Communicative Ethics and Moral Considerability

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Although nonhuman entities are indeed incapable of entering into contractual relations with humans or of participating in social dialogue on ethical norms, they can nonetheless become the objects of moral consideration on the part of humans. Moral consideration need not be extended universally to all nonnatural entities, but only to those entities with which humans interact. Rather than regard some or all of the natural world as having "intrinsic value," considered judgments must be made regarding which parts of nature can be legitimately used for human purposes and which should be left alone. What needs to be justified are not attempts to preserve nature but rather any human interventions which infringe on the autonomy of nature.

THE PROBLEM OF NATURE IN COMMUNICATIVE ETHICS

It is frequently claimed that communicative approaches to ethics provide an inadequate framework for environmental ethics. Rawls' position[1] has been criticized on the grounds that humans obviously do not enter into contractual agreements with natural beings.[2] Habermas's discourse ethics[3] has similarly been criticized on the grounds that "nature cannot enter into discourse."[4] I argue that a communicative approach can nonetheless be developed which effectively addresses human-nature interactions. Rawls himself specifically states that moral consideration can be extended to "animals and the rest of nature" and contends that a theory of justice "is but one part of a moral view."[5] Habermas similarly claims that while moral justification concerns itself primarily with establishing the principles intended to govern relations between

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[1] John Rawls, *A Theory of Justice* (Cambridge: Belknap Press, 1971).

[2] See Peter Wenz, *Environmental Justice* (Albany: State University of New York Press, 1988), chap. 5; Daniel P. Thero, "Rawls and Environmental Ethics: A Critical Examination of the Literature," *Environmental Ethics* 17 (1995): 93–106.

[3] Jürgen Habermas, *Moral Consciousness and Communicative Action,* trans. Christian Lenhardt and Shierry Weber Nicholsen (Cambridge: Polity Press, 1989); Jürgen Habermas, *Justification and Application,* trans. Ciaran Cronin (Cambridge: MIT Press, 1993).

[4] Angelika Krebs, "Discourse Ethics and Nature," *Environmental Values* 6 (1997): 269.

[5] Rawls, *Theory of Justice,* p. 512.

human interactors, ethical reasons can be given for protecting plants and animals "once we ask ourselves seriously how, as members of a civilized global society, we want to live on this planet and how, as members of our own species, we want to treat other species."[6] Such comments suggest that there is nothing in the positions of either Rawls or Habermas which precludes the possibility of developing a communicative approach to environmental ethics.

Communicative approaches to ethics contend, against moral realism, that ethical norms cannot be derived directly from nature but are rather constructed through a process of social dialogue aimed at reaching consensus on how humans should act in relation to each other and, as we will argue, in relation to nonhuman entities. Rawls distinguishes between *moral constructivism,* in which individuals and groups construct the comprehensive moral doctrines they will use to guide their personal and collective behavior, and *political constructivism,* which attempts to arrive at a shared set of social norms to govern interactions in society as a whole between individuals and groups with competing comprehensive moral doctrines.[7] In typical liberal fashion Rawls allows for a reasonable degree of pluralism with respect to comprehensive moral doctrines, while nonetheless suggesting that an "overlapping consensus" on the principles of justice which will govern political society can be reached through a process of reasoned dialogue.

Habermas, whose views are considerably influenced by Kohlberg's constructivist account of moral development,[8] makes a similar distinction between the *ethical,* which concerns itself with what individuals and groups take to be "good," and the *moral,* which concerns itself with formulating principles to govern relations between individuals and groups with differing conceptions of the "good." In Habermas's discourse ethics, norms can be regarded as valid only if they are arrived at through a process of uncoerced dialogue in which everyone who is affected by a particular decision has the opportunity to participate. Ethics is not a matter of "monological" individual reflection but rather a "dialogical" social process which, ideally, reaches conclusions on the basis of considered debate. The point is not that individuals cannot reflect on ethical matters for themselves or adopt purely personal norms with respect to their private lives but rather that, as far as social ethics is concerned, one person cannot decide *a priori* the principles and norms which will govern other people's actions. For Habermas the fact that humans are moral subjects capable of making moral claims suggests that all such claims must receive due consideration through a process of public deliberation; a failure to consider any claims made by moral subjects leads to a failure of the

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[6] Habermas, *Justification and Application,* p. 111.

[7] John Rawls, *Political Liberalism* (New York: Columbia University Press, 1996).

[8] Lawrence Kohlberg, *Essays on Moral Development,* 2 vols. (San Francisco: Harper and Row, 1981–1984).

dialogical process itself. Since nonhuman entities cannot participate in discursive communities, however, they are necessarily excluded from this process.

While Rawls and Habermas are both concerned primarily with social ethics, several attempts have been made to extend a communicative approach to environmental ethics. Dryzek has tried to answer the charge that nonhuman entities cannot engage in dialogue by arguing that nonhuman entities do in fact enter into communicative relations with humans.[9] This solution is problematic, however, at least if communication is understood in its usual sense to mean intentional exchanges of meaning between two or more communicators. The types of relations humans enter into with other species are qualitatively different from the relations humans enter into with other humans. While the latter are reciprocal, the former are asymmetrical. Humans are capable of expressing how they think and feel to each other, but it is difficult for humans to know precisely what plants and animals themselves might "regard" as their own best interests. The notion that it would be possible for nonhumans to enter into contractual relations with humans or to negotiate the norms that would govern relations between them seems equally farfetched. Even if it is granted that communication in some sense of the word exists between humans and nonhumans (landscapes expressing beauty or animals expressing pain, for example), the sphere of communicative relations of this sort which humans have with plants and animals is quite limited. We may develop rather strong "communicative" relationships with pets and particular natural areas we are familiar with, but may nonetheless have more limited relations with certain wild species and other natural areas which may nonetheless be ecologically important.

An additional problem faced by communicative ethics is that it is sometimes taken as implying that only those actors who are able to participate in dialogue on ethical norms can be accorded moral worth. Vogel tries to address this problem by arguing that "to assert that value can be determined only by humans is not to assert that only humans have value."[10] While this distinction is useful as far as it goes, Vogel's attempt to develop a communicative theory of nature on the basis of an extended version of Habermas's discourse ethics is also problematic. Vogel sees the whole of nature as "socially constructed," contending that no ontological distinction can be made between the "natural" and the social. The environments inhabited by humans can only be understood through social categories and, moreover, are literally constructed through social practices. Wilderness areas, for example, only exist because social decisions have been made to preserve them. On the basis of this monism, Vogel proceeds to outline

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[9] John S. Dryzek, "Green Reason: Communicative Ethics for the Biosphere," *Environmental Ethics* 12 (1990): 195–210.

[10] Steven Vogel, *Against Nature* (Albany: State University of New York Press, 1996), p. 164 (emphasis in the original omitted).

an "ethics of the built world" in which he contends that "[w]e are responsible for what we build precisely because *we* build it, and because in building it we build the world and build ourselves as well."[11] The idealism implicit in Vogel's version of constructivism fails to note the extent to which natural processes may transcend both human knowledge and control, and thus have a measure of autonomy from them.[12]

A communicative approach to environmental ethics requires a somewhat broader framework than that provided by either Dryzek or Vogel. The difficulty with Dryzek's account concerns the problem of how intersubjectivity between humans and nonhumans can be successfully arrived at. The difficulty with Vogel's position is that it simply collapses the natural into the social and thus denies any objectivity or autonomy to nature. The communicative approach to environmental ethics developed in this paper contends, contra Dryzek, that communication in the relevant sense includes only human agents and thus excludes nonhuman entities. Contra Vogel, it can be argued that for a communicative ethic to be socially and ecologically responsible it must concern itself not only with reaching intersubjective agreement among human agents but must also consider the consequences which any norms that are intersubjectively agreed upon have on both humans and natural entities.

EXPANDING THE FRAMEWORK

Communicative approaches to ethics are broadly constructivist in the sense that ethical norms are arrived at not by appealing to metaphysical assumptions about how the world is or how humans are, but rather through a process of communication, which by definition is social in nature. The version of constructivism advocated here can nonetheless be distinguished from more idealistic, postmodern versions of constructivism (sometimes labeled *social constructionism*), which tend to see nature as "nothing but" a social construct.[13] "Nature," in this latter view, has no reality apart from how it has been constituted through specific human discourses and practices. What makes this perspective troubling to its critics is that since ideas about nature cannot be grounded in nature itself, there is nothing which can compel agreement about how nature is to be understood or acted in. The relativism implicit in strong social constructionist approaches seems to allow individuals (and cultures) to understand

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[11] Ibid., p. 169.

[12] For a further critique of Vogel along these lines, see Richard Evanoff, "Reconciling Realism and Constructivism in Environmental Ethics," *Environmental Values* 14 (2005): 61–81.

[13] The literature on the "social construction of nature" is extensive. For a good overview, see David Demeritt, "What is the 'Social Construction of Nature?' A Typology and Sympathetic Critique," *Progress in Human Geography* 26 (2002): 767–90. For a sample of critical responses to constructivist positions, see the essays in Michael E. Soulé and Gary Lease, *Reinventing Nature? Responses to Postmodern Deconstruction* (Washington, D. C.: Island Press, 1995).

"nature" in their own distinctive ways without the need to reach any form of consensus and, ultimately, to arbitrarily decide of what ethical norms should or should not be adopted on the basis of their own individual (and cultural) preferences.

In place of the reductionist view that the whole of what we ordinarily refer to as *nature* can be reduced to social practices, a communicative approach to ethics can be linked to a transactional ontology which sees individuals in the context of the interactions they have with both their social and natural environments.[14] With respect to individual-society interactions, societies do not exclusively shape individuals nor do individuals exclusively shape their societies, but both dialectically shape each other. Rather than simply passively absorb social influences from the societies they inhabit, as strong versions of social constructionism seem to imply, individuals actively engage themselves with others in society through processes of social dialogue. The purpose of such dialogue, as both Rawls and Habermas point out, is to reach a measure of intersubjective agreement about how individuals can effectively interact with each other. The method for reaching such agreement is not to simply harmonize the existing conceptions, positions, interests, and so forth individuals bring with them to the dialogical process (which in any event is probably an impossible task), but rather to engage in what Benhabib calls a process of "moral transformation."[15] That is, individuals both transform and are transformed by the various groups they engage in dialogue with, and out of this process it is possible for entirely new shared conceptions, positions, and interests to emerge. The upshot of discourse ethics is that no positions are exempt from reflective criticism; all must be tested in the arena of public debate and all are open to negotiation.

This transactional perspective can also be applied to interactions between society and nature. Natural processes influence but do not exclusively determine specific forms of social development, while societies also influence but do not exclusively determine the specific forms which the natural environments they interact with will take. Each retains a measure of autonomy from the other. Extending a communicative approach to environmental ethics would involve engaging in dialogical processes which enable individuals and societies to reach a measure of intersubjective agreement about how they can effectively interact with nonhuman lifeforms and the environments they inhabit. While dialogue is necessarily restricted to human interactors, it can nonetheless concern itself with how humans interact with both human and nonhuman others. A transactional view preserves realism in the ontological

[14] A key text for the transactional perspective is Dieter Steiner and Markus Nauser, eds., *Human Ecology: Fragments of Anti-fragmentary Views of the World* (London: Routledge, 1993).

[15] Seyla Benhabib, *Critique, Norm, and Utopia: A Study of the Foundations of Critical Theory* (New York: Columbia University Press, 1986), p. 316.

sense (what Searle refers to as "external realism"[16]), but is nonetheless compatible with the notion that ideas about how the world should be talked about and acted in are socially constructed. Such constructions can, moreover, be tested by the pragmatic criterion of how well they enable humans to interact with both their social and natural environments, a stance which is consistent with both Hayles' "constrained constructivism"[17] and environmental pragmatism in general.[18]

In itself intersubjective agreement on a given set of norms to regulate social interactions or the interactions humans have with their natural environments is insufficient to insure that the norms adopted will actually be "good." It is conceivable that norms can be formulated which frustrate, rather than promote, human goals and, moreover, lead to objective conditions which are worse for both human and nonhuman entities. For example, while the goal of a high-growth economy and the norms of global capitalism may enjoy a relatively high degree of intersubjective agreement throughout the world, such agreement essentially ignores the negative consequences such growth has not only on individual health and well-being (e.g., suffering caused by pollution), but also on social relations (e.g., the growing gap between rich and poor) and environmental integrity (e.g., the loss of biodiversity and the extinction of species). For communicative ethics to remain viable, therefore, any intersubjective agreement which is reached must take into account the objective consequences that adopting a given set of norms entails.

MORAL DELIBERATION AND MORAL CONSIDERATION

A preliminary distinction can be made between *who* partakes in discourse and *what* that discourse can and should be about. Natural entities, driven by chemical reactions, biological instincts, and simple stimulus-response mechanisms rather than by conscious deliberation between alternatives, have no occasion to rationally reflect on their actions and thus no occasion to make choices. It is precisely because they are incapable of moral action that they have no need to engage in ethical discourse. It is only humans who are obliged to make choices between various possible courses of action because it is only humans who, through the evolution of consciousness, have the capacity to do so. Precisely because humans do not operate exclusively according to simple stimulus-response mechanisms but rather on the basis of conscious choices, they are confronted with the problem of having to determine which objects, experiences, and so forth should be cognized as valuable (and for what reasons)

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[16] John Searle, *The Construction of Social Reality* (New York: Free Press, 1995), pp. 152–53.

[17] Katherine N. Hayles, "Constrained Constructivism: Locating Scientific Inquiry in the Theater of Representation," *New Orleans Review* 18 (1991): 76–85.

[18] A good introduction is Andrew Light and Eric Katz, eds., *Environmental Pragmatism* (London: Routledge, 1996).

and how conflicts which arise out of the pursuit of different goods should be resolved. It is only humans who, because they can make conscious choices, must reflect on which choices are "good" and "bad," "right" and "wrong," and hence only humans who have a need for ethics. It is impossible for nonhumans, acting on instinct alone, to make "wrong choices"; hence, they have no need of ethics. Nonhumans live in an edenic state in which there is literally no "knowledge of good and evil," and hence no occasion to engage in moral reflection.

While only humans can be moral *subjects* (i.e., moral agents who make ethical decisions), anything can in principle become the *object* of moral consideration. In the case of humans, as Habermas argues, it may be possible to establish moral considerability on the ground that since humans are moral subjects (i.e., capable of participating in discursive practices), they should also be accorded the status of moral objects. Dialogue, therefore, necessitates the inclusion of all of those who are capable of making moral claims. In the case of nonhumans, however, this strategy for establishing moral considerability is obviously not available since nonhumans are incapable of participating in discursive practices. It cannot be inferred, however, that exclusion from participation in discursive communities also necessitates the exclusion of nonhuman entities from moral considerability. Moral agency should not be conflated with moral consideration; the two are in fact separate.

Although it may only be possible to determine what humans should extend moral considerability to through discursive practices, moral considerability can, in principle, be extended to *anything*, regardless of whether or not it is able to participate in discourse. There is no reason why moral considerability should be extended *only* to entities which are capable of engaging in discourse. What counts is not who is doing the valuing but what is being valued (cf. Lee's distinction between the "source" and "locus" of values[19]). The fact that a given entity is incapable of entering into contracts or participating in moral dialogue does not in itself mean that we cannot extend moral consideration to it. As is often pointed out, we extend moral consideration to infants and mentally incapacitated individuals even though they are also unable to enter into contracts or participate in dialogue. A communicative ethic, therefore, need not concern itself with what entities that are incapable of making decisions should do, but rather with what entities that are capable of making decisions should do.

It is precisely for this reason that a communicative approach to ethics is capable of respecting the "autonomy" of nature.[20] It need not, indeed should not, presume to decide what *nature itself* should do; rather, it concerns itself

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[19] Keekok Lee, "The Source and Locus of Intrinsic Value," *Environmental Ethics* 18 (1996): 297–309.

[20] Cf. Thomas Heyd, ed., *Recognizing the Autonomy of Nature: Theory and Practice* (New York: Columbia University Press, 2005).

with determining the specific courses of action *humans themselves* should take both in relation to each other and in relation to nature. While communicative ethics limits moral *deliberation* to human actors, it is nonetheless able to extend moral *consideration* to everything that one has relationships with, including both humans and nature. A communicative approach to ethics, therefore, is not inherently anthropocentric.[21] It is capable of advancing an ecocentric perspective which is based not on a theory of the objective intrinsic value of nature, however, but rather on a theory of reflective human choice. Judgments arrived at through the dialogical process can be made with reference to the entire web of relationships, both human and ecological, which humans find themselves in and nature can thus be brought into the sphere of moral consideration.

This contextual approach to ethics thus extends, rather than narrows, the scope of ethical consideration because it situates individual action in the context of a wider set of relationships. Actions cannot be judged solely in terms of how much they benefit the individual but must also be judged in terms of the effects they have on human and nonhuman others. The very fact that we live in situated communities and situated environments means that our actions simultaneously affect and are affected by the relationships we have with others and with nature. Moral consideration, then, should be extended to include *everything* that is or will be affected by our actions—not only to living beings, but also to non-living objects (i.e., how we use mineral resources, deal with wastes, take care of human artefacts, and so forth).

MORAL CONSIDERATION AND THE NATURAL ENVIRONMENT

The argument presented thus far concurs in part with the views of environmental philosophers who suggest that moral consideration can be extended beyond the human to include natural entities. There are various versions of this view. Singer, adopting an essentially utilitarian position, argues that the circle of ethical concern should be extended to include all sentient beings, specifically those which are capable of suffering.[22] Regan argues that since some animals are "subjects of a life" they should be accorded corresponding rights.[23] Taylor extends this argument by arguing that all living organisms, not simply animals, are "teleological centers of a life" and hence worthy of moral consideration.[24] Stone argues in favor of extending legal rights to trees.[25] Callicott sees Leopold's land ethic as being a logical extension of an ethic of

[21] Cf. Anthony Weston, "Beyond Intrinsic Value: Pragmatism in Environmental Ethics," *Environmental Ethics* 7 (1985): 321.

[22] Peter Singer, *Animal Liberation* (New York: New Review, 1975); Peter Singer, *The Expanding Circle* (Oxford: Clarendon Press, 1981).

[23] Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1983).

[24] Paul W. Taylor, *Respect for Nature* (Princeton: Princeton University Press, 1986).

[25] Christopher Stone, *Should Trees Have Standing?* (Los Altos: William Kaufmann, 1974).

sympathy that has its roots in Hume, Smith, and Darwin.[26] Nash perhaps goes furthest by suggesting that ethics is capable of evolving beyond a concern for one's own self, family, culture, nation, species, and planet to include the universe as a whole.[27]

Much of the debate among these thinkers has centered on where exactly the line should be drawn between what should and should not be accorded moral consideration. "Holists," such as Callicott, argue that Leopold's land ethic favors taking ecosystems as the unit most appropriate for moral consideration. "Individualists"—such as Regan, who characterizes Leopold's position as "environmental fascism,"[28] Kheel, who views it as "totalitarian,"[29] and Katz, who thinks that it undermines respect for the individual[30]—argue that moral consideration can only be extended to individual organisms.

It can be argued that neither the holist nor the individualist positions can be ontologically grounded. If, as a transactional perspective contends, individuals can be seen as both constituting and being constituted by the natural environments they inhabit, value can be constructed at a variety of different levels. Individuals can be understood and valued both as separate organisms and as parts of the larger systems they occupy. Systems, conversely, can be understood and valued both in terms of the individuals which constitute them and in terms of the full and complex set of relationships that exists between these individuals. There is nothing in reality itself which can determine whether the whole should be described and/or valued over the individual or the reverse since the relationship between the two is a duality rather than a dualism. Such a view accords with both the contention of hierarchy theory that evolving systems can be analyzed in terms of a variety of different "nested" levels[31] and the view that each of these levels can be accorded moral considerability.[32]

Whether one adopts a holistic or an individualistic perspective in any given instance is not a matter of ontology, but rather of epistemological and ethical

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[26] J. Baird Callicott, *In Defense of the Land Ethic* (Albany: State University of New York Press, 1989); Aldo Leopold, *A Sand County Almanac* (Oxford: Oxford University Press, 1949). See also Ernest Partridge, "Are We Ready for an Ecological Morality?" *Environmental Ethics* 4 (1982): 175–90; Ernest Partridge, "Nature as a Moral Resource," *Environmental Ethics* 6 (1984): 101–30.

[27] Roderick Nash, *The Rights of Nature: A History of Environmental Ethics* (Madison: University of Wisconsin Press, 1989), chap. 1.

[28] Regan, *The Case for Animal Rights,* p. 362.

[29] Marti Kheel, "The Liberation of Nature: A Circular Affair," *Environmental Ethics* 7 (1985): 138.

[30] Eric Katz, "Organism, Community, and the 'Substitution Problem,'" *Environmental Ethics* 7 (1985): 241–56.

[31] For a useful overview, see Jianguo Wu and Orie L. Loucks, "From Balance of Nature to Hierarchical Patch Dynamics: A Paradigm Shift in Ecology," *Quarterly Review of Biology* 70 (1995): 439–66.

[32] See especially Douglas J. Buege, "An Ecologically Informed Ontology for Environmental Ethics," *Biology and Philosophy* 12 (1997): 1–20.

construction. We can look at the whole in terms of its parts, or look at the parts in terms of how they comprise the whole. There is no inherent contradiction between these two points of view; they are simply two different ways of looking at what is in fact a single phenomenon. In ethics it is insufficient to say either that the part should be more highly valued than the whole or that the whole should be more highly valued than the parts. This view is consistent with Marietta's "critical holism,"[33] which sees individuals not as isolated entities but rather in terms of the relationships they have with both their social and natural environments. In Marietta's words, "An ethical system needs to take into consideration everything that can be morally relevant."[34] Holism in this wider, dialectical sense is not holism as it is usually understood, i.e., an organicism which collapses the individual into the whole, but rather a way of looking at and extending moral consideration to both individuals and wholes from a more comprehensive perspective.

Nonetheless, there are cognitive limitations on both the holistic and the individualistic perspectives. Individualists suffer from a kind of moral myopia in which they are unable to appreciate the various relations individuals have with other phenomena. How can one value the animal or plant without also valuing the air the animal breathes or the soil the plant grows in? On the other hand, versions of holism which think that moral consideration can be extended in sweeping fashion to virtually everything (the entire universe in Nash's case) overextend the capacities of moral agents. It is impossible to show any genuine or meaningful moral consideration for everything in such a sweeping fashion. It can be suggested, however, that the circle of moral consideration should be *minimally* extended to include the entire web of interconnected relations one finds oneself in, not only in one's immediate environment but in one's "extended" environment. If the cars we drive emit carbon dioxide which contributes to global warming, resulting in rising sea levels which threaten the Maldives Islands, then we are morally connected with both the people and the natural environment of the Maldives. It is also possible, of course, to intentionally extend the sphere of relations we have both with others and with nature so that they can be brought into the sphere of that which we give moral consideration to. We may, for example, have no direct relations with Siberian tigers, but as a matter of considered choice may nonetheless establish a relationship with them by involving ourselves with their protection.

This view draws the line between what should be accorded and what should not be accorded moral consideration not on the basis of the intrinsic properties, values, or presumed "rights" of an object, but rather on the basis of the relationship

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[33] Don E. Marietta, Jr., *For People and the Planet* (Philadelphia: Temple University Press, 1995), pp. 5, 31.

[34] Don E. Marietta, Jr., "Environmental Holism and Individuals," *Environmental Ethics* 10 (1988): 257.

something has with ourselves. That is, moral obligations can and should be plausibly extended to anything which is affected by the consequences of our actions. As Dower writes, one of the factors which "will determine the size of an environment for a level of discourse will be . . . how the objective system of causes and effects is understood (the scale of the impacts of human activity, the scale of the modification in human behaviour needed to change the impacts, etc.). . . ."[35] This consequentialist perspective can be extended to the interactions we have both with other humans and with nonhuman life forms. Although nonhuman entities are incapable of participating in the discursive processes by which decisions regarding how humans will treat them are made, they are nonetheless affected by the consequences of those decisions, which implies that they should also be extended moral consideration by those discursive communities.

The idea that moral consideration should be extended to human and nonhuman others who are affected by the consequences of our actions also acknowledges the ontological and the cognitive limitations we have with respect to the relationships we have with others. Birch, who develops a theory of moral consideration similar to that offered here,[36] nonetheless goes too far in thinking that moral consideration can be extended universally. Our contention would be that while it is impossible to extend moral consideration to *everything* as such, it is nonetheless possible and necessary to extend the scope of our cognitive and ethical concerns to meet the scope of the ontological relations we have with others. Attention is not focused on distant objects and events we have no connection with or the universe as a whole, but rather on *our own actions,* both as individuals and as societies, and the effects they have on others. This approach involves living a fully conscious and deliberate life in which we reflect on how we act in relation to whatever we come into contact with rather than a mindless and insensitive life in which we literally act without thinking. It can be agreed here with Birch that such reflection involves "deep consideration, mindfulness, and attentiveness."[37]

While we may, as Wenz's concentric circle theory contends,[38] feel stronger moral obligations to those who are relationally closer to us than to those who are more distant, we must nonetheless think about our actions in light of the consequences they may have for both the present and future generations, both

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[35] Nigel Dower, "The Idea of the Environment," in Robin Attfield and Andrew Belsey, eds., *Philosophy and the Natural Environment* (Cambridge: Cambridge University Press, 1994), p. 148.

[36] Thomas H. Birch, "Moral Considerability and Universal Consideration," *Environmental Ethics* 15 (1993): 313–32. See also Jim Cheney, "Universal Consideration: An Epistemological Map of the Terrain," *Environmental Ethics* 20 (1998): 265–77; Anthony Weston, "Universal Consideration as an Originary Practice," *Environmental Ethics* 20 (1998): 279–89.

[37] Birch, "Moral Considerability and Universal Consideration," p. 331.

[38] Wenz, *Environmental Justice*, chap. 14.

for the people we have immediate contact with and for those (perhaps from other cultures) who remain faceless, and for both humans and nature. What this view implies, however, is that we should not enter into relationships which we are not prepared, or are unable, to give moral consideration to. This formulation gives rise to two principles. First, that which we are unable to establish moral relations with should be simply left alone; if we cannot act in a moral and responsible way with regard to any relationship we have with others, we should not enter into that relationship to begin with. Second, once we do establish a relationship with something, we have an obligation to act in a moral and responsible way with regard to it.

MORAL CONSIDERATION AND "INTRINSIC VALUE"

Expressing moral consideration for something does not imply that judgments can never be made in particular cases about how something should or should not be valued. A communicative approach to environmental ethics would reject the moral realism implicit in those accounts of the "intrinsic value" of nature which see value as in some way adhering to natural objects or processes, and suggest to the contrary that conceptions of value and judgments about what should be accorded moral consideration arise out of discursive practices. From a pragmatic perspective, one of the chief difficulties with the concept of intrinsic value is how to make it operational, particularly when it is conceived holistically, i.e., as discovering/ascribing value to everything in an undifferentiated way. The concept of intrinsic value does not offer any guidance as to the conditions under which it is morally permissible or impermissible to use natural objects for human purposes. If we try to protect trees, for example, on the grounds that they have "rights" or "intrinsic value," then when is it permissible, if ever, to cut down a tree to make a house? If, conversely, value is regarded as being intrinsic not to individuals, but rather to ecosystems or communities (as with some interpretations of Leopold's land ethic), then when is it permissible, if ever, to destroy a natural area for human habitation? This problem arises whether values are taken to be objectively found in nature (as with Rolston[39]) or subjectively generated through empathy with nature (as with Callicott[40]).

A further distinction can be made, then, between that which moral consideration should be extended to and that which should be accorded moral value. While moral consideration should be extended to everything that we have

[39] Holmes Rolston, III, *Environmental Ethics* (Philadelphia: Temple University Press, 1988); Holmes Rolston, III, *Philosophy Gone Wild* (Buffalo: Prometheus Books, 1989).

[40] In addition to *In Defense of the Land Ethic,* cited above, see also J. Baird Callicott, "Rolston on Intrinsic Value: A Deconstruction," *Environmental Ethics* 14 (1992): 129–43; J. Baird Callicott, "On Norton and the Failure of Monistic Inherentism," *Environmental Ethics* 18 (1996): 219–21.

relationships with, this view does not necessarily entail that everything we have relationships with should be accorded moral value. Moral consideration refers to the process of reflection, engaged in by both individuals and discursive communities, through which we gauge the effects that our actions will have on others. Put simply, we should think before we act. Nonetheless, the purpose of reflection is to arrive at considered judgments concerning whether or not the consequences of our actions can indeed be thought of as "good," and whether or not the actions themselves are justified.

Considered judgments must be made in particular cases, then, about what should and should not be destroyed, and hence also about what should and should not be preserved. Obviously not everything can be accorded intrinsic value. The strategy of trying to shift the locus of value from one level to another (from the individual to the whole or vice versa) fails to acknowledge that value can, in different circumstances, be constructed at either, both, or neither of these levels. In some cases individuals may be valued intrinsically (as with house plants and pets); in other cases they may be valued instrumentally (plants and animals eaten for food); in still other cases they may be valued in both ways (vegetables grown in one's own garden). In some cases whole ecosystems or biotic communities may be valued intrinsically (wilderness areas); in other cases they may be valued instrumentally (agricultural areas); in still other cases they may be valued in both ways (wilderness areas used for both recreation and renewable resource extraction). Individuals and wholes can be disvalued in similar ways. Species may be valued for the contribution they make to biodiversity, but in some cases they may be disvalued (as with smallpox viruses). It should be emphasized that our concern at this point is only to *describe* the various ways in which values can be constructed, not to argue for or against any of the particular normative constructions offered here as examples. Separate arguments could be offered, for example, in favor of vegetarianism, which would exclude any disvalue being assigned to animals, as either individuals or species. The point argued for here is simply that the value of something is not self-evident but can only be established through a process of both judgment and argumentation engaged in by discursive communities. A communicative theory of value thus avoids both the objectivism of realist approaches and the subjectivism of (idealistic, postmodern) social constructionist approaches.

In the case of humans we have, as a result of social evolution, more or less come to accept the Kantian view that all humans should be treated as ends in themselves and not merely as means for achieving some other end. While we do treat some individual nonhumans in a similar way, it is impossible for humans to accord such respect to all individual nonhumans or to nature as a whole. If everything in nature is considered "good," then it becomes impossible for us to make conceptual distinctions between what is "good" and "bad." Objectivist theories of value, which claim that goodness is an intrinsic property

of objects (e.g., Moore[41]), offer us little guidance in making judgments of this sort. The exact same object may be appropriately judged as "valuable" at one time and under certain conditions, and as "not valuable" at other times and under different conditions. Carbon dioxide is "good" (or at least "neutral") when exhaled from human bodies and absorbed by plants but "bad" when too much of it accumulates in the atmosphere through the burning of fossil fuels. There is nothing in the carbon dioxide itself that determines its value; rather its value is contextually determined by the various relations it has with ourselves and other objects.

There are contexts in which a given phenomenon may be good; others in which it may be bad; and still others in which it may be both (or neither) simultaneously. Values are not "out there" in the world simply waiting to be discovered[42]; nor are things "valuable in themselves"[43]; nor can they be described as having "inherent worth"[44] apart from being consciously valued. Objects can be valued both intrinsically and instrumentally. The concept of "intrinsic value" may still be credible when it is used not to denote the *property* of something that is valued but rather the *way* in which something is valued by a valuing subject. We can provisionally accept Callicott's contention that the word *value* should be used primarily as a verb, not as a noun.[45] While nature does not *have* intrinsic value, it can nonetheless be valued intrinsically. Thus, at least *some* natural phenomena can be valued for their own sake regardless of the benefits which they may bestow on humans.

Callicott's attempt[46] to derive values from facts and thus overcome the naturalistic fallacy can nonetheless be contested. While values indeed cannot be derived from facts, facts and values can nonetheless both be derived from the same ontological source. Marietta writes, "Awareness of value is as primitive as awareness of facts. . . . The raw materials of fact, of value, and of volition are embedded in our original experiences, as fusions of fact and value, and we draw them out and separate them into different sorts of judgments."[47] It is out of such primitive experiences that we are able to build up our sense of values (concerning what is good and what is not) and from there to develop rudimentary ethical codes (concerning the types of experiences we think we should and should not pursue). Milbrath also disputes the claim that facts are what we arrive at by looking at the world while values are merely subjective

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[41] George Edward Moore, *Principia Ethica* (Cambridge: Cambridge University Press, 1971).
[42] Rolston, *Philosophy Gone Wild,* chap. 6.
[43] Richard Sylvan and David Bennett, *The Greening of Ethics* (Cambridge: White Horse Press, 1994), p. 142.
[44] Taylor, *Respect for Nature*, pp. 61–80.
[45] Callicott, "On Norton and the Failure of Monistic Inherentism," p. 219.
[46] Callicott, *In Defense of the Land Ethic,* chap. 7.
[47] Marietta, *For People and the Planet,* p. 90.

(i.e., relative either to individual "preferences" or to a process of cultural indoctrination).[48]

In the same way that objects can be cognitively described in an indeterminate number of ways—none of which is the single "true" description but all of which are possible—so too can objects be valued in an indeterminate number of ways. To say, for example, that a tree only has value in terms of the money it brings in when cut up into lumber is simply reductionist. A tree can be valued as a source of shade and fruit, as something for children to climb on, as an object to be artistically rendered in a painting, as the fondly remembered site of a romantic encounter, as an integral part of an ecosystem, simply because it exists, and so forth. Such valuations are the product of both individual and social constructions of how ontologically real (in Searle's sense) objects may be valued, and form the basis for how discursive communities make decisions regarding the use of such objects.

While Rolston's objectivist theory of environmental value remains problematic, it can nonetheless be acknowledged that his catalogue of "values in nature" (which includes economic, life-support, recreational, scientific, aesthetic, genetic diversity, historical, character-building, and sacramental values of nature, among others) does a very good job of illustrating the various ways in which nature can be valued.[49] In making judgments about how humans should interact with the environment, a wide variety of values should be taken into consideration; otherwise we remain mired in a myopic reductionism.[50] In keeping with Habermas's contention that the outcome of discourse cannot be prejudged but must rather be determined by the discourse itself, it cannot be specified in advance exactly *which* objects in nature should be valued and for what purposes (do we cut down this particular tree or forest for its lumber or do we let it grow undisturbed?). Nonetheless, it can be claimed that judgments will be better rendered by discursive communities if they take more of the various ways in which objects can be valued into account.

A wider, more comprehensive viewpoint is one which is able to appreciate the various ways in which objects and states of affairs can be potentially valued. A world in which value is seen purely in instrumental, monetary terms, for example, is an impoverished world that is stripped of a great deal of its potential value and meaning. As our sense of what can and should be valued expands, the richness of the world and our experience of it also increases. This wider, more comprehensive viewpoint is holistic in the sense that it takes everything that one is connected to into moral consideration but not in the sense

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[48] Lester W. Milbrath, *Envisioning a Sustainable Society* (Albany: State University of New York Press, 1989), pp. 60–67.

[49] Rolston, *Environmental Ethics,* chap. 1; Rolston, *Philosophy Gone Wild,* chap. 5.

[50] Cf. Andrew Brennan, "Moral Pluralism and the Environment," *Environmental Values* 1 (1992): 15–33.

that it ascribes undifferentiated moral value to everything. As with Marietta's "critical holism," this view affirms the need to make discriminating judgments about both humanistic and environmental concerns.

As our sense of what can and should be valued expands, the richness of the world and our experience of it also increases. Learning to value nature in a variety of different ways may be similar in some respects to learning to value good food, good music, good wine, good books, etc. The expansion of human consciousness involves not only an expanding awareness of what exists in the world, but also an expanding awareness of the various ways in which it can be valued. Environmental "philistines" are not only incapable of valuing nature for anything other than its economic value; they are also blissfully ignorant of the fact that other ways of valuing nature are even possible. Norton calls the new values which arise out of learning to see things in a wider variety of ways "transformative values."[51] He offers as an example a female child who starts out smashing bird eggs but, with a helpful nudge from someone who shows her some baby birds in a nest, eventually becomes so fascinated with birds that she becomes an amateur ornithologist. From a constructivist perspective the bird eggs have gone from being objects construed as having no value whatsoever (except to smash) to objects which are valued instrumentally (as interesting to watch) to objects which are valued intrinsically (as good for their own sake). Values can be transformed both through increased interactions with natural objects themselves and through discursive interactions with others who may challenge our present notions of value and offer us a wider view of what might be considered valuable.

If our present values are truncated and inadequate, then we must actively participate in their expansion and transformation. Becoming environmentally sensitive is thus a way of extending not only our concern for nature but also human consciousness. As our capacity for appreciating nature increases, we are less inclined to want to engage in acts that diminish either the richness of nature or the richness of our experience of it.

MORAL CONSIDERATION AND MORAL JUSTIFICATION

Since it is impossible for humans to avoid interacting with nature in ways which are to some extent "destructive," a "respect for life" ethics must be accompanied by a "respect for death" ethics, meaning that we must come to full terms with the universal biological fact that no life can sustain itself apart from the destruction of other forms of life. Nature is red in tooth and claw. Harmony in nature is not one in which the lion lies down with the lamb, but one in which destruction leads, paradoxically, to new life. Sylvan and Bennett make a similar

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[51] Bryan G. Norton, *Why Preserve Natural Variety?* (Princeton: Princeton University Press, 1987), pp. 188–91.

distinction between a "respect thesis," which accepts "essential predation," and a "reverence thesis," which is unable to come to grips with the fact that life can only be maintained through the destruction of other life.[52]

The problem, then, is not whether it is legitimate to destroy life or not, but rather under what circumstances it is legitimate to destroy life. While the indiscriminate destruction of nature cannot be morally justified on any grounds (precisely because *indiscriminate* acts are unreflected on and hence no reasons can be given to justify them), it is difficult to formulate general principles to cover all circumstances precisely because the rightness or wrongness of a given act depends not so much on the act itself but rather on the context (i.e., the circumstances themselves) in which it is committed. Simplistic formulas (e.g., human interests should *always* take precedence over nature; or nature should *always* take precedence over human interests) are clearly inadequate. While it may be legitimate for humans to cut trees in a sustainable way that preserves biodiversity, it may be illegitimate to destroy entire rain forests. Ethics must concern itself not with whether humans should interact with the environment (something they are fated to do in any event) or not but rather with both the quality and the scale of those interactions. The specific judgments that must be made concerning the quality and scale of the interactions humans have with nature are complex and involve making informed and intelligent choices on the part of discursive communities.

Since humans act on the basis of choices, rather than on the basis of instinct alone, it is possible to ask why someone comes to choose one particular course of action rather than another and to evaluate whether the reasons that are given seem justified or not. Communicative ethics can legitimately ask not only the grounds on which particular courses of action which affect other humans are justified but also the grounds on which particular courses of action which affect nonhuman life forms are justified. Since, as has been argued, humans do not and need not interact with the whole of nature, but only with specific parts of it, what requires justification are the particular actions humans take in relation to those parts of the nature which they interact with. Interaction implies that human actions will have consequences for those nonhuman life forms they interact with (and vice versa). Nonintervention in those parts of the natural world which remain autonomous and which humans have no interactions with does not require justification precisely because, in the absence of interaction, there are no such consequences. Any specific part of nature is automatically protected if humans undertake no actions with regard to it. By letting such parts of the natural environment be what they are, we respect their autonomy and incur no moral obligations toward them. It is only when we enter into causal relationships with specific parts of nature, and particularly when our interactions involve some form of destruction, that our interactions must be justified.

[52] Sylvan and Bennett, *The Greening of Ethics*, p. 149.

Humans obviously rely on ecological services provided by the natural environments they inhabit to provide for their basic needs (air, water, food, materials for clothing and shelter, etc.), which involves the destruction of some parts of those environments. The issue, then, is not whether humans should destroy parts of their natural environments, but rather how much, in what way, and for which purposes. Ethical questions related to the size of human populations, their use of resources, and the scale of their economic activities, along the lines suggested by the limits-to-growth literature,[53] become relevant here. As with Habermas, questions such as these can only be resolved through a process of dialogue in which all of those who are affected by any decisions which are made are permitted to engage in the decision-making process. The fact that only humans can engage in ethical discourse on these issues does not mean, however, that the participants are obliged to adopt an anthropocentric stance which only considers natural environments in light of their ability to provide for human needs. A communicative approach to environmental ethics is also perfectly consistent with an ecocentric perspective in which moral consideration is extended to nonhuman life forms and environments on the basis of the fact that humans can and do value such life forms and environments in non-instrumental ways.

A primary question for a communicative environmental ethic, therefore, is how it might be possible for humans to provide for their own basic needs in ways which simultaneously allow for the flourishing of other forms of life and the continuation of evolutionary processes. Formulating the problem in this way involves a consideration not only of how natural areas might be preserved, but also of the more revolutionary question of how human society itself must be changed if these goals are to be attained. The attempt to create forms of society which limit human intervention into natural environments would allow those parts of the natural environments which humans do not interact with to remain relatively autonomous.

Environmental philosophers have focused much of their effort on constructing arguments which attempt to show why nature should preserved. While these arguments are valuable, shifting to a perspective which asks what forms of intervention in nature are justified places the burden of defense not on those who would seek to preserve nature, but rather on those who would seek to destroy it. Sylvan and Bennett write,

> What is required . . . is that reasons be given *for* interfering with the environment, rather than reasons for not doing so. . . . [D]irect responsibility for environmental interference or modification falls upon those who would seriously interfere or significantly modify, who would tread heavily on the land. Non-interference does

[53] See, for example, Donella Meadows, Jorgen Randers, and Dennis Meadows, *The Limits to Growth: The 30-Year Update* (White River Junction, Vt.: Chelsea Green, 2004).

> not preclude use—only too much use and use of too much.... [W]here use occurs, it should be careful and respectful use.[54]

Once the onus of proof has been shifted away from those who seek to preserve life toward those who seek to destroy it, a radical critique of industrial civilization becomes possible. It is less up to environmental philosophers to explain why nature should be preserved than it is up to the defenders of our present system to explain why nature should be destroyed. Rather than remain in a defensive position, environmentalists can adopt a proactive position which critically asks the adherents of unlimited industrial expansion to justify their proposed courses of action. The standard reply, which claims that the *only* way human needs and/or social justice can be provided for is through the destruction of nature is patently false since it ignores the fact that there are myriad alternatives for achieving forms of society which provide not only for human flourishing and social justice but also for ecological integrity. The critique can then proceed to an exploration of alternative ways of being-in-the-world that would allow the flourishing of *both* human and nonhuman life forms in ecologically sustainable and socially just ways. Such a critique can be seen as advancing an ecocentric perspective on environmental ethics even though it rejects the particular theory of intrinsic value which has typically been associated with ecocentrism.

COMMUNICATIVE ETHICS REVISITED

I have argued that a communicative approach to environmental ethics cannot be based either on the idea that nonhuman entities enter into communicative relations with humans nor on the view that nature has no ontological reality apart from how it has been "socially constructed." The strategy followed here has been to argue that while nonhuman entities are indeed incapable of entering into human discourse on ethical issues, it is nonetheless possible for humans to extend moral consideration to all beings, both human and nonhuman, which they have interactions with. Humans will unavoidably destroy parts of nature to maintain their own existence, which renders any attempt to base environmental ethics on a concept of "intrinsic value" problematic. A communicative approach to environmental ethics suggests that moral judgments must be made in particular situations to determine when it is permissible or impermissible to destroy nature for human purposes. Nature, as it exists apart from human interactions, occupies a sphere of autonomy which requires no justification to be simply left alone. What requires justification are human actions which intrude on this autonomy.

Ethical deliberation in this view concerns itself exclusively with human

[54] Sylvan and Bennett, *The Greening of Ethics*, p. 147.

actions and such actions can only be justified if good reasons can be given for why one course of action is considered preferable to another. A communicative approach to ethics is essentially "procedural" in that it concerns itself more with the process by which moral judgments are made than with their content. Precisely because the specific norms which will be adopted cannot be determined prior to an actual dialogue on those norms conducted within particular discursive communities, a communicative approach is incapable in and of itself of generating arguments in favor of one course of action over another in specific situations. The merit of the communicative approach, however, is that it opens up space in which moral judgments can be proposed, deliberated on, and subjected to public scrutiny and debate. Minimally a communicative ethic requires that all of those (humans) who are affected by the implementation of a particular norm should be able to participate in the communicative process by which that norm is decided upon, but this does not entail, as has been argued, that only such participants should be accorded moral consideration. It has nonetheless been suggested that the communicative process should concern itself not only with reaching intersubjective agreement among the participants on the norms to be followed, but also with the objective consequences which the implementation of those norms may have on both human and nonhuman others.

Since the extensive literature on space exploration includes virtually nothing on the environmental ethics associated with it, this collection represents a scholarly landmark. Hargrove is to be commended for launching into this new area of ethical inquiry, just as he did in founding the journal, Environmental Ethics.

—KRISTIN SHRADER-FRECHETTE

Beyond Spaceship Earth:

Environmental Ethics and the Solar System

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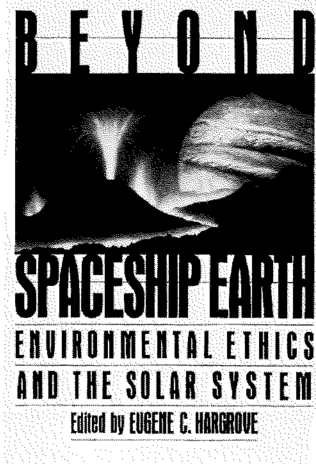

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