisms entails a violation of the maxim commanded by that duty. Moreover, I ground the proscriptive/prescriptive distinction that troubles Guyer in a distinction between causing unnecessary harm to organisms versus benefiting them. In chapter four, drawing on Kant's account of teleological judgment in the third *Critique*, I argue that non-human organisms have natural goods and thus can be harmed or benefited by human actions. Finally, in chapter five, I sketch a Kantian environmental ethic that unifies these various elements.

## Chapter Three: Moral Perfection and Duties Regarding Nature<sup>216</sup>

### Introduction

In this chapter, I discuss the prospects of a Kantian approach to environmental ethics, focusing on Kant's own account of duties regarding non-human nature. I critique the traditional interpretation of Kant on this issue, which hold that Kant discourages cruelty to animals and wanton destruction of flora only because such actions make one more likely to fail in his duties to human beings. Instead, I argue that Kant's position sanctions much stronger limitations on how non-human natural entities may be treated. In particular, I defend an interpretation of Kant's account of duties regarding non-human nature that prohibits animal cruelty and wanton destruction of flora because such actions are violations of one's duty to increase her own moral perfection. Moreover, I argue that this Kantian account also prescribes kindness to animals and aesthetic appreciation of flora as optional but effective ways to help fulfill one's duty to moral perfection. This non-traditional interpretation of Kant makes a Kantian approach to environmental ethics much more promising than the traditional interpretation allows because the former recognizes much stronger duties regarding non-human nature.

### Kant on Duties Regarding Non-human Nature

At first glance, a Kantian approach to environmental ethics might not seem promising. 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

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<sup>216</sup> Portions of this chapter will appear in Toby Svoboda, "Duties Regarding Nature: A Kantian Approach to Environmental Ethics," *The Kant Yearbook* 4 (2012).



will” and because human persons are the only known entities capable of constraining others in this way (6:442).<sup>217</sup> Kant here suggests that a moral agent can have a direct duty only to another subject with a will, because only such an entity has the capacity to obligate moral agents. This requirement rules out direct duties to entities that are not subjects with wills. Hence, Kant concludes that human beings can have direct duties only to one another, because other entities (e.g., flora and animals) lack the capacity to place human beings under moral obligation.

Also in §16, Kant writes that “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). The second condition here suggests that human beings have direct duties only to subjects with wills because having a duty to someone consists of striving “for the end” of his or her will. Kant’s argument seems to be that since non-humans lack the capacity to set ends for themselves, and since having a direct duty to some entity consists of striving to achieve the ends of that entity, it is impossible for moral agents to have direct duties to non-humans. Further, the first condition, namely that “the constraining (binding) subject must, *first*, be a person,” 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

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<sup>217</sup> See Kant, *Practical Philosophy*.

respect) (4:428).

On the assumption that non-human natural entities are “beings without reason,” this passage implies that such entities (e.g., animals and plants) are things and thus may be treated as mere means. Finally, in his 1784-5 lectures on moral philosophy, according to the notes of Georg Ludwig Collins, Kant argued that all animals lack self-consciousness, which means that they “exist only as means, and not for their own sakes” (27:458-9).<sup>218</sup> Given these various claims, Kant clearly denies that humans have direct duties to non-human natural entities because such entities neither possess wills nor are they persons.

According to Kant, if one believes that one does have direct duties to non-humans, a position that is held by many environmental ethicists,<sup>219</sup> it is due to what he calls “an *amphiboly* in his *concepts of reflection*,” whereby one confuses duties *regarding* non-humans with duties *to* non-humans (6:442). A moral agent has a direct duty *to* another entity if and only if that entity morally constrains that agent via its will. Alternatively, a moral agent has a duty *regarding* another entity if and only if some direct duty requires that moral agent to perform actions that happen to affect that entity. Kant holds that a human can have duties regarding non-human natural entities insofar as certain actions affecting non-humans fulfill direct duties a human has to human beings. On his view, neither animals nor plants deserve direct moral consideration, yet humans are not thereby permitted to treat animals and plants however they wish. Instead, one’s direct duties to oneself and other humans can generate duties regarding non-human nature. The implication is that one could have a duty regarding non-humans that limits how they may be

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<sup>218</sup> Kant, *Lectures on Ethics*, trans. Peter Heath, ed. Heath and J. B. Schneewind (Cambridge: Cambridge University Press, 1997).

<sup>219</sup> 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.

treated, but only if one's treatment of non-humans happens to be involved somehow in fulfilling a direct duty to oneself or other humans.

This seems to have been a consistent view of Kant's. In his 1784-5 lectures on moral philosophy, Kant held that all duties regarding animals are indirect duties to human beings (27:458-9). In §17 of his 1797 *Doctrine of Virtue*, Kant 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 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).

In at least one respect, this passage is quite clear: humans have direct duties only to themselves

and other human beings. Although Kant recognizes duties regarding nature, his rejection of direct moral consideration to non-human nature might seem inimical to an environmental ethic. In a recent major book on environmental ethics, the authors note that the “main source of criticism of Kant in the environmental ethics literature” concerns “his position about where the boundary of moral considerability stops. Non-rational beings, including non-rational animals and living things, are, in contrast to rational persons, mere things that have only instrumental value for persons. They are not ends in themselves and persons have no direct duties towards them.”<sup>220</sup> I argue below that Kant’s position is actually much more amenable to an environmental ethic than is typically supposed. First, however, I examine and critique the traditional interpretation of Kant on duties regarding non-humans, according to which moral agents have duties regarding non-human nature only in the sense that certain actions regarding non-humans develop and strengthen dispositions that are useful for transacting one’s direct duties to human beings.

### The Traditional Interpretation of Duties Regarding Non-human Nature

Most scholarship on Kant’s account of duties regarding non-human nature focuses on duties regarding animals. Initially, Kant’s argument in both the *Doctrine of Virtue* and his lectures seems to be that one should not be cruel to animals because this makes one more likely to be cruel to humans, which is proscribed by one’s direct duties to human beings. On this traditional interpretation, Kant is appealing to an alleged psychological tendency in human beings, according to which cruel treatment of animals desensitizes a human being to suffering in general. There has been some empirical research that supports the view that such a psychological

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<sup>220</sup> John O’Neill, Alan Holland, and Andrew Light, *Environmental Values* (London and New York: Routledge, 2008), 95.

tendency is operative in at least some humans.<sup>221</sup> According to the traditional interpretation of Kant, this makes one who is cruel to animals more likely to disregard the suffering of humans and thus more likely to fail to fulfill his direct duties to humans, such as the duty to promote the happiness of others (6:452-4).

This is the dominant interpretation of Kant's account of duties regarding non-human nature.<sup>222</sup> For example, James Skidmore claims 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."<sup>223</sup> 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."<sup>224</sup> In a recent anthology, Russ Shafer-Landau introduces the above-quoted excerpt from Kant's 1784-5 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 same way."<sup>225</sup> According to all three of these philosophers, 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 otherwise provides a careful consideration of Kant's moral views

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<sup>221</sup> See Singer, "Not for Humans Only: The Place of Nonhumans in Environmental Issues," 407-10.

<sup>222</sup> In addition to those proponents of this interpretation discussed here, see also 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); Hursthouse, "Environmental Virtue Ethics."; Brennan and Lo, "Environmental Ethics." 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."

<sup>223</sup> Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration," 541.

<sup>224</sup> Singer, *Animal Liberation*, 244; see also Singer, "Not for Humans Only: The Place of Nonhumans in Environmental Issues," 56.

<sup>225</sup> Shafer-Landau, ed. *Ethical Theory: An Anthology*, 391.

on animals, concurs with this account.<sup>226</sup> According to Regan's interpretation of Kant, "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."<sup>227</sup> On this account, one should not be cruel to animals only because such cruelty develops character traits whereby one is indifferent to suffering, and one should not develop such character traits only because they make one more likely to be cruel to humans. Regan adds that Kant can defend his view that maltreating mere things, such 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."<sup>228</sup> Again, this is because of a purported psychological tendency in human beings, namely that cruel treatment of animals makes humans more likely to develop dispositions that, in turn, make humans more likely to fail in their direct duties to themselves and other human beings.

This widespread, traditional interpretation of duties regarding non-human nature establishes only a tenuous link between the way one treats non-humans and being moral. This is because that link rests on psychological *tendencies* of human beings. Sensitivity to the suffering of animals is thought to be instrumentally useful for fulfilling one's direct duties to humans, and cruelty to animals is thought to decrease such sensitivity. However, there is no necessary connection 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. Shafer-Landau, critiquing Kant's alleged position, puts the point well:

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<sup>226</sup> Regan, *The Case for Animal Rights*, 174-85.

<sup>227</sup> *Ibid.*, 179.

<sup>228</sup> *Ibid.*, 181.

And it in any event 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. People who mistreat animals are often respectful to their fellow human beings. If we took Kant's view to heart, we'd see nothing intrinsically wrong with torturing animals, but plenty that is intrinsically wrong with treating our fellow human beings that way. On the assumption that we could carry this distinction over to our actions, and conform our behavior to Kantian principles, then those who hurt animals would not be likelier to mistreat humans. In that case, Kant has no argument against such behavior. This is because, for him, animals have no moral standing.<sup>229</sup>

On this account, those who draw the correct distinction between rational persons and non-rational things should be able to distinguish between the suffering of animals, which is morally insignificant on this interpretation, and the suffering of humans, which is morally significant. Those who make this distinction and internalize it might be able to overcome the purported psychological tendency whereby indifference to animal suffering dulls one's sensitivity to human suffering. In that case, one 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 cases in which cruelty to animals does diminish sensitivity to human suffering, such diminished sensitivity is compatible with completely fulfilling one's direct duties to humans. That is, one can be cruel to animals and thereby become emotionally indifferent to human suffering while nonetheless fulfilling all one's direct duties to human beings, such as by respecting oneself and others as ends-in-themselves, promoting the

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<sup>229</sup> Shafer-Landau, ed. *Ethical Theory: An Anthology*, 391-92.

happiness of others, developing one's talents, and so on. Kant approves of just such a person in his example of the cold-hearted benefactor in the *Groundwork*.<sup>230</sup> 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 out, which is moral and incomparably the highest, namely that he is beneficent not from inclination but from duty" (4:398-9). According to Kant then, although a sensitivity to suffering might support morally right actions vis-à-vis human beings, it is not necessary for the performance of such actions.

Accordingly, 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.

If the traditional interpretation of duties regarding nature is correct, then the prospects for a Kantian approach to environmental ethics are dim. Indeed, the widespread acceptance of this interpretation might explain why no major environmental ethicist adopts a Kantian approach.<sup>231</sup> Since a moral agent simultaneously could be cruel to animals while fulfilling all her direct duties, there is nothing morally problematic with animal cruelty itself. Moreover, although commentators tend to pass over what Kant writes about non-animal entities (e.g., plants and crystal formations), they would presumably offer the same interpretation of duties regarding them. For example, moral agents could have duties regarding plants only in the sense that wanton destruction of plants tends to weaken dispositions that are useful but not necessary for fulfilling one's direct duties to humans. As with animals, however, a human being could practice

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<sup>230</sup> See Karen E. Stohr, "Virtue Ethics and Kant's Cold-Hearted Benefactor," *The Journal of Value Inquiry* 36, no. 2 (2002).

<sup>231</sup> 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*.



wanton destruction of plants while maintaining his morally useful dispositions, or he could fulfill his direct duties to humans in the absence of such dispositions. In either case, one's duties regarding plants would be quite weak, and there would be nothing morally problematic with wanton destruction of plants itself.

### The Inadequacy of the Traditional Interpretation of Duties Regarding Non-human Nature

However, Kant's position on duties regarding non-human nature is actually much more sophisticated than this traditional, dominant interpretation maintains.<sup>232</sup> This is so for at least two reasons. First, Kant 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 instrumentally useful for properly transacting one's direct duties to humans, but rather that abstinence from such cruelty is itself required by some direct duty. If this were not the case, then it would be strange for Kant to say that one has a *duty* to avoid being cruel to animals. However, since Kant denies that moral agents have direct duties to non-humans, the duty in virtue of which animal cruelty is prohibited must be one that is owed to human beings. Nonetheless, the implication is that abstaining from animal cruelty is not merely a way to maintain morally useful dispositions, but rather that one *ought not* to be cruel to animals. Although Kant does seem to 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 wrong with cruelty to animals. Otherwise, it would make little sense for him to claim that humans have a duty not to be cruel to animals. As for the second reason why the traditional interpretation of

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<sup>232</sup> For a rare exception to the traditional interpretation, see Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration."

duties regarding non-human nature is inadequate, Kant insists that one has an indirect duty not to be cruel to animals because “it is intimately opposed to a human being’s duty to himself” (6:443). According to this claim, the chief problem with animal cruelty is not that it makes one more likely to fail in her direct duties to other humans—rather, there is something about animal cruelty that opposes some duty a human being has to herself.<sup>233</sup> Both these deficiencies become more clear after a close reading of §17 of the *Doctrine of Virtue*. I begin with its account of animal cruelty.

### Cruelty and the Treatment of Animals

Kant offers three examples of cruel treatment of animals. 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 cruel, as is 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 frivolous and painful experiments on them. For example, if one has the ability to euthanize a dog with a nearly painless injection yet chooses to kill the dog with a shovel, then one inflicts unnecessary harm on the dog and thus performs a cruel action.<sup>234</sup>

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<sup>233</sup> Kant does not clearly state what this duty to oneself is. Below, I defend the interpretation that animal cruelty and wanton destruction of plants are opposed to a human’s duty to increase her own moral perfection (see 6:446-7).

<sup>234</sup> Admittedly, what exactly counts as unnecessary harm is somewhat vague. In chapter five, I attempt to clarify this by arguing that one’s action causes unnecessary harm either if the end of that action could be achieved by less

One problem with the traditional interpretation of duties regarding nature is that it does not fit well with Kant's implication that animal cruelty is impermissible. His claim that some kinds of treatment of animals is "authorized" implies that other kinds of treatment are not authorized but instead forbidden, as does his claim that frivolous and painful experiments "are to be abhorred" (6:443). The traditional interpretation cannot account for this because it views animal cruelty as problematic only if it leads to one's failure to fulfill direct duties to humans. Since animal cruelty need not entail such a failure, it cannot explain why cruel treatment of animals is forbidden. For example, a proponent of the traditional interpretation cannot hold that beating a dog to death with a shovel is impermissible but only that such an action *could* weaken one's moral dispositions, which in turn *could* lead one to fail to fulfill some direct duty to human beings. An adequate interpretation of duties regarding nature must account for Kant's position that animal cruelty is not authorized.

Further, Kant claims that a human's duties regarding animals are not limited to abstaining from cruel treatment of them. In addition, these duties require certain positive actions with respect to animals. 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). According to this remark, given some direct duty one has to oneself, one has an indirect duty to show gratitude to certain animals. As with the proscription against animal cruelty, this prescription of gratitude towards certain animals is entailed by a direct duty to oneself. Again, this does not fit well with the traditional interpretation. If gratitude to animals were merely a way to maintain or strengthen morally useful

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harmful means or if the end of that action is trivial. For the moment, I note only that interpreting animal cruelty as the infliction of unnecessary harm on animals is plausible because that is the common feature shared by all Kant's examples of animal cruelty.

dispositions, then why does Kant say that such gratitude is owed in virtue of a direct duty to oneself?

In his 1784-5 lectures, Kant held that someone who shoots an old dog because it is no longer useful violates an indirect duty to humanity: “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, not wanting to cause them any harm. Further, Kant 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. Finally, although Kant allows experiments on animals, he claims that harming animals for sport is never acceptable (see 27:459-60).

These passages from Kant’s lectures might seem susceptible to the traditional interpretation, according to which humans have duties regarding animals only insofar as some actions that involve animals make one more or less likely to fulfill one’s direct duties to humans. However, even in the 1784-5 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, Kant also suggests that cruelty to animals betrays the absence of a moral perfection one ought to have. As O'Neill et al. note, Kant's argument at 27:459 admits of a non-traditional interpretation, namely "that a person who acts with cruelty to an animal fails to show or develop the moral character that is proper to a human agent; the person damages his moral character."<sup>235</sup> For example, Kant 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). This claim that such an action "always" exhibits a small mind suggests that turning out one's dog is morally problematic even if doing so does not cause one to violate any direct duty to human beings. In later lectures, according to the notes of Johann Friedrich Vigilantius (starting in 1793), Kant 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 suggests 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 actions themselves. Otherwise, it would not be the case that "any" action of tormenting an animal would be demeaning to oneself.

#### Duties Regarding Non-animal Nature

Even if Kant's position can be shown to proscribe animal cruelty, this might not be sufficient to establish that a Kantian approach to environmental ethics is promising.

Environmental ethicists are often concerned not only about the moral status of animals but also of plants and even non-living natural entities, such as species and ecosystems.<sup>236</sup> Can a Kantian

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<sup>235</sup> O'Neill, Holland, and Light, *Environmental Values*, 96.

<sup>236</sup> Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Sylvan, "Is There a Need for a New, an

approach to environmental ethics accommodate such concern? Kant recognizes duties regarding plants and even non-living entities, holding that appreciation of the beauty in non-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” because it weakens that disposition (6:443).

According to this argument, the aesthetic appreciation of an entity independently of its usefulness promotes a morally good disposition. Kant does not say exactly why this is the case in the *Doctrine of Virtue*. According to the notes of Vigilantius, Kant claimed similarly in his lectures 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 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 humans in a manner that is not merely self-serving. This, of course, fits well with Kant’s central claim that moral agents ought to view one another as ends-in-themselves deserving of respect rather than as mere means (see 4:428-429). Appreciation of beautiful plants 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.

This account of duties regarding non-animal nature might seem susceptible to the same interpretation, *mutatis mutandis*, traditionally offered for duties regarding animals. According to

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Environmental Ethic?.”; Goodpaster, “On Being Morally Considerable.”; Holmes Rolston, “Are Values in Nature Subjective or Objective?,” *Environmental Ethics* 4, no. 2 (1982).

such an interpretation, aesthetic appreciation of plants and non-living natural entities can help foster dispositions that make one more likely to fulfill her duties to human beings. This would depend on a psychological tendency whereby one's appreciating the beauty of (say) a plant regardless of its usefulness makes one more disposed to respecting other humans as ends-in-themselves rather than as mere means. On this interpretation, aesthetic appreciation of non-animal nature would not be morally required because one could fulfill all her direct 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 are morally useful. If this interpretation of Kant on duties regarding plants and non-living entities is correct, then a moral agent could without fault bypass all consideration of plants, perhaps acquiring morally useful dispositions by other means or perhaps fulfilling his direct duties without the help of such dispositions.

However, this interpretation does not account for Kant's claim that humans have a duty not to possess a *spiritus destructionis*, or 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 too weak. Evidently, Kant thinks that wanton destruction of plants is morally problematic in some way, since otherwise he would have no reason to claim that such destruction is opposed to duty nor that humans have a duty not to harbor a *spiritus destructionis*. If Kant held only that wanton destruction of plants was a missed opportunity for developing dispositions that are useful for respecting humans as ends-in-themselves, then he would lack grounds both for finding such destruction to be *opposed* to one's duty and for holding that one has a duty not to possess a *spiritus destructionis*.

Moreover, if this interpretation were correct, then there would be nothing morally problematic about destroying large parts of non-animal nature, provided that one does not fail in one's direct duties to human beings. Imagine a human being who is vigilant in fulfilling all his duties to other humans, always respecting them and himself as ends-in-themselves. However, this person's weekend recreation consists of chopping down trees on his private property, leaving them to rot afterwards. These trees are not put to any use, and the only purpose of this individual's actions is to satisfy an idiosyncratic desire to destroy plants. When not destroying trees, this human goes to great lengths to promote the happiness of others, never lies, and thoroughly cultivates his own talents. Moreover, his destruction of the forest, which gives him great pleasure, does not mitigate the aesthetic or recreational enjoyment of others, because the destroyed trees are located on property to which others lack access. What, if anything, is morally wrong with this man's actions?

A proponent of the traditional interpretation of duties regarding non-human nature must answer that there is nothing morally wrong with these actions, although such a proponent might counsel that these actions *could* weaken the man's morally useful dispositions which in turn *could* lead him to fail in his direct duties to human beings. Conversely, the answer that I defend below is that this person fails in his direct duty to increase his own moral perfection. Actions that develop a *spiritus destructionis*, even if they are limited to plants, weaken one's moral perfection. This interpretation has the advantage of accounting for Kant's claims that human beings have a duty not to possess a *spiritus destructionis* and that wanton destruction of non-animal nature is opposed to one's duty. Actions that contribute to a propensity to destruction are morally problematic not only because they make one more likely to violate her duties to humans, which they *can* do, but also because such actions are incompatible with one's direct duty to



increase her own moral perfection. This is not a trivial difference. All else being equal, a moral agent who acts so as to develop a *spiritus destructionis* is morally worse than one who abstains from such actions. I present and defend this argument in detail below. First, however, I must situate this duty to increase one's own moral perfection, which is an imperfect duty of virtue.

### Duties of Virtue.

In §§21-22 of the *Doctrine of Virtue*, shortly after the discussion of duties regarding non-human nature, Kant contends that humans have direct duties to themselves to increase their own moral perfection. This is a duty of virtue (or ethical duty) as opposed to a duty of right. Duties of right are those that can be commanded via external laws, whereas duties of virtue can be commanded only via internal laws (6:239). Both kinds of duty involve constraint via some law. However, duties of right can be legislated coercively, whereas duties of virtue cannot be legislated coercively. 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 to observe such property rights. This is a duty of right, because it is established by an external, coercive, legal measure and does not require any internal legislation in order to apply to moral agents. Kant's chief discussion of duties of right can be found in the *Doctrine of Right*, or the first part of the *Metaphysics of Morals*. Since I am concerned with the duty of virtue to increase one's own moral perfection, I focus on the *Doctrine of Virtue*, or the second part of the *Metaphysics of Morals*.

A duty of virtue cannot be established by external or coercive measures. This is because duties of virtue do not only constrain moral agents to observe certain rights but rather provide ends that moral agents ought to achieve. Kant defines virtue 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 "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. For example, a human being has both a duty to increase her own perfection and to promote the happiness of others. These are two different ends that one ought to bring about, so one has two different duties of virtue associated with these ends, namely a duty of virtue to increase her own perfection and a duty of virtue to promote the happiness of others. Later, Kant writes the following:

Hence there is only *one* obligation of virtue, whereas there are *many* duties of virtue; for 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, which extends to duties of right as well although they cannot, because of this, be called duties of virtue (6:410).

Virtue as a disposition is thus distinct from a duty of virtue, because the latter specifies an end

that one has a duty to bring about. Hence, virtue as a disposition can be found in a moral agent who fulfills his duties of right. Nonetheless, duties of virtue are different in kind from duties of right, because the former specify ends that one is required to achieve whereas the latter do not.

### Perfect and Imperfect Duties

Kant divides duties of virtue into duties to oneself and duties to others. Among duties to oneself, Kant identifies a duty to increase one's own moral perfection. This duty is distinct from one's duty to oneself as an animal being (§§5-8), which 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 duty to increase one's own moral perfection is also distinct from duties to oneself as a moral being (§§9-12), which include prohibitions on lying, avarice, and servility.<sup>237</sup>

These duties to oneself as an animal being and as a moral being are so-called "narrow" or "perfect" duties. Paul Guyer 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."<sup>238</sup> The duties listed above are perfect duties because it is clear how they are to be fulfilled. For example, one completely fulfills one's duties to oneself as an animal being by not committing suicide and never engaging in actions that are lustful or intemperate, and one completely fulfills one's duties to oneself as a moral being by never lying and never engaging in actions that are avaricious or servile.

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<sup>237</sup> Kant also mentions a duty to oneself "as his own innate judge" (§13), which requires one to maintain a conscience whereby one can judge the morality of one's actions (6:437-40).

<sup>238</sup> Paul Guyer, *Kant and the Experience of Freedom* (Cambridge: Cambridge University Press, 1993), 321.

However, one also has a duty to oneself to increase one's own perfection, and this duty is imperfect. There are two kinds of perfection that one has a duty to oneself to increase. The first is a duty to increase one's own "natural perfection" (§§19-20), or to develop one's physical and mental talents (6:444). Such talents could include musical propensity, athleticism, and various intellectual capacities. One's duty to develop such talents is imperfect, because there is no rule that can tell one precisely which talents one ought to develop nor to what degree they ought to be developed. 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 (maxim) one is to follow when fulfilling that duty, but it does not specify precisely what actions must be performed in order to fulfill it. For example, the imperfect duty to increase one's own natural perfection specifies that one's maxim should be such that one seeks to cultivate her talents, but this maxim is compatible with many different courses of action. One who genuinely makes this her maxim could focus on developing her skills as a violinist, or as a marathon runner, or as mathematician, or some combination of these. A moral agent is free to choose the actions whereby she acts in accordance with this maxim and thereby fulfills the imperfect duty to increase her natural perfection. However, having this latitude does not license laxity in fulfilling one's imperfect duty. 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). For example, one might have both a maxim that directs her to become a skilled violinist and another that directs her to become a skilled long distance runner. Given constraints of time,

she might skip her violin practice one week in order to prepare for an upcoming marathon.

Although this person “limits” the former maxim, she does not thereby violate her duty to herself to increase her natural perfection. On the contrary, she fulfills that duty by acting according to the latter maxim. The imperfect duty in question requires that one act according to maxims whereby one develops one’s talents, but the person in this example does just that by preparing for the marathon.

Alternatively, imagine a person who makes no effort to develop her talents. Rather than cultivating one’s physical or intellectual skills, this person spends all her time watching bad television shows. This behavior indicates that she lacks a kind of maxim she ought to have, namely one that directs her to increase her natural perfection. Although this duty is imperfect and thus cannot determine exactly what actions one ought to perform, it is nonetheless strict in requiring that one adopt such a maxim. A person who makes no effort to develop her talents fails in her duty no less than a person who violates the perfect duty not to lie. According to Kant, one is morally obligated to cultivate one’s talents. Although one has substantial leeway in deciding which talents to develop and to what degree, a failure to adopt a maxim whereby one increases one’s natural perfection is a clear violation of his duty given Kantian grounds.

#### The Imperfect Duty to Increase One’s Own Moral Perfection.

The second kind of imperfect duty to oneself requires one to increase his “moral perfection” (§§21-22) (6:446). Kant identifies two kinds of moral perfection. 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). The distinction between acting in conformity with duty and acting from

duty is important. The former consists in merely performing the actions that the moral law obligates one to perform. The latter consists in performing such actions for the right reason, 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. For example, one has a perfect duty not to lie to others (6:429), but merely abstaining from telling lies is not enough to fulfill this duty, for one could be honest merely because he fears the unpleasant consequences that would follow from being caught in his lies. In order for his abstaining from lying to have moral worth, one must avoid lying because it is the morally right thing to do, or as Kant puts it, the moral law “must itself be the incentive” (6:446) of one’s actions. 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. Kant glosses this duty as the command, “be holy” (6:446). The second kind 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 moral perfection is one who completely fulfills all one’s duties to oneself and other humans. According to Kant, one has an imperfect but nonetheless direct duty to oneself to develop and increase both these kinds of moral perfection.

Initially, it might seem unclear why Kant treats this duty to moral perfection as imperfect. In what sense can a moral agent have any leeway concerning whether she is to have a morally pure disposition or whether she is to fulfill all her duties? On the contrary, it might seem that moral agents unequivocally ought to be both holy and perfect and thus that this duty should be counted as a perfect one. 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 its degree, because of the *frailty* (*fragilitas*) of human nature.” The explanation for this nuanced account 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, consist 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). Guyer writes 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.”<sup>239</sup> Insofar as human beings are subject to numerous inclinations that deter them from making duty the incentive of their actions, their duty to achieve moral purity is an imperfect one.

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). Kant echoes this in §22 of the *Doctrine of Virtue*:

The depths of the human heart are unfathomable. Who knows himself well enough to say, when he feels the incentive to fulfill his duty, whether it proceeds entirely from the representation of the law or whether there are not many other sensible impulses contributing to it that look to one’s advantage (or to avoiding

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<sup>239</sup> Ibid., 323.

what is detrimental) and that, in other circumstances, could just as well serve vice? (6:447)

A human being who performs actions that accord with duty can never be sure that he is acting solely for the sake of duty rather than from other incentives, e.g. a desire for praise or a fear of scorn. 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 this makes it impossible to know whether one has achieved moral purity. Recall that a perfect duty specifies exactly what a moral agent must do, such that a moral agent can determine exactly what actions must be performed in order to fulfill that duty. The duty to attain moral purity cannot specify exactly what a moral agent is to do, because human beings cannot know whether their dispositions are morally pure. Since a human being cannot know whether she has achieved moral purity, she cannot know whether further actions would be necessary to achieve it. Hence, the duty to increase one's own moral perfection cannot be perfect—instead, it must be an imperfect duty.<sup>240</sup>

Kant gives a different argument elsewhere in the *Doctrine of Virtue*, claiming that the duty to moral perfection must be imperfect, because although that duty gives a law for a maxim of action, it does not give a law for actions themselves. In other words, this duty 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,

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<sup>240</sup> One can contest Kant's argument, of course. Even granting that our true motives are inscrutable to some extent, it might not follow that the duty to moral perfection is imperfect. Knowing what one must do in order to increase one's moral perfection might be compatible with not knowing whether one has already attained moral perfection, for example.



permitting them to pursue their own moral perfection by various means. Although this duty is like a perfect one insofar as it requires one to achieve determinate ends (i.e., the end of moral purity and the end of having fulfilled all one's other duties), it is still an imperfect duty because it does not specify exactly how one is to fulfill these ends.

### Moral Perfection and the Good Will.

It is extremely important to note that this duty to oneself to increase one's own moral perfection is a direct duty. In particular, the disposition of moral purity is not merely a useful disposition for a moral agent to possess, but rather a disposition that moral agents have a direct duty to strive for. Given that this is an imperfect duty, a human being ought 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 the duty to herself to increase her 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 a will 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). For example, happiness is usually judged correctly as good, but not if

it is enjoyed by a person who is unworthy of happiness, or one who lacks a good will. According to Kant's argument, all these 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. A good will 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, having this disposition is constitutive of having a good will, or a will that acts solely from duty.

One's duty to increase her own moral purity as part of her moral perfection is a duty of virtue because such moral purity is an end that one has a duty to achieve. However, since this is an imperfect duty that a human being cannot completely fulfill in this life, and since such moral purity is constitutive of a good will, it follows that a human being is incapable of fully attaining a good will in this life. This raises an important question about the relation between virtue and a good will. While allowing that a good will is indeed "a will which steadily acts from the motive of respect for the moral law," Robert Louden writes, "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."<sup>241</sup> This virtuous agent has not fulfilled the command, "be holy" (6:446), because she still is susceptible to inclinations that tempt her to act otherwise than from duty. A

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<sup>241</sup> 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).

holy will, by contrast, is one whose “volition is of itself necessarily in accord with the [moral] law” (4:414), i.e. a holy will by its nature always has the moral law as the incentive of its actions. Since, unlike a being with a holy will, a human being is always subject to inclinations and thus cannot fully attain a good will, he must instead cultivate virtuous dispositions that approximate a good will. In the case of human beings, a virtuous disposition that approximates a good will is an end that is also a duty. According to Kant then, a virtuous disposition is not merely instrumentally valuable insofar as it helps one perform one’s various duties, but rather human beings have a direct duty to cultivate their own virtue. Since a human has a direct duty to strive for moral purity, and since this consists of cultivating a virtuous disposition that approximates a good will, a human has a direct duty to cultivate such a virtuous disposition. The more virtuous one’s disposition, the closer one approximates to having the moral law as the sole incentive of her actions, although the ideal of the good will cannot be realized by humans in this life. Even a fully virtuous moral agent is still subject to the temptations 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).

### Virtuous Dispositions and Emotions

More must be said about the nature of virtuous dispositions, particularly how they relate to emotions. Nancy Sherman contends that Kant grants an important role to emotion in morality. Although Kant denies that it can serve as “part of the ground of morality,” emotion can be conducive to morality as a matter of what Sherman calls “moral anthropology.”<sup>242</sup> In many

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<sup>242</sup> Nancy Sherman, *Making a Necessity of Virtue: Aristotle and Kant on Virtue* (Cambridge: Cambridge University Press, 1997), 123.

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 and not only human beings (4:408). If morality instead were grounded in contingent facts of human nature (e.g., the emotions that humans happen to have), it would be neither universal nor necessary because it would be “valid” only for beings that are sufficiently like humans in these contingent matters. Hence Kant’s rejection of the view that emotion provides a ground for morality.

However, as Sherman notes, emotion still has a moral part to play. She appeals to Kant’s claim in the *Doctrine of Virtue* that applying morality to actual cases requires attending to facts about human beings. Kant writes that “we shall often have to take as our object the particular *nature* of human beings, which is cognized only by experience, in order to *show* in it what can be inferred from universal moral principles” (6:217). The idea here is that knowledge of a priori moral principles, if they are to be applied to actual cases, must be guided by knowledge of contingent facts in the world, which often include facts about emotions. Consider, for example, the imperfect duty to promote the happiness of others. How one should fulfill this duty in part depends on the emotional states of those who are to be affected by one’s actions. Beneficence is more constructively directed toward a person experiencing emotional sadness than one who is quite satisfied with her lot in life. However, in order to know how to perform beneficent actions in a more effective way, one must attend to contingent facts about the emotional states of various individuals.

More importantly for duties regarding non-human nature, having certain emotions can support virtues on the part of a moral agent, provided that these emotions are cultivated in

appropriate ways. Sherman mentions the emotion of sympathy, by which “we use the receptivities of our nature to support the virtue of beneficence.”<sup>243</sup> Being sympathetically receptive to the plight of others, for example, can support one’s duty to promote their happiness by indicating that their situation calls for beneficence. To accept that emotion plays such a role in Kant’s moral philosophy is not to challenge Kant’s claim that morality is grounded a priori in reason—it is only to recognize that emotions, if properly cultivated, can guide and support the application of morality.

This emotional support for morality, according to Sherman, rests on a link between emotion and virtue. As she notes, Kant’s understands virtue in terms of fortitude, or the strength of one’s will to obey the moral law. Such fortitude consists 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.”<sup>244</sup> She appeals to Kant’s account of one’s duty to moral perfection, which 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, Sherman holds that emotions can be cultivated to support the virtuous disposition that one has a duty to obtain. She sketches three broad ways in which emotion can fulfill this task, the first two of which are directly relevant for my account of the duty to increase one’s own moral perfection.

First, emotions can be “*modes of attention* that help us to track what is morally salient as morally salient in our circumstances, and thus locate possible moments for morally permissible

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<sup>243</sup> Ibid., 135.

<sup>244</sup> Ibid., 136.

and required actions.”<sup>245</sup> Certain emotions can make one more receptive to morally relevant features in various contexts. For example, a person who has cultivated the emotion of sympathy is more likely to recognize the needs of those suffering and to respond to their needs. Further, Sherman believes that “the pure thought of duty alone is insufficient to provide information about which objects and circumstances require our moral attention” and that emotional capacities such as grief and compassion are necessary to alert human moral agents to such information.<sup>246</sup>

Second, emotions allow one to respond to morally salient situations. Sherman writes, “Through emotions, we communicate or *signal* moral interest to others in ways tailored to particular circumstances and needs.”<sup>247</sup> She appeals to Kant’s claim in *Anthropology from a Pragmatic Point of View* that “anything that promotes sociability, even if it consists only in pleasing maxims or manners, is a garment that dresses virtue to advantage...” (7:282). Sherman argues that emotions can have a similar function insofar as they can communicate one’s moral concern, e.g. to a distraught friend. Again, Kant denies both that such emotion can serve as the ground for morality and that having certain emotions is sufficient to fulfill one’s moral duty. Nonetheless, emotion can play an important moral role by “connecting us palpably with human circumstances and by giving us a medium for conveying that connection to others.”<sup>248</sup> For moral agents who, like humans, are emotional creatures, this connection is often important for moral interactions.<sup>249</sup>

Sherman’s account is helpful for understanding the nature of virtuous dispositions.

Although Kant conceives of virtue as strength of will rather than, for example, a habit, there is

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<sup>245</sup> Ibid., 145.

<sup>246</sup> Ibid., 146.

<sup>247</sup> Ibid., 147.

<sup>248</sup> Ibid., 149.

<sup>249</sup> Third, Sherman claims that emotions can motivate human beings to act in morally right ways. At first glance, this seems to conflict with Kant’s claim that respect for the moral law “must itself be the incentive” of one’s moral actions (6:446). However, Sherman provides a nuanced account, according to which emotional motivation can itself contain respect for the moral law. See *ibid.*, 150-51.

still room for virtuous dispositions to have emotional dimensions in the forms of modes of attention and signals of moral interest. This has important implications for the direct duty to increase one's own moral perfection. Insofar as the virtuous dispositions of humans have emotional dimensions, human beings have a direct, imperfect duty to cultivate morally salient emotions. Following Sherman, the moral perfection of a human being seems to include more than mere strength of will in fulfilling one's duties—it also includes the capacities whereby one can put one's moral fortitude into practice, and such capacities include the ability to recognize morally salient situations and to signal one's moral interest in those situations via emotional means. In short, part of what constitutes moral perfection are the emotional dispositions that assist a human being in recognizing and responding to morally relevant features of the world, such as the suffering of others. By developing one's emotional propensities to feel sympathy and benevolence, for example, one strengthens her virtuous dispositions and thus increases her own moral perfection. Accordingly, such emotional self-cultivation is part of what is required by the duty to increase one's own moral perfection.

#### Moral Perfection and Duties Regarding Non-human Nature

This account of a direct duty to increase one's own moral perfection sheds light on Kant's claim that a human violates a duty to herself by being cruel to animals or by wantonly destroying plants and other natural entities (6:443). In §17 of the *Doctrine of Virtue*, Kant does not specify what duty to oneself is violated by such actions. However, the duty in question must be the duty to increase one's own moral perfection because it is by far the most plausible candidate available. Neither cruelty to animals nor wanton destruction of plants seems to violate one's perfect duties to oneself as an animal being, because such actions need not (and typically

do not) involve suicide, lust, nor intemperance (see 6:421-8).<sup>250</sup> Nonetheless, one might be tempted to identify duties to oneself as an animal being as promising candidates for sanctioning duties to non-human animals. Christine Korsgaard asks, “[I]f we can owe duties to *ourselves as* animal beings, why can’t we owe parallel duties to other animal beings?” Yet, as Korsgaard cautions, “The common thread of Kant’s arguments... seems to be that we are not to use the capacities we share with the other animals in ways that are inconsistent with, or in some vaguer way inappropriate to, our moral nature. Kant seems in fact to be urging us to treat *our own* animal being as a mere means, a sort of place to house moral nature.”<sup>251</sup> According to Kant then, human beings have perfect duties to themselves as animal beings only because they are also moral beings. Hence, Kant both can deny consistently that humans have direct duties to non-human animals, and he can hold that humans have direct duties to themselves as animal beings.

Further, neither cruelty to animals nor wanton destruction of plants seems to violate one’s perfect duties to oneself as a moral being, because such actions need not (and typically do not) involve lying, avarice, nor servility (see 6:429-37).<sup>252</sup> Nor do the actions in question seem to violate one’s imperfect duty to increase his own natural perfection, because animal cruelty and wanton destruction of non-human nature could be practiced by someone who carefully cultivates his physical and intellectual talents. In short, one could imagine a human being who fulfills all his perfect duties to himself and his duty to increase his natural perfection but who still violates his duties regarding non-human nature. Kant’s claims in §17 of the *Doctrine of Virtue* is that such a person nonetheless violates a duty to himself. The only remaining candidate is the duty to oneself to increase one’s own moral perfection, and on closer inspection this duty does indeed

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<sup>250</sup> It is important to note that these are not merely examples of perfect duties to oneself as an animal being—rather, Kant presents suicide, lust, and intemperance as classes of such duties.

<sup>251</sup> Korsgaard, “Fellow Creatures: Kantian Ethics and Our Duties to Animals,” 100n59.

<sup>252</sup> Again, these are not merely examples but rather classes of the kind of duty in question.



seem to proscribe animal cruelty and wanton destruction of non-human natural entities.

While Guyer also holds that duties regarding non-human nature are entailed by the imperfect duty to moral perfection,<sup>253</sup> Lara Denis claims to the contrary that some duties regarding non-human nature are entailed by the perfect duties humans have to themselves as animal and moral beings. Such duties “require agents practically to recognize the value of their animal nature as an essential means for their existence and efficacy as rational beings...”<sup>254</sup> (see 6:420). 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. Denis argues that humans have perfect duties to maintain such sentiments. 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 moral being. According to Denis then, cruel treatment of animals is proscribed by a perfect duty.

However, Denis’ claim does not fit well with Kant’s account of a human’s perfect duties to herself as an animal and moral being. Kant writes that certain “impulses” of one’s animal nature prompt her to self-preservation, preservation of her species, and the preservation of her capacities to enjoy physical pleasures (6:420). These impulses are tied to three perfect duties to oneself as an animal being, namely prohibitions against suicide, lustful actions, and “stupefying” oneself through drunkenness or gluttony (see 6:422-8). One’s duty to oneself 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). This entails three perfect duties to oneself as a moral being, namely prohibitions against lying, avarice, and servility (see 6:429-37).

However, it is difficult to see how any of these six perfect duties prohibits animal cruelty.

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<sup>253</sup> Guyer, *Kant and the Experience of Freedom*, 324-29.

<sup>254</sup> Singer, “Not for Humans Only: The Place of Nonhumans in Environmental Issues,” 408-09.

Such cruelty is compatible with abstaining from suicide, lustful actions, immoderate consumptions of food and drink, lying, avaricious actions, and servile actions. Denis argues that, in virtue of their perfect duties as animal and moral beings, human beings have a perfect duty to maintain morally useful sentiments. Yet in his discussion of these perfect duties to oneself, Kant does not mention animal cruelty, duties regarding non-human nature, nor a duty to maintain morally useful sentiments. Instead, Kant discusses this last duty under the heading of the duty to increase one's own moral perfection. Accordingly, it seems more appropriate to classify duties regarding animals and other non-humans as being entailed by the imperfect duty to moral perfection. I argue for this below, showing that it is both plausible and consistent with Kant's own account of duties regarding non-human nature.

A person who practices cruelty to animals or wanton destruction of plants weakens in himself the virtuous dispositions that approximate a good will. Performing such actions weakens one's moral purity and hence decreases his moral perfection. Accordingly, actions involving animal cruelty or wanton destruction of plants violate one's duty to oneself to increase her own moral perfection. In what follows, I argue that animal cruelty and wanton destruction of flora are both morally wrong in virtue of one's duty to moral perfection. Moreover, this duty gives human beings good moral reason to practice kindness toward animals and to engage in aesthetic appreciation of plants because such actions are optional ways to increase one's moral perfection.<sup>255</sup>

Since the duty to increase one's own moral perfection is an imperfect duty, it does not

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<sup>255</sup> I focus here on individual organisms rather than non-individual entities (e.g., species or ecosystems) or non-organic entities. One reason for this is that, as I argue in chapter four, humans must reflectively judge individual organisms to have natural goods, thus making it necessary to view certain actions as harmful or beneficial vis-à-vis individual organisms. As I argue in this chapter, this susceptibility to being harmed or benefited makes individual organisms importantly relevant for one's duty to moral perfection. Conversely, we have no basis for attributing natural goods to non-organic entities, and it is at least unclear that we must view species or ecosystems as having natural goods.

give a law for actions themselves but only for a maxim of actions. In other words, this duty specifies that one ought to make her own moral perfection her end, but it does not specify exactly what actions must be performed in order to achieve this end. Duties of virtue afford some latitude to a moral agent in deciding how to increase her moral perfection. Accordingly, Kant holds that every action that fulfills a 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 for fulfilling an imperfect duty of virtue indicates “mere *deficiency in moral worth...*” (6:390), but it is still compatible with the acceptance of those maxims prescribed by imperfect duties of virtue. For example, a person who chooses to sleep late rather than work on his novel misses out on the merit of such work vis-à-vis his imperfect duty to cultivate his natural perfection. However, this choice does not entail that he fails in this duty, because he might cultivate his natural perfection in various ways at other times, thus ensuring that he has adopted the maxim prescribed by the imperfect duty in question. One fails in fulfilling an imperfect duty only if “the subject should make it his principle not to comply with such duties” (6:390), i.e. only if one fails to adopt the maxim prescribed by an imperfect duty. Hence, one who does nothing to increase her natural perfection not only fails to act meritoriously but also fails in her imperfect duty, because she lacks the maxim prescribed by that duty. Put another way, one violates an imperfect duty if one adopts a maxim whereby one acts contrary to that duty. As Kant writes, “Every action contrary to duty is called a *transgression (peccatum)*. It is when an intentional transgression has become a principle that it is properly called a *vice (vitium)*” (6:390).

#### Meritorious Actions Affecting Non-human Nature

In Kant’s sense, passing on an opportunity to be kind to animals, or to go out of one’s

way to benefit animals, is a transgression of duty. By ignoring the plights of animals whose suffering one could alleviate, for example, one misses a chance to cultivate virtuous dispositions that would be constitutive of one's moral purity and hence increase one's moral perfection. Kind actions toward animals can cultivate virtuous dispositions, such as benevolence sympathy. Such an action plays a causal role in strengthening one's virtuous dispositions, thus augmenting one's moral purity and increasing her moral perfection. Kind actions, such as those that exhibit regard for the suffering and well-being of animals, are ways to cultivate virtuous dispositions that one ought to have. Accordingly, one who opts not to practice kindness to animals commits a transgression against duty because he passes on an opportunity to perform a meritorious action that cultivate such virtuous dispositions. The imperfect duty to increase one's own moral perfection prescribes kindness to animals as a way to strive for the end of moral purity. Similarly, passing on an opportunity to appreciate the beauty of plants is also a transgression of duty, insofar as such appreciation could cultivate virtuous dispositions, such as the disposition to love something apart from its utility (see 6:443). Accordingly, aesthetic appreciation of plants is also prescribed by one's imperfect duty to moral perfection because such appreciation is one way to cultivate one's virtuous dispositions and hence increase her own moral perfection.

However, a person who commits a transgression of duty does not *necessarily* violate her duty in a culpable manner. This is because passing on an opportunity for meritorious action is compatible with possessing the maxim that is commanded by the imperfect duty to increase one's own moral perfection. Consider the opportunity to volunteer at an animal shelter caring for abandoned pets. A person who accepts this opportunity performs actions whereby his virtuous dispositions and thereby his moral purity are strengthened, thus contributing to the fulfillment of his imperfect duty to increase his own moral perfection. Alternatively, a person who declines this

opportunity is not thereby blameworthy because he might strive toward increasing his own moral perfection by performing other actions. The latter person misses a particular opportunity to cultivate his virtuous dispositions by going out of his way to be kind to animals, but this is compatible with his adopting the maxim whereby he seeks to increase his own moral perfection. Likewise, a person who chooses to rush past a scene of beautiful plants rather than appreciate them passes on an opportunity to increase his own moral perfection, but he is not culpable for doing so, provided that he performs other actions to increase his own moral perfection.

#### Blameworthy Actions Affecting Non-human Nature

There is a significant, moral distinction between choosing not to perform actions that benefit non-human natural entities and choosing to perform actions that unnecessarily harm non-human natural entities. The latter is not merely a missed opportunity for strengthening one's virtuous dispositions—it is also the kind of action that weakens one's virtuous dispositions and thus *decreases* one's moral perfection. A person who opts not to care for abandoned pets does not thereby weaken his virtuous dispositions. After passing on this opportunity, a person's moral perfection is neither increased nor decreased. After torturing animals for fun, however, a person's moral perfection is decreased. This is because cruel treatment of animals, or the infliction of unnecessary harm on them, weakens virtuous dispositions, such as benevolence and sensitivity to suffering. Such actions are incompatible with the direct duty to oneself to increase one's own moral perfection because they do exactly the opposite. By practicing cruelty to animals, one acts in a way that is incompatible with the maxim that the duty to moral perfection commands her to adopt, namely that one ought to strive for moral purity by strengthening the virtuous dispositions that approximate a good will. Hence, animal cruelty violates one's duty to

increase her own moral perfection.

Consider Kant's example of the master who dismisses a dog that has served him for many years. No longer of any use to him, this person chooses to abandon the dog, letting it suffer and die on its own. He is thus the cause of the harm the animal experiences afterward. Moreover, the suffering of the dog is unnecessary because the master could have averted it by continuing to care for the animal. Accordingly, this person causes unnecessary harm for the dog, thus qualifying it as an act of animal cruelty. By inflicting this unnecessary harm, the human being weakens his virtuous dispositions, thus violating his direct duty to strengthen those dispositions.

This case is importantly different from that of the person who passes on the opportunity to volunteer caring for abandoned animals. In the latter case, the person in question is not responsible causing unnecessary harm for any animal. His declining the opportunity to volunteer results in him missing a chance to strengthen his virtuous dispositions, but it does not entail any culpability on his part. This is because his moral perfection remains unchanged, neither increased nor decreased. In the case of the master who dismisses his dog, however, the person's moral perfection is damaged, his virtuous dispositions eroded. 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). 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 action that decrease his moral perfection. Since animal cruelty does decrease the moral perfection of a person practicing it, animal cruelty is demeaning to oneself. The action of the person who abandons his dog does not merely lack merit—it is blameworthy, because by performing it the master acts *contrary* to the maxim whereby he strives to increase

his moral perfection, a maxim that is commanded by a direct duty to oneself. Although he does not fail in a direct duty to the dog, the master is culpable for unnecessarily harming the dog.

The same is true in cases of wanton destruction of flora. Kant claims that humans have a duty not to possess an *spiritus destructionis*, or the “inclination to destroy without need” (27:709). This destructive inclination is inimical to the disposition “to love something... even apart from any intention to use it” (6:443). This disposition to love something (e.g., a rational person) apart from its utility is plausibly viewed as a virtuous disposition that contributes to one’s moral perfection. All else being equal, a person who is disposed to love others in this way has a greater degree of moral purity than a person who lacks this disposition. This is because moral purity is the disposition whereby the moral law is the incentive of one’s moral actions, and moral actions often require one to love others regardless of their usefulness to oneself. Such love seems required by what Kant calls duties of love, namely beneficence, gratitude, and sympathy (6:448-58). In performing beneficent actions, for example, one must love others for their own sakes, i.e. apart from their usefulness to oneself. 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 plants 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 plants 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 culpable action. Wanton destruction of plants is therefore proscribed by the duty to moral perfection. Such an action weakens one’s virtuous disposition to love something, and thus it is an action that is

contrary to a maxim that one has a direct duty to oneself to adopt.

Consider again the person who spends his weekends destroying trees solely for his own amusement. These actions weaken one's disposition to love something and over time can lead to a *spiritus destructionis*, or a disposition that is directly opposed to a disposition to love. This person's actions are morally wrong because they serve to decrease his moral perfection and hence are incompatible with his duty to increase that perfection.

### The Strictness of Duties Regarding Non-human Nature

Both cruelty to animals and wanton destruction of plants are morally problematic, but not only 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 performed according to maxims that are incompatible with the maxim commanded by this direct duty to moral perfection. Kant does hold that animal cruelty or wanton destruction of plants increases the likelihood of one's failing in his direct duties to human beings, but he also holds that such actions violate the duty to increase one's own 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 plants *both* damages a disposition that is useful for being moral *and* violates one's direct duty to increase her own moral perfection.



The interpretation I have defended entails that duties regarding non-human nature are much stronger than the traditional interpretation can allow. Rather than merely discouraging animal cruelty and wanton destruction of plants as behavior on the basis that it could lead to the development of dispositions that make one less likely to fulfill her duties to human beings, Kant's position actually proscribes animal cruelty and wanton destruction of plants as actions that violate one's duty to increase her moral perfection and hence are morally wrong. Moreover, Kant's position also prescribes kindness toward animals and aesthetic appreciation of plants as optional but nonetheless effective ways to strengthen one's virtuous dispositions and hence fulfill one's duty to increase her own moral perfection.

Given this interpretation, it is much easier to see how a Kantian approach to environmental ethics is promising. Reconsider Shafer-Landau's objection to Kant's position: "If we took Kant's view to heart, we'd see nothing intrinsically wrong with torturing animals... Kant has no argument against such behavior."<sup>256</sup> This objection goes through on the traditional interpretation of Kant but not on that which I have defended. According to Kant's view, there is indeed something "intrinsically" wrong with torturing animals, namely that such an action weakens one's virtuous dispositions and hence violate one's duty to increase her own moral perfection. On Kant's view, although human beings do not have direct duties to non-human natural entities, one of their direct duties to themselves obligates them to abstain both from causing unnecessary harm to animals and from wanton destruction of flora. Moreover, the duty to moral perfection also gives humans good moral reason to go out of their way to be kind to animals and to engage in aesthetic appreciation of flora. Hence, Kant's position supports a robust account of duties regarding non-human nature that put far stronger limits on how non-humans

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<sup>256</sup> Shafer-Landau, ed. *Ethical Theory: An Anthology*, 391-92.

may be treated than the traditional interpretation recognizes.<sup>257</sup>

### Closing Remarks

In this chapter, I have argued for the following. First, the traditional interpretation of Kant on duties regarding non-human nature is not adequate because it fails to account for Kant's claims that animal cruelty and wanton destruction of plants violate a duty to oneself. Second, I have defended a stronger interpretation of Kant's account, according to which duties regarding non-human nature are entailed by one's direct duty to increase one's own moral perfection. This duty to moral perfection proscribes acts of animal cruelty and wanton destruction of plants because such actions decrease one's moral perfection. Moreover, this duty prescribes kindness to animals and aesthetic appreciation of plants as optional ways to increase one's moral perfection. This account permits a Kantian approach to environmental ethics that is both plausible and theoretically attractive, as I will show in later chapters.

In chapter four, I will explain how one's treatment of animals and flora is connected to one's own moral perfection by offering a teleological account of the natural goods of organisms. This account, which is drawn from Kant's *Critique of Judgment*, grounds the position that certain actions can harm or benefit non-human organisms, thus accounting for how cruelty and kindness to animals are possible. In chapter five, I will show that the Kantian accounts of duties regarding non-human nature and of the natural goods of non-human organisms provide sufficient and attractive grounding for what I call a restricted environmental virtue ethic.

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<sup>257</sup> In both chapter five and the conclusion, I will argue further that Kant's account not only supports a robust environmental ethic but also is theoretically attractive in its own right, insofar as it has some important advantages over other accounts.

## Chapter Four: Non-Human Organisms and Natural Goods

### Introduction

In the previous chapter, I argued that a human's duty to increase her own moral perfection proscribes causing unnecessary harm to non-human organisms. In this chapter, I explore what it is to harm (and benefit) an organism. Specifically, I present and defend an account of the flourishing of organisms that is inspired by Kant's *Critique of Judgment*, which argues that human investigators must reflectively judge organisms to be teleologically purposive entities. Kant's account of teleological judgment is particularly attractive because he understands it as a reflective, heuristic mode of judgment. Unlike Aristotelian conceptions of teleology,<sup>258</sup> Kant's does not involve attributing teleological principles to nature—indeed, Kant holds that such attributions would be unwarranted, given the limitations of our knowledge. This potentially makes a Kantian conception of teleological judgment amenable to those who hold positions (e.g., various kinds of naturalism) that are incompatible with attributing teleology to nature. Building on this reflective mode of teleological judgment, I claim that to judge an organism teleologically includes viewing it as directed toward achieving its telos, which involves the possession of certain states and functions on the part of the organism. I call these states and functions “natural goods” because they are features that constitute an organism's flourishing. Further, I argue that such teleological judgment is normative in the sense that it judges an organism as flourishing or defective by comparing it to a standard of what the organism ought to be. This normative-teleological account of judging organisms allows us to explain both how harming a non-human

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<sup>258</sup> See, for example, Étienne Gilson, *From Aristotle to Darwin and Back Again: A Journey in Final Causality, Species, and Evolution* (Notre Dame: University of Notre Dame Press, 1984).

organism is possible and of what such harm consists: to harm an organism is to inhibit it from realizing the natural goods that it ought to have given its telos. This account of what it is to harm non-human organisms can guide moral agents as they seek to avoid causing unnecessary harm to organisms.

I begin by noting that, as a matter of common sense, humans routinely judge organisms as flourishing or defective, and I suggest that Kant's "Critique of Teleological Judgment" provides a plausible grounding for such judgment, especially given its account of organisms as not susceptible to mechanistic explanations. Then, departing from a suggestion first made by Hannah Ginsborg,<sup>259</sup> I argue for a normative interpretation of teleological judgment, which conceives of a flourishing organism as one that possesses the natural goods it ought to have. I argue further that this account of natural goods grounds both commonsense and expert judgments about flourishing organisms. Finally, I distinguish this account of natural goods from other accounts of the flourishing of organisms offered in the environmental ethics literature, showing that my account has several advantages over competitors.

### Commonsense Judgments: Defective and Flourishing Organisms

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 unproblematically 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 that has not been watered in several weeks. Conversely, it is also the case that, in many situations, humans have little difficulty in identifying some organisms as flourishing. A tree that has reached maturity is unproblematically judged to

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<sup>259</sup> Hannah Ginsborg, "Kant on Understanding Organisms as Natural Purposes," in *Kant and the Sciences*, ed. Eric Watkins (Oxford: Oxford University Press, 2001).

be doing well, as is a dog free of physical ailment, a bird with functioning wings, or a houseplant that is routinely watered (assuming in each of these cases that there is not some other issue that prevents the organism from 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, and at least at some general level there is no mystery as to the meaning of utterances that speak of the flourishing or defectiveness of organisms.

I submit that judgments about whether an organism is flourishing or defective are often matters of commonsense—it takes no special kind of deliberation to decide whether the insect-ridden tree is defective or whether the mature tree is flourishing. Of course, this does not imply that such judgments are always easy to make nor that commonsense judgments of this kind are always correct. Untrained observers might incorrectly judge as flourishing a tree that, beneath its bark, is rotting and will soon die. 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 provides a plausible starting point for the account of non-human flourishing I present below. Beginning from common sense judgments of this kind, we may ask what grounds them. I will suggest that, as Ginsborg argues, a normative-teleological account of judging organisms fits well with both ordinary language and common sense views, since we typically speak of what organisms are supposed to be and, at least sometimes, easily identify defective and flourishing cases.<sup>260</sup> That is, judging organisms according to normative standards of what they ought to be grounds our commonsense propensity to identify flourishing and defective organisms, since a flourishing organism is plausibly taken to be one that possesses the features constitutive of its normative standard, while a defective organism is plausibly taken to be one that lacks at least

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<sup>260</sup> Ibid., 251.

some of those features. I present the details of this view below.

Of course, 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. Commonsense judgments about flourishing or defective organisms are rarely accompanied by accounts of what constitutes such flourishing or defectiveness. Indeed, if those rendering such judgments were asked what it means to judge a fox to be flourishing, for example, they might offer very different accounts or be at a loss to offer any account at all. This does not necessarily entail that commonsense judgments about the flourishing of organisms are unwarranted, but it does suggest that further clarification is needed to fix what exactly is being claimed when such judgments are made. Further, commonsense judgments about flourishing or defective organisms are sometimes mistaken and can come to be revised, as when an apparently healthy cat judged to be flourishing is later found to have been subject to some internal disease. However, such revisions of beliefs about organisms are rarely accompanied by an account of what justifies these beliefs nor of what guides revisions of such beliefs. We can ask, for example, what warrants such judgments or what makes them appropriate to render. Those revising their commonsense judgments about the flourishing of organisms might offer very different accounts of what guides such revisions.

If commonsense judgments about the flourishing or defectiveness of organisms are to be secured against the charge of being mere “folk” wisdom, then one must offer an account that grounds them. In particular, such an account must explain both (1) what these judgments consist of, thus reducing their indeterminacy, and (2) what epistemological status these judgments occupy, thus accounting for their fallibility and susceptibility to revision. I argue below that the normative interpretation of Kant’s account of teleological judgment can satisfy both these

requirements. First, this account can explain what is to judge an organism as flourishing or defective in terms of the telos towards which the organism is reflectively judged to be directed. This telos is constituted by certain states and functions, which I understand as the natural goods of that organism. Hence, to judge an organism as flourishing is to judge that it possesses the natural goods that it ought to possess given its telos, whereas to judge an organism as defective is to judge that it lacks at least some of these natural goods. I develop this theory in the next section.

Second, the normative-teleological account can explain how beliefs regarding an organism's flourishing are acquired and revised, namely by recognizing both normative and empirical elements in such beliefs. As Kant says, "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). That is, an actual organism is judged empirically according to what it is as a matter of fact, but it is also judged normatively according to a concept of what it ought to be.<sup>261</sup> As I argue below, beliefs about an organism's flourishing are formed by acquiring empirical beliefs about what an organism in fact is and comparing these with what that organism ought to be given its telos, or the normative standard appropriate to it. Such beliefs are fallible because one can be mistaken both about what an organism in fact is and about what it ought to be given its telos. Such mistaken beliefs can be revised by acquiring better empirical evidence about organisms or by refining one's concepts of the normative standards appropriate to organisms. I will develop this below, but first it will be helpful to explore Kant's account of teleological judgment.

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<sup>261</sup> Kant suggests this approach when he writes that teleological judgments of organisms "are based on an a priori principle, and are impossible without one, even though in such judgments we discover the purpose of nature solely through experience, and without experience could not cognize that things of this kind are so much as possible" (20:239).

### Analytic of Teleological Judgment

Kant begins his “Critique of Teleological Judgment” with the claim that humans are warranted in judging nature as teleologically purposive,<sup>262</sup> “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 the causality” (5:360).<sup>263</sup> Teleological judgment provides a heuristic for observing and investigating nature, allowing one to judge natural objects *as if* they were designed and hence purposive for some end. In Kant’s terminology, such teleological judgment is “reflective” but not “determinative”—the latter explains objects themselves by attributing a certain causality to them, whereas the former judges objects only by analogy. In determinative judgment, one is given some particular object that is “subsumed” under an *a priori* principle or law, as when the interaction of two colliding objects is explained according to a principle of efficient causality. In reflective judgment, one likewise is given some particular object, but one lacks an *a priori* principle under which this object could be subsumed. Instead, in reflective judgment, one must provide some principle to perform this subsumptive task. Kant holds that this “principle must be one that reflective judgment gives as a law, but only to itself...” (5:180).

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). Since humans lack knowledge of such teleology being in nature itself, one is warranted in employing teleological judgment only reflectively. As for determinative judgment, one must judge natural objects according to the

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<sup>262</sup> According to Kant, “...a purpose is the object of a concept insofar as we regard this concept as the object’s cause (the real basis of its possibility); and the causality that a *concept* has with regard to its *object* is purposiveness (*forma finalis*)” (5:220).

<sup>263</sup> Immanuel Kant, *Critique of Judgment*, trans. Werner Pluhar (Indianapolis: Hackett, 1987).



mechanistic principles of efficient causality (5:361). However, Kant suggests that these mechanistic principles are insufficient for judging certain natural objects, which can only be judged reflectively as natural purposes exhibiting features of design (5:360).

This raises the question of what exactly Kant means by “mechanistic explanation.” Rachel Zuckert suggests that the “core meaning” of this term is “*physical* efficient causal explanation.”<sup>264</sup> Hence, to offer a mechanistic explanation of some entity is to account for it in terms of physical objects and their exertion of an efficient causal influence on it.<sup>265</sup> Paul Guyer suggests that the “mechanical conception of causation” upon which mechanistic explanation is based is “both logically and temporally unidirectional: that is, the character of a composite whole is always explained by the character of its parts, which are in turn both logically independent and temporally antecedent to the whole.”<sup>266</sup> Hence, to offer a mechanistic explanation of some entity is to account for it in terms of its parts, which are judged to have interacted causally at some previous time and to have produce the aggregated, present whole. 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. As I discuss below, Kant holds that organisms are not adequately accounted for by a purely mechanistic explanation, which warrants humans in viewing organisms *as if* they were natural purposes, i.e. objects of nature that are teleologically directed toward certain ends.

### Relative and Intrinsic Purposiveness

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<sup>264</sup> Rachel Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment* (Cambridge: Cambridge University Press, 2007), 102-03.

<sup>265</sup> Ibid., 102. Zuckert appeals to Kant’s *Metaphysical Foundations of Natural Science*, in which he argues that material objects are governed by “the laws of mechanical physics” See Immanuel Kant, “Metaphysical Foundations of Natural Science,” in *Theoretical Philosophy after 1781*, ed. Henry Allison and Peter Heath (Cambridge: Cambridge University Press, 2002), 4:532-3.

<sup>266</sup> Paul Guyer, “Organisms and the Unity of Science,” in *Kant’s System of Nature and Freedom* (Oxford: Clarendon Press, 2005), 92.

First, however, Kant distinguishes between relative and intrinsic purposiveness in nature. In both these kinds of purposiveness, “[W]e have to judge a relation of cause to effect which is such that we can see it as law-governed only if we regard the cause’s action as based on the idea of the effect, with this idea as the underlying condition under which the cause itself can produce that effect” (5:366-7). In cases of intrinsic purposiveness, one does this by treating the effect as a “product of art.” 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, which is favorable to the flourishing of spruce trees. This soil was deposited by receding ancient seas, which allowed spruce forests to develop, “for whose unreasonable destruction we often *blame* our ancestors” (5:368).<sup>267</sup> Kant asks whether nature, in depositing the appropriate soil, pursued the purpose of making spruce trees possible in northern Europe. Kant’s answer is that the soil was only a relative purpose for spruce trees insofar as those trees used the soil as the material whereby the trees were benefited. The soil was not intrinsically purposive, because it was not the product of some art. It was merely a contingent fact that the sea receded and yielded sandy soil, a result which spruce trees could benefit from as a useful resource that happened to be available.

A similar account can be given of the benefits nature has for human beings, because “man’s own reason knows how to make things harmonize with his notions that were his own choice, notions to which even nature did not predestine him” (5:368). Although humans living in sub-Arctic regions greatly benefit from timber that the sea brings to their shores, reindeer that are easily tamed, and marine animals that provide food, one is not justified in treating such natural objects as intrinsically purposive for human beings—rather, such products of nature are only relatively purposive for a human insofar as they are beneficial. Given their propensity “to make

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<sup>267</sup> My italics.

things harmonize with his notions,” a human makes use of resources that, as a matter of contingent fact, happen to be available. Since it is not necessary that humans be able to survive in Arctic regions, it would be rash to judge that nature was designed to serve the needs of humans living in such places. Indeed, unless it can be shown that the existence of humans is itself necessary, there is no ground for treating *any* natural product as intrinsically purposive for humans, since any benefit nature has for humans could be explained more simply as having merely a relative purposiveness. As Kant says, “Only *if* we assume that human beings were [meant] to live on the earth, then there had to be at least the means without which they could not subsist as animals, or even as (to however low a degree) rational animals” (5:368). Of course, the view of someone who accepts an evolutionary account of human beings is that humans exist solely because they and their ancestors were naturally selected for traits that, as a matter of contingent fact, happened to be useful for their survival and reproductive success. Such a view would deny that there is any intrinsic purposiveness in nature, recognizing only the contingent and relative purposiveness whereby some natural objects happen to be useful for humans and other organisms.

In order for a natural object to be intrinsically purposive, “the causality that gave rise to it must be sought, not in the mechanism of nature, but in a cause whose ability to act is determined by concepts” (5:369). That is, an intrinsic natural purpose (rather than a relative natural purpose) would be inexplicable in terms of the “natural laws” of efficient causality, i.e. it would be empirically contingent. Instead, for reasons I discuss below, Kant holds that a natural purpose would be explicable only in terms of a teleological causality, which “presupposes concepts of reason” and a will that is able “to act according to purposes” (5:370). However, this is not sufficient for something to be a *natural* purpose, since some objects are the products of artifice.

Kant mentions the example of someone who comes across a regular hexagon drawn in the sand of a beach. One would be warranted in judging this figure as intrinsically purposive because it is not explicable according to the laws of nature, which do not produce such regular geometric shapes. However, one would not be warranted in judging this figure as a *natural* purpose because it is explicable according to artifactual production, or artistic creation by human beings. So in order to be a natural purpose, something must be intrinsically purposive due to nature rather than art.

### Natural Purposes

Initially, Kant defines a natural purpose as something that is both cause and effect of itself (5:370), suggesting that natural purposes are intrinsically (rather than relatively) purposive. Thus, the teleological causality of natural purposes is internal to natural objects themselves rather than, as in the case of products of art, located in some external source. Kant appeals to the example of a tree in order to illustrate something being both cause and effect of itself. 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, a species of tree is “both generating itself and being generated by itself ceaselessly, thus preserving itself as a species” (5:371). 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” (5:371). Kant says explicitly that this growth and production cannot be explained mechanistically in determinative judgment but only judged teleologically in reflective judgment. Third, a tree is both cause and effect of itself due to the

“mutual dependence between the preservation of one part and that of the others” (5:371). For example, the limbs of a tree require a healthy trunk in order to flourish, but the trunk in turn requires healthy limbs, and the flourishing of both components contributes to the well-being of the tree as a whole.

Kant’s point seems to be that a tree displays a kind of organization that is inexplicable on a purely mechanistic account. In other words, the causality of a tree cannot be understood as the efficient causality whereby one object or event blindly gives rise to another. Instead, one must reflectively judge a tree and its complex organization as products of design, i.e. as intrinsically purposive. Such teleological, reflective judgment is warranted because, according to Kant, the only alternative (mechanistic explanation) cannot account for a tree’s being both cause and effect of itself in maintaining its species, converting external material for its own growth, and displaying an interconnection of its parts. As Zuckert puts it, “the principle of natural purposiveness may be necessary in order to judge organisms, but it does not ‘explain’ their behavior,” at least not in the way that determinative judgments seek to explain natural objects.<sup>268</sup> Hence, humans may judge a tree as if it were designed, although this does not justify one in attributing design to a tree via determinative judgment—in this sense, the tree remains inexplicable from the perspective of the determinative judgment that attempts to explain objects themselves.

As the example of the tree already suggests, Kant holds that all organisms are causes and effects of themselves and hence inexplicable mechanistically. In §65 of the “Critique of Judgment,” Kant clarifies what it is for something being both cause and effect of itself. As opposed to efficient causality, in which “the things that are the effects, and that hence presuppose others as their causes, cannot themselves in turn be causes of these others,” purposive

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<sup>268</sup> Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment*, 130.

(teleological) causality is that in which a single thing can be both a cause and an effect (5:372). Kant points to the example of a house rented to tenants, in which “the money received for rent” is the effect of the house but also the cause of the house’s construction, since the rent money was the purpose for which the house was built. Of course, the rent money is not a *natural* purpose but rather a purpose produced by human beings.

In order to be a natural purpose, 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). In other words, each part of a natural purpose exists for the sake of the whole, as a heart exists for the sake of the organism to which it belongs. This must be the case because, if the object is truly a purpose, then “it is covered by a concept or idea that must determine a priori everything that the thing is to contain” (5:373). However, meeting this first condition is not sufficient for something to be a natural purpose, since the parts of objects of artifactual production (e.g., houses) also exist for the sake of the whole. As a second condition for something to be a natural purpose, 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). In other words, the parts of a natural purpose 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). This second condition is not met by artifacts, whose parts are organized by an external source (e.g., a carpenter) and do not themselves give rise to the whole. Kant glosses both these conditions by noting that a natural purpose must be both an organized and a self-organizing entity (5:374). An object that is neither organized nor self-organizing is not a purpose. An object that is organized but not self-organizing is an artistic purpose. Only an object that is organized (and hence purposive rather than mechanistic) and self-organizing (and hence natural rather than artifactual) is a natural

purpose.

According to Zuckert's interpretation of this distinction, an artifact is purposive *with* a purpose, whereas an organism is purposive *without* a purpose. She writes that an "organism is judged to be characterized positively by purposiveness without a purpose, specifically purposive causality without a purpose: the organism institutes the means-ends relations among its parts and 'uses' its parts as 'instruments' (acts purposively), but does not do so as guided by concepts (purposes)—organic functioning is purposive, but not intentional..."<sup>269</sup> On this account, an organism is purposive because its parts are organized so as to serve the whole. However, an organism's purposiveness does not exist in virtue of some purpose because it is not intentionally designed in accordance with a concept. For example, an animal is purposive insofar as its parts (e.g., heart, kidneys, brain, intestines, etc.) are organized to make the animal function as a whole, but one cannot justifiably specify a purpose for the organism itself (e.g., to serve the agricultural needs of human beings). Conversely, an artifact is purposive *with* a purpose because its parts are organized so as to serve the whole *and* these parts are intentionally organized in accordance with some concept. For example, a radio is purposive insofar as its parts serve the functioning of the whole, but it also has the purpose of transmitting information. The explanation for this is that intelligent designers organize raw materials in accordance with various concepts (e.g., the concept of radio), thereby producing entities that are purposive with purposes. However, since organisms are *natural* entities, their purposiveness cannot be understood in terms of literal purposes, because they are not designed in accordance with concepts. In order to find a purpose for such a natural entity, one would need to appeal to God as the designer of nature, but this appeal would overstep the bounds of human knowledge (see 5:406-7).

Kant appeals to the example of a watch to illustrate further the difference between

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<sup>269</sup> Ibid., 122-3.

organisms and machines (a kind of artifact). First, the parts of a watch (e.g., the gears) do not produce each other. Although those parts exist for the sake of one another, they do not exist as results of one another. Second, 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 concepts (e.g., a watchmaker). Third, if parts are removed from a watch, it does not replace these parts by its own activity. Fourth, if a watch is damaged, it does not repair itself (5:374). A natural purpose, however, is different in all these respects. First, the parts of a natural purpose produce one another, as the branches of a tree give rise to its leaves. Second, the cause of a natural purpose is in nature itself rather than in some artificer. Third, if parts of a natural purpose are removed, the whole (often) will replace those parts by generating new ones, as a deciduous tree will grow new leaves each season. Fourth, a damaged natural purpose will repair itself, such as when a tree recovers from having some of its roots cut or an animal's body heals wounds. Kant explains the difference between machines and natural purposes by claiming that the former have only "*motive* force" while the latter have "*formative* force" (5:374). A machine can only move its own parts according to a mechanistic, efficient causality—a "motive" force. A natural purpose imparts its formative force to material that is in itself non-purposive, thus displaying the power not only to move other objects but also to organize them into wholes.

Kant stresses that natural purposes are not merely analogues of art, because that would suggest an external designer and would fail to appreciate that natural purposes are *self-*organizing. He suggests, "We might be closer if we call this inscrutable property of nature an *analogue of life*" (5:374), but there are problems concerning how to understand this claim. On the one hand, one could hold with hylozoism that matter itself is infused with life. Kant finds this problematic because it makes matter "conflict with its nature," presumably because matter is by



definition inanimate.<sup>270</sup> Kant expressed a similar view in his lectures on metaphysics, stating, “All matter as matter (matter as such) is inanimate,” adding that “matter, as matter, has no inner principle of self-activity, no spontaneity to move itself...” (28:274-5).<sup>271</sup>

Likewise, in his *Metaphysical Foundations of Natural Science* (1786), Kant calls hylozoism “the death of all natural philosophy” because it is incompatible with the principle of inertia, which holds, “Every change in matter has an external cause. (Every body persists in its state of rest or motion, in the same direction, and with the same speed, if it is not compelled by an external cause to leave this state.)” The principle of inertia must be assumed in order to explain causal changes in matter, since matter “has no essentially internal determinations or grounds of determination,” such as desiring, willing, or thinking (4:543-4).<sup>272</sup> Unlike animals, which can act on the basis of their desires, mere matter lacks any internal capacity to effect changes in its own movement. Hence, changes in mere matter must be explained by external causes, e.g., the efficient causal influence of other bodies. Hylozoism is incompatible with this principle of inertia, because the former holds that mere matter is imbued with life, or “the faculty of a *substance* to determine itself to act from an *internal principle*, of a *finite substance* to change, and of a *material substance* [to determine itself] to motion or rest, as change of its state” (4:544). In short, mere matter lacks the internal determining grounds essential to life, such as desiring or willing. Hence, as Brandon Look notes, “Kant wishes us to arrive at the following two-part conclusion: (1) these determining grounds do not belong to matter as matter, and (2) all matter as such is lifeless.”<sup>273</sup>

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<sup>270</sup> For a helpful discussion of Kant and the issue of hylozoism, see Jennifer Mensch, “Intuition and Nature in Kant and Goethe,” *European Journal of Philosophy* 19, no. 3 (2011): 441-42.

<sup>271</sup> Immanuel Kant, *Lectures on Metaphysics*, ed. Karl Ameriks and Steve Naragon (Cambridge: Cambridge University Press, 2001).

<sup>272</sup> Kant, “Metaphysical Foundations of Natural Science.”

<sup>273</sup> Brandon Look, “Blumenbach and Kant on Mechanism and Teleology in Nature: The Case of the Formative Drive,” in *The Problem of Animal Generation in Early Modern Philosophy*, ed. J.E.H. Smith (Cambridge:

On the other hand, one could claim that matter is conjoined “with an alien principle (a soul).” Kant also finds this problematic because it places the source of nature’s purposiveness in an external soul, which undermines the self-organizing capacity of natural purposes (5:374-5). In order to recognize that some object is a natural purpose, one must presuppose organized matter, which “has nothing analogous to any causality known to us” (5:375). Since we have no insight into the nature of the causality of natural purposes, “a natural purpose is not a constitutive concept either of understanding or of reason,” and hence we can claim no direct knowledge of natural purposes in determinative judgment (5:375). However, Kant contends that natural purposiveness can still play a role in reflective judgment:

But it [natural purposiveness] can still be a regulative concept for reflective judgment, allowing us to use a remote analogy with our own causality in terms of purposes generally, to guide our investigation of organized objects and to meditate regarding their supreme basis—a meditation not for the sake of gaining knowledge either of nature or of that original basis of nature, but rather for the sake of [assisting] that same practical power in us [viz., our reason] by analogy with which we were considering the cause of the purposiveness in organized objects (5:375).

Although one has no direct insight into the workings of the causality of natural purposes, there are objects in nature that are inexplicable in terms of mechanistic laws, namely organisms.

Accordingly, one is warranted in viewing organisms as naturally purposive, provided that one

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Cambridge University Press, 2006), 366. See also John H. Zammito, *The Genesis of Kant's Critique of Judgment* (University of Chicago Press, 1992), 189-213.

does so via reflective judgment only and refrains from attributing such purposiveness to organisms as a matter of determinative judgment. Hence, the concept of a natural purpose is “regulative” rather than “constitutive,” because it guides our heuristic judgments of organisms but does not ground definite judgments about how such organisms operate in themselves.

Having offered this account, Kant claims that organisms are governed by the following principle: “*An organized product of nature is one in which everything is a purpose and reciprocally also a means*” (5:376). This is striking because it treats every component of an organism as purposive, such that there is nothing in it “to be attributed to blind mechanism” (5:376). Although “experience must prompt” one to adopt this principle, the “universality and necessity” of its application to organisms suggest that this principle is not merely empirical but rather has its source in the reflective judgment of those who study organisms.<sup>274</sup> Accordingly, Kant treats this principle as an a priori (albeit regulative) “maxim” that guides the work of those who investigate plants (i.e., flora in general) and animals:

It is a familiar fact that those who dissect plants and animals in order to investigate their structure and gain insight into the reasons why and to what end these plants and animals were given those very parts, their position and combination, and were given precisely that internal form assume this maxim as inescapably necessary—i.e., the maxim that nothing in such a creature is *gratuitous*. They appeal to it just as they appeal to the principle of universal natural science—viz., that *nothing happens by chance*. Indeed, they can no more give up that teleological principle than they can this universal physical principle.

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<sup>274</sup> I suggest below that teleological judgment is at least practically necessary for human investigators, insofar as it is needed in order to make sense of our experience of organisms.

For just as abandoning this physical principle would leave them without any experience whatsoever, so would 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 teleologically (i.e., as intrinsic natural purposes) is not only permissible but indeed necessary for the practice of biological investigation.<sup>275</sup> This is because, unlike inanimate nature, organisms are inexplicable mechanistically and thus require some kind of non-mechanistic account if they are to be understood.<sup>276</sup>

Kant stresses that such teleological judgment is necessary only for intrinsic natural purposes and not for relative purposiveness in nature. For example, one need not assume any teleology in order to account for the utility plants have for animals and animals have for humans (5:378), presumably because such utility (e.g., the utility of reindeer for humans living in northern climates) can be explained in terms of mechanistic happenstance. Intrinsic natural purposes, on the other hand, can only be understood teleologically: “The internal form of a mere blade of grass suffices to prove to our human judging ability that the blade can have originated only under the rule of purposes” (5:378), presumably because the internal organization of plants and animals cannot be explained in terms of mechanistic happenstance. Interestingly, Kant holds

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<sup>275</sup> Ginsborg, “Kant on Understanding Organisms as Natural Purposes,” 251-2.

<sup>276</sup> Further, Kant believes that the kind of teleological judgment called for by organisms implies that every component of an organism is purposive, i.e. that nothing in it is gratuitous. His argument is as follows. Since organisms must be judged according to a teleological principle, they must be thought as possible on the basis of an idea. But since an idea “is an absolute unity of presentation,” it encompasses all aspects of anything that is judged as possible on its basis. So in judging an organism as a whole according to a teleological idea, one must encompass every part of that whole under the same idea, which entails viewing every part of an organism as purposive. Otherwise, if one attempts to judge some parts of an organism mechanistically while still judging the whole teleologically, one “would then be mixing heterogeneous principles and hence be left without any safe rule by which to judge” (5:377). Hence, Kant claims, everything in an organism must be judged as organized and purposive.

that the existence of individual natural purposes implies the existence of “a final purpose (*scopus*) of nature,” something supersensible that lies outside of nature and serves as the end toward which natural purposiveness is directed (5:378). Indeed, Kant claims that “this concept of a natural purposes leads us necessarily to the idea of all of nature as a system in terms of the rule of purposes, and we must subordinate all mechanism of nature to this idea according to principles of reason...” (5:379). If Kant is correct, then the mechanistic inexplicability of organisms requires one to view (via reflective judgment) all of nature as a system that is purposive for some non-natural, supersensible final purpose. Once this move has been made, however, one may view even non-organisms as purposive, and this because all natural objects are then viewed as comprising a purposive system (5:380-1). The utility of natural objects for various organisms, *when taken in isolation*, need not be judged teleologically. However, organisms do need to be judged teleologically, which according to Kant implies that all of nature must be viewed as a purposive system, which in turn implies that all aspects of nature (e.g., its utility) must likewise be judged as purposive insofar as all parts of nature are directed toward nature’s final end.

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 the designer of nature and its 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, one may only use teleological (reflective) judgment “to compensate for the inadequacy” of mechanistic laws (5:383), which Kant claims cannot account for organisms. According to Kant then, scientific investigation must rely on both mechanistic and teleological principles, the former accounting for inanimate objects and the

latter accounting for organisms. Yet there appears to be a tension between these principles, thus leading to an “antinomy” of judgment.

### Antinomy of Teleological Judgment

A conflict seems to arise between mechanistic and teleological explanations of nature. On the one hand, judgments of the mechanistic kind explain all natural entities as operating according to efficient causality, whereby prior states or events determine all subsequent states or events. On the other hand, judgments of the teleological kind explain some natural entities (i.e., organisms) as operating according to final causality, whereby such entities are purposively directed toward some end. This gives rise to two antithetical maxims. First, “All production of material things and their forms must be judged to be possible in terms of merely mechanistic laws.” Second, “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). Kant notes that both these principles are “regulative” rather than “constitutive,” i.e. that they govern how human judgment is to be deployed in explaining natural entities and phenomena but do not necessarily reflect how those objects operate in themselves.

If these maxims were converted into constitutive principles, they would yield the following. First, “All production of material things is possible in terms of merely mechanistic laws.” Second, “Some production of material things is not possible in terms of merely mechanistic laws” (5:387). Both these maxims are constitutive rather than regulative because they specify how natural objects themselves are possible, whereas the two previous, regulative principles specify how judgment of natural objects must proceed. The two constitutive maxims contradict each other because they are “objective principles for determinative judgment,” one of

which must be false (5:387). It is logically impossible for both maxims to be true (although one of them must be true). However, Kant writes that humans cannot determine which of these constitutive maxims should be accepted “because we cannot have a determinative a priori principle for the possibility of things in terms of merely empirical laws of nature” (5:387). Instead, one must remain agnostic as to whether the possibility of natural objects rests solely on mechanistic laws.

The matter is otherwise in the case of the two regulative maxims, which do not contradict each other, or so Kant contends. As principles of reflective judgment, they only indicate how natural objects are to be viewed. According to Kant, the first regulative maxim, “All production of material things and their forms must be judged to be possible in terms of merely mechanistic laws,” does not determine how natural objects themselves are possible but rather holds that “I *ought* always to *reflect* on these events and forms *in terms of the principle* of the mere mechanism of nature, and hence ought to investigate this principle as far as I can, because unless we presuppose it in our investigation [of nature] we can have no cognition of nature at all in the proper sense of the term” (5:387). On the other hand, the second regulative maxim, “Some products of material nature cannot be judged to be possible in terms of merely mechanistic laws,” neither denies that all natural objects are possible in terms of mechanism nor does accepting it require rejecting the first maxim. As principles of reflective judgment, the first maxim specifies that one ought to *view* nature as mechanistic as far as doing so is possible, whereas the second maxim specifies that some natural objects (i.e., organisms) cannot be viewed mechanistically but only teleologically.

These maxims are compatible insofar as they are regulative principles of reflective judgment and so offer heuristic devices whereby nature can be investigated. Although Kant

thinks that organisms are mechanistically inexplicable from the standpoint of human judgment and thus must be explained as intrinsically purposive, it is possible that organisms themselves are in fact thoroughly mechanistic. Accordingly, to claim that humans must *view* organisms teleologically is not to deny that organisms might in fact *be* purely mechanistic. However, if Kant is correct, humans cannot conceive how organisms would be possible as pure mechanisms, which is why we must view them as natural purposes. The key here is the distinction between reflective and determinative judgment: "...when judgment *reflects* (on a subjective basis), rather than determines (in which case it follows an objective principle of the possibility of things themselves), then in the case of certain forms in nature it has to think of their possibility as based on a principle that differs from that of natural mechanism" (5:388). Thus, 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, 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).<sup>277</sup>

### Accounting for Organisms

As a matter of determinative judgment, according to Kant, humans cannot offer a complete account of organisms. This is because an organism seems both necessary and

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<sup>277</sup> Kant's solution to the antinomy is bound up with his transcendental idealism. Below, I explain how my own account of non-human flourishing is not strictly dependent upon Kant's transcendental idealism, although it is compatible with it.



contingent: “as concept of a *natural product* it contains natural necessity; and yet, as concept of that same thing as a purpose, it contains at the same time a contingency (relative to mere laws of nature) of the object” (5:396). As a *natural* entity, an organism is subject to the mechanistic laws of nature that determine fully how other natural phenomena (e.g., the orbit of a planet) operate. However, such mechanistic laws seem incapable of explaining the apparent contingency of organisms, i.e. their ability to operate purposively in ways that could not be predicted solely from laws of nature. Since it is unclear how the natural necessity and purposive contingency of organisms can be reconciled, they remain inexplicable from the perspective of determinative judgment. Hence, it would be rash to attribute teleology to organisms via determinative judgment, because this would leave their necessity out of account. This is why Kant says that “the concept of a thing as a natural purpose is transcendent for *determinative judgment*,” given that a natural purpose is inexplicable in this way (5:396).

It is permissible to judge organisms teleologically via reflective judgment, however, 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). In other words, one may judge organisms as if they were intentionally produced by some designer. Since one does not attribute such intentional design to organisms as a constitutive principle of nature but only views organisms as if they were designed, and since one does so according to a *regulative* principle of human judgment, one does not overstep the proper bounds of determinative judgment. Moreover, it is necessary 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,” because “we cannot

even think them as organized beings without also thinking that they were produced intentionally” (5:398). Hence, employing a teleological principle is necessary for making sense of organisms and thus is necessary for biological investigation, provided that this principle is employed regulatively in reflective judgment rather than constitutively in determinative judgment.

In §76 of the *Critique of Judgment*, Kant offers the following argument to defend his claim that organisms must be judged teleologically. Even given the universal laws of nature,

...the particular, as such, contains something contingent. And yet reason requires that even the particular laws of nature be combined in a unified and hence lawful way. (This lawfulness is called purposiveness.) Therefore, unless the power of judgment has [its own] universal law under which it can subsume that particular, it cannot recognize any purposiveness in it and hence cannot make any determinative judgment about it. [Differently put:] It is impossible to derive the particular laws, as regards what is contingent in them, a priori from the universal ones [supplied by the understanding], [i.e.,] by determining the concept of the object. Hence the concept of the purposiveness that nature displays in its products must be one that, while not pertaining to the objects themselves, is nevertheless a subjective principle that reason has for our judgment, since this principle is necessary for human judgment in dealing with nature (5:404).

As particular natural objects, organisms display a contingency vis-à-vis the laws of nature, i.e. those laws do not fully account for how organisms operate nor how they become organized. The evidence for this is that one cannot, even with complete knowledge of natural laws, explain how

organisms are possible, nor can one explain how organisms will operate in particular cases. In Kant's famous statement, it is 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). Since particular organisms cannot be explained in terms of the mechanistic laws of nature, human beings must judge organisms by some other principle, namely the teleological principle that views organisms as natural purposes. Although this teleological principle is only regulative for reflective judgment, it is the sole means by which to account for organisms. Hence, human beings must judge organisms teleologically. Put schematically, Kant's argument is the following:

- (1): Organisms must be accounted for via some principle of judgment.
- (2): But organisms are inexplicable in terms of the mechanistic laws of nature.
- (3): The only other option is accounting for organisms via teleological judgment.
- (4): So organisms must be accounted for via teleological judgment.

Kant assumes that organisms must be explained either mechanistically or teleologically. From the evident inability of mechanistic laws to explain organisms, Kant infers that they must be explained teleologically. Hence, humans must judge organisms according to a regulative, teleological principle. As John Zammito puts it, it is "humanly impossible to make any sense" of organisms mechanistically, yet the "only alternative principle... at our rational disposal was the concept of purpose," which humans then employ to make sense of organisms.<sup>278</sup>

However, to recognize that humans must judge organisms in this way is not to deny that organisms might be explicable mechanistically *for some other kind of understanding*. Humans

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<sup>278</sup> Zammito, *The Genesis of Kant's Critique of Judgment*, 221.

must reflectively judge organisms teleologically because of the nature of their understanding. Kant claims that “when cognition occurs through our understanding, the particular is not determined by the universal and therefore cannot be derived from it alone” (5:406). This is because human cognition relies in part on the sensible manifold that is received through intuition. In other words, humans do not (as God might) cognize solely through concepts because they also require information that is received through sensations. As Kant puts it, human understanding “must proceed from the *analytically universal* to the particular (i.e., from concepts to the empirical intuition that is given); consequently, in this process our understanding determines nothing regarding the diversity of the particular” but rather has this diversity given to it empirically (5:407). Hence, human understanding cannot cognize the whole of an actual organism prior to its parts, because these parts must first be given to human intuition before they can be unified according to concepts. As Kant writes, “[We,] given the character of our understanding, can regard a real whole of nature only as the joint effect of the motive forces of the parts” (5:407).

However, we can conceive a different kind of understanding, namely an “archetypal” understanding that cognizes “the possibility of the parts, in their character and combination, as dependent on the whole...” (5:407). In the case of such an understanding the “whole would be an effect, a *product*, the *presentation* of which is regarded as the *cause* that makes the product possible” (5:408). But this is to treat the product as a purpose, because a purpose is something that is caused solely on the basis of its own presentation by some intelligence. The teleological judgment employed by humans is analogous to such an archetypal understanding insofar as both take some object (e.g., an organism) as intrinsically purposive. Yet humans’ teleological judgment is not analogous with archetypal understanding insofar as the latter is constitutive and

the former is merely regulative. That is, an archetypal understanding is warranted in taking objects to be intrinsic purposes as a matter of determinative judgment, whereas humans are warranted only in viewing organisms as intrinsic purposes via reflective judgment.

Since the human understanding cannot cognize organisms unless it represents them teleologically, humans cannot conceive how organisms are possible mechanistically. However, Kant holds that a different kind of understanding might be able to explain organisms mechanistically. This implies that, as far as human beings can tell, organisms might be produced mechanistically. Although humans cannot explain how this would be possible, they are not warranted in denying that organisms are possible on purely mechanistic principle. To deny this “would be tantamount to saying that it is impossible (contradictory) *for any understanding* to present such a unity in the combination of [a thing’s] manifold without also [thinking of] the idea of that unity as causing it, in other words, without [thinking of] the production as intentional” (5:408). If it is the case that every possible understanding must represent organisms as intentionally produced purposes, then such organisms are not possible in terms of purely mechanistic principles. However, humans cannot know whether or not there is some possible understanding that can represent organisms without appealing to intentional purposiveness, so they are not warranted in denying that organisms are possible mechanistically.

### Solving the Antinomy of Teleological Judgment

Having presented his arguments, Kant is finally in a position to provide a solution to the antinomy between mechanistic and teleological judgment. The apparent conflict between mechanism and teleology arises when both principles are taken as constitutive of natural objects themselves rather than as regulative for human judgment. In itself, a natural object cannot be the

product of both blind mechanism and purposive design, since being the product of one of these excludes being the product of the other. Hence, teleology and mechanism cannot be reconciled as constitutive principles (5:411). However, if one treats them as only regulative for human judgment, these principles can be reconciled in a different way, namely insofar as they could be united in some supersensible principle outside human experience. Kant allows that both mechanistic and teleological explanations of nature are by turns appropriate, but only because humans have cognitive access solely to appearances and not to things-in-themselves. Hence, when humans judge an organism teleologically, they are explaining how that organism appears to them vis-à-vis the structures of their human sensibility and understanding. 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. As Kant puts it:

...if we happen to find natural objects whose possibility is inconceivable to us in terms merely of the principle of mechanism (which in the case of a natural being always has a claim [to being applied]) so that we must rely also on teleological principles, then we can presume that we may confidently investigate natural laws in accordance with both principles (once our understanding is able to cognize [how] the natural product is possible on the basis of one or the other principle), without our being troubled by the seeming conflict that arises between the two principles for judging that product. For we are assured that it is at least possible that objectively, too, both these principles might be reconcilable in one principle (since they concern appearances, which presuppose a supersensible basis) (5:413).

The cognitive apparatus of humans is such that they must judge some natural objects mechanistically while judging other natural objects teleologically. The apparent conflict between these two kinds of judgment is not problematic because they do not make claims about things-in-themselves. It is possible that things-in-themselves are such that, for human cognizers, they give rise to heterogeneous appearances (i.e., both mechanistic and teleological phenomena) that are nonetheless reconciled in a “supersensible basis.” Kant presents this account as a solution to the antinomy of judgment because it shows that there need be no incompatibility involved in judging some but not all natural objects as purposive. Accordingly, human investigators are warranted in accounting for organisms as natural purposes, provided that such accounts do not overstep the bounds of reflective judgment.

#### Objections to Kant’s Account of Organisms and the Practical Need for Teleological Judgment

Kant’s account of organisms might seem problematic from the perspective of contemporary biology, particularly in virtue of an evolutionary account that takes organisms to be the outcome of natural selection. On such a view, it is perhaps possible to explain plants and animals as products of mechanistic laws, contrary to what Kant supposed.<sup>279</sup> Guyer claims both that Kant’s position “is alien to the post-Darwinian frame of mind”<sup>280</sup> and that “in the light of contemporary science it is hard to maintain Kant’s view that there is anything about our experience of nature that forces us to conceive of it as the product of intelligent and rational

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<sup>279</sup> 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.

<sup>280</sup> Paul Guyer, “From Nature to Morality: Kant’s New Argument in the ‘Critique of Teleological Judgment,’” in *Kant’s System of Nature and Freedom: Selected Essays* (Oxford: Oxford University Press, 2005), 318.

design...”<sup>281</sup> Further, Guyer suggests that what he calls “the contemporary scientist” would hold that Kant’s account of organisms “stands on a rotten foundation, because he has failed to adduce any organic process that cannot in fact be understood by means of our ordinary mechanistic model of causation.” He adds that “contemporary scientists proceed in the confidence that “mechanistic” answers to these questions will be found. Moreover, contemporary scientists also proceed in the confidence that further mechanistic, in this case evolutionary, explanations for the existence of the mechanistic bases of organic processes will likewise be found.”<sup>282</sup>

The concern is that Kant’s argument—namely, that humans must reflectively judge organisms as natural purposes—fails because it rests on a false premise, namely that organisms are inexplicable in terms of mechanistic laws. According to the “contemporary scientist,” many of the functions of organisms already have been explained mechanistically. Further, if the “contemporary scientist” is correct, there is good reason to expect that the remaining mysteries about organisms eventually will be explained solely by mechanistic laws as well, i.e. that a complete mechanistic account of organisms is forthcoming. If this is true, then the basis Kant adduces for judging organisms teleologically seems to crumble.

However, even if mechanistic laws can explain the various functions of organisms, it is not obvious how such laws can explain what Zuckert calls the “dynamic unity of the diverse and contingent as such” in organisms, or the “special unity” whereby the various components and processes of organisms are unified in a single whole.<sup>283</sup> It is one thing to explain a particular function 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

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<sup>281</sup> 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), 344.

<sup>282</sup> *Ibid.*, 355-6.

<sup>283</sup> Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment*, 126.



a way as to form a concordant whole. According to Zuckert, a “proponent of reductive mechanistic explanation” can either accept or deny that mechanistic laws are incapable of explaining an organism’s unity. If he accepts this claim, he might “reply that he does not care to explain such unity, for it is illusory, merely an artifact of our ‘folk’ experiences, scientifically irrelevant, etc.” On the other hand, if he rejects the claim that mechanistic laws cannot explain the unity of an organism, he must insist that “we could discover mechanistic explanations for all these mutually influencing functions,” thus producing a mechanistic account of organisms’ “special unity.”<sup>284</sup>

In either case, Zuckert argues, Kant could respond that the “proponent of reductive mechanistic explanation” provides an overly reductive, and hence mistaken, account of organisms. This is because “the unity of the diverse in organisms is not merely some aspect of such objects, but rather their defining characteristic, and thus is precisely that which must be explained.”<sup>285</sup> 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. This is because the unity of organisms is that which distinguishes them from inanimate objects, such as stones, which display no special unity. For example, 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 granite. The same does not hold of an organism, e.g. a tree, which ceases to be an organism if enough of its roots are destroyed, in which case it dies and the leftover materials cease to be parts of an organism—the tree’s unity must be maintained in order for the object to remain an organism. Hence, no adequate account of organisms can dismiss their unity as illusory but must explain it,

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<sup>284</sup> Ibid., 126.

<sup>285</sup> Ibid., 126.

since this very unity is what makes some collection of raw materials an organism in the first place. Accordingly, a committed mechanist must seek to explain this unity via mechanistic laws, but it is not clear whether such an explanation can be successful. Such a mechanistic account of an organism's unity would require explaining every process and part of an organism *and* their organization and unification on purely mechanistic grounds. Perhaps such an account is possible, but it is currently a promissory note based on, as Guyer observes, "the confidence that 'mechanistic' answers to these questions will be found."<sup>286</sup>

Whatever the fate of this promissory note turns out to be, however, both Zuckert and Guyer contend that Kant's account of teleological judgment has important lessons to teach those who wish to understand organisms. Zuckert writes that "Kant's broader project in the [*Critique of Judgment*] concerns our—independent, epistemic—need for a structure of the unity of the diverse or lawfulness of the contingent as such. Given this context... it is enough for Kant to show that mechanistic explanation cannot supply such lawfulness, and that purposiveness does so."<sup>287</sup> Since humans need to judge organisms according to some kind of lawfulness, and since mechanistic lawfulness cannot (at least at present) explain the unity of organisms but teleological lawfulness can, humans are warranted in judging organisms teleologically, i.e. as purposive. For his own part, Guyer speculates that Kant assumes "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."<sup>288</sup> At least from a practical point of view, teleological judgment seems necessary for human beings who seek to account for non-human organisms, perhaps because of deep facts about human psychology.

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<sup>286</sup> Guyer, "Purpose in Nature: What Is Living and What Is Dead in Kant's Teleology?," 356.

<sup>287</sup> Zuckert, *Kant on Beauty and Biology: An Interpretation of the Critique of Judgment*, 126.

<sup>288</sup> Guyer, "From Nature to Morality: Kant's New Argument in the 'Critique of Teleological Judgment'," 342.

Hence, even if Kant is mistaken in holding that organisms are mechanistically inexplicable for the human understanding, both Zuckert and Guyer suggest that there still could be good reason to employ teleological judgment. Kant's account seems to leave room for such a view. It is important to recall that teleological judgment is a species of reflective judgment and hence, as Kant argues in the "Dialectic of Teleological Judgment," it need not conflict with mechanistic judgment. Supposing that the mechanist makes good on his promissory note and provides a complete mechanistic account of organisms, there is still nothing mistaken in using teleological principles as regulative, heuristic guides to judging organisms. That is, one may view an organism *as if* it is purposive, even if that organism is in fact governed entirely by mechanistic laws. Since such reflective, heuristic judgment abstains from attributing purposiveness to the organism as a constitutive principle, the judgment does not conflict with a purely mechanistic, determinative explanation of the organism. Heuristically, teleological judgment can make sense of organisms, and that fact could be sufficient to secure its status as an appropriate kind of (reflective) judgment.

However, granting that reflective, teleological judgment need not conflict with mechanistic judgment, one still might ask what reason there could be to employ the former at all. If a thoroughgoing mechanistic explanation of organisms explains all that needs explaining, then why use teleological judgment of organisms even as a heuristic device? One answer to this is that, even granting the controversial point that a purely mechanistic account of organisms is in principle possible for human investigators, one would scarcely be able to provide such an account in normal situations to explain the actions of individual organisms. For example, in observing the behavior of a bird alternating between short flights and searching the grass for worms, it is surely (as Guyer says) "natural and plausible to all normal human beings" to view

the bird teleologically, e.g. as an entity that is purposively directed toward finding food in order to maintain itself. Moreover, from a practical point of view, teleological judgment seems necessary in order to make sense of the bird and its behavior. If it is in principle possible, a purely mechanistic explanation of the bird's behavior must be extremely complex, for it needs to specify in terms of mechanistic laws how and why the bird flies, lands, searches for food, and in general behaves as it does. Such a mechanistic explanation would not be available to the typical observer, so perhaps humans are warranted in judging organisms teleologically even if Kant is wrong and mechanistic explanations of organisms are in principle possible from the perspective of human judgment. Either human judgment is capable of mechanistically accounting for organisms or (as Kant thinks) it is not. In each case, however, teleological judgment of organisms has an important and legitimate role to play since, at the very least, it heuristically guides how humans view organisms in particular cases. Not only are humans warranted in viewing organisms as if they were purposive, but viewing organisms in this way is practically necessary in order for humans to make sense of the apparently contingent behavior of organisms in particular cases. We might even say that teleological judgment is necessary in order for humans to have a complete picture of their own experience, since commonplace experiences of organisms would be mysterious without such judgment.

I shall remain agnostic on the question of whether Kant is correct in holding that organisms are in principle not susceptible to purely mechanistic explanation. Instead, I accept the following exclusive disjunction: either organisms are *in principle* inexplicable mechanistically, or organisms are only *practically* inexplicable mechanistically. Whichever of these disjuncts one accepts, humans must reflectively employ teleological judgment in order to account for organisms, either because mechanistic explanations are incapable of accounting for organisms in

the first place, or because mechanistic explanations of organisms are not available in practice (e.g., because they would be too complex to helpfully guide biological investigations). Hence, accepting this disjunctive position is sufficient to secure the importance of teleological judgment, given that such judgment is at the very least an ineliminable and practically necessary guide to understanding organisms.

By allowing that reflective teleological judgment might be practically necessary but not necessary in principle, the account of non-human flourishing I develop below is potentially attractive to those who reject or are suspicious of 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 (following Zuckert and Guyer) 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 account of flourishing I offer below 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.

### Normative, Teleological Judgment

According to Kant, humans must view organisms as natural purposes, but it is not immediately clear what it means to judge an organism as purposive. Treating an object as purposive implies viewing it as directed toward some end, but what ends are organisms directed toward—or to be more precise, what are the ends that human reflective judgment is warranted in taking organisms to be 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). In this passage, Kant suggests that to judge a natural entity as a purpose is to judge it as subject to what Hannah Ginsborg calls “normative laws, standards, or constraints.”<sup>289</sup> A natural purpose is an entity that ought to be a particular way, i.e. it is an entity that has a telos to which it is directed. 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).”<sup>290</sup> It is important to note that this is a teleological normativity about what natural purposes ought to be, not a moral normativity about moral agents ought to do.

To illustrate this normative conception of natural purposes, Kant appeals to the distinction between an eye used for seeing and a stone used for building. The latter is not a natural purpose, because the stone is not “[meant] to serve for building,” but the eye is a natural purpose, 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 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

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<sup>289</sup> Ginsborg, “Kant on Understanding Organisms as Natural Purposes,” 249. See also Hannah Ginsborg, “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.

<sup>290</sup> Ginsborg, “Kant on Understanding Organisms as Natural Purposes,” 249.

of that natural product” (20:240).

The examples of the stone and the eye correspond to what Kant elsewhere (5:366-8) calls relative and intrinsic purposiveness, respectively. A stone can be purposive in the sense that it happens to be used by some human producer for constructing a building, whereas an eye is intrinsically purposive. Here Kant suggests that the difference between the two examples is that the eye *ought* to be a specific way, whereas there is no specific way that the stone ought to be. In particular, an eye is (reflectively and teleologically) judged according to a normative standard, i.e., to be an organ capable of sight. A stone, conversely, is not judged according to any such standard. 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 normative standard for an eye, and this necessity implies that actual eyes ought to answer to this normative standard.

With this normative account in mind, one can argue that humans are able to make a (reflective) teleological judgment about an eye because we have a standard for what an eye ought to be, namely an organ suitable for seeing. Indeed, as Ginsborg notes, if we lacked such standards for organs and organisms, we would not be able to judge some organs or organisms as defective.<sup>291</sup> For example, one can judge eyes that do not see as defective only if one has in mind a standard against which these unseeing eyes can be compared. Since that standard includes the capacity for sight, and since unseeing eyes fail to meet that standard, one judges them not to be what they ought to be, i.e. one judges them as defective. Likewise, one can judge eyes with 20/20 vision as excellent because they succeed in meeting the normative standard of what eyes ought to be. If, on the other hand, one lacked a standard for what eyes ought to be, then one would have

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<sup>291</sup> Ibid., 253.

no basis for judging whether a set of actual eyes was either defective, excellent, or somewhere in between. In such a case, one would simply be ignorant of what eyes ought to be and hence would not be in a position to judge concerning them—one could simply note that some eyes do not have a capacity for sight, others have 20/20 vision, and so on.

Further, Ginsborg argues that the possibility of biological investigation depends on employing a normative conception of organisms. This is because organisms are contingent in terms of mechanistic laws (i.e., organisms and their activities cannot be inferred 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, i.e. according to what they ought to be given their *teloi*.<sup>292</sup> Ginsborg makes this argument as follows:

If biological investigation is to be possible, we must regard the apparent regularities displayed by organisms as lawlike. Yet organisms are mechanically inexplicable, which is to say that we cannot regard the lawlikeness of these regularities as deriving from the fundamental lawlikeness displayed by the workings of inorganic matter. Our only alternative, therefore, is to regard the regularities manifested by the behavior as lawlike in the sense of conforming to *normative* law. The regularity with which an acorn grows into an oak, or a heart circulates blood, is lawlike in so far as these processes conform to laws saying that acorns ought to (are meant to, supposed to) grow into oaks, or that the heart ought to circulate blood. Regarding organic regularities as lawlike in this way requires that we regard organisms and their parts as subject to normative

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<sup>292</sup> Ibid., 251-52.



standards or constraints; and this is just what it is to regard them as purposes.<sup>293</sup>

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 teleological judgment, since their contingency is not captured by mechanistic judgment.

However, Ginsborg seems correct that investigation of organisms also requires some notion of normative law. Given both the contingency of organs and organisms (e.g., the fact that some acorns do not grow into oak trees while others do) and their lawlike regularities (e.g., the fact that a functioning heart circulates blood), the only plausible option is to treat organs and organisms as subjective to normative laws regarding what they ought to be. Given the contingency of organisms, judging them according to mechanistic laws will not do. Hence, according to Ginsborg, organisms must be judged according to normative laws.<sup>294</sup>

It is worth noting here that a normative account of teleological judgment accords well with Kant's restriction of natural purposiveness to organic entities alone. 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 mechanistically, such as by appealing to the

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<sup>293</sup> 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.

<sup>294</sup> 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.

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., building a house), but this is an instance only of what Kant calls relative purposiveness rather than intrinsic purposiveness (see 5:367-8). A particular stone might be bad as building material, but that does not make it a bad stone. Contrast this with judgments about organisms. As discussed above, it seems necessary to judge organisms purposively, at least for practical pursuits like biological investigation.

Finally, as Ginsborg also notes, this normative conception of natural purposes is compatible with the more general conception (often stressed by Kant) of natural purposes as products of design, since an intelligent designer must design her product according to some concept of what the designed object is meant to be.<sup>295</sup> Even if organisms are reflectively judged as if designed by some supersensible being (as Kant puts it), such a designer must proceed with a standard in mind of what the product of its design is intended to be, and this implies a normative standard for that product. Kant says that reflective judgment takes a natural purpose to be analogous to an object of artifactual production (5:374), such as a watch. In designing a watch, an artificer organizes raw materials in accordance with a particular concept she has in mind, and the resulting object is judged on the basis of how well it corresponds to that concept. For example, an artifact that tells time inaccurately is judged to be defective if the artificer had intended to produce an accurate timepiece. In this case, the concept of an accurate timepiece can be treated as a normative standard against which the actual product is judged. By analogy, an organism is reflectively judged as if it were produced by an intelligent designer proceeding

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<sup>295</sup> Ginsborg, “Kant on Understanding Organisms as Natural Purposes,” 250.

according to some concept, such that the organism is judged according to that concept as its normative standard. Hence, even if teleological judgment consists of viewing organisms as if they are the product of intelligent design, such judgment also consists of comparing organisms to the normative standards appropriate to them. Accordingly, this normative interpretation of teleological judgment is not only suggested by Kant in the “First Introduction” to the third *Critique* (20:240), but it is also compatible with Kant’s account in the “Critique of Teleological Judgment.”

This normative account sheds light on the nature of teleological judgment vis-à-vis organisms, particularly by providing an account of what ends organisms are reflectively judged to be directed toward. To judge a given organism teleologically is to view it as purposively oriented toward realizing the normative standard appropriate to its kind. In other words, an organism is (judged as) purposive insofar as it is the kind of entity that ought to be a certain way. The specific content of what a particular organism ought to be is determined by the kind of entity it is, since presumably different normative standards correspond to different kinds of organism. Although eyes, oak trees, and bonobos are all reflectively judged according to normative standards of what they ought to be, the normative standards respectively corresponding to each of these kinds are not identical. What an eye ought to be includes the capacity of sight, what an oak tree ought to be includes the performance of photosynthesis, and what a bonobo ought to be includes having social interactions with others of its kind. In short, the normative standard appropriate to an organism will consist of certain states or functions that might not be included in the normative standard appropriate to other organisms.

Insofar as a particular organism achieves these states and functions contained in the normative standard of its kind, that organism has become what it ought to be. Departing from

Kant's suggestive comments in the "First Introduction," I suggest that an organism is flourishing to the degree that it is what it ought to be, or that an organism is flourishing insofar as it has the states and functions appropriate for it given its normative standard. Further, since an organism is reflectively judged to be directed toward the normative standard appropriate to its kind, I suggest that this standard may be treated at its telos. This is plausible because teleological judgment consists of viewing an organism as directed toward some end or telos. I have just argued that this end is a normative standard appropriate to an organism. Hence, we can state this account of normative-teleological judgment of organisms as follows. In reflectively judging an organism teleologically, one views that organism as purposively directed toward achieving its telos, which is the normative standard appropriate to its kind. That telos is constituted by certain states and functions, such that an organism flourishes insofar as it realizes those states and functions. Obviously, much will depend in this account on how such states and functions are spelled out, which I shall attempt to do in the next section. Nonetheless, the foregoing provides a general structure within which to orient teleological judgment of organisms.

### Organisms and Natural Goods

By the term "natural goods," I understand those features of an organism that are constitutive of what it ought to be. These features are the states and functions that constitute that organism's telos and toward which it is purposively directed. According to the normative interpretation of teleological judgment presented above, one judges an actual organism in terms of a normative standard. Such a judgment only makes sense, however, if one has some *determinate* concept of what a given kind of organism ought to be. As Kant says in the "First Introduction" to the third *Critique*, in teleological judgment one compares the concept of what an

organism actually is with the concept of what it ought to be (see 20:240). If this judgment is to be successful, the latter concept cannot be empty, i.e. it must contain some determinate content—otherwise, one would have nothing with which to compare an actual organism. The content in a concept of what an organism ought to be is what I call that organism’s natural goods: they are the features possessed by an organism that is properly judged to be what it ought to be (i.e., its *telos*). Given the normative interpretation of teleological judgment, it is appropriate to refer to this features as natural *goods* because these features are those that an organism *ought* to possess given its *telos*.<sup>296</sup>

Kant’s example of an eye is instructive here. In judging an eye teleologically, one compares an actual eye with a normative concept of what an eye ought to be. This latter concept includes the feature of being capable of seeing. Hence, the capacity for sight is a natural good of an eye. It is only because one knows this that one can judge an actual eye teleologically, investigating whether it has this feature that is constitutive of what it ought to be. An actual eyes that lacks the capacity for sight does not possess a particular natural good and thus is correctly judged to be defective as an eye. Conversely, an actual eye that is capable of seeing possesses this natural good and thus (assuming it does not lack any other natural goods it ought to have) is correctly judged to be flourishing as an eye. In this latter case, the actual eye is judged to possess the features that it ought to have—it is judged to meet the normative standard of what an eye ought to be, i.e. it is judged to have achieved its *telos*.<sup>297</sup>

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<sup>296</sup> It might be asked why I am focusing on the natural goods (and flourishing) of individual organisms rather than of non-individuals, 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, i.e. without understanding 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 and complex 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)).

<sup>297</sup> It bears emphasizing that this is a normative-teleological judgment of a particular organ. While an unseeing eye is deficient as an eye, it does not follow from this that blind entities are incapable of flourishing. Moreover, the

This same framework applies for flora and animals. A teleological judgment of a tree compares an actual tree with a normative concept of what it ought to be. The latter concept includes, for example, the capacity to grow to maturity—thus, being capable of growing to maturity is a natural good of a tree because this feature is included in the normative standard of what a tree ought to be. If some actual tree lacks this capacity to grow to maturity (e.g., because it is stunted by some disease that will kill it prematurely), it is correctly judged to lack a natural good and thus be defective. Conversely, if some actual tree possesses this capacity, it is correctly judged to possess this natural good and (if it is not defective in some other way) thus to be flourishing, again because it possesses a feature it ought to have given its telos. Likewise, a dog with severe hip dysplasia is correctly judged to lack a natural good, namely health, because the concept of what a dog ought to be includes being in a healthy state. In all three of defective cases just mentioned (the unseeing eye, the stunted tree, and the unhealthy dog), an entity lacks a feature that it ought to have, a feature that is constitutive of its telos.

Some natural goods seem to be states (e.g., health) and others seem to be functions (e.g., social interaction). The distinction between an organism's states and its functions tracks the distinction between the way an organism is and what an organism does, respectively. Both these kinds of natural good can be constitutive of an organism's telos. A flourishing emperor penguin, for example, is both physically healthy and engages in the social activities that are normal for its species. An emperor penguin that is not in a state of physical health (e.g., because it is afflicted by the Infectious Bursal Disease Virus<sup>298</sup>) is correctly judged to lack this particular natural good, but the same holds of an emperor penguin that has been separated from its community and is

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account of flourishing on offer in this chapter pertains to non-human organic entities, which might differ substantially from human flourishing. For example, it certainly does not follow that blind persons are incapable of flourishing, nor even that their blindness interferes with their flourishing.

<sup>298</sup> J. M. Watts, G. D. Miller, and G. R. Shellam, "Infectious Bursal Disease Virus and Antarctic Birds," in *Health of Antarctic Wildlife*, ed. Knowles R. Kerry and Martin Riddle (Springer Berlin Heidelberg, 2009).

unable to engage in various social functions (e.g., mating). In each case, teleological judgment finds that the penguin lacks something that it ought to have, whether it is the state of physical health or one of the various social functions that flourishing emperor penguins perform. This is because the normative concept of what an emperor penguin ought to be includes both the state of being healthy and the various functions of social interaction. The natural goods of animals seem to include both states and functions. Presumably, the state of physical health is a natural good for all animals, whereas specific functions are natural goods for some but not all animals (e.g., various social functions in the case of elephants, the function of hunting in the case of tigers, the function of flying in the case of many species of bird, etc.). Even the natural goods of plants include not only states (e.g., health) but also certain functions, such as the performance of photosynthesis.

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.<sup>299</sup> 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.<sup>300</sup> On the normative-teleological account, conversely, a natural good is a state or function that an organism (whether plant or animal)<sup>301</sup> ought to possess in accordance with its telos. This does not base natural goods on desires, because it does not conceive of natural goods as desired ends but rather as states or functions that are constitutive of an organism's flourishing. Korsgaard's conception, however, treats an

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<sup>299</sup> Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals," 102-03.

<sup>300</sup> *Ibid.*, 104.

<sup>301</sup> Korsgaard does briefly consider a wider conception of natural goods that would include those of plants, robots, and even inanimate natural entities, but she does not develop this line of thought. See *ibid.*, 106n69.

animal's natural good as perspectively determined by the desires an animal contingently possesses. For a fuller, critical examination of Korsgaard's account, I refer the reader to my discussion in chapter two.

I reserve the term "natural goods" for those states and functions that are intrinsic to an organism. Obviously, certain extrinsic conditions must be met in order for an organism to possess its natural goods. For example, in order to flourish, an oak tree typically requires sunlight, water, and carbon dioxide. Likewise, in order to flourish, a tiger typically requires a large habitat, food, and water. Were a given organism to be deprived of access to the extrinsic conditions that allow it to possess its natural goods, that organism's flourishing would be inhibited. One might say that certain extrinsic conditions are *good for* an organism insofar as their presence promotes that organism's flourishing and their absence inhibits that organism's flourishing. However, such extrinsic conditions are not what I call "natural goods," because the latter are defined as those features that are *constitutive* of an organism's telos and hence also of its flourishing. Rather, a natural good is some feature of the organism itself, a state or function that is intrinsic to the organism's flourishing. The distinction here is that natural goods are part of what it is for an organism to flourish, whereas certain extrinsic conditions constitute environments that are suitable for the flourishing of organisms. This is not an artificial distinction. In judging an organism teleologically, we judge the organism itself rather than the organism's environment, identifying features that constitute that organism's telos. This is why I have identified natural goods as states and functions of an organism rather than as external objects, even though the latter (e.g., water, food, carbon dioxide) can be good for an organism in the sense that they are instrumental for an organism's flourishing.

Martha Nussbaum's capability approach is similar on this score, as she takes the



flourishing of non-human animals to consist of the possession of certain capabilities.<sup>302</sup> First developed by Amartya Sen with respect to human beings, the capability approach takes the flourishing of humans to consist of having basic capabilities that allow them to function in ways they value. According to Sen, these basic capabilities include “the ability to meet one’s nutritional requirements, the wherewithal to be clothed and sheltered, [and] the power to participate in the social life of the community.”<sup>303</sup> Such capabilities are needed in order for a human to lead a flourishing life. Importantly, rather than focusing exclusively on external objects or conditions that are good for someone (e.g., food, shelter, wealth), the capability approach is concerned with “what these good things *do* to human beings.”<sup>304</sup> Unlike Sen, however, Nussbaum extends this approach to encompass non-human animals, identifying a number of capabilities that constitute their flourishing, such as the ability to live, be healthy, experience emotions, engage in social affiliations, and enjoy play.<sup>305</sup> On this point, my concept of the flourishing of organisms is similar to Nussbaum’s, namely because it views that flourishing as constituted by certain states (e.g., health) and functions (e.g., social interaction, play) rather than extrinsic conditions.

My account of natural goods differs from Nussbaum’s account of capabilities, of course. For one thing, Nussbaum’s approach is Aristotelian whereas mine is Kantian. More specifically, our accounts differ both insofar as I focus on the flourishing of flora as well as animals, whereas Nussbaum’s account pertains to animals alone, and insofar as I interpret judgments about an organism’s flourishing to be normative-teleological judgments, whereas Nussbaum does not comment on what grounds judgments about the capabilities of animals. Nonetheless,

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<sup>302</sup> See Nussbaum, “Beyond ‘Compassion and Humanity’: Justice for Nonhuman Animals.”; M.C. Nussbaum, *Frontiers of Justice: Disability, Nationality, Species Membership* (Harvard University Press, 2007).

<sup>303</sup> Amartya Sen, “Equality of What?,” in *Choice, Welfare and Measurement*, ed. Amartya Sen (Cambridge: Cambridge University Press, 1982), 367.

<sup>304</sup> *Ibid.*, 368.

<sup>305</sup> Nussbaum, “Beyond ‘Compassion and Humanity’: Justice for Nonhuman Animals,” 314-17.

Nussbaum's account provides a helpful analogue insofar as, like my account, it conceives of flourishing in terms of features that constitute an organism's flourishing.

Finally, while I have claimed that natural goods are related to an organism's telos in the sense that they are constitutive of that telos, this relationship can come in a number of varieties. Having a particular natural good might be necessary but not sufficient for an organism to achieve its telos. In the case of an emperor penguin, being in a state of health seems necessary but not sufficient for it to achieve its telos and thus to flourish. A penguin incapacitated by broken bones, for example, would not be correctly judged as flourishing because it lacks the state of health. However, being healthy is not sufficient for flourishing, since a healthy emperor penguin might be prevented from performing the social functions of its species. For example, a healthy penguin that is isolated from others of its kind will be unable to perform the social functions that surround mating. Yet, since health is a *necessary* condition for an emperor penguin to achieve its telos, the performance of social functions cannot be a *sufficient* condition for it to achieve its telos. Hence, both the state of physical health and the performance of social functions are natural goods that are necessary but not sufficient for an emperor penguin to achieve its telos and thus to flourish. For a complex organism (e.g., many animals), it is probably impossible to specify a single natural good that is sufficient for its flourishing since such organisms can be in numerous different kinds of state and can engage in numerous different kinds of functioning, many of which could be relevant for whether that organism is flourishing. Such an organism has numerous natural goods, each of which is necessary for its flourishing, but only some set of which (containing multiple natural goods) is sufficient for its flourishing.

My account of non-human flourishing may be understood as a kind of objective list

theory of well-being,<sup>306</sup> with the natural goods of some organism counting as objective features of that flourishing, i.e. as items on the “list” of what constitutes an organism’s flourishing. This contrasts with a hedonistic conception of non-human flourishing, which takes the well-being of organisms to consist solely of the experience of pleasure and the avoidance of pain.<sup>307</sup> On a hedonistic view, an organism’s well-being is reducible to its experience of pleasure, whereas other states and functions are at best instrumentally valuable, insofar as they can produce or maintain pleasure. For example, according to hedonism, the state of being nourished would not itself be part of the flourishing of an animal, although acquiring nourishment (e.g., through eating) might well cause an animal to experience pleasure. Conversely, an objective list theory counts certain states and 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 would not be limited to pleasure alone. The normative standard appropriate to some organism will include various states and functions (i.e., natural goods) as items on the objective list appropriate to it. A particular organism may be judged to flourish if it exhibits the features included in the objective list corresponding to it.

What particular natural goods belong on an organism’s objective list cannot be specified prior to empirical investigation regarding what certain states and functions do for members of some kind of organism. This is why expert judgment is important for my account of non-human flourishing. Beginning from common sense judgments, experts can refine and improve human understanding of what it is for a particular kind of organism to flourish. We might say that an organism’s natural goods are those states and functions that, given sufficient time and resources, a relevant community of experts would come to agree constitute the flourishing of that kind of

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<sup>306</sup> See Peter Sondøe, “Quality of Life - Three Competing Views,” *Ethical Theory and Moral Practice* 2, no. 1 (1999).

<sup>307</sup> See Singer, “Not for Humans Only: The Place of Nonhumans in Environmental Issues.”

organism.

In this section, I have attempted to clarify and develop the conception of natural goods, thus reducing the indeterminacy of commonsense judgments about the flourishing of organisms. Specifically, I have argued that the natural goods of an organism are the states and functions that constitute its telos and hence also its flourishing. In the next section, I address questions concerning the epistemological status of judgments concerning natural goods. In particular, I examine how such judgments are warranted and how they can be justifiably revised.

### Expert Judgments and Natural Goods

One can learn what an organism's natural goods are by observing it and other members of its species, thereby coming to make warranted judgments about what states and functions contribute to its flourishing and also learning what is inimical to its flourishing. Often this is clear as a matter of commonsense. For example, in order to flourish, it is clear that a chimpanzee needs to be free from serious disease or that a fish needs a functioning respiratory system. Each of these is a natural good for its respective organism because it is constitutive of that organism's flourishing. One can confirm this by observing what happens when these organisms are deprived of these states or functions: diseased chimpanzees suffer pain or are incapacitated and asphyxiated fish die. Such organisms are obviously not flourishing if they lack these states and functions. Hence, as a matter of commonsense, one correctly judges such states and functions as natural goods for these organisms, because such states and functions are necessary for their flourishing. In such cases, one can learn what an organism's natural goods are simply by observing it, particularly by observing what happens to the organism when it possesses a certain feature versus when it lacks that feature.

In other cases, however, it is not always obvious what the natural goods of an organism are. A casual observer might not be aware that white spots on the leaves of a plant are often indicators that the plant is infected with powdery mildew disease.<sup>308</sup> Particularly if the disease is in its early stages, one might incorrectly judge that such a plant is flourishing, although in fact it is defective. In such a case, an appropriate teleological judgment of natural goods might not be a matter of commonsense. However, experts who study particular kinds of organism are often well-acquainted with their natural goods, knowing what states and functions are necessary or sufficient for organism's flourishing. Hence, botanists know that the presence of white spots on the leaves of plants indicates infection with powdery mildew disease, and they would correctly judge that a plant displaying white spots on its leaves is not in fact flourishing because it lacks the natural good of health. Further, experts often know how to revise their observations when attempting to determine whether an organism is flourishing, such as by using a microscope on the cells of a plant to learn if it is infected with some bacterial disease. While it is not always obvious whether or not a given organism possesses a particular natural good, this can often be discovered through careful observation by those conversant with empirical research on that organism's species. Someone who has extensively studied a particular species of organism is typically well-equipped to determine whether an individual member of that species possesses or lacks the states and functions that are constitutive of its flourishing.

In addition to knowing how to determine whether a given organism possesses or lacks its natural goods, experts are also well placed to know what an organism's natural goods are in the first place. For example, an expert who has observed elephants in the wild would be aware that female elephants typically lead largely social lives within small groups headed by matriarchs,

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<sup>308</sup> Ralph Panstruga and Paul Schulze-Lefert, "Live and Let Live: Insights into Powdery Mildew Disease and Resistance," *Molecular Plant Pathology* 3, no. 6 (2002).

whereas mature male elephants are largely solitary, although mature males do form loose social groups of their own.<sup>309</sup> Conversely, someone who has observed only isolated elephants in captivity might be unaware of the social functions that mature female elephants would otherwise perform. Such a non-expert might judge incorrectly that an isolated female elephant in captivity does not lack any natural good, provided that it is nourished, physically healthy, able to play, etc. An expert, however, would be aware that the isolated elephant lacks some functionings necessary for its flourishing, namely those social functions that female elephants are able to perform in the wild. In the case, expertise on elephants allows one to identify what states and functions belong to an elephant as the natural goods constitutive of its flourishing.

These considerations suggest in a case where there is a disagreement between an expert (e.g., a marine biologist, botanist, primatologist, or ecologist) and a non-expert concerning the natural goods of an organism, the judgment of an expert will often be more justified than that of a non-expert. This is because someone who has studied a particular kind of organism is much more likely to know the nature of that organism, the states and functions that are normal for it, and what happens to it if it lacks certain states or functions. Hence, an expert is in a much better position than a non-expert to deliver well-founded teleological judgments about organisms. For example, primatologists are better equipped than zoo-goers to offer teleological judgments about chimpanzees. This is not to say that only scientists can be experts, of course. In order to have expertise about a species of organism, one needs to have studied members of that species, something that can be done by non-scientists (e.g., hunters, members of indigenous cultures, amateur outdoors recreationists, etc.).

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<sup>309</sup> G. Wittemyer, I. Douglas-Hamilton, and W. M. Getz, "The Socioecology of Elephants: Analysis of the Processes Creating Multitiered Social Structures," *Animal Behaviour* 69, no. 6 (2005); Kate E. Evans and Stephen Harris, "Adolescence in Male African Elephants, *Loxodonta Africana*, and the Importance of Sociality," *Animal Behaviour* 76, no. 3 (2008).

In making a normative-teleological judgment about an organism, one compares a concept of what an actual entity is with a concept of what it ought to be (20:240). The former concept is acquired through empirical observation, in particular by studying how a particular organism behaves, what states and functions it exhibits, and how changes in its environment affect it. Generally, experts are better at this than non-experts because their knowledge (e.g., from past experience or by learning from other experts) informs them concerning what to look for in an organism's behavior, states and functions, and environment. The latter concept of what an organism ought to be is acquired by considering what states and functions constitute an organism's flourishing, which can be known by observing various members of a kind of organism and thereby learning what the presence or absence of various states and functions do for those organisms. For example, by studying various members of some species of tree, one can learn that processing sunlight and water lets such trees grow and flower, that infestation by some species of insect causes such trees to wither and die, or that the presence of moss on their trunks makes no difference for how such trees function. From such observations, one can begin to acquire the normative concept of what states and functions members of that particular species of tree ought to exhibit, such as the capacities to process light and water. One can also learn from such observations whether certain extrinsic conditions promote or inhibit the flourishing of members of that particular species of tree, such as that infestation by some species of insect inhibits their flourishing while the presence of moss on their trunks makes no difference for their flourishing. Careful and wide-ranging observations of numerous members of a species allow one to become clear on what causes members of that species to flourish or to be defective.

A normative-teleological judgment consists of determining whether an organism possesses the natural goods that are constitutive of its telos. If the organism is found to exhibit

those natural goods, then it is judged to have reached its telos and thus to be flourishing. Conversely, if the organism is found to lack one or more of those natural goods, then it is judged not to have reached its telos and thus to be defective to some degree. There is no doubt some vagueness involved in such judgments, particularly in a case in which an organism either has most but not all of its natural goods or has one of its natural goods to an imperfect degree. For example, a primatologist might judge that a mountain 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 defective, particularly if the infection is only a minor and temporary check on its flourishing. It seems more appropriate to view an organism's defectiveness and flourishing as two poles of a continuum. Presumably, many (and perhaps all) actual organisms will fall somewhere in between these two poles. The mountain gorilla with a mild infection, while not flourishing to a perfect degree, seem closer to flourishing than being defective.

This suggests that the flourishing of an organism is a matter of degree, or that an organism can flourish less than optimally without thereby being defective. In some cases, it will be obvious that an organism is defective, as when a disease immobilizes an animal and makes it an easy target for predators. In other cases, it will be obvious that an organism is flourishing, as when an oak tree grows to maturity, is free of disease, and processes abundant sunlight, water, and nitrogen. In some cases, even with all relevant empirical data in hand, it will not be clear cut whether an organism should be judged as either flourishing or defective, as in the case of the gorilla with a mild infection. By hypothesis, the gorilla possesses many natural goods (e.g., nutrition, social functioning, pleasure, etc.), lacking only *complete* physical health. It is plausible to judge this organism as flourishing, although not to an optimal degree. Primatologists can recognize this, taking the mild infection to be a minor check on the flourishing of a gorilla that



otherwise has all the natural goods constitutive of its telos.

Teleological judgments are, of course, fallible and subject to revision. They are fallible in the sense that one can be mistaken about the features possessed by a particular organism, the features a particular organism ought to possess, or both. Teleological judgments are thus subject to revision. The normative interpretation of teleological judgment can explain how such revisions in judgments are made even by experts. As one learns new facts about organisms and their species, it might be necessary to change one's judgment about whether a particular organism has in fact achieved its telos. For example, one might discover that sugarcane previously judged to be flourishing is actually infected with yellow leaf virus, which is often asymptomatic.<sup>310</sup> This discovery could lead one to revise her previous judgment and instead hold that the plant is defective. Further, learning more about organisms and their species might require one to change his judgment about what natural goods constitute a particular kind of organism's telos. For example, careful observations of ant colonies could make one aware of the complex social relationships that hold between individual ants,<sup>311</sup> teaching one that the performance of certain social functions is constitutive of the flourishing of individual ants. This could lead one to revise the normative standard of what an ant of that kind ought to be. One can justifiably modify such normative standards after learning new information about what constitutes a particular kind of organism's flourishing. These teleological judgments are fallible partly because of the incompleteness of knowledge about organisms and the species to which they belong. Better observation and study of individual organisms and their species can lead to improved judgments about both which organisms are flourishing or defective and what constitutes a particular kind of

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<sup>310</sup> 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).

<sup>311</sup> Bert Holldobler and Edward Wilson, *The Ants* (Belknap Press of Harvard University Press, 1990).

organism's flourishing.<sup>312</sup>

The normative-teleological account of judging organisms seems better placed than a mechanistic account to explain such revisions in belief. If one judged organisms purely mechanistically, then one would lack a normative standard against which to compare actual organisms. Yet such a standard seems necessary in order to make judgments about an organism's flourishing, since otherwise one would lack a guide for such judgments. A mechanistic account of organisms could only describe matters of fact. For example, an investigator making a mechanistic judgment about a particular emperor penguin could claim that the animal has been separated from its flock, that its body temperature is falling, that its organs are shutting down, and that it will soon die, but it could not claim that this penguin is failing to flourish because this would require some concept of what a penguin ought to be. Nor, for the same reason, could a mechanistic judgment claim that the penguin is not functioning in the way it should.

It is important to stress again that normative-teleological judgments are always a matter of reflective judgment rather than determinative judgment. That is, one views organisms as if they were designed in accordance with standards of what they ought to be (i.e., *teloi*), but one does not thereby attribute such design to nature itself. Hence, teleological judgments do not conflict with mechanistic accounts of organisms, but they do make sense of our propensity to understand organisms purposively, and they also can compensate for the inadequacy of mechanistic judgments in accounting for particular organisms and their behavior. In other words,

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<sup>312</sup> This account 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 can come to learn what states and functions contribute to their flourishing. They may discover that some set of organisms has been modified to such an extent that they belong to a new species, the normative standard for which may differ substantially from that of the original species. In that case, the natural goods of members of the modified species would differ markedly from those of members of the original species. Whether this is so in some particular case would be a matter for empirical investigation, but we may understand the flourishing of modified organisms according the same framework by which we understand the flourishing of non-modified organisms, namely by comparing a concept of what they are with a concept of what they ought to be.

one is warranted in viewing organisms heuristically as entities that ought to possess the natural goods that constitute their flourishing. Otherwise, there would be no basis for claims that organisms are flourishing or defective, claims that are common and comprehensible among both casual observers and biological investigators.

Finally, it is also important to stress again that the kind of normativity at issue is teleological rather than moral. That is, in viewing an organism according to a normative standard of what it ought to be, one does not thereby make a claim about how moral agents ought to act. As Ginsborg puts it, the “ought” in a teleological judgment “is clearly not a moral ‘ought’: a horseshoe crab missing a pair of legs is not morally deficient...”<sup>313</sup> Instead, one views the organism according to a standard of what it is supposed to be. The natural goods that constitute an organism’s flourishing are not in themselves *moral* goods but rather the components of that organism’s telos. Since not all normative claims are moral claims, there is no *conceptual* confusion involved in holding that non-human organisms have natural goods while also holding that such natural goods are morally irrelevant for human moral agents. So far, I have argued only for a teleologically normative account of judging organisms. While in the next chapter I argue that human moral agents do have a duty regarding non-human organisms that requires humans to abstain from unnecessarily inhibiting non-humans’ natural goods, I have yet to present this argument. Before moving on to this, however, it will be helpful to distinguish my conception of the flourishing of organisms from those offered by others.

### Natural Goods in Environmental Ethics

Appeals to the goods and flourishing of non-humans are common in the animal ethics and

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<sup>313</sup> Ginsborg, “Kant on Aesthetic and Biological Purposiveness,” 351.

environmental ethics literatures.<sup>314</sup> Such goods are often thought to be possessed by all living beings, including non-sentient ones. In their 2008 book, John O’Neill, Alan Holland, and Andrew Light write, “There is a sense in which we can talk of what it is for natural entities to flourish, and what is good and bad for them, without this being dependent on human interests or those of other sentient beings.”<sup>315</sup> Like the account of natural goods I have offered above, this account recognizes that organisms have goods and are able to flourish, yet it also invites at least two major questions. First, what exactly is it for an organism to flourish? An answer to this question would provide a criterion (or perhaps criteria) that can be used to fix what counts (and what does not count) as a flourishing organism. Such a criterion seems necessary in order for one to be able to distinguish flourishing and defective organisms. As for the second question, what is the epistemological status of judgments about the flourishing of organisms—in particular, how is such flourishing known and how are judgments about it justifiably revised? An answer to this question seems necessary in order for one to be able to evaluate judgments about the flourishing of some organism.

O’Neill et al. provide the following answer to the first question: “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.”<sup>316</sup> However, this appeal to normalcy raises two further questions—what counts as the normal characteristics and the normal conditions for a species, and how are these characteristics and conditions known? A possible answer is that the

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<sup>314</sup> See O’Neill, “The Varieties of Intrinsic Value,” 130-33; Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 121-22; Atfield, *A Theory of Value and Obligation*, 15-22; John Nolt, “The Move from *Is* to *Good* in Environmental Ethics,” *Environmental Ethics* 31, no. 2 (2009): 135-54; Philippa Foot, *Natural Goodness* (Clarendon, 2001).

<sup>315</sup> O’Neill, Holland, and Light, *Environmental Values*, 102. I have chosen the examples of O’Neill et al. and Paul Taylor because their positions provide foils to my own position: that of O’Neill et al. accounts for flourishing in an explicitly non-teleological fashion, and that of Taylor accounts for flourishing via a non-reflective kind of teleological judgment. If my arguments below are successful, I will have shown why accounting for flourishing via a reflective kind of teleological judgment is preferable to both of these alternatives.

<sup>316</sup> *Ibid.*, 103.

normalcy of a species' characteristics and conditions is fixed by some statistical average, which is known through empirical observation. For example, one might claim that an entity exhibits the characteristics normal for its species in the conditions normal for its species if it has those characteristics that most other members of its species have and if it resides in conditions in which most other members of its species reside. This account addresses both questions asked in the preceding paragraph. First, it advocates a normalcy criterion of flourishing, according to which an organism is flourishing if and only if it has the characteristics most members of its species also have. Second, it claims that such characteristics can be known through empirical observation, such as by studying populations of some species and determining what characteristics are in fact most common.

But this account would seem to sanction very implausible judgments in certain cases. For example, imagine an animal species in which, due to scarce resources and intense competition, 60% of individual organisms are malnourished. In this case, malnourishment would be a "normal" characteristic of members of this species, whereas nourishment would be an "abnormal" characteristic. Hence, according to the normalcy criterion of flourishing, those organisms who are malnourished are flourishing while those who are nourished are not flourishing. Of course, this would be a quite implausible view. As a matter of commonsense, it seems clear that malnourished organisms are not flourishing, regardless of whether such organisms constitute the majority of some species. Accordingly, it seems that the normalcy criterion does not provide an adequate benchmark for the flourishing of organisms. This suggests that the flourishing of an entity is not necessarily what is most common for the members of its species. Some other account of the flourishing and goods of organisms is needed, one that can accommodate common sense judgments, such as that nourishment is a good of organisms.

Further, the appeal of O'Neill et al. to "the normal conditions for that species" is also potentially problematic as a criterion for flourishing. This is because some species might do better in novel conditions than they do in the conditions normal for them. For example, an increase in atmospheric aerosols (e.g., from anthropogenic pollution) might benefit some plant species by causing higher levels of diffuse sunlight and thus boosting photosynthesis.<sup>317</sup> While higher levels of atmospheric aerosols and diffuse sunlight would constitute "abnormal" conditions, it also seems that some plants would flourish more in those conditions than in their "normal" conditions. Yet proponents of the normalcy criterion seem unable to account for this, because they conceive of an organism's flourishing as consisting of the characteristics it possesses in the conditions normal for its species. As a matter of commonsense, however, it seems that organisms in novel conditions can sometimes flourish more than their fellow species members in normal conditions.

For these reasons, the normalcy criterion of flourishing seems inadequate. Some other account of the flourishing and goods of organisms is needed, one that can accommodate common sense judgments, such as that nourishment is a good of organisms and that organisms can flourish in novel conditions. The account of normative-teleological judgment offered above is well-placed to address this need. Since this account views a judgment about the flourishing or defectiveness of an organism as a comparison of what an actual organism is to some normative standard of what it ought to be, one has a basis for concluding that malnourished animals are defective even if they constitute a majority within their population. This is because it is plausible to take the normative standard (or telos) for that organism to include the natural good of nourishment. Thus, one can judge a malnourished animal as lacking this natural good and hence

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<sup>317</sup> Lina M. Mercado et al., "Impact of Changes in Diffuse Radiation on the Global Land Carbon Sink," *Nature* 458, no. 7241 (2009).

as not flourishing. This judgment harmonizes with our commonsense views about malnourished animals. Conversely, reliance on the normalcy criterion seems to yield the implausible judgment that malnourished organisms are flourishing if such organisms constitute a majority of the population.

Moreover, normative-teleological judgment also can account for commonsense judgments that some organisms flourish more in novel conditions than in normal conditions. One can compare an actual organism in novel conditions to the normative standard of what that organism ought to be, thereby determining whether the organism is flourishing. This allows one to judge that a plant with increased photosynthesis thanks to higher levels of diffuse sunlight is flourishing more than other members of its species, even though the former resides in abnormal conditions. One can judge that the plant with access to more sunlight than is normal is better able to perform a function that is constitutive of its telos, namely photosynthesis. Again, this harmonizes with our commonsense views. We seem to have no difficulty in judging that some organisms in novel conditions flourish. Normative-teleological judgment can ground such commonsense views by taking the performance of photosynthesis as a natural good of the tree (i.e., as an item on the objective list of what makes that organism flourish), but it is unclear if or how the normalcy criterion of flourishing can do so.

Paul Taylor also holds that all living entities have goods because all such entities are what he calls “teleological centers of life.”<sup>318</sup> Taylor defines a teleological center of life as follows:

“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

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<sup>318</sup> Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 99-100.

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."<sup>319</sup>

According to this account, an organism by its nature is directed toward certain goals, the achievement of which constitutes that organism's good or flourishing. Taylor's account does not rely on a normalcy criterion of flourishing and thus avoids the problems uniquely associated with that criterion. For example, he refers to a flourishing organism performing the biological functions that allow it to adapt to changing environments, thereby accommodating the fact that organisms can flourish even 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 "internal functioning" and its "external activities" are directed to the goals of keeping the organism alive, letting the organism function so as to reproduce, and adapting to changing environments. Moreover, he says that these functions of an organism are "directed toward the realization of its good."<sup>320</sup> It is open to interpretation whether Taylor means that these goals (survival, reproduction, adaptation) are constitutive of an organism's flourishing or whether they are only instrumental to an organism's flourishing. If the former, it is unclear whether or not these goals exhaust an organism's flourishing. Is a living entity flourishing if and

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<sup>319</sup> Ibid., 121-22.

<sup>320</sup> Ibid., 121-22.



only if it is functioning such that it is able to survive, reproduce, and adapt? This would seem to exclude as constitutive of flourishing many states and functions that are not necessary for survival, reproduction, or adaptation.<sup>321</sup> Conversely, if the goals of survival, reproduction, and adaptation are not constitutive of flourishing but only instrumental for achieving it, then it is unclear what actually constitutes an organism's flourishing. Since it is not clear how to interpret Taylor's concept of an organism's flourishing, his conception of an organism's good remains indeterminate.

Second, Taylor's account lacks a justification for attributing teleological purposiveness to nature. He contends that an organism is a teleological center of life, or an entity that is purposively directed toward achieving certain ends or goals. It is unclear, however, what grounds this claim. In Kant's terminology, Taylor seems to be making a determinative judgment about what organisms are in themselves, treating purposiveness as a constitutive principle of organisms. Thus, Taylor treats teleological purposiveness as an objective feature of the natural world, whereas Kant treats it as a regulative guide for viewing organisms reflectively. However, Taylor's position here 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.<sup>322</sup> Recalling Guyer's worry that scientific, "mechanistic" explanations might be able completely to account for organic processes,<sup>323</sup> it is unclear whether a teleological account is indeed consistent with the empirical knowledge provided by the biological sciences, which provide mechanistic explanations for many functions of organisms, such as their growth and reproduction. Since Taylor seems to attribute teleological purposiveness to organisms as a

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<sup>321</sup> For example, is the function or activity of playing not constitutive of a bonobo's flourishing simply because play does not contribute to the bonobo's ability to survive, reproduce, or adapt?

<sup>322</sup> Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 99-100, 58-59.

<sup>323</sup> Guyer, "Purpose in Nature: What Is Living and What Is Dead in Kant's Teleology?," 355-56.

matter of determinative judgment, it is difficult to see how his account of organisms is consistent with empirical knowledge of organisms.

The normative-teleological account I have drawn from Kant avoids both these problems. First, it does not rely on an indeterminate conception of the goods of an organism. Instead, it takes an organism's natural goods to be those states and functions that are constitutive of its telos, in accordance with a normative concept of what that organism ought to be. While this normative concept of what an organism ought to be but must be learned via empirical observations of members of a given species, the normative-teleological account nonetheless fixes parameters of what an organism's flourishing consists of, beginning from commonsense judgments and refining them through expert investigation. Conversely, Taylor's account does not clearly specify what constitutes an organism's flourishing. Second, the normative-teleological account does not risk conflicting with empirical knowledge in the biological sciences. This is because normative-teleological judgments do not attribute teleological purposiveness to organisms as a constitutive principle. Rather, such judgments reflectively view organisms *as if* they were purposive. Therefore, the teleological judgment operative in the normative-teleological account of organisms is compatible with the mechanistic account offered by the biological sciences, whereas it is unclear whether Taylor's account is similarly compatible.

#### Natural Goods and Moral Considerability

While I have argued that non-human organisms have natural goods and are capable of flourishing by achieving their teloi, it does not necessarily follow from this that non-human organisms are morally considerable, or that they deserve moral consideration from moral agents. While I have claimed that teleological judgments about organisms are normative, they are not

*morally* normative. That is, such judgments concern what organisms ought to be given their teloi, but they do not concern how moral agents ought to act. If there is to be some connection between the natural goods and moral considerability of non-human organisms, it would need to be shown by some further argument.

However, some environmental ethicists treat having goods as sufficient for an entity to deserve moral consideration from moral agents. According to proponents of this view, the mere fact that some entity has goods and can flourish is by itself enough to establish moral obligations on the parts of moral agents to that entity. 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...”<sup>324</sup> Attfield claims that an entity with a “good of its own” is one that “can flourish after its own kind.”<sup>325</sup> 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 be morally considerable. One reason for this, provided by O’Neill et al, is that the existence of an entity with a good of its own, all things considered, might be a bad thing: “We can know what is good for X and what constitutes flourishing for X, and yet believe that X, under that description, is the sort of thing that ought not exist and hence that the flourishing of X is just the sort of thing we ought to inhibit.”<sup>326</sup> Take, for example, a non-native predator that is decimating an ecosystem and its native animals. While this predator has goods of its own, it also causes much harm for other animals. It is perfectly coherent for a human moral agent to recognize that this predator is able to flourish while also holding that its flourishing ought to be hindered.

Even in the case of an entity that does not cause harm for others, it is unclear that its

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<sup>324</sup> Attfield, *A Theory of Value and Obligation*, 21-22.

<sup>325</sup> *Ibid.*, 15-16.

<sup>326</sup> See O’Neill, Holland, and Light, *Environmental Values*, 106; See also O’Neill, “The Varieties of Intrinsic Value,” 131.

having goods is sufficient for it to deserve moral consideration. It seems coherent to admit that such an entity (e.g., a pig in a factory farm that is destined for slaughter) has a good of its own while remaining morally indifferent to it. The fact that there is nothing incoherent about remaining morally indifferent to an entity recognized to have a good of its own suggests that Attfield's claim (i.e., that having a good of one's own is sufficient to deserve moral consideration) is not a *conceptual* truth. In other words, there is nothing about the concept of a good of one's own that entails moral considerability on the part of those entities that have goods of their own. Taylor, while holding that all living entities are morally considerable, frankly admits that the connection between having a good and being morally considerable cannot be proved.<sup>327</sup> Of course, those sympathetic to Attfield's and Taylor's view could claim that it is nonetheless true (albeit non-conceptually) that the class of entities with goods of their own is equivalent to the class of entities that are morally considerable. But if this is the case, it is not obvious and hence needs to be shown via some further argument.

### Closing Remarks

In this chapter, I have argued that a Kantian, normative-teleological account can coherently and plausibly ground judgments about the flourishing or defectiveness of organisms. In particular, this account allows one to judge an organism according to a normative standard of what it ought to be. An organism's natural goods are those features that are constitutive of what it ought to be given this standard, a flourishing organism being one that possesses its natural goods. The normative-teleological account makes sense not only of commonsense judgments about organisms but also of the biological investigations of experts, including the susceptibility of experts' judgments to revision in the light of new observations.

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<sup>327</sup> Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 167.

I have yet to establish, however, that normative-teleological judgments about natural goods have any moral relevance for human moral agents. As shown above, it would be a mistake to assume that non-human organisms are morally considerable solely in virtue of possessing natural goods. In the next chapter, I attempt to link Kant's account of duties regarding non-human nature in the *Doctrine of Virtue* with his account of organisms in the third *Critique*. I argue that, because plants and animals are judged to possess natural goods, it is possible for human actions to harm or benefit them by promoting or inhibiting organisms' natural goods. This allows us to ground duties regarding non-human organisms. Since organisms are viewed as entities that with natural goods that therefore can be harmed, it is possible to treat them in ways that cause them unnecessary harm, thus decreasing one's own moral perfection and thereby violating a duty to oneself.

## Chapter Five: Developing A Kantian Environmental Ethic

### Introduction

In this chapter, I develop and defend a Kantian version of an environmental virtue ethic. The result is a restricted environmental virtue ethic, i.e. a virtue-oriented ethic for actions affecting non-human nature that fits within a broader deontological ethic. By connecting environmental virtue and vice to one's duty to moral perfection, I contend that this ethic puts firm limits on how human beings may treat non-human organisms. First, I sketch the framework for a Kantian approach to environmental ethics, noting how it depends in part on my accounts of duties regarding nature and of the natural goods of non-human organisms, respectively offered in chapters three and four. Second, I argue that this Kantian approach affords a kind of moral considerability to non-human organisms. Third, I specify criteria for determining whether a harmful action vis-à-vis organisms is morally permissible. Fourth, since the Kantian framework yields an environmental virtue ethic, I critically examine other environmental virtue ethics, paying attention to how they fare against two major challenges. Fifth, I distinguish my Kantian environmental virtue ethic from these others defended in the literature and argue that it responds well to the two major challenges to environmental virtue ethics. Sixth, I argue that this Kantian ethic has distinct advantages over other environmental virtue ethics. Finally, I examine and respond to a major objection to environmental virtue ethics raised by Holmes Rolston, III.

### A Framework for a Kantian Approach to Environmental Ethics

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. These actions *decrease* one's moral perfection by mitigating virtues that are constitutive of that perfection. Specifically, I argued that cruelty to animals and wanton destruction of flora mitigate one's virtue because they cause unnecessary harm to those organisms. Moreover, actions that benefit non-human organisms increase one's moral perfection by cultivating virtues that are constitutive of that perfection.<sup>328</sup>

It is because animals and flora can be harmed and benefited that actions regarding them are morally relevant, since such actions can strengthen or weaken one's virtues. 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 flora are organisms that *must* be reflectively judged to be natural purposes. Such judgments treat an organism as purposively directed to its telos, which is constituted by components that I call natural goods. Moreover, such judgment is normative insofar as it judges an actual organism according to a standard of what it ought to be, namely a flourishing member of its kind, or an entity that has achieved the states and functions appropriate for it given its telos. As argued in chapter four, what states and functions belong to an organism's telos is best left to the judgment of experts who have studied a particular kind of organism and thus are well placed to know what features make it flourish.

With this account of duties regarding non-human organisms (chapter three) and the account of the natural goods of non-human organisms (chapter four), I finally can present the framework of a Kantian approach to environmental ethics. The central thesis of this approach is that it is morally wrong to cause unnecessary harm to non-human organisms, where an organism

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<sup>328</sup> For more details on how and why certain actions vis-à-vis non-human organisms involve a mitigation or enhancement of one's virtuous dispositions, see chapter three, particularly the discussion of Nancy Sherman's account of the affective dimensions of Kantian virtue. See Sherman, *Making a Necessity of Virtue: Aristotle and Kant on Virtue*.

is harmed if one or more of its natural goods is inhibited to some degree. Since one has a direct duty to increase her own moral perfection, and since unnecessarily depriving an organism of its natural goods decreases one's own moral perfection, one ought not to cause unnecessary harm to organisms. In addition, actions that promote the natural goods of non-human organisms can develop virtues and hence increase one's own moral perfection. Hence, while it is not blameworthy to abstain from promoting the natural goods of non-humans, doing so is morally meritorious and offers a way in which to fulfill one's duty to moral perfection.

While many details remain to be worked out below, we now have the framework for a Kantian approach to environmental ethics. As I argue next, this framework recognizes a certain kind of moral considerability on the part of non-human organisms. It also provides strong checks on what actions regarding non-humans are morally permissible. As I argue below, this framework proscribes not only wanton destruction of flora and harming animals for amusement but also sport hunting and (typically) eating animals for food. Such actions cause unnecessary harm to organisms and thus are morally wrong. Further, this framework provides good moral reasons for promoting the natural goods of animals and flora, since doing so develops virtues and thus increases one's moral perfection. Accordingly, this Kantian framework allows for a robust environmental ethic, one that both recognizes strong checks on permissible actions regarding non-human organisms and provides moral agents reasons to promote the natural goods of such organisms. First, however, I argue that my approach recognizes a certain kind of moral considerability on the part of non-human organisms.

#### Distinguishing Necessary from Unnecessary Harm

I argued in chapter three that Kant's prohibition against animal cruelty and wanton



destruction of flora rests on the fact that such actions cause unnecessary harm and thus violate the duty to increase one's own moral perfection. This generalizes to prohibit all actions that cause unnecessary harm to organisms. The proviso of "unnecessary" is important here. The Kantian 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 (e.g., converting some animal habitat for agricultural use, harvesting some timber from forests, etc.). It is virtually impossible for human beings to live such that they cause no harm whatsoever to organisms, so presumably there are cases in which it is unavoidable and thus morally permissible to harm an organism. I make the claim only that harming an organism is morally wrong if it is *unnecessary*.

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. If the Kantian approach I have developed is to offer guidance for action, one must know what distinguishes permissible from impermissible harm to organisms such that one can recognize and avoid causing the latter. Below, I defend the claim that an action that causes 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,<sup>329</sup> and (4) the end of that action is not trivial. For a chart specifying what counts as unnecessary harm, see figure 5.1 below.

First and most obviously, an action that harms non-human organisms is morally impermissible or wrong if it violates some duty one has (leaving aside, for now, the duty to

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<sup>329</sup> While (3) already is entailed by (2), it is helpful for purposes of discussion to distinguish them here.

moral perfection).<sup>330</sup> For Kant, such duties include the perfect duty to abstain from lying and the imperfect duty to promote the happiness of others, among others. According to him, it is morally impermissible to lie or to fail to adopt a maxim whereby one promotes the happiness of others. Any action that involves such violations of one's duties is morally wrong. Hence, if some action both causes harm to non-human organisms and violates one of these duties, then that action is wrong. In such cases, one need not examine whether the harm to the organisms is necessary, since the action's violation of some duty already qualifies that action as impermissible.

Consider, for example, a politician who continuously supports environmental policies that cause substantial harm to both human beings and non-human organisms. Whether or not this harm to non-humans is morally permissible in its own right, the politician's repeated actions seem to violate his duty to promote the happiness of other human beings. In such cases, one can conclude correctly that such actions are morally wrong without needing to decide the moral status of the harm caused to non-human nature. Such cases are perhaps frequent. Bryan Norton's "convergence hypothesis," an influential principle in environmental pragmatism, holds 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."<sup>331</sup> While this does not imply that the duty to promote the happiness of others somehow trumps the duty to increase one's own moral perfection, it does suggest that one can object morally to policies that harm non-human nature on the ground that they are inconsistent with each person's duty to promote the happiness of other humans.<sup>332</sup>

But what of actions that do not violate any of one's duties aside from the duty to moral

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<sup>330</sup> See Guyer, "Duties Regarding Nature," 328.

<sup>331</sup> Norton, *Toward Unity among Environmentalists*, 240.

<sup>332</sup> The wrongfulness of the politician's actions might be over-determined, e.g. by violating both his duty to promote the happiness of other and his duty to increase his own moral perfection.

perfection, but which nonetheless cause harm to non-human organisms? I have argued that such actions are morally wrong if they violate one's duty to moral perfection and that actions violate one's duty to moral perfection if they cause unnecessary harm for organisms. I suggest that harm to organisms is unnecessary if the end of one's action could be achieved by harmless means, if the end of one's action could be achieved by less harmful means, or if the end of one's action is trivial.

First, an action causes unnecessary harm to organisms if the end of that action could be 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. According to the Kantian framework I have defended, it is evident that one ought to choose to hike rather than to hunt for sport, because the latter causes unnecessary harm to non-human organisms. The harm of sport hunting is in this case unnecessary because one's end (the enjoyment of wilderness recreation) could be just as well achieved by an activity that causes no harm to non-human organisms. If one nonetheless chooses to hunt, one chooses to cause optional harm, thus decreasing his moral perfection. 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 means are available. Suppose that one's end is to acquire appropriate nourishment for oneself and one's family. This requires killing and consuming organisms, which clearly involve inhibiting the natural goods of those organisms. At least for the present, given current food technologies, it is not possible for a human being to acquire appropriate nourishment without causing some harm to plant-life or animals. When faced with such choices, a plausible principle is to choose that course of action

which achieves one's end while causing the least possible harm to organisms.<sup>333</sup> By following this principle, one causes only as much harm as is required to achieve her end, thus avoiding needless harm for 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 seems morally permissible. Accordingly, a second way of determining whether an action causes unnecessary harm to organisms is to determine whether the end of that action is achieved by the least harmful means available.<sup>334</sup>

Applying this principle to the example just mentioned, one should act to acquire appropriate nourishment for oneself and her family in such a way that she minimizes the harm it causes to non-human organisms. This implies that, if able, one ought not to support agricultural practices that cause excessive harm to organisms. This would seem to proscribe reliance on factory farming, in which animals suffer from severe over-crowding and painful procedures, such as the debeaking of chickens.<sup>335</sup> 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 meat and dairy items, even via means that minimize the suffering inflicted on animals, relies on confining (and, in the case of meat, killing) animals, which are clearly assaults

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<sup>333</sup> 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. Third and finally, the harm one's action causes to human persons also counts when attempting to discern the least harmful action. Hence, one is not obligated (indeed, one ought not) to reduce harm to non-human organisms beyond the point that even greater total harm is caused to human beings.

<sup>334</sup> 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 does not inhibit any natural good of the grass, such as its health or physical integrity.

<sup>335</sup> See Peter Singer and Jim Mason, *The Ethics of What We Eat: Why Our Food Choices Matter* (Emmaus: Rodale, 2006), 40.

on the natural goods of those organisms. If one is able to adopt a vegan diet but persists in consuming animal products, then one *unnecessarily* supports agricultural practices that cause harm to non-human animals. Doing so causes unnecessary harm because one could achieve one's end (acquiring appropriate nourishment for oneself and his family) by less harmful means, such as by relying on a healthy plant-based diet.

Of course, a vegan diet still harms non-human organisms, namely flora, and thus one might ask why a vegan diet is less harmful than one based on animal products. One answer is that a diet of meat and other animal products results in much more harm to organisms than does a plant-based diet. This is because livestock must be fed vast amounts of grain in order to be raised and maintained in the course of providing meat, eggs, and dairy products.<sup>336</sup> This is not only an inefficient way to produce food, but it also means that far greater harm to organisms is involved in diets including animal products than in vegan diets. By adopting the latter, one would opt for a less harmful means by which to secure the end of acquiring appropriate nourishment. This means that, if able, a human being ought to eat a vegan diet because it causes less harm for organisms.

The proviso of "if able" is an important one. It might be the case that one's economic, dietary, or geographical circumstances put limits on the degree to which one is able to minimize the harm caused to organisms while still achieving the end of acquiring appropriate nourishment. For example, humans who suffer from poverty are perhaps unlikely to be able to afford a nutritious vegan diet. In such a case, eating animal products might not inflict *unnecessary* harm on organisms, because doing so would be required in order to achieve the end of acquiring appropriate nourishment. Accordingly, I do not defend an absolute prohibition on causing harm to non-human animals but rather an absolute prohibition on causing *unnecessary* harm to non-human organisms. What actions count as necessarily or unnecessarily harmful depend in part on

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<sup>336</sup> Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 295-96; Singer, *Animal Liberation*, 165-66.

various facts about one's circumstances. However, it seems clear that, given two possible actions that achieve one's end equally well, one ought to perform the one that causes the least harm.

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 constitutive of some important aspect of that agent's flourishing.<sup>337</sup> For example, acting for the sake of some whimsical preference, say a fondness for blue wallpaper, 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.<sup>338</sup> There is nothing *necessarily* wrong with acting for the sake of trivial ends, since such actions might not violate any of one's various duties. For example, the actions involved in remodeling one's home to contain exclusively blue wallpaper presumably would be permissible in ordinary cases, given that it would be unusual for such actions to violate any duty. I shall argue, however, that acting for the sake of a trivial end is morally impermissible if that action involves causing harm to non-human organisms, since in such a case that harm is not justified by some important end.<sup>339</sup>

Some of the ends of human beings are non-trivial (e.g., acquiring appropriate

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<sup>337</sup> Whatever the best account of human flourishing might be, 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.

<sup>338</sup> It should be noted that I am not here assuming an objective list theory of human flourishing. My account also is compatible with other theories of human flourishing or well-being, such as hedonism and preference satisfaction. 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; Søndøe, "Quality of Life - Three Competing Views.,"; Roger Crisp, "Hedonism Reconsidered," *Philosophy and Phenomenological Research* 73, no. 3 (2006).

<sup>339</sup> 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 (e.g., sympathy) 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.

nourishment, having access to shelter, sharing interpersonal relationships) and often require causing some harm to non-human organisms (e.g., eating plants for nourishment or harvesting trees for building materials). I hold that such harm is morally permissible because it is necessary in order for humans to survive and flourish. Other ends of human beings, however, do seem trivial (e.g., satisfying whims) and often involve causing harm to non-human organisms (e.g., wanton destruction of plants in order to satisfy a particular whim). Such actions seem to cause unnecessary harm to non-humans. For example, someone who cuts down a tree solely because she dislikes the color of its leaves inflicts harm on the tree for the sake of an end that is not plausibly taken to be necessary for survival or constitutive of that person's flourishing. Rather, this action seems to be in service of a trivial end. To take another example, Peter Matthiessen recounts the story of a hunter who shot and wounded a moose, led the stunned creature by the antlers back to his vehicle, and only then delivered the killing shot. The hunter waited to kill the animal because he did not wish to transport the heavy carcass himself, preferring to let the moose suffer in order to save himself some effort.<sup>340</sup>

In each of these examples, a human being causes harm to an organism for the sake of some trivial end, either viewing a color of foliage that one happens to like or saving oneself the effort of transporting a heavy load one created for oneself. The moral problem with such actions is that their agents disregard the harm done to non-human nature because they value unimportant, non-moral ends above the flourishing of non-human organisms. To disregard the flourishing (and, hence, the natural goods) of non-humans while in pursuit of some trivial end involves a mitigation of virtue (e.g., benevolence, humility) and hence violates one's duty to moral perfection. This is intuitively plausible if one considers the cases mentioned above. The

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<sup>340</sup> Peter Matthiessen, "The Ethics of Environmental Activism and Social Justice," in *The Richard B. Lippin Lectureship in Ethics* (Pennsylvania State University 2009).

person who destroys a tree solely because he dislikes the color of its leaves erodes the virtue of humility by placing more importance on a trivial end than on the flourishing of the tree, while the hunter who forces a suffering animal to carry its own weight through the forest and then kills it erodes the virtue of benevolence, again by placing more importance on a trivial end than on the flourishing of the animal.

What counts as a trivial or non-trivial end might not be completely clear cut, of course. There could be cases of vagueness in which reasonable, sincere, and informed persons disagree as to whether or not some end of action is trivial. Hence, these persons could 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.<sup>341</sup> Nonetheless, in many cases it is clear whether one's end is trivial or non-trivial. Trivial ends include satisfying momentary whims and achieving goals that are by one's own judgment unimportant. Non-trivial ends typically include surviving, having meaningful relationships with other persons, and being healthy.<sup>342</sup> In such clear cut cases, a momentary whim or unimportant goal does not justify an action that harms non-human organisms, whereas survival, having relationships, or health could justify an action that harms non-human organisms, provided that the end could not be achieved by harmless or less harmful means, and provided that the action does not violate any of one's other duties. Hence, rare occasions to the contrary notwithstanding, in the vast majority of cases my account provides clear criteria for determining whether or not some action harming non-human organisms is morally permissible.

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<sup>341</sup> Hursthouse suggests that there might be genuine moral dilemmas. See Rosalind Hursthouse, "Normative Virtue Ethics," *How Should One Live?* 1, no. 9 (1998): 19-37.

<sup>342</sup> Again, there are various accounts available regarding *why* such ends are non-trivial, including objective list theories, hedonistic theories, and preference-satisfaction theories. It is beyond the scope of this chapter to examine the comparative merits of these theories. Moreover, it is unnecessary for my claim, insofar as survival, relationships, and health are virtually certain to count as non-trivial goods on any plausible theory.



Finally, one might object that my account 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 forbids 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.<sup>343</sup>

Yet both worries—namely that my account is in different respects too lax and too demanding—can be further allayed by viewing the non-triviality criterion as relative to the amount of harm caused rather than as absolute. 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. For example, the end of enjoying a gourmet meal might be non-trivial if it involves little harm (e.g., because it is sustainably harvested), but trivial if it involves substantial harm. Whether or not the end is trivial can be treated plausibly as a function of both the importance of the end and the harmfulness of the action in question. Imagine a case in which an action for the sake of the end of enjoying a gourmet meal (1) causes harm to non-human organisms, (2) does not violate some duty other than the duty to moral perfection,

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<sup>343</sup> It is questionable whether such cases would arise with much frequency, but let us put that aside for now.

and (3) is the least harmful means available for achieving that end. On my account, whether the action is permissible depends on whether the end is trivial, which in turn depends on a consideration of both the amount of harm caused by the action and the importance of the end. 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 (relatively) trivial and, thus, that the action is not permissible. 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, provided both that it does not violate some other duty and that it is the least harmful means available.

By understanding the triviality criterion in this non-absolute sense, my account can avoid being implausibly lax or demanding. First, it does not sanction massive harm to non-humans for the sake of absolutely non-trivial ends—rather, whether some end is non-trivial is partly determined by how harmful its corresponding action is. Second, my account does not forbid minor harm to non-humans for the sake of absolutely trivial ends—again, whether some end is trivial is partly determined by how harmful the corresponding action is. Of course, introducing a relative conception of triviality invites judgment and disagreement. 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. However, in a case in which the triviality or non-triviality of the end is not obvious and in which that matter is crucial to deciding whether action is permissible or not, judgment is called for in weighing both the harmfulness of the action and the importance of the end.

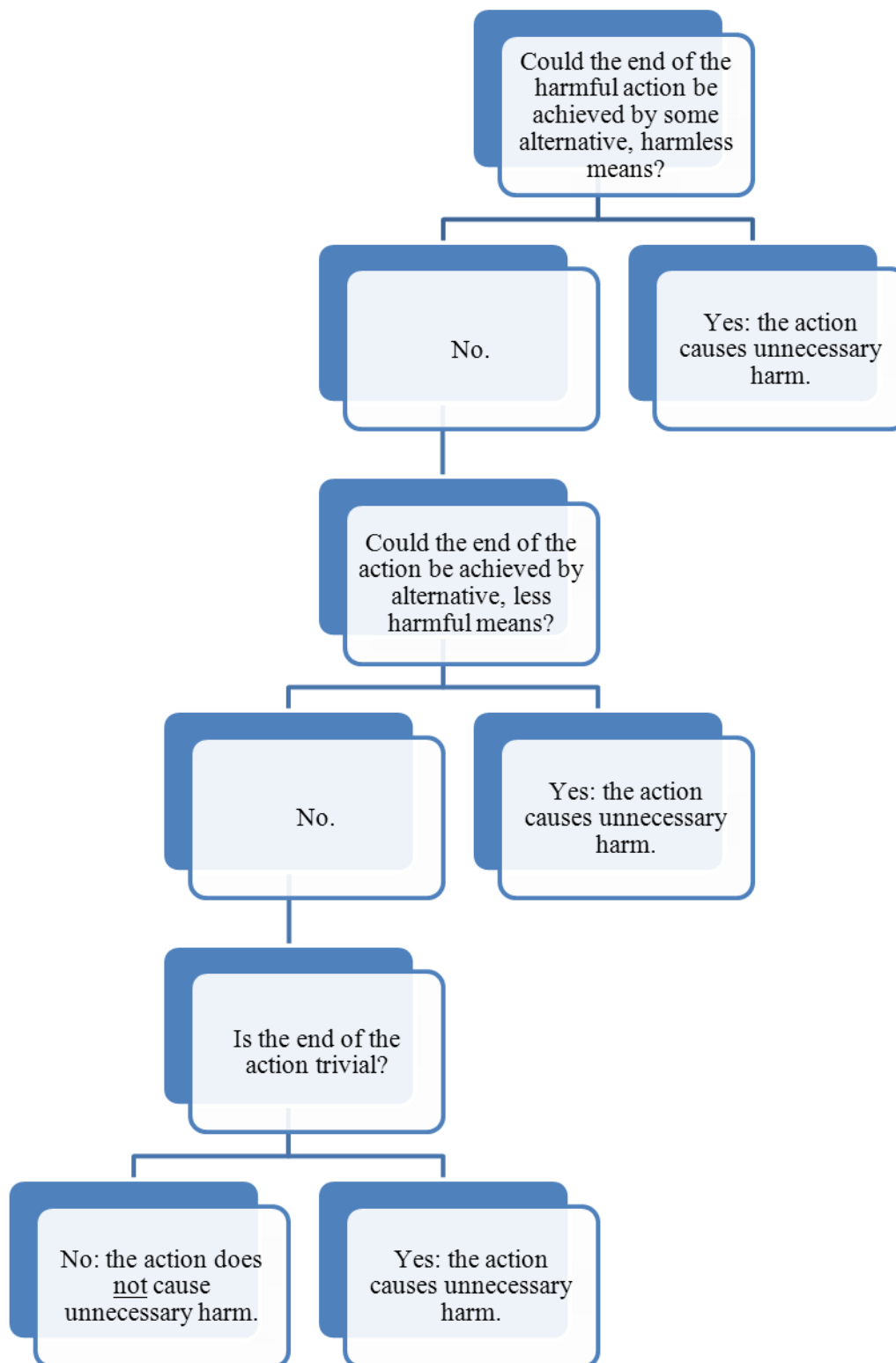


Figure 5.1: Determining what counts as unnecessary harm.

### Environmental Virtue Ethics

The Kantian environmental ethic I am developing and defending in this chapter is a kind of virtue ethic. This is because duties regarding non-human organisms are grounded in the direct duty to moral perfection, which essentially is a duty to acquire and develop virtue. Since human moral agents have a direct duty to cultivate their own virtue, they have a good moral reason to act virtuously vis-à-vis non-human organisms while abstaining from actions that erode their virtues. All else being equal, humans are morally better persons if they have a genuine regard for the natural goods of non-human organisms than if they disregard or hinder those natural goods.

Virtue-oriented approaches to environmental ethics have enjoyed recent attention in the scholarly literature.<sup>344</sup> Environmental virtue ethicists usually focus on the connection between virtuous character traits and certain actions and stances regarding non-human nature, and they argue that there are environmental virtues that human beings ought to possess. However, although the Kantian environmental ethic I have sketched is grounded on virtue, it differs substantially from those environmental virtue ethics currently under discussion in the literature. I will return to the issue of distinguishing a Kantian environmental virtue ethic from other environmental virtue ethics below. First, however, I examine both other accounts of environmental virtue and two major challenges that have been raised to environmental virtue ethics.

### Environmental Virtues and Vices

It will be helpful to begin with a broad characterization of environmental virtue. Louke van Wensveen identifies four broad categories of environmental virtue: virtues of position, care, attunement, and endurance. She writes, “*Virtues of position* are constructive habits of seeing

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<sup>344</sup> Cafaro and Sandler, eds., *Environmental Virtue Ethics*.

ourselves in a particular place in a relational structure and interacting accordingly.”<sup>345</sup> Virtues of position include environmental humility, or the propensity to recognize one’s dependence on various natural processes in one’s ecosystem and within the universe. For example, an environmentally humble person recognizes that her well-being depends in large part on climatic processes that are outside her control, processes that affect the frequency of severe weather events, agricultural productivity, and freshwater availability.

Second, “*Virtues of care* are habits of constructive involvement within the relational structure where we have found our place.”<sup>346</sup> Virtues of care include benevolence regarding non-human natural entities. This is because such benevolence includes a “constructive involvement” with the flourishing of non-humans, e.g. in the attempt to promote that flourishing.

Third, “*Virtues of attunement* are habits of handling temptations by adjusting (‘tuning’) our positive, outgoing drives and emotions to match our chosen place and degree of constructive, ecosocial engagement.”<sup>347</sup> Van Wensveen mentions simplicity as an example of a virtue of attunement. A person who lives simply by limiting his consumption of economic goods, for example, reduces his temptation to harm non-human nature in order to satisfy consumptive desires. Such a person would be practicing a kind of “constructive, ecosocial management” insofar as he seeks to live in attunement with the flourishing of non-human nature.

“Finally, *virtues of endurance* are habits of facing dangers and difficulties by handling our negative, protective drives and emotions in such a way that we can sustain our chosen sense of place and degree of constructive ecosocial engagement.”<sup>348</sup> Van Wensveen cites tenacity as a virtue of endurance, because it is a disposition to maintain one’s other virtues (e.g., simplicity)

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<sup>345</sup> Louke van Wensveen, “Cardinal Environmental Virtues: A Neurobiological Perspective,” in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005), 176. See also L. Wensveen, *Dirty Virtues: The Emergence of Ecological Virtue Ethics* (Humanity Books, 2000).

<sup>346</sup> Wensveen, “Cardinal Environmental Virtues: A Neurobiological Perspective,” 176.

<sup>347</sup> *Ibid.*, 177.

<sup>348</sup> *Ibid.*, 177.

even when it is inconvenient to do so. Virtues of endurance allow one to put one's other virtues continually into practice.

Van Wensveen's account provides an illustration of various environmental virtues discussed in the literature. It remains to consider further both the nature of such putative virtues and what role they should play in an environmental ethic. Below, I examine various approaches to environmental virtue ethics, identifying two major challenges that an environmental virtue ethic must meet, after which I develop and return to my own Kantian environmental virtue ethic. I begin with John O'Neill's claim that an Aristotelian virtue ethic plausibly can be conceived to include the environmental virtues that van Wensveen and others identify.

Philip Cafaro helpfully focuses on the sometimes neglected topic of environmental vice.<sup>349</sup> He identifies gluttony, arrogance, greed, and apathy as character traits that accompany a variety of undesirable actions and stances regarding non-human nature. He mentions a number of examples. The gluttonous over-consumption of food by Americans necessitates intensive agricultural practices that cause habitat loss for non-human species and hence contributes to a reduction in biodiversity. The anthropocentric idea that nature exists solely as a store of resources for human consumptions involves an arrogant indifference to the well-being of non-human natural entities. The greedy person takes more from nature than he needs or nature can provide. Finally, the apathetic acceptance of environmental degradation easily leads to free-riding and an attitude of moral indifference.<sup>350</sup>

But, given what I identified above as the first challenge to defending an environmental virtue ethic, why are relations with non-human natural entities relevant for the virtues and vices

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<sup>349</sup> For a consideration of environmental virtues, see Philip Cafaro, *Thoreau's Living Ethics: Walden and the Pursuit of Virtue* (University of Georgia Press, 2004); Philip Cafaro, "Thoreau, Leopold, and Carson: Toward an Environmental Virtue Ethics," in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005).

<sup>350</sup> Cafaro, "Gluttony, Arrogance, Greed, and Apathy: An Exploration of Environmental Vice," 141-53.

that comprise one's character? In other words, what is it about certain actions and stances regarding nature that are associated with gluttony, arrogance, greed, or apathy? Cafaro answers this question in terms of the harm such actions and stances cause for both humans and non-humans.

We need to show how environmental vices... harm the vicious person directly. We need to show how they harm those around him and future generations... We must also show that there is another circle of moral concern... the wider circle of nonhuman nature. Harm within this circle is bad in itself, for it is real harm to entities that can flourish and are wonderful when they do flourish.<sup>351</sup>

Certain character traits count as vices because they harm oneself, other humans, or non-human natural entities. This concurs with O'Neill et al., for example, who contend that "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."<sup>352</sup> According to Cafaro then, certain attitudes or stances are environmental vices partly because they result in harm to non-human nature. This is one way to address the first challenge to environmental virtue ethics, because it offers an account of why certain attitudes or stances regarding the environment are genuinely vicious.

While Cafaro focuses on environmental vices, Geoffrey Frasz argues that benevolence is an environmental virtue that contributes to the flourishing of both the benevolent person and of

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<sup>351</sup> Ibid., 139.

<sup>352</sup> O'Neill et al., 82.

non-human nature.<sup>353</sup> He understands a benevolent person as one who “has an active and consistent concern for the happiness, flourishing, health, interests, or well-being of both human and nonhuman others.”<sup>354</sup> He contends that “a life that reflects this virtue produces a better life for the agent, a life that allows for the agent to flourish in ways that are appropriate to a rich, full, satisfying, environmentally good life.”<sup>355</sup> Frasz’s account seems to provide a natural complement to that of Cafaro. Just as certain attitudes that harm non-human nature are vicious, so according to Frasz are certain attitudes that benefit non-human nature virtuous.

Frasz identifies three essential features of environmental benevolence. The first feature is “the willingness to engage in an imaginative reconstruction of the lives and condition of nonhuman others.”<sup>356</sup> Presumably this is necessary in order to avoid viewing non-human natural entities solely “in terms of our own satisfaction of human interests.”<sup>357</sup> Frasz mentions “human arrogance and chauvinism” as environmental vices, because they “will cause us to view the condition of nonhuman others only in terms of our own satisfaction of human interests.”<sup>358</sup> The implication is that a benevolent person cares about non-human natural entities in their own right and not merely to the degree that they are instrumentally useful for human purposes.

The second feature of environmental benevolence “involves finding some mechanism that reveals what is in the best interest of nonhuman others.”<sup>359</sup> This is necessary because it allows one to learn what constitutes the flourishing of non-human natural entities that a benevolent person seeks to promote. But what mechanism should be used to learn this? Frasz suggests that “[t]his involves a further expansion of the capacity of imaginative dwelling on the

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<sup>353</sup> Geoffrey Frasz, “Benevolence as an Environmental Virtue,” in *Environmental Virtue Ethics*, ed. Philip Cafaro and Ronald Sandler (Lanham: Rowman and Littlefield, 2005), 127.

<sup>354</sup> *Ibid.*, 125.

<sup>355</sup> *Ibid.*, 132.

<sup>356</sup> *Ibid.*, 130.

<sup>357</sup> *Ibid.*, 130.

<sup>358</sup> *Ibid.*, 130.

<sup>359</sup> *Ibid.*, 130.



condition of the other. We want to imaginatively enter into the life of the other, to see how the other lives, understand what the goals of this nonhuman other are.”<sup>360</sup> However, the way in which this mechanism works is left vague. What guides our “imaginative dwelling” with a non-human other such that our imagining yields reliable information about what constitutes that non-human’s flourishing? Unbounded imagination about what makes another flourish is surely not helpful without some kind of guidance. Below, I argue that my account of the natural goods of non-human organisms, along with its appeal to expert judgment, offers a more helpful guide to determining what counts as an organism’s flourishing.

Finally, the third feature of environmental benevolence is “the motivation to act on the basis of what one has learned from nature.”<sup>361</sup> This is necessary for environmental benevolence since someone who lacks motivation to promote the flourishing of non-human nature will not do so, even if he has satisfied the other two features. Attitudes whereby one is prevented from acting to promote the flourishing of non-human others, such as apathy, are vices. According to Frasz then, in order to be environmentally benevolent, one must imaginatively reconstruct the lives of non-human others, learn what constitutes their flourishing, and act so as to promote this flourishing. Like Cafaro’s account of environmental vice, Frasz’s account of environmental benevolence provides at least a partial answer to the first challenge to environmental ethics. Certain attitudes or stances regarding the environment are genuinely virtuous (and not merely propaedeutic to virtue, as Hill suggests), because they benefit non-human nature.

### Environmental Virtue and the Last Person Argument

As discussed in chapter one, Richard Routley argues that a radically new, environmental

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<sup>360</sup> Ibid., 127.

<sup>361</sup> Ibid., 132.

ethic is needed to explain our strong intuition that the last person on earth would act wrongly in destroying the biosphere. Routley holds that traditional ethics are committed to human chauvinism and hence are incapable of recognizing that the last person acts wrongly.<sup>362</sup> Further, Holmes Rolston, III argues that this intuition implies that non-humans have mind-independent intrinsic value.<sup>363</sup> However, John O'Neill sketches an Aristotelian virtue ethic that provides the framework for questioning Routley's claim and rejecting Rolston's claim. 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."<sup>364</sup> The idea here is that a flourishing human life, which each human ought to cultivate, consists partly of both letting non-human natural entities flourish and in valuing such entities for their own sake.

As an analogue to this, O'Neill appeals to Aristotle's account of friendship.<sup>365</sup> According to Aristotle, a flourishing human life partly consists of valuing one's friends for their own sake and not merely as means to one's own satisfaction. This is because a flourishing life requires true friendship with others, and a relationship in which two persons do not value each other for her own sake is not a case of true friendship. O'Neill holds that valuing non-humans for their own sake plays an analogous role in a flourishing human life. Someone who views non-human nature solely as a resource for human consumption, for example, is lacking a necessary component of a flourishing life. Since one ought to have a flourishing life, and since valuing non-human natural entities for their own sakes is necessary to achieve this end, one ought to value them for their own sakes. According to O'Neill, this Aristotelian ethic explains why the last person acts

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<sup>362</sup> Sylvan, "Is There a Need for a New, an Environmental Ethic?."

<sup>363</sup> Rolston, "Are Values in Nature Subjective or Objective?."

<sup>364</sup> O'Neill, "The Varieties of Intrinsic Value," 132.

<sup>365</sup> Aristotle and T. Irwin, *Nicomachean Ethics* (Hackett Pub. Co., 1999), 119-53.

wrongly in destroying the biosphere: “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.”<sup>366</sup>

O’Neill’s Aristotelian environmental ethic, with its ability to account for the wrongness of the last person’s actions, challenges Rolston’s claim, namely that the intuition that the last person acts wrongly implies that non-human nature has mind-independent intrinsic value. Rolston’s strategy is to explain the wrongness of the last person’s actions by claiming that they harm entities with intrinsic value. Since it is wrong to harm entities with intrinsic value, the last person’s actions are wrong. But O’Neill’s account shows that one can provide a different explanation that does not rely on claims about intrinsic value. Instead, one can explain the wrongness of the last person’s actions by claiming that they exhibit the absence in his character of a component that is necessary for a flourishing life, namely the stance of valuing non-humans for their own sake.<sup>367</sup> One who denies that non-human natural entities have mind-independent intrinsic value still has good reason to find the last person’s actions morally wrong: such actions betray a deficient character that falls short of the flourishing life one ought to achieve.

It is less clear, however, whether O’Neill’s account provides a counter-example to Routley’s claim that the last person example demonstrates the need for a radically new kind of ethic. O’Neill’s appeal to Aristotle suggests that concern for non-human nature can be grounded in a traditional virtue ethic, namely that presented by Aristotle. Yet it is unclear whether O’Neill thinks that valuing non-human nature for its own sake is required by traditional virtues recognized by Aristotle (e.g., temperance) or whether it is required by distinctively

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<sup>366</sup> O’Neill, “The Varieties of Intrinsic Value,” 133.

<sup>367</sup> O’Neill explains the wrongness of this action by appealing to what that action reveals about the agent. On my own account, discussed below, the last person’s action is wrong because it constitutes a massive violation of the direct duty to moral perfection. While this action might exhibit a lack of virtue on the part of the last person, that action also substantially erodes any virtuous dispositions he previously possessed.

environmental virtues (e.g., environmental stewardship or respect for nature) not explicitly recognized by Aristotle but which fit within a generally Aristotelian framework. If the former, then O'Neill could maintain plausibly that his Aristotelian environmental ethic is not a radically new kind of ethic but rather an application or extension of a thoroughly traditional virtue ethic to environmental issues. A proponent of such an ethic would rely on a traditionally Aristotelian catalogue of the virtues and vices, showing that certain actions and stances regarding nature involve virtue while others involve vice. If this is O'Neill's approach, then its only unique feature is to stress that how humans treat or view nature partly determines the virtues or vices that one possesses and hence is partly determinative of whether one has a flourishing life. On this interpretation, assuming that O'Neill is correct, one would have a traditional ethic that is capable of accounting for the wrongness of the last person's actions.

However, if O'Neill's approach relies on distinctively environmental virtues and vices not traditionally recognized by Aristotelians, then perhaps this ethic is an example of the new, environmental ethic called for by Routley. Unfortunately, O'Neill does not specify whether the last person's actions are wrong in virtue of traditional virtues and vices, or whether they are wrong in virtue of non-traditional virtues and vices. O'Neill admits that his account of an Aristotelian environmental ethic, which occurs at the end of an article on intrinsic value in nature, is only "a promissory note" and that his approach still "requires detailed defence."<sup>368</sup> I contend that such a defense of an environmental virtue ethic would need to meet two main challenges: (1) it must explain how some actions and stances regarding non-human nature are genuinely virtuous or vicious, and (2) it must clarify which virtues and vices are involved in actions and stances regarding non-human nature, specifically whether these are traditional virtues

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<sup>368</sup> O'Neill, "The Varieties of Intrinsic Value," 133.

and vices or new, distinctively environmental ones.<sup>369</sup> More specifically, the Kantian environmental virtue ethic I defend rests on an extensionalist interpretation of environmental virtues and vices, so it is important for me both to explore the issue of extensionalism versus non-extensionalism and to argue for the former. I explore how environmental virtue ethicists attempt to deal with these challenges, taking each in turn.

### A Challenge to Environmental Virtue Ethics

Thomas Hill argues that what I refer to as the first challenge is not met by environmental virtue ethicists. He contends that certain attitudes regarding non-sentient nature,<sup>370</sup> although not themselves virtues, provide a “natural basis” for virtue. For this reason, one should generally seek to promote such attitudes, such as that of cherishing non-sentient nature for its own sake. Hill is not prepared to identify such cherishing as a virtue because he thinks that there is nothing necessarily vicious about lacking such an attitude and instead being indifferent toward non-sentient entities. However, “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.”<sup>371</sup> Hill adds that 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 proper

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<sup>369</sup> This is an important issue to discuss for at least two reasons. First, the question of extensionalism versus non-extensionalism is widely discussed and debated in the environmental ethics literature, and my account of environmental virtue would be irresponsible from a scholarly perspective if it ignored this question. Second, addressing this issue might be crucial if an environmental virtue ethic is to provide action guidance. If we are to cultivate environmentally virtuous dispositions, we may ask both what those dispositions are and what it takes to cultivate them. The answers extensionalists and non-extensionalists might give to these questions could be very different, thus making it important to examine the merits and deficiencies of their respective positions.

<sup>370</sup> Hill brackets consideration of sentient non-human nature, such as mammals and birds, which allows him to focus on whether there are virtues pertaining to non-sentient natural entities, such as plants.

<sup>371</sup> 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), 51.

humility.”<sup>372</sup>

Hill does not attempt to sketch an environmental virtue ethic. However, he argues that there is a contingent but important connection between cherishing non-sentient nature and possessing virtue. His strategy is to argue that possession of the virtue of humility is threatened by possessing the character traits of ignorance, self-importance, and a lack of self-acceptance. One way these virtue-mitigating traits are likely to be developed is through indifference to non-sentient nature, such that one who does not care what happens to nature is more likely to have these traits. 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. Hence, one has a good reason to cherish non-sentient nature, even though such an attitude is not a proper virtue.

Hill’s account raises what I identified above as the first challenge to accounts of environmental virtue. Environmental virtue ethicists need to explain why (contra Hill) certain attitudes or stances regarding nature are themselves virtuous rather than merely useful for developing or maintaining virtue. This is because virtue-oriented approaches to environmental ethics depend on the claims that there are environmental virtues (or vices) and that certain actions or stances vis-à-vis non-human nature are genuinely virtuous (or vicious). If Hill’s account goes through, then environmental virtue ethicists are mistaken in these claims, in which case environmental virtue ethics should be abandoned in favor of more promising approaches. Thus, those who believe that there are environmental virtues must show that, as Ronald Sandler claims, “there are virtues that pertain to human interactions with the environment.”<sup>373</sup> If this challenge cannot be met, then certain attitudes or stances with respect to non-human nature are at

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<sup>372</sup> Ibid., 56.

<sup>373</sup> 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), 217.

best, as Hill contends, merely propaedeutic to virtue. In that case, the recent turn to environmental virtue ethics would be a mistake.

### Extensionalism versus Non-extensionalism

The second challenge to environmental virtue ethics asks whether environmental virtues are traditional virtues or new, distinctively environmental ones.<sup>374</sup> Ronald Sandler provides a helpful account of the distinction between these two approaches. He notes that some virtues directly involve certain actions and stances regarding non-human natural entities (e.g., benevolence toward non-human organisms). These are environmental virtues, or character traits that dispose a moral agent to act in appropriate ways regarding non-human nature. Sandler distinguishes between two broad conceptions of environmental virtue, namely “extensionalism” and “non-extensionalism.” The former holds that all environmental virtues are traditionally recognized virtues that have been extended to cover interactions between humans and non-human nature. Sandler characterizes extensionalism as follows:

Most ethicist who have argued that there are environmental virtues—virtues applicable to human interactions with the natural environment—have done so by extending conventional interpersonal virtues. They begin with a character disposition considered to be a virtue in interpersonal interactions or relationships, argue that environmental interactions are analogous in all morally relevant respects to interpersonal interactions (where ‘morally relevant’ in this context refers to those features of the interaction that render the virtue appropriate to it),

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<sup>374</sup> I have chosen Sandler’s account of the distinction between extensionalism and non-extensionalism. For another helpful account of this distinction, see Hursthouse, “Environmental Virtue Ethics.”

and conclude that the virtue is properly operative in environmental interactions or relationships as well.<sup>375</sup>

Sandler mentions Frasz's environmental benevolence as an example of an extensionalist virtue.<sup>376</sup> Such benevolence differs from traditional benevolence only in terms of what entities are recognized as appropriate recipients of it, i.e. environmental benevolence is traditional benevolence extended to include non-human natural entities.

Although non-extensionalist environmental virtue ethicists are less common, Sandler identifies Paul Taylor as a proponent of this view because he "advocates an attitude of respect for nature that is not reducible to any combination of the conventional interpersonal virtues extended to ecological contexts."<sup>377</sup> According to Sandler, Taylor's virtue of respect for nature is a distinctive, new virtue that could not be realized merely by extending some traditional virtue to include non-human nature.

It is unclear, however, whether Taylor's respect for nature should be classified as a non-extensionalist virtue. First, it is unclear whether *respect* is a virtue at all. Second, even if respect is a virtue, it is unclear that it is non-extensionalist. After all, respect is an attitude that is generally recognized as appropriate to have towards oneself and other persons. Why is respect for non-human nature not simply this traditional virtue seen as appropriately extended to non-human natural entities? In order for a character trait to be a distinctively environmental virtue, there must be something about that trait distinguishing it from non-environmental virtues. But the only distinctive feature Sandler cites about respect for nature is a matter of justification: "The

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<sup>375</sup> Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops," 219. See also Sandler, *Character and Environment: A Virtue-Oriented Approach to Environmental Ethics*.

<sup>376</sup> Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops," 219.

<sup>377</sup> *Ibid.*, 219-20. See also Taylor, *Respect for Nature: A Theory of Environmental Ethics*.



attitude [of respect for nature] is justified by a distinctively biocentric outlook, and central to it is the denial of human superiority and the acceptance of species impartiality...<sup>378</sup> According to Sandler, Taylor's virtue of respect for nature is warranted because of Taylor's biocentric egalitarianism, or the view that all organisms (including humans) are equally deserving of moral consideration. But this does not show that the virtue of respect for nature is intrinsically different from the virtue of respect for persons—it only shows that Taylor's justification of respect for nature is different from typical justifications of respect for persons. This is not sufficient to show that respect for nature and respect for persons are different virtues, because one and the same virtue could be justified by multiple routes.<sup>379</sup> Other than the fact that respect for nature recognizes a larger set of the appropriate objects of that respect, something that extensionalists easily could account for, it remains unclear in what sense respect for nature is differs from respect for persons.

### Characterizing Extensionalism

A number of environmental virtue ethicists have shown that certain actions and stances regarding non-human nature involve traditionally recognized vices. Peter Wenz suggests that the recognition of such traditional vice can explain why certain kinds of action that harm non-human nature are morally wrong. For example, a lifestyle committed to consumerism, or “the ideology that society should maximize consumption,” causes harm to flora and non-human animals through climate change, pollution, and habitat loss.<sup>380</sup> Further, a consumerist lifestyle includes traditionally recognized vices that inhibit human flourishing: gluttony in consuming more food

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<sup>378</sup> Sandler, “A Virtue Ethics Perspective on Genetically Modified Crops,” 220.

<sup>379</sup> Further, Taylor's biocentric outlook could be viewed plausibly as a justification for why the virtue of respect should be *extended* to cover non-human natural entities. This would give credence to an extensionalist interpretation of that virtue.

<sup>380</sup> 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.

and resources than one needs, envy over the possessions of others, intemperance in acquiring ever more products, and selfishness through indifference to those who are made worse off by consumerism.<sup>381</sup> Since consumerism both harms non-human nature and inhibits human flourishing, Wenz concludes that both non-anthropocentrists and anthropocentrists have good reasons not to accept a consumerist lifestyle. Non-anthropocentrists can reject such a lifestyle on account of its harming non-human organisms, whereas anthropocentrists can reject it because such a lifestyle mitigates one's flourishing. Wenz's point is that "anthropocentrism and non-anthropocentrism are mutually supporting through their different but complementary support for many traditional virtues and their different but complementary opposition to many traditional vices."<sup>382</sup>

While it is perhaps true that anthropocentric and non-anthropocentric perspectives tend to converge in what character traits they identify as virtues and vices, they differ from each other in the reasons why those character traits are identified as such. For example, consider the vicious trait of being inclined to consume more food than one needs, i.e., gluttony. Is this character trait a vice *because* it harms non-human animals and flora (e.g., by requiring more extensive and intensive agriculture that leads to habitat loss), *because* it inhibits the flourishing of the human being, or both? If the answer is that consuming more food than one needs is vicious *only* because it inhibits one's flourishing and not because it harms non-human nature, then the fact that virtuous persons are better for the environment is only a contingent fact. In other words, this would mean that although vicious persons tend to harm non-human nature more than virtuous persons do, causing such harm is only an incidental side effect of one's vice and thus has no moral relevance. Non-anthropocentrists may worry that this anthropocentric account fails to

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<sup>381</sup> Ibid., 206-07.

<sup>382</sup> Ibid., 209.

recognize an important connection between human virtue and non-human nature.

Below, I consider an objection from Rolston to this effect, and I argue that my Kantian approach draws a direct connection between human virtue and the flourishing of non-human organisms, since harming or benefiting non-humans is directly determinative of the virtuous or vicious dispositions one possesses. First, however, I defend my Kantian approach as a “restricted” environmental virtue ethic and explain how it meets the two challenges.

### A Restricted Environmental Virtue Ethic

Now that I have explored some of the best known accounts of environmental virtue and examined how they fare against the two challenges I identified, it is appropriate to situate my Kantian approach with respect to these other accounts. Most environmental virtue ethicists seem to be global virtue ethicists because, according to them, environmental virtue fits within a larger normative framework that treats virtue as the basic component of morality.<sup>383</sup> Hence, accepting an environmental virtue ethic typically requires rejecting consequentialism and deontology. Conversely, a Kantian environmental ethic, although based on virtue, fits within a broader deontological framework that treats fulfilling one’s duty from the motive of duty as the basic component of morality.<sup>384</sup> Hence, someone who accepts this Kantian environmental virtue ethic is thereby not a global virtue ethicist. As Martha Nussbaum notes, virtue plays a role in many normative theories, such as those of Kant and Sidgwick.<sup>385</sup> However, the role virtue plays in Sidgwick’s consequentialism or Kant’s deontology is quite different from the role virtue plays in traditional virtue ethics, such as that of Aristotle. Yet, although virtue is not basic or foundational

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<sup>383</sup> O’Neill, “The Varieties of Intrinsic Value.”

<sup>384</sup> See Christine M. Korsgaard, “From Duty and for the Sake of the Noble: Kant and Aristotle on Morally Good Action,” *The Constitution of Agency* 1, no. 9 (2008); Barbara Herman, “On the Value of Acting from the Motive of Duty,” *The Philosophical Review* 90, no. 3 (1981).

<sup>385</sup> Martha C. Nussbaum, “Virtue Ethics: A Misleading Category?,” *The Journal of Ethics* 3, no. 3 (1999).

in Kant's normative theory, it is important insofar as one has a duty to develop virtuous dispositions.

Another way of putting this is that the Kantian account I am defending is a restricted virtue ethic, i.e. it is limited to actions and stances vis-à-vis non-human nature but does not extend beyond that domain. This is because human moral agents have direct duties to themselves and other humans but not to non-human organisms. Hence, duties among 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 proscribes and prescribes certain treatment of non-human organisms, because that duty requires one to develop virtuous dispositions. This is what gives rise to the restricted, environmental virtue ethic that I am defending in this chapter.

Although humans have no direct duties to non-humans, they are morally required to treat non-humans in certain ways, namely to abstain from treating them in ways that erode one's virtuous dispositions. It is appropriate to view this account as an environmental virtue ethic, because it is a virtue-oriented ethic vis-à-vis the environment. However, it is a restricted rather than global virtue ethic, because it arises from a direct duty to oneself, and this duty fits within a global deontological framework.

It might be helpful to illustrate this ethic with the example of the last person, who destroys the biosphere yet avoids harming himself or any other human. Whereas John O'Neill accounts for the moral wrongness of the last person's action with the help of an Aristotelian virtue ethic (see above), I suggest that this action is morally wrong because it violates the duty to moral perfection. This fits within a global, deontological network of duties grounded in the categorical imperative. Yet the duty to moral perfection obligates a human moral agent to adopt the maxim whereby she develops virtuous dispositions, which entails a proscription against

actions that weaken or uproot one's virtuous dispositions. The last person's action does exactly that which this duty forbids. It is a massive violation of the duty to moral perfection, because it causes enormous unnecessary harm to various non-human organisms. Hence, this action essentially destroys virtuous dispositions, such as benevolence, humility, respect, and sensitivity. Accordingly, without attributing intrinsic value to non-human nature or recognizing direct duties to non-human organisms, we can account for the deep moral wrongness of the last person's action. By causing such massive unnecessary harm, the last person completely fails to act according to the standards of the restricted environmental virtue ethic, and thus the last person commits a major violation of the direct duty to develop his own moral perfection.

#### How a Kantian Environmental Virtue Ethic Meets the Two Challenges

As I noted above, an environmental virtue ethic faces two major challenges: (1) accounting for how some actions and stances regarding non-human nature are genuinely virtuous or vicious, and (2) clarifying whether environmental virtues are extensionalist or non-extensionalist. These are challenges in the sense that any account of an environmental virtue ethic that does not address these issues would be significantly incomplete. First, environmental virtue ethics rely fundamentally on the claim that there are genuine environmental virtues and vices, but some (e.g., Hill) doubt this. Second, it is in fact a controversial matter whether or not environmental virtues and vices are traditional ones. Thus, I treat (1) and (2) as challenges, given that they pose important but difficult questions about the possibility and character of an environmental virtue ethic.

The Kantian approach I have developed is well-placed to meet the first challenge. It does this by recognizing that certain kinds of stance and action regarding non-human nature directly

affect one's moral dispositions and hence are directly involved in the duty to increase one's own moral perfection. As I argued in chapter three, Kant recognizes duties regarding non-human nature because the way one treats organisms contributes to the status of one's own moral perfection. In particular, causing unnecessary harm to organisms directly decreases one's moral perfection and thus is a violation of that duty. Moreover, a disposition to cause unnecessary harm is a vice. As Kant writes, "Every action contrary to duty is called a *transgression (peccatum)*. It is when an intentional transgression has become a principle that it is properly called a *vice (vitium)*" (6:390). Dispositions that incline one to cause unnecessary harm to organisms are environmental vices because they serve as principles whereby one violates the duty to moral perfection. Such dispositions constitute a decrease in moral perfection relative to the absence of such dispositions. Cafaro is on the right track in identifying environmental vices as character traits that cause harm for non-human natural entities.<sup>386</sup> More explicitly, the reason why such character traits are vicious is that they are dispositions that are incompatible with fulfillment of one's duty to moral perfection, since environmental vices are principles whereby one acts contrary to her duty to moral perfection.

A similar account may be given for environmental virtue. Dispositions that incline one to benefit non-human organisms by promoting their natural goods are environmental virtues. This is because such dispositions are principles whereby one acts in ways that fulfill her duty to moral perfection. Such dispositions constitute an increase in moral perfection relative to the absence of such dispositions. Like environmental vices, certain stances or attitudes regarding non-human nature are genuine virtues because they are tied directly to the duty to moral perfection, specifically because such stances or attitudes constitute some moral perfection.

These considerations provide a first answer to Hill's version of the first challenge to

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<sup>386</sup> Cafaro, "Gluttony, Arrogance, Greed, and Apathy: An Exploration of Environmental Vice," 139.

environmental virtue ethicists, namely to provide an account of why certain attitudes or stances vis-à-vis non-human nature are genuine virtues or vices rather than mere propaedeutics to virtues or vices.<sup>387</sup> On my account, some stances affecting non-human organisms are dispositions to cause unnecessary harm, and such dispositions are genuine vices. Likewise, some stances affecting non-human organisms are dispositions to benefit, and such dispositions are genuine virtues. Since non-human organisms have natural goods, they are susceptible to being harmed or benefited due to human actions. Dispositions to harm unnecessarily or to benefit are genuine vices or virtues. Thus, certain stances regarding non-human organisms do not merely make one more likely to possess genuine virtues or vices—rather, such stances are themselves virtues or vices.<sup>388</sup> I will discuss a second answer to Hill’s challenge below.

As for the second challenge to environmental virtue ethics, I adopt an extensionalist view of environmental virtues and vices because they can be treated as a subset of the general virtues and vices that are constitutive of one’s moral perfection or lack thereof. This is because promoting the natural goods of organisms develops traditionally recognized virtues, whereas causing unnecessary harm to non-human organisms develops traditionally recognized vices. For example, since environmental benevolence is a subset of benevolence in general, and since benevolence in general is constitutive of moral perfection, environmental benevolence is likewise constitutive of moral perfection. Because dispositions to cause unnecessary harm to organisms decrease one’s moral perfection, the Kantian approach identifies them as vices; because dispositions that promote the flourishing of organisms increases one’s moral perfection, the Kantian approach identifies them as environmental virtues. Adopting an extensionalist view

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<sup>387</sup> Hill, “Ideals of Human Excellence and Preserving Natural Environments.”

<sup>388</sup> If successful, my account covers genuine virtues and vices only with respect to non-human organisms, i.e. animals and flora. Hill’s account may well be true of stances or attitudes regarding non-organic or non-individual environmental entities. For example, there might not be genuine environmental virtues vis-à-vis a particular river, species, or ecosystem—rather, it might be the case that certain stances regarding these entities prepare the way for virtue or vice without themselves being genuine virtues or vices.

fits well with a Kantian account of duties regarding nature, of course, because such duties arise from a duty to human beings, namely to oneself. It is unclear how such an account could countenance non-extensionalist environmental virtues, since it does not recognize that non-human organisms are owed any direct duties.

Moreover, employing an extensionalist conception of environmental virtue seems theoretically preferable to employing a non-extensionalist conception. Despite the literature discussed above,<sup>389</sup> it is unclear what would count as a non-extensionalist environmental virtue. All examples of environmental virtues of which I am aware, such as environmental benevolence and environmental humility, seem to name traditionally recognized virtues. In what sense do these virtues differ from traditional benevolence and humility, other than their being extended to include non-humans within their scope? As discussed above, even Sandler's example of respect for nature, which he draws from Taylor,<sup>390</sup> if this is truly a virtue, seems susceptible to the objection that it is merely a traditional virtue extended to include respect for non-humans. One might reply that non-human organisms are so different from human beings (e.g., in mental and physical capacities) that a different kind of respect is involved in respecting non-humans. However, this reply seems problematic, since non-human organisms themselves differ substantially among one another, and this seems to require various kinds of respect. Are unique kinds of respect needed for each species, for example? This quickly begins to look implausible, since it would require millions of unique kinds of respect for the various different species on Earth. Even if this objection could be met, however, it remains unclear why a single kind of respect cannot cover all organisms, human or otherwise.

My extensionalist account of environmental virtue and vice provides a second answer to

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<sup>389</sup> Sandler, "A Virtue Ethics Perspective on Genetically Modified Crops."

<sup>390</sup> *Ibid.*, 219-20.



Hill's challenge. If this account is correct, then it is not only the case that one's stances regarding non-human organisms are propaedeutics to virtue and vice insofar as they tend to affect the actual virtues and vices one possesses<sup>391</sup>—rather, certain stances regarding non-human organisms are themselves vices or virtues, because they are extensions of traditionally recognized vices and virtues. For example, a disposition to benefit animals is a case of the commonly recognized virtue of benevolence. One might say that environmental benevolence is a genuine virtue because benevolence in general is a genuine virtue, the former being an extension of the latter. Hill's challenge seems to be a greater problem for non-extensionalist accounts of environmental virtue, since defenders of such accounts must explain why some stance regarding non-human nature is virtuous or vicious in its own right. Extensionalist accounts have the advantage of straightforwardly being able to tie environmental virtues to traditionally recognized virtues.

#### Advantages of a Kantian Environmental Virtue Ethic

A Kantian environmental virtue ethic has several important advantages over other environmental virtue ethics. I discuss two such advantages, namely that the Kantian approach both provides a clear guide to action and non-arbitrarily distinguishes between obligation and supererogation.

First, a Kantian environmental virtue ethic provides a clearer guide to action than is typically offered by other environmental virtue ethics. Indeed, a common objection to virtue ethics in general is that they are not action guiding. This is because virtue ethics are sometimes thought to lack rules of action, unlike consequentialist or deontological ethics, which allegedly

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<sup>391</sup> Hill, "Ideals of Human Excellence and Preserving Natural Environments."

specify clear principles of right and wrong action (e.g., that one ought to act so as to maximize happiness). As David Solomon puts it:

It is alleged by proponents of the action-guiding objection that normative ethics should help in each of these cases by providing principles or rules (action-guides generally) of a suitably algorithmic character which will help deliver us from our perplexity. Both deontological theories and consequentialist theories of the modern sort, it is argued, fare much better in this respect than do virtue theories.<sup>392</sup>

It is one thing to identify various virtues and vices (environmental or otherwise), but quite another to specify how one ought to act.

Hursthouse responds to this objection by noting that virtue ethics can indeed guide action by specifying certain “virtue rules.” She 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.”<sup>393</sup> Of course, in order to be a helpful guide to action, this principle needs to be supplemented with a story about what the virtues are, a matter on which different virtue ethics will offer different accounts. Yet Hursthouse’s point seems to stand, namely that virtue ethics need not fail to be action guiding, because they can offer rules that specify right or wrong action. Of course, whether a *particular* virtue ethic is satisfactorily action guiding will depend on how its rules of action are worked out.<sup>394</sup>

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<sup>392</sup> David Solomon, “Internal Objections to Virtue Ethics,” *Midwest Studies In Philosophy* 13, no. 1 (1988): 432.

<sup>393</sup> Hursthouse, “Normative Virtue Ethics,” 19-37.

<sup>394</sup> Michael Slote attempts this by comparing rules of virtue to Kantian imperfect duties. See Slote, *From Morality to Virtue*, 104-16.

Unfortunately, it is at best unclear whether the environmental virtue ethics discussed above have the resources for a compelling answer to the action guiding objection. Much work on environmental virtue is concerned with the admittedly important task of exploring the nature of environmental virtue and vice, such as addressing the two challenges discussed above. For example, Frasz explores the characteristics of environmental benevolence, Cafaro ties environmental vice to harm, and Wenz focuses on the question of extensionalism versus non-extensionalism.<sup>395</sup> Yet this work does not directly specify how environmental virtue ethics are to guide actions. Perhaps these accounts are compatible with perfectly good replies to the action guiding objection, but at present those replies have not been made explicit. This suggests that existing environmental virtue ethics are at least lacking an important component.

The Kantian environmental virtue ethic I have defended fares much better on this score, because it provides clear action guidance. This ethic does not merely contain the vague instruction that human moral agents ought to act virtuously, but 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, it includes a clear (although not strictly obligatory) moral prescription: one ought to benefit non-human organisms.<sup>396</sup> Third, I have suggested criteria for determining whether a particular action causes unnecessary harm (see figure 5.1), thus reducing the indeterminacy involved in acting according to this rule in concrete circumstances. Finally, my account of the natural goods of non-human organisms (chapter four) allows one to determine what counts as harming or benefiting an organism. Taken together, these

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<sup>395</sup> Cafaro, "Gluttony, Arrogance, Greed, and Apathy: An Exploration of Environmental Vice."; Frasz, "Benevolence as an Environmental Virtue."; Wenz, "Synergistic Environmental Virtues: Consumerism and Human Flourishing."

<sup>396</sup> Recall from chapter three that this proscription 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 the maxim of increasing her own moral perfection. Since one could adopt this maxim without benefiting non-human organisms, doing so is not obligatory, although it would be a possible way of acting according to that maxim.

four components make the Kantian approach an attractive one in terms of action guidance, because they provide clear guidelines for acting virtuously. This grants the Kantian environmental virtue ethic a major advantage over those environmental virtue ethics that do not provide clear guides to action.<sup>397</sup>

Second, a major challenge for virtue ethics in general is distinguishing between obligation and supererogation.<sup>398</sup> In the context of environmental virtue ethics, under what conditions is it praiseworthy to perform a virtuous action regarding non-human nature but not blameworthy to abstain from doing so? Perhaps because they do not provide clear rules of action, it is unclear whether or how existing environmental virtue ethics can answer this question without arbitrarily stipulating some cutoff point. Further, it is unclear whether the distinction between obligation and supererogation can be maintained in these ethics. For example, van Wensveen identifies numerous environmental virtues that we may assume are morally good to possess (e.g., benevolence, humility, and sensitivity) and numerous environmental vices that we may assume are morally bad to possess (e.g., arrogance, cruelty, and speciesism).<sup>399</sup> Indeed, in an appendix to her book, *Dirty Virtues*, van Wensveen lists 189 virtues and 174 vices discussed in the “environmental literature” between 1970 and the publication of her book in 2000. However, it remains unclear how environmentally virtuous one is obligated to be. This raises a serious worry. Given the many environmental virtues and vices that one might possess, and given that one presumably can possess many of these to varying degrees, it might often be

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<sup>397</sup> It also should be noted that the action guiding features of my account do not come at the cost of instituting rigid rules. By including a proscription against causing *unnecessary* harm, the Kantian approach is flexible insofar as the context of a harmful action is often relevant for determining whether it is permissible. However, this approach is not arbitrarily flexible, insofar as it contains clear criteria for determining whether some action is unnecessarily harmful (see figure 5.1 above).

<sup>398</sup> See Jason Kawall, “Virtue Theory, Ideal Observers, and the Supererogatory,” *Philosophical Studies* 146, no. 2 (2009); Gregory W. Trianosky, “Supererogation, Wrongdoing, and Vice: On the Autonomy of the Ethics of Virtue,” *The Journal of Philosophy* 83, no. 1 (1986).

<sup>399</sup> Wensveen, “Cardinal Environmental Virtues: A Neurobiological Perspective.”

unclear what moral agents ought to do, and this seems to be a significant flaw in a normative theory.<sup>400</sup> Perhaps existing environmental virtues ethics have the tools to account non-arbitrarily for an obligation/supererogation distinction, but as far as I am aware this account has not been offered explicitly.

Again, the Kantian environmental virtue ethic fares better on this issue.<sup>401</sup> The distinction between obligation and supererogation can be rooted in the distinction between the obligatory proscription against unnecessarily harming non-human organisms and the non-obligatory prescription to benefit such organisms. This is a non-arbitrary way to draw the distinction, because the proscription is entailed by the duty to moral perfection—one is obligated not to act in ways that violate this duty—whereas the prescription is encouraged but not strictly required by the duty to moral perfection—one is not obligated to benefit non-humans, provided that she increases her moral perfection in other ways. This lends itself to a satisfactory answer to the question of how environmentally virtuous one ought to be: it is blameworthy to act so as to cause unnecessary harm to a non-human organism, while it is praiseworthy but not obligatory to benefit a non-human organism. Hence, the Kantian environmental virtue ethic seems to have this advantage over other environmental virtue ethics.

A potential worry, however, is that my account would be implausibly lax in certain cases, such as by allowing one to dodge his responsibilities to other humans for the sake of increasing his own moral perfection. Take, for example, someone who ignores the pressing material needs

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<sup>400</sup> For this reason, the objection that a virtue ethic does not distinguish between obligation and supererogation might be deemed a species of the overarching objection that a virtue ethic does not provide satisfactory action guidance.

<sup>401</sup> It should be noted that Kant's conception of an imperfect duty might itself leave it unclear where the obligation/supererogation distinction should be drawn. In other words, it might be unclear how much one must do in order to fulfill an imperfect duty. However, for the purposes of the restricted environmental virtue ethic, I believe a clear line can be drawn. Specifically, it is obligatory to abstain from causing unnecessary harm to non-human organisms, whereas it is supererogatory to benefit non-human organisms. Accordingly, even if imperfect duties in general remain vague on the obligation/supererogation distinction, the restricted environmental virtue ethic is clear on this issue. For a discussion of this distinction in Kant, see Thomas E. Hill, Jr., "Kant on Imperfect Duty and Supererogation," *Kant-Studien* 62, no. 1-4 (1971).

of his dependents 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. However, my account does not permit such an activity if it comes at the cost of ignoring one's responsibilities to his dependents. Importantly, 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 both that this would not decrease his moral perfection and that he could increase his moral perfection via other means or at other times. Moreover, benefiting non-humans at the cost of ignoring the needs of one's dependents arguably 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—doing so would violate some duty one has, whereas opting not to benefit the turtles would not involve any violation of one's duties.

### Rolston's Objection to Environmental Virtue Ethics

There is a major objection to environmental virtue ethics from Rolston that, if successful, would raise problems for the Kantian version of environmental virtue ethics I defend in this chapter. Rolston expresses concern about those environmental virtue ethics that are based solely on human flourishing. He worries that they ignores the value of non-human natural entities and encourage an exclusive focus on improving oneself. For example, a person obsessed with acquiring the virtue of nobility while paying no attention to whether he harms or benefits others is missing an important moral component, namely a concern for others. Even "those who act responsibly with concern for their nobility miss the mark. The real concern is for the other benefited."<sup>402</sup> Similarly, a person who acts to preserve wilderness areas solely because doing so

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<sup>402</sup> 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.

increases her own virtue fails to display a genuine concern for non-human nature. Rolston's worry is that an environmental virtue ethic treats non-human nature merely as a resource for human beings to develop excellent character traits, thus failing to view non-human nature as anything more than an occasion for the practice or development of virtue.

However, this criticism overlooks those environmental virtue ethics that treat an attitude of valuing nature as itself a virtue. For example, as discussed above, John O'Neill claims that it is virtuous to value non-human natural entities for their own sake, "not simply as an external means to our own satisfaction."<sup>403</sup> Further, he suggests that valuing non-humans in this way involves seeking to promote their flourishing.<sup>404</sup> Although O'Neill thinks that valuing non-human nature for its own sake is constitutive of human flourishing, this does not imply that a virtuous person may treat non-humans as "moral resources" for his own self-improvement. To do so would be to miss the point of how one's own flourishing is achieved. On O'Neill's account, valuing non-human natural entities and promoting their flourishing are virtuous and partly constitute a human's own flourishing, whereas treating them merely as resources (economic, "moral," or otherwise) is vicious and deleterious to a human's own flourishing.

Although my account does not focus explicitly on human flourishing, a similar reply to Rolston's objection is available to me. Since human moral agents ought to abstain from unnecessarily harming non-human organisms, non-humans have at least a negative kind of moral considerability. One who views non-humans merely as moral resources fails to recognize this moral considerability. Moreover, one does not strengthen one's virtuous dispositions by treating non-humans merely as resources for moral self-improvement. For example, the virtue of benevolence is not developed vis-à-vis non-human organisms unless one authentically seeks to

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<sup>403</sup> O'Neill, "The Varieties of Intrinsic Value," 132.

<sup>404</sup> Ibid., 132.

benefit them and/or abstains from unnecessarily harming them. Otherwise, one seems to engage in a kind of moral cheating, attempting to develop his benevolence without actually being benevolent.

Presumably, one cannot cheat one's way to virtue. Thus the kind of person Rolston imagines, namely one who views non-human nature merely as an opportunity for the practice or development of virtue, is engaged in a self-defeating project. Only by having a genuine regard for non-humans can one truly practice or develop virtues regarding nature in the first place. This shows that Rolston's worry can be answered. An environmental virtue ethic need not be so focused on human flourishing that it treats the flourishing of non-humans as unimportant—on the contrary, valuing non-humans and promoting their flourishing are themselves constitutive of the development of human virtue.

### Closing Remarks

If my development and defense of the Kantian environmental virtue ethic has been successful, then that defense has (1) established that non-human organisms have a negative moral considerability, (2) specified clear criteria for determining whether an action harming non-human organisms is morally permissible, (3) shown that the Kantian environmental virtue ethic is distinct from other environmental virtue ethics and has important advantages over them, (4) given compelling answers to two major challenges to environmental virtue ethics, and (5) responded in a satisfactory way to a major objection to environmental virtue ethics. This would be sufficient to establish the Kantian environmental virtue ethic as a coherent environmental ethic that should be attractive to those who are inclined to accept an environmental virtue ethic in the first place.



However, I have yet to argue that the Kantian environmental virtue ethic should be accepted over other, non-virtue oriented environmental ethics. In particular, I have yet to address directly whether and why the Kantian environmental virtue ethic is preferable to those environmental ethics that recognize positive moral considerability on the part of non-human natural entities, direct duties to non-human natural entities, and/or the intrinsic value of non-human natural entities.<sup>405</sup> In the conclusion to this dissertation, I argue that the Kantian environmental virtue ethic has major advantages over these environmental ethics, a task that involves drawing upon my critiques of these positions in chapter one. If the arguments of the conclusion are convincing, I will have shown not only that my position is a compelling environmental virtue ethic, but also that it is a compelling environmental ethic in general.

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<sup>405</sup> See Rolston, *Environmental Ethics: Duties to and Values in the Natural World*; Taylor, *Respect for Nature: A Theory of Environmental Ethics*; Rolston, "Are Values in Nature Subjective or Objective?"; Callicott, "Non-Anthropocentric Value Theory and Environmental Ethics."; Callicott, "Intrinsic Value in Nature: A Metaethical Analysis."

## Conclusion: Advantages of the Kantian Environmental Virtue Ethic

### Introduction

In the preceding three chapters, I have sought to develop a Kantian environmental ethic, which includes an account of why human moral agents have indirect duties regarding non-human organisms (chapter three), an account of what it is to harm or benefit non-human organisms (chapter four), and a set of normative principles that can guide human moral agents in their treatment of non-human nature (chapter five). I would like to close this work with some brief considerations concerning the advantages of a Kantian environmental ethic over those environmental ethical approaches critiqued in chapter one. In general, I argue that the Kantian environmental virtue ethic both avoids many of the major problems faced by other approaches and delivers robust moral requirements vis-à-vis nature that fit well with our intuitions regarding both cases and principles. This argument involves appealing to abbreviated versions of objections and arguments I have presented in foregoing chapters. The purpose of this is to present in a single place the various advantages of a Kantian environmental ethic over other approaches, as well as to develop some of the implications of my account.

### Genuine Regard for Entities Without Intrinsic Value

Unlike many traditional 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 either realist or mind-dependent intrinsic value of various kinds to non-humans. In chapter one, I presented an argument against Rolston's view

that non-human entities have realist intrinsic value. Briefly, this argument contends that Rolston's position is unjustified because human inquirers could not have evidence for the property of realist intrinsic value, given that the world as we experience it would be qualitatively identical with or without that property.<sup>406</sup> This objection is in keeping with Norton's suggestion that Rolston's view is subject to deep epistemological problems.<sup>407</sup> My position does not fall victim to these epistemological problems, of course, because it does not attribute realist intrinsic value to non-humans. All else being equal, this is an advantage of my approach over that of Rolston.

While the other major variety of intrinsic value, namely Callicott's mind-dependent intrinsic value, avoids the epistemological problems of Rolston's realist position, it is unclear what warrants bestowing such intrinsic value on non-humans.<sup>408</sup> 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 it as dependent upon human valuers. Yet Callicott does not offer an account of why human valuers ought or must bestow intrinsic value on non-human entities, or value them intrinsically as ends-in-themselves. Such an account would be crucial in order to justify a constructivist theory of intrinsic value. Lacking such an account, however, we are left merely with the controversial assertion that we ought or must value non-humans intrinsically. This is a severe disadvantage of Callicott's approach, one that my own avoids.

A potential objection is that, although my position avoids problems associated with intrinsic value, it removes any moral reason to care about the well-being or flourishing of non-humans. At least one motivation for holding that non-humans have intrinsic value is provided by

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<sup>406</sup> See Svoboda, "Why There Is No Evidence for the Intrinsic Value of Non-Humans."

<sup>407</sup> Norton, "Epistemology and Environmental Values."

<sup>408</sup> See Callicott, "Intrinsic Value in Nature: A Metaethical Analysis."

the set of intuitions that certain kinds of treatment of non-humans are morally assessable.<sup>409</sup> One could straightforwardly account for this by holding that non-human entities have intrinsic value. For example, one could hold that it is morally wrong for the last person to destroy the biosphere because it is wrong to destroy entities with intrinsic value, and some or all of the entities in the biosphere have intrinsic value. One might worry that, if non-humans lack intrinsic value of any kind, we would not be able to account for such intuitions, since we would lack moral reasons to care about the well-being or flourishing of non-humans. This is similar to the critique I offered of Norton's weak anthropocentrism (see chapter one), namely that it does not account for those intuitions that seem to suggest that actions affecting non-humans are morally assessable, even if those actions do not affect human beings.

This objection can be met by referring to my Kantian account of indirect duties regarding nature (see chapters three and five). On this account, human moral agents have excellent moral reasons to care about the flourishing of non-human organisms, despite the fact that such entities lack intrinsic value.<sup>410</sup> These moral reasons arise because a human being has a direct duty to herself to increase her moral perfection by developing virtuous dispositions. A corollary of this duty is that one ought not to act in ways that erode or weaken one's own virtuous dispositions. As I argued in chapter three, this duty to moral perfection thus strictly prohibits animal cruelty and wanton destruction of flora, while it also prescribes (but does not strictly require) actions that benefit non-human organisms. Accordingly, we have moral reasons to promote the flourishing of non-humans and to abstain from harming them unnecessarily, given that the former is a way to fulfill one's duty to moral perfection and the latter is a violation of that duty.

One might object that this indirect duties account fails to afford *adequate* concern for

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<sup>409</sup> Sylvan, "Is There a Need for a New, an Environmental Ethic?"; Rolston, *Environmental Ethics: Duties to and Values in the Natural World*, 149-50.

<sup>410</sup> Or, at least, that human inquirers are not warranted in taking them to have intrinsic value.

non-humans, given that our moral reasons to care about their flourishing are inextricably bound up with our 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.<sup>411</sup> However, this would be to misunderstand how the Kantian environmental virtue ethic works. Someone who views non-human organisms merely as instruments to attaining virtue would be engaged in a self-defeating project (see chapter five). For example, in order to develop a benevolent disposition with respect to non-human organisms, one must genuinely be concerned about their flourishing—otherwise, one would not be sincerely benevolent toward non-humans and thus would fail to cultivate that virtue. Thus, on my account, human moral agents not only have excellent moral reason to promote the flourishing of non-humans, but they also have excellent moral reason to have a genuine regard for the flourishing of non-humans. If this is correct, then the position I have developed can account for our various intuitions that certain actions and dispositions vis-à-vis non-human nature are morally assessable, and it can do so without incurring the various problems of intrinsic value approaches.

### Avoiding Deontic Conflict

Like appeals to intrinsic value, many traditional environmental ethics rely on the claim that human moral agents have direct duties to non-human entities. This is often motivated by the thought that recognizing such direct duties is needed in order to account for our intuitions about the moral assessability of actions affecting non-human nature. For example, Routley argues that the last person thought experiment shows that we should adopt a radically new, environmental ethic that includes direct obligations to non-human entities. Yet, as argued in chapter one, recognizing these myriad direct duties to various entities seemingly leads to deontic conflict and

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<sup>411</sup> See Rolston, “Environmental Virtue Ethics: Half the Truth but Dangerous as a Whole.”

threatens to make moral dilemmas commonplace.<sup>412</sup> In order to attenuate this problem, some proponents of direct duties to non-humans have introduced various principles meant to prioritize some duties over others.<sup>413</sup>

I have already noted some problems with such prioritization, such as its ad hoc nature (see chapter one). One advantage of my Kantian approach is that it recognizes only indirect duties regarding non-humans, and thus the problem of conflicting duties does not arise for it. Accordingly, I need not provide potentially arbitrary or ad hoc priority principles in order to organize a hierarchy of direct duties. For example, following the normative rules presented in chapter five, I hold that it is morally permissible to harm non-human organisms under certain conditions, e.g. cases in which no less harmful means is available to achieve some important end. In such scenarios, on my account, it is not the case that some duties take priority over others. I take it that human moral agents always have a duty to abstain from causing unnecessary harm to non-human organisms. Now, what counts as *unnecessary* harm will, of course, depend on certain conditions (e.g., whether there are less harmful actions available for achieving the end in question), but the status of this duty remains constant across various scenarios.

As before, one might object that my account avoids the problem of conflicting duties at an unacceptable cost, namely by recognizing only indirect duties vis-à-vis non-human nature. Indeed, in my view, many animal and environmental ethicists reject Kant's account of duties regarding nature precisely because it countenances only indirect duties toward non-humans.<sup>414</sup> However, as I have attempted to show (see chapter three), such critiques have underestimated how robust an indirect duties approach can be. On the Kantian environmental ethic I have

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<sup>412</sup> See also my discussion in chapter two of Korsgaard's Kantian view, which also faces this difficulty. Korsgaard, "Fellow Creatures: Kantian Ethics and Our Duties to Animals."

<sup>413</sup> See Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 172-92.

<sup>414</sup> See J. Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory," *The Journal of Value Inquiry* 35, no. 4 (2001).

developed, there is a strict moral prohibition against causing non-human organisms unnecessary harm, which has significant and wide-ranging implications for how we may treat such organisms. Contrary to the traditional interpretation of Kant on this issue, indirect duties regarding nature are not weak or easily overridden. On the contrary, although they depend on the direct duty to oneself to increase one's own moral perfection, these indirect duties require a deep commitment on the part of a human being.

### Accounting for Non-Human Flourishing

Further, most traditional positions in environmental ethics rely on claims about the well-being, goods, or flourishing of non-human entities. However, these positions face serious difficulties in grounding such claims. In chapter four, I critiqued two influential accounts offered by Taylor and O'Neill et al.<sup>415</sup> I suggested that the former suffers from ungrounded attributions of teleological principles to nature, given that it is unclear what (if anything) warrants the claim that non-human organisms are teleologically directed to achieve their goods. I suggested that the latter, by relying on a normalcy criterion of non-human flourishing, sanctions very implausible judgments, such that malnourished members of some species are flourishing if malnourishment is normal of that species.

My own account, developed from Kant's notion of reflective teleological judgment, avoids both these problems while still managing to provide and ground robust judgments pertaining to non-human flourishing. First, by treating teleological judgments as reflective rather than determinative, I do not attribute teleological principles to nature itself and thus avoid making potentially unwarranted claims. Moreover, this reflective account is compatible with the

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<sup>415</sup> See O'Neill, Holland, and Light, *Environmental Values*; Taylor, *Respect for Nature: A Theory of Environmental Ethics*, 121-22.

(non-teleological) biological sciences, including evolutionary theories of natural selection. Second, by retaining a teleological conception of non-human flourishing in terms of the natural goods toward which organisms are purposively directed, my account can avoid the implausible implications of relying on a normalcy criterion. For example, we may judge a nourished organism to be flourishing, even if malnourishment is the common lot for the vast majority of its fellow species-members.

While this is not the place to rehearse the details of my account (see chapter four), I note that it is able to capture many of the virtues of a teleological conception of non-human flourishing without incurring its epistemic vices, such as being unwarranted or conflicting with well-established accounts of organisms provided by the biological sciences. These virtues include the ability to account well for both common-sense and expert judgments about the flourishing of non-human organisms. This account is bolstered by a normative conception of what members of some kind of organisms ought to be,<sup>416</sup> which standard can be provided by expert judgments regarding such organisms. Although such teleological judgments remain reflective and heuristic, I argued in chapter four that they are nonetheless necessary for the practical purpose of making sense of our experiences of organisms. If so, then we may (and must) view non-human organisms teleologically via reflective judgment, and such an account grounds the various judgments about non-human flourishing that we inevitably make.

### 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 position can help us reach a state of reflective equilibrium among our intuitions (or, as Daniels

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<sup>416</sup> See Ginsborg, “Kant on Understanding Organisms as Natural Purposes.”



calls them, our considered moral judgments).<sup>417</sup> These include intuitions about moral cases (e.g., that of the last person) and 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. Arguably, my position does better on both these scores than the influential positions critiqued in chapter one.

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 afoul of intuitions that we ought to treat human beings in certain ways as well. For example, my account can explain what is morally wrong about animal cruelty or destroying the biosphere, namely that such actions cause unnecessary harm and thus mitigate or erode one's virtuous dispositions, thereby violating one's duty to moral perfection. 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, given that it recognizes various direct duties to oneself and other humans (e.g., to respect them as ends-in-themselves).

This contrasts with so-called misanthropic views, such as Callicott's, which seem to permit substantially harming or killing individual human beings in the course of fulfilling one's duties to ecological wholes (see chapter one).<sup>418</sup> While such holistic views might do well in accounting for moral intuitions pertaining to how we ought to treat non-human nature, they seem to violate moral intuitions pertaining to how we ought to treat human beings. Conversely, my

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<sup>417</sup> See Daniels, "Wide Reflective Equilibrium and Theory Acceptance in Ethics."

<sup>418</sup> Callicott, "Holistic Environmental Ethics and the Problem of Ecofascism."

Kantian approach can accommodate (1) intuitions that we ought to treat non-humans in certain ways and (2) intuitions that “misanthropic” actions are morally bad or impermissible.<sup>419</sup> Given that this Kantian ethic includes both direct duties to humans and a restricted environmental virtue ethic, it has the resources to balance moral requirements vis-à-vis both humans and non-humans.

Second, the Kantian environmental virtue ethic relies on moral principles that cohere well with one another, as well as with intuitions about cases. Perhaps most importantly, the principle that human beings ought to increase their own moral perfection (along with its corollary that they 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 not merely consistent with our intuitions about cases (e.g., that animal cruelty is wrong), but also provides support for those intuitions (e.g., that animal cruelty is wrong because it decreases one’s moral perfection).

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

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<sup>419</sup> For a discussion of the “vice” of misanthropy, see Lisa Gerber, “What Is So Bad About Misanthropy?,” *Environmental Ethics* 24, no. 1 (2002).

actions required by one's perfect duties (e.g., to abstain from lying). This flexibility on the part of the duty to moral perfection allows us to reach a state of reflective equilibrium among our various intuitions, given that we can consistently accept that we have indirect duties regarding non-human organisms and direct duties to human beings. Further, my account can explain and ground this consistency among our intuitions, such as by appealing to the distinction between perfect and imperfect duties, which allows for the mutual compatibility of our various obligations.

Finally, the principles I offered in chapter five (i.e., those that help us determine what actions count as unnecessarily harmful to non-human organisms) are plausible in part because they help establish balance among our intuitions. For example, 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 (e.g., using animals for food when necessary for survival). A less nuanced account, such as one that starkly prohibited eating animals or animal products in any scenario, would have difficulty accounting for certain intuitions, such as that it is permissible to use animal for food in extreme cases. The principles I have suggested seem both to cohere with intuitions about cases and to offer support to those intuitions by grounding them. For example, on my account, it is morally permissible to harm organisms, provided that such harm is not unnecessary, because causing unnecessary harm decreases one's moral perfection and thus violates a duty to oneself. This account seems to do well in countenancing our various intuitions.

### Closing Remarks

I have sought in this brief conclusion to offer some general reasons why the Kantian

environmental virtue ethic shows not merely that a robust Kantian environmental ethic is possible, but also that it is plausible and has significant advantages over other approaches. In short, my account recognizes strong moral proscriptions and prescriptions vis-à-vis nature, but without incurring the problems associated with other influential approaches, including problems associated with intrinsic value, deontic conflict, and unsatisfying accounts of non-human flourishing. Moreover, the Kantian environmental virtue ethic seems to do well in establishing a reflective equilibrium, insofar as it can make sense of our moral intuitions regarding both cases and principles pertaining to both human beings and non-human organisms, all while doing so in such a way that these intuitions often provide mutual support to one another. If all this is correct, then it suggests that the Kantian environmental virtue ethic I have developed deserves serious consideration from animal and environmental ethicists. Contrary to a traditional view, Kant's moral theory is able to ground a serious environmental ethic, and a very plausible one at that.

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## CURRICULUM VITAE

### Toby Svoboda

#### Articles in Professional Journals (all refereed)

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1. "The Ethics of Geoengineering: Moral Considerability and the Convergence Hypothesis," *The Journal of Applied Philosophy* (forthcoming)
2. "Is Aerosol Geoengineering Ethically Preferable to Other Climate Change Strategies?" *Ethics & the Environment* (forthcoming)
3. "Towards Integrated Ethical and Scientific Analysis of Geoengineering: A Research Agenda" (authors: Nancy Tuana, Ryan Sriver, **Toby Svoboda**, Roman Tonkonojenkov, Peter Irvine, Jacob Haqq-Misra, and Klaus Keller), *Ethics, Policy & Environment* (forthcoming)
4. "Duties Regarding Nature: A Kantian Approach to Environmental Ethics," *The Kant Yearbook* 4 (2012) (forthcoming)
5. "Why There is No Evidence for the Intrinsic Value of Non-humans," *Ethics & the Environment* 16:2 (2011): 25-36
6. "Sulfate Aerosol Geoengineering: The Question of Justice" (authors: **Toby Svoboda**, Klaus Keller, Marlos Goes, and Nancy Tuana), *Public Affairs Quarterly* 25:3 (2011): 157-179
7. "Hybridizing Moral Expressivism and Moral Error Theory," *The Journal of Value Inquiry* 45:1 (2011): 37-48

#### Selected Conference Presentations (all refereed)

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1. "The Ethics of Aerosol Geoengineering," fourth annual Rocky Mountain Ethics Congress (poster session), University of Colorado, August 2011
2. "Geoengineering, Ethics, and Convergence," 17<sup>th</sup> International Conference of the Society for Philosophy and Technology, University of North Texas, May 2011
3. "The Ethics of Geoengineering," Seventh Annual Conference of the International Society for Environmental Ethics, Allenspark, Colorado, June 2010
4. "Some Problems for Sustaining Entities with Intrinsic Value," Political Ecology and Environmental Philosophy: Toward Ecological and Social Sustainability, Colby College, April 2010
5. "Natural Goods and the Moral Considerability of Non-humans," International Society for Environmental Ethics Panel, Annual Meeting of the Pacific Division of the APA, San Francisco, March 2010
6. "A Dogmatic Form of Cosmological Naturalism," Eastern Pennsylvania Philosophical Association, Bloomsburg University, October 2007

#### Honors and Awards

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1. Crawford Family Fellowship in Ethical Inquiry, Pennsylvania State University (2011-12)
2. Rock Ethics Institute Dissertation Fellow, Pennsylvania State University (2011-12)
3. Institute for the Arts and Humanities Graduate Student Summer Residency, Pennsylvania State University (2011)
4. Rock Ethics Institute Dissertation Fellow, Pennsylvania State University (2010-11)