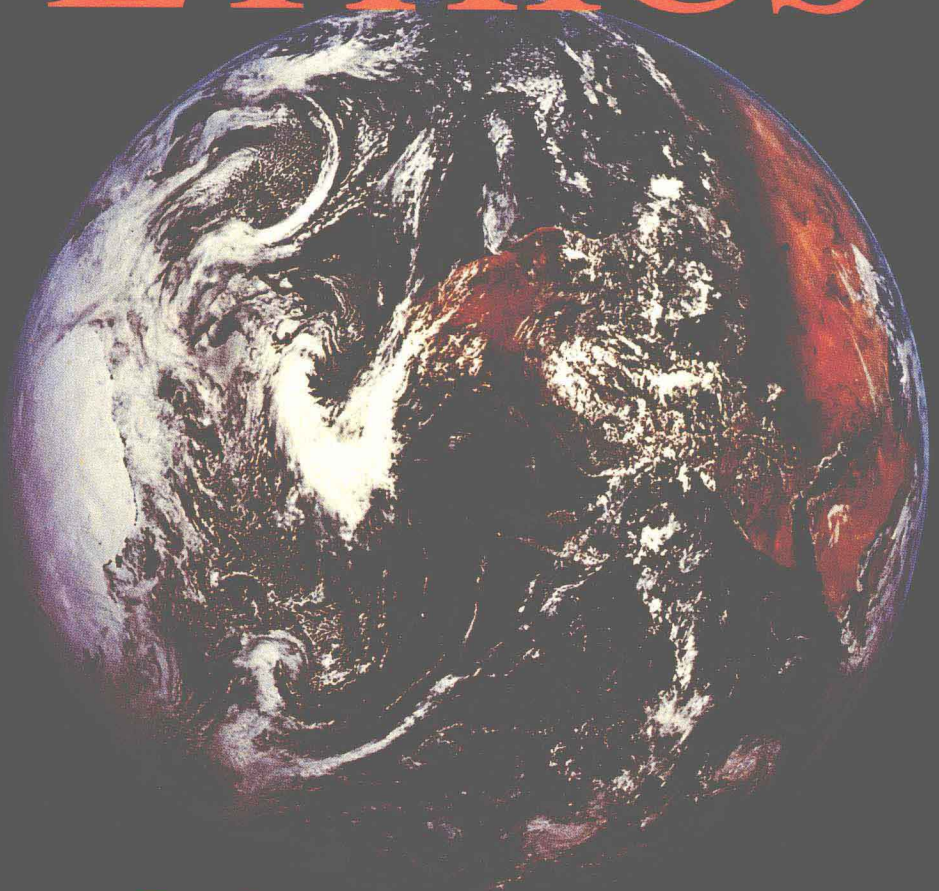


EARTH ETHICS



**Environmental Ethics,
Animal Rights, and
Practical Applications**

❧ Earth Ethics ❧

*Environmental Ethics,
Animal Rights,
and Practical Applications*

Edited by

JAMES P. STERBA

UNIVERSITY OF NOTRE DAME



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EARTH ETHICS

*To all my nonhuman friends,
past and present*

❧ Preface ❧

I got the idea for this anthology after attending an exciting workshop on environmental ethics directed by Eugene Hargrove, long time editor of the journal *Environmental Ethics* and author of *The Foundations of Environmental Ethics* (1989), and Max Oelschlaeger, author of *The Idea of Wilderness* (1991). Some of the people who attended the workshop had taught environmental ethics for a number of years; others were just beginning to teach in the field. In the course of the workshop, every anthology published in environmental ethics was discussed, and every one of them was judged seriously defective in one respect or another.

Some anthologies were outdated, others were one-sided or limited in scope, either focusing exclusively on animal rights/liberation or exclusively on environmental ethics, narrowly conceived, while ignoring altogether the topic of animal rights/liberation. Other anthologies were difficult to teach from because their readings could not be related easily to each other. It was then that I resolved to put together this anthology.

While this anthology was in preparation, a number of new anthologies have come on the market. Although these anthologies are up to date, most still suffer from the other deficiencies I mentioned; that is, they are either one-sided or their readings do not allow for a continuous development of the central arguments concerning animal rights/animal liberation and environmental ethics.

Earth Ethics avoids all these deficiencies. It contains ample up to date readings on both animal rights/animal liberation and environmental ethics that relate well to each other. In addition, its introduction clarifies the arguments of the readings and provides useful critical comment. There are also selections on ecological feminism and practical applications. And all the readings have been class tested and edited for accessibility.

In putting together this anthology, I have benefited from the advice and help of many different people. Special thanks go to Eugene Hargrove, Max Oelschlaeger, Holmes Rolston III, George Sessions, Karen Warren, and Laura Westra. Thanks also go to Maggie Barbieri, Leona Maxwell, and my wife and fellow philosopher, Janet Kourany. I would also like to thank the following reviewers: Judith Andre of Michigan State University, Joseph Grange of the University of Southern Maine, Baylor Johnson of Saint Lawrence University, William Stephens of Creighton University, Nebraska, and Brian Stevenson of Gonzaga University, Washington.

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❧ Introduction ❧

JAMES P. STERBA

Each day on this planet, 35,000 people die of starvation, 26,000 of them are children; yet enough food is raised each year to feed not only the current human population of 5.2 billion but also the population of 6.1 billion expected by the year 2000.

Each day, 57 million tons of topsoil are lost to erosion. In the past 100 years, one-third of the topsoil on American farms has been stripped from the land.

Each day, there are 70 square miles more of desert. Already, one-third of the world's cropland is threatened by desertification.

Each day, there are 116 square miles less tropical forest—an area larger than Maine or Indiana.

Each day, between 10 to 100 species of life become extinct. Three-fourths of the 9,000 known bird species in the world are declining in numbers or are threatened with extinction.

Each day, at least 1.5 million tons of hazardous waste will be “disposed of” by being released into our air, water, and land, and Americans will throw away enough garbage to fill the Superdome in New Orleans two times.

Each day, 14 million chickens and 300,000 cows, pigs, and sheep are slaughtered in the United States alone, and 64 percent of the total U.S. grain crop is fed to livestock.¹

These are just some of the environmental problems that we face each day. The question is what should we be doing about them? This anthology has been created to help you acquire some of the knowledge that you will need to answer this question from a moral perspective. The central question of earth ethics is: What does morality require with respect to the particular environmental problems that we face? To answer this question, you should first know what it means to take a moral approach to any practical problem.

THE ESSENTIAL FEATURES OF A MORAL APPROACH TO PRACTICAL PROBLEMS

To begin with, a moral approach to practical problems must be distinguished from various nonmoral approaches. Nonmoral approaches to practical problems include the *legal approach* (what the law requires with respect to this practical problem), the *group-or self-interest approach* (what the group- or self-interest is of each of the parties affected by this problem), and the *scientific approach* (how this practical problem can best be accounted for or understood). To call these approaches nonmoral, of course, does not imply that they are immoral. All that is implied is that the requirements of these approaches may or may not accord with the requirements of morality.

What, then, essentially characterizes a moral approach to practical problems? I suggest that there are two essential features to such an approach:

1. The approach is prescriptive, that is, it issues in prescriptions, such as “do this” and “don’t do that.”
2. The approach’s prescriptions are acceptable from the standpoint of everyone affected by them.

The first feature distinguishes a moral approach from scientific approach because a scientific approach is not prescriptive. The second feature distinguishes a moral approach from both a legal approach and a group- or self-interest approach because the prescriptions that accord best with the law or serve the interest of particular groups or individuals may not be acceptable from the standpoint of everyone affected by them.

Here the notion of “acceptable” means “ought to be accepted” or “is reasonable to accept” and not simply “could be accepted.” Understood in this way, certain prescriptions may be acceptable even though they are not actually accepted by everyone affected by them. For example, a particular welfare program may be acceptable even though many people oppose it because it involves an increased tax burden. Likewise, certain prescriptions may be unacceptable even though they have been accepted by everyone affected by them. For example, it may be that most women have been socialized to accept prescriptions requiring them to fill certain social roles even though these prescriptions are unacceptable because they impose second-class status on them.

ALTERNATIVE MORAL APPROACHES TO PRACTICAL PROBLEMS

Using the two essential features of a moral approach to practical problems, let us consider three principal alternative moral approaches to practical problems: a *Utilitarian Approach*, an *Aristotelian Approach*, and a *Kantian Approach*.² The basic principle of a Utilitarian Approach is: *Do those actions that maximize the net utility or satisfaction of everyone affected by them.*

A Utilitarian Approach qualifies as a moral approach because it is prescriptive and because it can be argued that its prescriptions are acceptable from the standpoint of everyone affected by them since they take the utility or satisfaction of all those individuals equally into account.

To illustrate, let’s consider how this approach applies to the question of whether individual A should aid individual B when A’s choice would have the following consequences:

	Individual A’s Choice	
	<i>Aid</i>	<i>Don’t Aid</i>
Net utility to A	4 units	8-1/2 units
Net utility to B	2 units	-2 units
Total utility	6 units	6-1/2 units

Given that these are all the consequences that are relevant to individual A’s choice, a Utilitarian Approach favors A’s not aiding B. Note that in this case, the choice favored by a Utilitarian Approach does not conflict with the self-interest of A, although it does conflict with the self-interest of B.

But are such calculations of utility possible? Admittedly, they can be difficult to make, but even large-scale calculations of utility seem to serve as a basis for public discussion. Once President Reagan, addressing a group of African-American busi-

ness leaders, asked whether African-Americans were better off because of the Great Society programs, and although many disagreed with the answer he gave, no one found his question unanswerable.³ Thus faced with the exigencies of measuring utility, a Utilitarian Approach simply counsels that we do our best to determine what maximizes net utility and act on the result.

The second approach to be considered is an Aristotelian Approach. Its basic principle is: *Do those actions that would further one's proper development.* This approach also qualifies as a moral approach because it is prescriptive and because it can be argued that its prescriptions are acceptable from the standpoint of everyone affected by them.

There are, however, different versions of this approach. According to some versions, each individual can determine his or her proper development through the use of reason. Other versions disagree. For example, many religious traditions rely on revelation as a guide to proper development. However, although an Aristotelian Approach can take different forms, I want to focus on what is probably its philosophically most interesting form. That form specifies proper development in terms of virtuous activity and understands virtuous activity to preclude intentionally doing evil that good may come of it. In this form, an Aristotelian Approach conflicts most radically with a Utilitarian Approach, which requires intentionally doing evil whenever a *greater* good would come of it.

The third approach to be considered is a Kantian Approach. This approach has its origins in seventeenth- and eighteenth-century social contract theories, which tended to rely on actual contracts to specify moral requirements. However, actual contracts may or may not have been made, and, even if they were made, they may or may not have been moral or fair. This led Immanuel Kant to resort to hypothetical contracts to ground moral requirements. A difficulty with this approach is in determining under what conditions a hypothetical contract is fair and moral. Currently, the most favored Kantian Approach, developed by John Rawls, is specified by the following basic principle:

Do those actions that would unanimously be agreed to from the standpoint of individuals behind an imaginary veil of ignorance.⁴

This imaginary veil extends to most particular facts about individuals—anything that would bias choice or stand in the way of a unanimous agreement. Accordingly, the imaginary veil of ignorance would mask the knowledge of an individual's native or social assets, but not the knowledge of such general information as would be contained in political, social, economic, psychological, or biological theories. A Kantian Approach qualifies as a moral approach because it is prescriptive and because it can be argued that its prescriptions would be acceptable from the standpoint of everyone affected by them since they would be agreed to from the standpoint of everyone affected by them from behind an imaginary veil of ignorance.

To illustrate the approach, let's return to the example of individual A and individual B used earlier. The choice facing individual A was the following:

	Individual A's Choice	
	<i>Aid</i>	<i>Don't Aid</i>
Net utility to A	4 units	8-1/2 units
Net utility to B	2 units	-2 units
Total utility	6 units	6-1/2 units

Given that these are all the consequences relevant to individual A's choice, a Kantian Approach favors aid because from the standpoint of individuals behind an imaginary veil of ignorance one would have to consider that one might turn out to be individual B, and in that case, it would not be in one's interest to be so disadvantaged for the greater benefit of individual A. This resolution conflicts with the resolution favored by a Utilitarian Approach and the self-interest of A, but not with the self-interest of B.

ASSESSING ALTERNATIVE MORAL APPROACHES

Needless to say, each of these moral approaches has its strengths and weaknesses. The main strength of a Utilitarian Approach is that once the relevant utilities are determined, there is an effective decision-making procedure that can be used to resolve all practical problems. After determining the relevant utilities, all that remains is to total the net utilities and choose the alternative with the highest net utility. The basic weakness of this approach, however, is that it does not give sufficient weight to the distribution of utility among the relevant parties. For example, consider a community whose members are equally divided between Those Privileged and Those Subordinated facing the following alternatives:

	<i>Alternative A</i>	<i>Alternative B</i>
Net utility to Those Privileged	5-1/2 trillion units	4 trillion units
Net utility to Those Subordinated	1 trillion units	2 trillion units
Total utility	6-1/2 trillion units	6 trillion units

Given that these are all the relevant utilities, a Utilitarian Approach favors Alternative A even though Alternative B provides a higher minimum payoff. And if the utility values for two alternatives were:

	<i>Alternative A</i>	<i>Alternative B</i>
Net utility to Those Privileged	4 trillion units	5 trillion units
Net utility to Those Subordinated	2 trillion units	1 trillion units
Total utility	6 trillion units	6 trillion units

a Utilitarian Approach would be indifferent between the alternatives, despite the fact that Alternative A provides a higher minimum payoff. In this way, a Utilitarian Approach fails to take into account the distribution of utility among the relevant parties. All that matters for this approach is maximizing total utility, and the distribution of utility among the affected parties is taken into account only insofar as it contributes toward the attainment of that goal.

By contrast, the main strength of an Aristotelian Approach in the form we are considering is that it limits the means that can be chosen in pursuit of good consequences. In particular, it absolutely prohibits intentionally doing evil that good may come of it. However, although some limit on the means available for the pursuit of good consequences seems desirable, the main weakness of this version of an Aristotelian Approach is that the limit it imposes is too strong. Indeed, exceptions to this limit would seem to be justified whenever the evil to be done is:

1. Trivial (e.g., stepping on someone's foot to get out of a crowded subway).
2. Easily repairable (e.g., lying to a temporarily depressed friend to keep her from committing suicide).

3. Sufficiently outweighed by the consequences of the action (e.g., shooting one of 200 civilian hostages to prevent in the only way possible the execution of all 200).

Still another weakness of this approach is that it lacks an effective decision-making procedure for resolving practical problems. Beyond imposing limits on the means that can be employed in the pursuit of good consequences, the advocates of this approach have not agreed on criteria for selecting among the available alternatives.

The main strength of a Kantian Approach is that like an Aristotelian Approach, it seeks to limit the means available for the pursuit of good consequences. However, unlike the version of the Aristotelian Approach we considered, a Kantian Approach does not impose an absolute limit on intentionally doing evil that good may come of it. Behind the veil of ignorance, it would surely be agreed that if the evil were trivial, easily repairable, or sufficiently outweighed by the consequences, there would be an adequate justification for permitting it. On the other hand, it would appear that the main weakness of a Kantian Approach is that although it provides an effective decision-making procedure for resolving some practical problems, such as the problem of how to distribute income and wealth and the problem of distant peoples and future generations, it will not work for the problems of animal rights and environmental justice. For how are we to imagine animals and plants choosing behind the veil of ignorance?

But while it may be difficult, if not impossible, to imagine ourselves being animals and plants, it does seem possible to formulate a Kantian Approach more generally so as to allow for the possibility that the interests of nonhumans could count. So formulated, the basic principle of a Kantian Approach would be:

Do those actions that are acceptable (i.e., ought to be accepted) from the standpoint of all those affected by them.

Given this formulation, actions would be acceptable from the standpoint of nonhumans if *human* advocates of the interests of nonhumans, acting reasonably, accepted such actions, just as actions would be acceptable from the standpoint of nonrational humans if human advocates of the interests of nonrational humans, acting reasonably, accepted such actions.

Yet, while it is possible to formulate a Kantian Approach to practical problems in a way that allows for possibility that the interests of nonhumans count, the questions to consider are: Should they count? Should some count but not others? To what degree should they count, if any should count at all? In fact, most of the debate within earth ethics, whether it is focused on animal liberation/rights or more broadly on our obligations to the environment (environmental ethics), has been directed at just these questions.

ANIMAL LIBERATION AND ANIMAL RIGHTS

Relatively recently, those raising these questions with respect to nonhuman animals began to attract widespread public attention. Beginning with the 1973 publication of Peter Singer's article, "Animal Liberation," in the *New York Review of Books*, followed by the publication two years later of his book of the same title, people have become increasingly concerned with two of the most serious forms of animal exploitation: factory farming and animal experimentation.

In factory farming, millions of animals are raised in such a way that their short lives are dominated by pain and suffering. Veal calves are put in narrow stalls and tethered with a chain so that they cannot turn around, lie down comfortably, or groom themselves. They are fed a totally liquid diet to promote rapid weight gain, and they are given no water because thirsty animals eat more than those who drink water. Animal experimentation is also a big business, involving 60 to 100 million animals a year. Two experiments alone—the rabbit-blinding Draize eye test and the LD50 toxicity test designed to find the lethal dose for 50 percent of a sample of animals—cause the deaths of more than 5 million animals per year in the United States alone. The practices of factory farming and animal experimentation are discussed in detail in Selections 1 and 2.

In Selection 3, Peter Singer argues for the liberation of animals by comparing the bias against animals, which he calls “speciesism,” with biases against blacks and women. According to Singer, the grounds we have for opposing racism and sexism are also grounds for opposing speciesism because all forms of discrimination run counter to the principle of equal consideration. Racists violate this principle by giving greater weight to the interests of members of their own race in cases of conflict; sexists violate this principle by giving greater weight to the interests of members of their own sex in cases of conflict; and speciesists violate this principle by giving greater weight to the interests of members of their own species in cases of conflict.

Animals have interests, Singer maintains, because they have a capacity for suffering and enjoyment. According to the principle of equal consideration, there is no justification for regarding the pain animals feel as less important than the same amount of pain (or pleasure) humans feel. As for the practical requirements of this view, Singer contends that we cannot go astray if we give the same respect to the lives of animals that we give to the lives of humans at a similar mental level. In the end, Singer thinks, this will require us to make radical changes in our diet, the farming methods we use, experimental procedures in many fields of science, our approach to wildlife and to hunting, trapping, and the wearing of furs, and areas of entertainment like circuses, rodeos, and zoos.

In Selection 4, R. G. Frey develops in great detail one line of argument against Singer’s defense of animal liberation. It is that utilitarianism does not ultimately support a strong case for animal liberation for several reasons. First, by Singer’s own omission, it is permissible to eat farm animals, typically cattle and sheep, that are reared and killed without suffering. Second, Singer’s objection to the suffering inflicted on animals in factory farms can be overcome by reforming the practices used on such farms rather than by requiring us to become vegetarians. Third, a radical turn to vegetarianism would probably result in the elimination of most farm animals as we know them because they certainly cannot survive in the wild. This would also seriously disrupt and/or eliminate many industries and social practices, resulting in significant disutility.

Responding to these criticisms in an article in the *New York Review of Books*, Singer makes two points. First, he claims that adopting vegetarianism would improve people’s general health, eliminate Third World poverty, and create new and beneficial industries and social practices. Second, Singer claims that in political campaigning, opposition to the current techniques of factory farming is not taken seriously unless one is also a committed vegetarian. According to Singer, only vegetarians can silence that invariable objection to reforming our treatment of animals: But don’t you eat them?

Nevertheless, Singer’s response turns on the effects vegetarianism would have on human welfare and on the political effectiveness of being a vegetarian rather than on

its direct impact on animal welfare. However, it is in terms of its direct impact on animal welfare that the case for animal liberation must ultimately be made.

Another difficulty with Singer's view is the concern that in calculating what maximizes overall utility, qualitative differences between human and animal interests might not always lead us to favor human over animal interests. If that were the case, then, even though in theory nonhuman animals would count, they would not count in practice because their interests would always be outweighed by human interests.

To avoid this difficulty, Tom Regan, in Selection 5, adopts a different approach to defending animal liberation. According to Regan, what is fundamentally wrong with our treatment of nonhuman animals is that it implies that they are simply resources for our use. Regan begins by considering how the moral status of animals has been understood by people who deny that animals have rights.

Regan first considers the view that all of our duties toward animals are indirect, ultimately grounded in duties to other human beings. This view holds that animals do not have an independent moral status. Regan argues that this view cannot be supported on the grounds that animals feel no pain or that only human pain matters. Nor can this view be supported, Regan argues, on the basis of contractarianism because contractarianism is inadequate even in accounting for the moral status of human beings.

Regan next considers the view that we do have direct duties toward animals but that these duties do not support animal rights. According to this view, animals do have an independent moral status, but that status falls short of having rights. In one interpretation of this view, we have direct duties to be kind and not cruel to animals, but nothing more. Regan argues, however, that this interpretation does not suffice for an account of right action. In another interpretation of this view, our duties toward animals are simply a consequence of what maximizes overall utility. But, as noted previously, Regan believes that the aggregative requirement of utilitarianism will lead us to act unjustly and at least sometimes ignore animal rights. The correct grounding for our duties to animals and their rights against us, Regan argues, is their inherent value, which they possess, equally with ourselves as experiencing subjects of life. Because animals, who are experiencing subjects of life, are entitled to equal respect, Regan argues that we should totally abolish the use of animals in science, end commercial animal agriculture, and eliminate both commercial and sport hunting and trapping. To those who might concede that animals have inherent value but to a lesser degree than humans, Regan argues that this view would only be defensible if similarly deficient humans were also seen as having less inherent value—a stance Regan feels his opponents are not willing to take.

One obvious difficulty with Regan's view is its absolutist character. According to Regan, it is always wrong to sacrifice a few animals, or even just one animal, to save the lives of countless others, even if this were the only way to develop a general cure for cancer, for example. However, it is difficult to see why such absolutism is needed to ground animal rights, for surely it is possible to reject utilitarianism without endorsing absolutism. In fact, this is just the way we interpreted earlier a Kantian Approach to practical problems.

Another difficulty with Regan's view is that it is not clear why only *experiencing* subjects of life have inherent value and not all subjects of life. This particular challenge to Regan's view is taken up by Paul Taylor in Selection 9.

In Selection 6, R. D. Guthrie defends an anthropocentric environmental ethics according to which nonhuman living things do not have any independent moral

status, rather their moral status depends entirely on the impact they have on the human community—a view that Regan argued against. In favor of the view, Guthrie argues that it is both illogical and impractical to extend moral concern beyond the human community. Given that we already recognize the relationships of nonhuman organisms to each other and to ourselves to be nonmoral, Guthrie claims that it is illogical to think our relationship to nonhuman organisms is anything but nonmoral as well. Moreover, he argues that it would be impractical for us to have to weigh the effects our actions are having on nonhuman organisms whenever we are deciding what we should do.

Yet while it is true that only moral agents, like ourselves, can recognize moral value, why should we think that we are the only ones who *have* moral value? Surely things can have moral value without being able to recognize moral value, in fact, some humans are like that. Of course, weighing the welfare of nonhuman organisms against our own will make our deliberations more complicated, but it need not render them impractical, if we can devise some reasonable weighing principles. In Selection 18, I argue for principles of this sort.

In Selection 7, Mary Midgley rejects the idea that until recently human (moral) communities have excluded animals. Rather, she argues that from prehistoric times we have lived in mixed communities with animals. Our relationship with animals, she contends, has been based on a natural sympathy we have which enables us to cross the species barrier and understand and empathize with the perspectives of other animals. One question raised by Midgley's account is: Given our capacity for sympathetically empathizing with the members of other species, how should we exercise that capacity? Or put another way, what sort of mixed communities should we be forming with the members of other species?

Desmond Stewart's short story, Selection 8, suggests that many of the mixed communities that we have tended to form with other animals are far from moral, unless, that is, we are willing to concede the "morality" of more powerful beings doing to us what we are currently doing to other animals. In Stewart's short story, invading Troogs acquire a taste for eating human flesh, hunting human animals, and raising human pets. The implication of the story is that what the Troogs are doing is wrong, but then how can it be wrong given that it closely parallels what we are doing to other animals? (In the story the Troogs even acquire their new practices by imitating us!)

It is important to note that the force of Stewart's argument by analogy does not depend on there actually being an invasion of Troog-like creatures. The argument has the form: If what we are doing to animals is justified, then, what the Troogs are depicted as doing to humans *would be* justified as well, or, if what the Troogs are depicted as doing to humans *would not be justified*, then what we are doing to animals is not justified. This is a powerful argument that can only be undercut if there are relevant differences between ourselves and other animals that would justify our treatment of them, and if there are no relevant differences between ourselves and Troog-like creatures that would justify their treatment of us.

RESPECT FOR NATURE

In Selection 9, Paul W. Taylor presents the following argument:

1. Humans are members of the earth's community of life.
2. All living things are related to one another in an order of interdependence.