A Vital-Needs Environmental Ethic: Reconciling Animal Rights and Human Needs[1]

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The emergence of an ecological consciousness is not in itself enough to resolve the issue of our treatment of non-human creatures. An ethical principle of a non-exploitative, sustainable civilization is the right of all sentient beings to exercise their natural powers in pursuit of their flourishing as individuals. To this end, this essay articulates the "vital-needs rights view" as a philosophical basis for reconciling animal rights with the satisfaction of human vital needs. The vital-needs rights view supports a defensible environmental ethic. Only by ascribing rights to sentient animals can an environmental ethic avoid an unacceptable degree of anthropocentrism. This is because only a rights-based environmental ethic can prohibit humans from significantly interfering with sentient animals where human vital needs are not at stake. Further, a rights view that permits significant interference where this is required for the satisfaction of human vital needs avoids problems that would otherwise plague a rights view. This rights-based environmental ethic suggests an alliance of animal rights with ecofeminism and with deep ecology, and necessitates an understanding of the connections among vital needs, capitalism, and environmental degradation.

KINDRED SPIRITS OR PREY?

There is an elephant in the room, one that most environmentalists have ignored. That elephant is the moral status of (non-human) animals. The present treatment of animals is both a moral atrocity and an environmental disaster. The industrial exploitation of animals has become a prime threat to the sustainability of ecosystems. Meat production is a major contributor to greenhouse-gas emissions, rainforest destruction, loss of biodiversity, and water pollution – not to mention contributing to world hunger through its massively inefficient use of agricultural resources. Although the environmental movement has been slow to acknowledge the relationship between the industrial exploitation of animals and ecological

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[1] A different version of this essay, titled "Animal Rights and Human Needs", was published in *Environmental Ethics* 18 (1996): 249–64.

devastation, that is beginning to change. What remains generally unacknowledged is the moral dimension of treating animals as property and as objects of exploitation. A fork confronts us in the path to a sustainable global civilization: a choice either to continue domination and exploitation in a green guise or to adopt a new ethic that recognizes all sentient beings as members of the moral community.

Since Darwin, and with recent findings in ethology and cognitive science, insistence on an essential difference between humans and other animals has become increasingly untenable. Unfortunately for those who wish to uphold the dogma of "human exceptionalism" – the idea that human beings possess some quality that sets all humans apart from all animals and endows all humans with a special moral worth – not just science but most good philosophical arguments come down on the side of recognizing many animals as full members of the moral community, or at a minimum on the side of drastic reform to current practices. In particular, what is called *the argument from marginal cases* (or, alternatively, the argument from species overlap) is devastating to nearly all traditional positions. The argument from marginal cases rests on the observation that there exists an overlap between humans and non-humans with regard to mental attributes that are typically invoked to include humans in the moral community and exclude animals from it. Not all humans can reason better than animals; not all humans are moral agents; not all humans can imagine an extended future for themselves or have a sophisticated conception of self. Many animals exhibit more autonomy than many humans do, in the sense that they are better able to care for themselves and to navigate successfully through their natural and social environments.

The attempt to evade the argument from marginal cases and to include all humans, and only humans, in the moral community by appealing to the typical attributes of members of the human species appears arbitrary and inconsistent.[2] Philosophers who would deny non-humans entry into the moral community based on their alleged radical *otherness* therefore must resort to some contract theory of morality – which still may not always guarantee protection for all humans – or must contort themselves mightily in order to draw a convoluted line in the sand between all humans and all non-humans.

Although world developments are forcing a shift to ecological consciousness, the insistence on human supremacy and on the right to exploit other sentient life will not go quietly. Instead, the traditional view that justified that exploitation – a radical distinction between the natural world and the world of human intellect

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[2] Nathan Nobis, "Carl Cohen's 'Kind' Arguments *For* Animal Rights and *Against* Human Rights", *Journal of Applied Philosophy* 21 (2004): 43–59.

and culture – is being replaced with what I have called "the new argument from nature".[3] This view justifies domination by insisting on an overlap between nature and culture. As natural beings, the new story goes, we retain our prerogatives as top predators, even while culture supervenes to limit the morally acceptable ways we can treat each other. We respect and have obligations to nature in terms of preserving and enhancing ecosystemic values, but non-humans remain excluded from the moral community.[4] Perversely, it is now our intimate natural connectedness with non-humans, rather than their radical otherness, that renders them legitimate objects of exploitation.

The new argument from nature, then, offers a possible escape from the looming spectre of moral inclusiveness. It denies that the intrinsic qualities of those outside the human community can give them any claim to equal moral standing with us. What counts is not the capacity to suffer or even, in the last analysis, the capacity to reason, but rather the ecological niche of one's species. It is right that we hunt, kill, eat, exploit, and experiment upon members of other species for the simple reason that that's how nature works: it's us against them, and luckily for us, in a world of predators and prey, we are the top predators. The strategy here is not to draw a line in the sand between human and non-human qualities, but to erase or blur the line in order all the better to let loose the beast in the human. At the same time, this letting loose is presented as virtuous – as facilitating the development of those positive traits of character that, paradoxically perhaps, make us truly human.

The new argument from nature differs from social Darwinism in that it is not about competition within human society or about progress; its focus is ecological process and balance. Its common refrain is that moral rights have no ecological meaning or applicability. Animals can have no moral claims against each other, and insofar as our interactions with animals (such as hunting and eating) are *natural*, no claims can be made against us. At the same time, proponents of the new argument are likely to lament industrial society's tendency to view the natural world as simply raw material for the production process.

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[3] Angus Taylor, "Electric Sheep and the New Argument from Nature", in Jodey Castricano, ed., *Animal Subjects: An Ethical Reader in a Posthuman World* (Waterloo: Wilfrid Laurier University Press, 2008).

[4] See, for example, Holmes Rolston, III, "Challenges in Environmental Ethics", in Michael Zimmerman et al., eds., *Environmental Philosophy: From Animal Rights to Radical Ecology*, (Englewood Cliffs, N.J.: Prentice Hall, 1993), p. 142. See also Holmes Rolston, III, *Environmental Ethics: Duties to and Values in the Natural World* (Philadelphia: Temple University Press, 1988).

We see then that the emergence of an ecological consciousness is not in itself enough to guarantee significant moral standing to any of the non-human individuals with whom we share this planet. The drive to dominate and exploit others may still prevail in an ostensibly green world. The moral issue, we may say, is whether we are to relate to other sentient creatures as kindred spirits or as prey. In what follows, I outline an environmental ethic that reconciles the flourishing of ecosystems with the right of sentient beings to pursue their individual flourishing. The root of this ethic I call the vital-needs rights view.

RIGHTS, SENTIENCE, AND VITAL NEEDS

The vital-needs rights view emphasizes the fundamental right of sentient beings to live as they see fit, each exercising its natural powers in pursuit of what it sees as its own good, and the role of human vital needs in facilitating and limiting the exercise of this right. To this end the vital-needs rights view incorporates an *interference principle*, to the effect that we may interfere with sentient beings only where we must do so to protect ourselves from harm.[5] More precisely, *we may significantly interfere with sentient beings only in self-defence, or where satisfaction of our vital needs requires such interference.* Significant interference is to be understood as infliction of physical or psychological injury, or restriction of a being's exercise of its natural powers in its pursuit of satisfying its vital needs.

By "vital needs" I mean those factors essential not just for survival but for physical and psychological well-being. (The word "vitality" suggests living well or vigorously.) For human beings, vital needs include having adequate nutrition, clothing, and shelter. Among other human vital needs can be listed having freedom of movement, freedom of association and communication, access to medical care, a basic level of education, satisfying work, and ample rest. If having a flourishing natural environment is also a human vital need, as I believe it is, then the rights of individual sentient beings may on occasion be overridden to satisfy this need. On this score, and because it enjoins us to let animals live according to their natures wherever satisfaction of our vital needs does not dictate otherwise, the vital-needs rights view is inherently conducive to the flourishing of the natural environment.

The vital-needs rights view evaluates specific forms of human interaction with the non-human world in historical context. Food, clothing, and shelter are

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[5] The interference principle can be seen as an extension of John Stuart Mill's principle that "the sole end for which mankind are warranted, individually or collectively, in interfering with the liberty of action of any of their number, is self-protection." Mill, *On Liberty* (New York: Norton, 1975), p. 10. But liberty, on a rights view, is not to be justified on utilitarian grounds.

always needed to sustain human life, but the materials involved – what materials can be appropriated from the natural environment, which of these are required to sustain life, and which of these can be done without – vary historically with the level of technology. Further, with the development of civilization, there arise new sorts of interactions with social and natural environments that are necessary if people are to live well. Today, as compared with earlier eras, new possibilities for exercising human faculties mean that what counts as a decent quality of life requires, among other things, more extensive freedom of association and communication, as well as access to greater levels of education and medical care. Two human vital needs – having adequate nutrition and having a flourishing natural environment – especially affect our relations with animals. In the case of nutrition, science can specify fairly precisely the requisite standards and materials for human well-being. On the other hand, what constitutes an adequately flourishing natural environment is less clear.

Why frame the issue of our proper treatment of animals in terms of their rights? Traditionally, moral rights have been ascribed in principle only to rational beings who can enter into agreements and articulate resulting claims against each other. However, the fact that moral rights are commonly ascribed also to human beings who fail to measure up (young children, the senile, and so forth) suggests the traditional criterion is inadequate. Even so, some philosophers who maintain that we have direct duties to animals are leery of ascribing rights to them. Paul W. Taylor, for example, says that the language of rights adds nothing to the concept of our having duties to animals (and plants, too, in his opinion) on the basis of the inherent worth of these beings. Because they do not possess the attributes that characterize moral agents, he is reluctant to employ the language of rights in their case, though he does not rule it out.[6] For her part, Mary Midgley has suggested that, given the baggage of contract it has accumulated, the language of rights is probably not worth fighting for in the context of our relations to the non-human world, and we might better speak in terms of our duties.[7]

To do so would not affect the substance of my argument, and those who wish may translate my talk of animal rights into the language of human duties. My feeling, however, is that the language of rights resonates powerfully in the public mind when it comes to refusing excuses for maltreating others. Philosophers alone are unlikely to change the world, though philosophy plays a necessary part. To say that many animals have rights is to make clear the claim that we are

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[6] Paul W. Taylor, *Respect for Nature* (Princeton: Princeton University Press, 1986), pp. 219–55.

[7] Mary Midgley, "Duties Concerning Islands", in Robert Elliot and Arran Gare, eds., *Environmental Philosophy* (St. Lucia: University of Queensland Press, 1983).

morally bound not to treat them as mere instruments or resources, that we may significantly interfere in their lives only if we have compelling reasons.

To refuse to attribute merely instrumental value to sentient life is not arbitrary. Sentient life is life that subjectively matters to itself. A sentient being (a being having at least consciousness enough to experience pleasure and pain) has intrinsic value in that it experiences what happens to it as good or bad for itself, and this valuing of its own experience is independent of its utility for others. This type of intrinsic value is here designated *inherent value*. This is the term used by Tom Regan, though Regan's attribution of inherent value is to creatures possessing a degree of self-consciousness greater than that implied by sentience per se.[8]

Non-sentient living beings can be said to matter to themselves non-subjectively in the sense that they are what has been called "teleological centers of life"[9]. And animate or not, things may play ecological roles; consequently they are likely to have great instrumental value to sentient beings. On either of these grounds one may choose to describe natural entities as possessing a type of "intrinsic value", so long as this is clearly distinguished from the particular kind of intrinsic value entailed by sentience.

Now, it may be that there is no sharp division between sentient and non-sentient life, but rather a grey area where sentience shades imperceptibly into non-sentience. On the other hand, it may be that sentience is a property that, in evolutionary terms, emerges suddenly at a certain level of complexity of biological organization. (There may thus be a sentience point of organization on the evolutionary scale, akin to the boiling point of water on the temperature scale.) In either case, sentience, comprising greater and lesser degrees of self-consciousness, appears as the flower of nature. That sentience arises out of, and is sustained by, non-sentient nature means that non-sentient nature should be treasured and the flourishing of ecosystems promoted.

There is no doubt that we can harm – do damage to – what is non-sentient, whether this be a tree or a river or an ecosystem. But the harm that we can do to non-sentient entities is of a kind different from that we do to sentient beings when we interfere in their lives in ways they desire to avoid. Not only do sentient beings try to avoid pain but, as evident from their behaviour, they are psychologically oriented to escape death and to pursue the goals appropriate to their kind – which tells against the idea that it is normally acceptable for us painlessly to kill healthy sentient beings lacking a high degree of self-awareness.

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[8] Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 2004). First edition published in 1983.

[9] See Taylor, *Respect for Nature*, pp. 119–29.

However, I shall not argue this point at length, my principal aim being to make the case that there is at least nothing self-contradictory, and much commendable, about an environmental ethic that ascribes rights, including a right to life, to all sentient individuals.

HOLISM AND RESPECT FOR INDIVIDUALS

Proponents of a holistic environmental ethic have generally subscribed to some interpretation of Aldo Leopold's much-quoted dictum that "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."[10] Of this position, Regan has said, "It is difficult to see how the notion of the rights of the individual could find a home within a view that, emotive connotations to one side, might be fairly dubbed 'environmental fascism'."[11] J. Baird Callicott, Leopold's present-day disciple, has sought to counter this charge, yet his attempted reconciliation of animal liberation and environmental ethics, even if it enjoins us to preserve species from destruction, leaves individual animals metaphorically out in the cold.[12]

It would be nonsense to hold that an environmental ethic that emphasizes ecological relations is necessarily fascist.[13] However, ecology's holism can lend itself to fascist interpretation, especially if combined with the idea of a natural struggle for existence. Fascism vehemently rejects the liberal concept of the independent worth of the individual human being, and the Marxist-socialist ideal of the equality of individuals, seeing both as contrary to nature, which is said to exhibit hierarchy and struggle, and subordination of the part to the whole. For fascism, a person has value only as a member of the biologically-based community, embodied in the state. Callicott has defended the view that "the moral worth of individuals (including, n.b., human individuals) is relative, to be assessed in accordance with the particular relation of each to the collective entity which Leopold called 'land'."[14] It is this sort of claim that lends plausibility to the charge of environmental fascism. In other writings, Callicott seems to draw back from suggesting that human individuals may justly be sacrificed on the altar of

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[10] Aldo Leopold, *A Sand County Almanac* (New York: Oxford University Press, 1966), p. 240.

[11] Tom Regan, *The Case for Animal Rights*, pp. 361-62.

[12] J. Baird Callicott, "Animal Liberation and Environmental Ethics: Back Together Again", in *In Defense of the Land Ethic* (Albany: State University of New York Press, 1989).

[13] See Michael E. Zimmerman, "Rethinking the Heidegger-Deep Ecology Relationship", *Environmental Ethics* 15 (1993): 195–224.

[14] J. Baird Callicott, "Animal Liberation: A Triangular Affair", *Environmental Ethics* 2 (1980): 327.

ecosystemic well-being, though it remains an article of faith that non-human individuals may be.

A rights-based environmental ethic would avoid the fascism problem. Further, only a rights-based ethic can be credibly non-anthropocentric, because only a rights-based ethic can prohibit human beings from significantly interfering, except where necessary, with the lives of (many) non-human beings. It might be said that the vital-needs rights view is anthropocentric in that it allows sometimes favouring the interests of human beings over the similar interests of non-humans. But I take this as a point in favour of this rights view, since it places humans on an equal footing with other animals in the matter of protecting themselves from harm. It thus refutes the charge that advocates of animal rights inevitably disregard our status as natural beings, who must struggle to survive. The weak sense of anthropocentrism implied by the vital-needs rights view is to be distinguished from anthropocentrism proper, which condones harming sentient non-humans even where the satisfaction of human vital needs does not require this.

Callicott points to the traditional ways of American Indian peoples as providing models for our interaction with non-human nature.[15] The form of respect that past aboriginal peoples had for the animals they exploited arose from a profound sense of kinship with everything around them. But the argument that we should therefore imitate their behaviour is thoroughly ahistorical. Hunter-gatherers needed "consumptively to utilize" animals in order to satisfy their requirements for adequate food, clothing, and shelter. It is disingenuous to point to such human communities in order to claim that today we can show respect for animals even when we subject them to needless harm. Today a renewed sense of kinship with the non-human creatures with whom we share the planet should lead us to abstain whenever possible from significantly interfering with sentient life.

Just-war theory holds that without the necessity of resort to war, there is no just cause. Application of this perspective to our interaction with animals leads to the conclusion that without the supportable claim of necessity, humans have no just cause to harm them. This ethical limitation on human behaviour can hardly be said to contradict the natural order of things. Many animals don't eat other animals, and the evidence is piling up that a well-rounded vegan diet is better for human health than one involving significant amounts of animal fat. Non-human animals that kill seldom kill except from necessity, and presumably do not have the same freedom of will that humans have. To attempt to justify the human use

[15] J. Baird Callicott, "Traditional American Indian and Western European Attitudes Toward Nature: An Overview", *Environmental Ethics* 4 (1982): 293–318.

of animals for food on the basis that, after all, some animals eat other animals, is a bad argument. Eating is a real need, but most of us have no real need to eat even free-ranging chickens or fish. The truth that our real needs can be satisfied (in part) by consuming animals must not be confused with the falsehood that we have a real need to consume animals.

The sometimes-expressed fear that universal veganism on the part of human beings, because it would mean a more efficient use of agricultural resources, would compound the human population explosion is just as naive as the idea that it would lead to a world overrun by cows and chickens. The Malthusian belief that more food translates directly into more people is refuted by the evidence. The affluent industrialized countries, where an adequate food supply is no problem for most inhabitants, are precisely those countries with the lowest rates of human reproduction.

Arguments against animal rights tend to assume that what is being advocated are positive rights that would require human beings to intervene in nature to promote the welfare of individual animals at the expense of ecosystems, and in violation of the predator-prey relationship. In a *reductio ad absurdum*, Mark Sagoff claims that animal liberationists must logically be committed to removing wild animals from the wild in order to care for them, providing them with heated dens, feeding birds imitation worms made of textured soybean protein, and so on.[16] A response might be that Sagoff greatly overstates the amount of suffering in the lives of wild animals, and that depriving these creatures of the possibility of living a natural existence is likely to prevent more pleasure than it will promote. But whatever its alleged merits on utilitarian grounds, intervention of the sort outlined by Sagoff is not entailed by the rights view, which does not claim that animals have a right to food, shelter, or medical care.

The basic injunction of the rights view is that, as far as possible, we should allow animals to live according to their own natures. Our duty is in the first place negative: not to intervene against their wills in the lives of others. Intervention is acceptable only when others desire us to intervene in their lives, or when we must intervene to prevent harm to ourselves or those who desire not to be harmed. A rights-based environmental ethic may accordingly enjoin us to intervene in nature to restore the conditions that facilitate the exercise of autonomy by animals; but this hardly seems at odds with promoting flourishing ecosystems.

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[16] Mark Sagoff, "Animal Liberation and Environmental Ethics: Bad Marriage, Quick Divorce", *Osgoode Hall Law Journal* 22 (1984): 297–307.

DO THE RELATIVE VALUES OF LIVES MATTER?

A notable dissent from the belief that animal rights and environmental ethics are incompatible has been registered by Mary Anne Warren.[17] She argues that the two can be reconciled, so long as it is recognized that the rights of animals are not as strong as those of human beings, and that the grounds for ascribing value to non-sentient life are not the same as for ascribing value to sentient life. Much of what Warren has to say on the subject is eminently sensible, and she makes a good case for holding (1) that the possession of sentience is a necessary and sufficient condition for possessing moral rights, and (2) that we have a duty to protect many things that do not possess moral rights, either because of their value to us, or because they have value as elements of the biosphere. However, her rights view, which she believes avoids the problems she finds in Regan's view, is not without difficulties of its own.

According to Regan, all who have inherent value have it equally. But if this is so, thinks Warren, an absurd consequence follows. "We are forced to say that either a spider has the same right to life as you and I do, or it has no right to life whatever – and that only the gods know which of these alternatives is true."[18] Rejecting the notion of equal rights, Warren suggests there exists a scale of intrinsic value among sentient beings, with humans at the top. "Human lives, one might say, have greater intrinsic value, because they are worth more to their possessors."[19]

The problem with Warren's position is twofold. In the first place, if non-human animals have lesser rights to life, liberty, and the pursuit of happiness than do humans, it is not clear what protection they are afforded by having rights. Warren says that a weaker right to life for animals enables us "to justify killing them when we have no other ways of achieving such vital goals as feeding or clothing ourselves, or obtaining knowledge which is necessary to save human lives."[20] However, if the upshot of animals' having weaker rights is that these rights can, as she suggests, be more easily overridden for utilitarian or environmental reasons, we run the risk in practice of erasing the distinction between rights and the sort of "respect" advocated by Callicott. This may be good news to some proponents of holism, but it should not be to anyone serious about animal rights.

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[17] Mary Anne Warren, "The Rights of the Nonhuman World", in Robert Elliot and Arran Gare, eds., *Environmental Philosophy* (St. Lucia: University of Queensland Press, 1983).
[18] Mary Anne Warren, "Difficulties with the Strong Animal Rights Position", in James E. White, ed., *Contemporary Moral Problems* (St. Paul: West, 1994), p. 420.
[19] Warren, "The Rights of the Nonhuman World", p. 116.
[20] *Ibid*., p. 117.

Second, there is the matter of deciding the relative values of different lives. How are we to trade off the lives of caribou against the lives of wolves? How much more is a human being's life, lived in a particular way, worth to that human being than the life of a rhinoceros is worth to that rhinoceros, and with what implications for the rhinoceros? Though human lives may normally be worth more, in some instances the claim is at least debatable. A whale's experiences may be qualitatively so different from ours as to make comparison of respective subjective values virtually impossible. John Stuart Mill thought it better to be a human being dissatisfied than to be a pig satisfied. But it is not obvious the pig would agree, even if it could acquire some notion of what it would be like to be human.[21] Any judgement we make about the subjective value of human life relative to the subjective value of non-human life is likely to be profoundly biased.

Regan's equality claim would not be credible if it were a claim about the richness or complexity of the experiences of different individuals, or the respective values they place on their own lives. But rather than saying that all sentient beings have equal inherent value, we may say that all sentient beings equally have inherent value. That is, they have inherent value in the same way, which is to say that what happens to the individual matters subjectively to the individual regardless of whether it matters to anyone else, and that as a result all such beings have the same prima facie right not to be treated as mere means to another's ends. Insofar as a moral agent is not compelled, for self-protection, to intervene in the life of another against the other's will, that agent has no right to do so.

By employing the interference principle, we avoid having to make judgements about the relative subjective values of the lives of different beings – judgements which with regard to non-human beings are inevitably tainted by anthropocentrism. A spider, if it is sentient, does indeed have the same prima facie right to liberty as you and I do. This right does not render sentient spiders immune from being harmed by human beings if the spiders interfere (albeit unwittingly) with human lives. As to whether spiders really are sentient, one can only decide in the light of whatever scientific evidence is available, or, lacking that, according to one's intuition. The decision arrived at is unreasonable only if there is reasonable evidence to the contrary.

It is not absurd to think that some beings may value their existences as much as we do even though we cannot be sure they value them at all. Imagine there is a humanoid robot that closely imitates the behaviour and responses of a human being. There might well be dispute among normal humans over whether this

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[21] See Edward Johnson, "Life, Death, and Animals", in Harlan B. Miller and William H. Williams, eds., *Ethics and Animals* (Clifton: Humana Press, 1983).

robot possesses consciousness, or is merely an immensely sophisticated Cartesian automaton. Hence we would have a situation where the robot either is likely to value its existence about as much as a normal human being, or else is incapable of valuing its existence at all, but where it is not at all clear which is the case.

Warren says we often must kill mosquitoes, we cannot reasonably be expected to sweep ants out of our path, and so forth, and thinks this requires ascribing different degrees of value to different kinds of life. But the point she makes about mosquitoes and ants surely indicates the answer to the problem of inflicting harm: we have the right to do so when we must. If I am attacked by a bear, my right to defend myself does not depend on an assessment of the bear's mental capacities, or the subjective richness of its experiences. The same goes in the case of a mosquito, or a human being. Even if mosquitoes are sentient, I have the right to defend myself against them. Even if ants are sentient, carrying on my life without unduly restricting my freedom of movement gives me the right to walk about without searching for ants to avoid stepping on them.

The vital-needs rights view does not obliterate the distinction between human and non-human lives in situations where we are forced to choose between having significant harm come to one or the other. In such situations it may be reasonable to take into consideration our feeling that human beings value their lives more than rats or ravens value theirs. But even before this, the interference principle condones our favouring humans. If it is a question of unavoidably having harm come either to a dog or to my child, I may justly favour my child, both (1) because any serious injury to my child is an injury to me, and (2) because I may act on my child's behalf – that is, as an instrument of my child's will not to be harmed.

Suppose, however, that I am misanthropic but quite fond of dogs. Suppose also that I find myself in a situation where I must choose between saving your child or my dog. (A case of this type would be rare, but not bizarrely so.) Am I doing wrong if I save my dog at the expense of your child? Admittedly, there is nothing in the vital-needs rights view per se that forbids such action when considered from my viewpoint alone. But, of course, such action would directly harm your child, and indirectly harm you and perhaps others. Thus society, acting in defence of the interests of its members, could justifiably forbid such sacrifice of human life.

For his part, Regan makes favouring humans dependent on an assessment of the amounts of harm involved. Despite maintaining that all who have inherent value have it equally, he believes that the death of a normal human is a greater harm than the death of an animal, since the human's death forecloses more opportunities for satisfaction. So he holds that if we must choose between having

a human being die and having a dog die, we should choose to have the dog die. And since a rights view forbids us to override the rights of one individual on utilitarian grounds of aggregate harm to others, it follows for Regan that, if it comes to a choice, a million dogs should be sacrificed rather than a single human being.[22]

Are we really prepared to accept all the implications here? I have already alluded to the difficulty of comparing the experiences of humans and sentient non-humans. But if we allow (what is certainly debatable) that we can in principle compare the harm that death is to a whale with the harm death is to a human, what then follows if we discover, contrary to expectation, that whales generally live richer, more satisfying lives than humans do? On Regan's view we should sacrifice, if it comes to a choice, any number of human beings rather than one whale possessing superior faculties; indeed, we should wipe out the entire human species rather than one superior whale. (If you can't imagine superior whales, try substituting a suitable space alien.) Restricting the matter to humans, it would seem that any number (scores or even millions) of people should be sacrificed rather than a single person who outranks them all, by however small a margin, in opportunities for satisfaction.

By contrast, the vital-needs rights view never requires us to relinquish our right to survival, even for the sake of those who allegedly are superior in their opportunities for satisfaction. Neither does the vital-needs rights view deny that we have special duties to our families and communities. No practicable environmental ethic can try to obstruct the basic impulse to survive and to protect those within the circle of our immediate concern. Callicott is not wrong to make the point that our duties with respect to the wider environment do not replace our primary duties to those close to us. What must be added, however, is that to inflict needless harm on third parties is to exceed the reasonable limits of our duties to those close to us.

Unfortunately, this basic point has been ignored by proponents of a holistic ethic, who apparently see no reason to confront the issue. Thus we find Callicott too casually dismissing Warren's attempted reconciliation of animal rights and environmentalism. Instead of addressing her arguments, he charges her with the sin of pluralism in the matter of ethical principles.[23] On this score we can say the vital-needs rights view sins less, since it avoids assigning different species different kinds or degrees of moral rights. It says that what fundamentally counts in the universe is consciousness in all its forms, and that non-sentient nature should be respected as the ground and home of conscious life. Those who would

[22] Regan, *The Case for Animal Rights*, pp. 324–25.

[23] Callicott, "Animal Liberation and Environmental Ethics", pp. 49–50.

deny moral rights to most sentient beings in order to arrive at an allegedly more unified ethical position must explain why it is acceptable to inflict needless harm on these creatures. To hold, as the vital-needs rights view does, that humans have the duty to refrain from inflicting needless harm is simply to ask of moral agents that they act consciously as other sentient beings tend to act by nature.

A RIGHTS-BASED ENVIRONMENTAL ETHIC

The vital-needs rights view gives rise to a rights-based environmental ethic of the following sort:

> *We may significantly interfere with sentient beings, or intervene in non-sentient nature in a way likely to restrict sentient beings in their autonomous pursuit of satisfying their vital needs, only in self-defence, or where such action is required in order to satisfy our vital needs or those of other sentient beings. Further, we should promote the environmental conditions that foster the exercise of autonomy by sentient beings, to the extent that we can do so without harm to ourselves.*

For a sentient being, exercising autonomy in the pursuit of satisfying its vital needs involves employing its natural powers in environmental conditions for which it has been fitted by evolution. No creature has evolved in isolation from a myriad of other life forms, both sentient and non-sentient. Insofar as the good of individuals centrally involves their employment of their natural powers in suitable environmental conditions, it is quite wrong to imagine that we are faced with a choice between the good of individuals and the good of ecosystems.

Human nature, psychological as well as biological, is not divorced from non-human nature. There is reason to believe that a feeling of connectedness with the biosphere is vital to human well-being. Edward O. Wilson has used the term *biophilia* to describe the inherent human affinity for the other forms of life on this planet, which make up the matrix within which the human mind is rooted.[24] But long before this, William Morris, the nineteenth-century artist, writer, and political activist, argued that to degrade the beauty and diversity of the natural world is to be self-destructive. In many essays and in his utopian novel, *News from Nowhere*, Morris maintained that we should restrict the ways we intervene in the non-human world because its flourishing, and our appreciation of that flourishing, is vital to our well-being.

It is the strength of Morris's perspective that it places front and centre the connections among environmental degradation, the degradation of work, and capitalism. He suggests that the desire to enslave the external world

[24] Edward O. Wilson, *Biophilia* (Cambridge, Mass.: Harvard University Press, 1984).

technologically reflects the mentality of "slaves" (workers) and "slaveholders" (capitalists), and is closely related to the desire to avoid the mechanical toil that daily work has become. "It was natural to people thinking in this way, that they should try to make 'nature' their slave, since they thought 'nature' was something outside them."[25] Nature is to be valued precisely because we are natural beings who can only properly exercise our faculties, and find happiness, through feeling ourselves at one with the biosphere, a condition whose attainment requires a radical break from industrial society (whether capitalist or, as Morris presciently implied, state-socialist).

As Ted Benton says, "Humans are necessarily embodied and also, doubly, ecologically and socially embedded, and these aspects of their being are indissolubly bound up both with their sense of self and with their capacity for the pursuit of the good for themselves. If this can be shown, then to give moral priority to the autonomy and integrity of the individual is also to give moral priority to securing those social, ecological and organic-bodily conditions for it."[26] Benton is concerned to make the point that the liberal view of rights is inadequate insofar as it neglects to address the social and ecological conditions that support or obstruct the exercise of individual autonomy. He usefully distinguishes among three sorts of rights that might be attributed to non-human animals (though his preference would be to reformulate the language of rights here in terms of human duties). Negative, non-interference rights require humans to refrain from confining animals, or obstructing them in the exercise of their preference-autonomy. Enablement rights require us to preserve or provide the conditions of life necessary for the animals autonomously to meet their needs, or secure their well-being. And security rights require us to ensure that needs are met, or well-being secured.[27]

The environmental ethic arising from the vital-needs rights view does not aim to guarantee the well-being of animals, but to enable them to employ their natural powers in pursuit of their well-being – free, as far as reasonably possible, from direct or indirect human obstruction. However, since the welfare of individual sentient beings is necessarily dependent on a supportive environment, individuals are not protected in respect of actions that significantly degrade the environment at the expense of other rights-holders. The interference principle implies that we are sometimes justified in overriding the rights of sentient beings

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[25] William Morris, *News from Nowhere and Other Writings* (London: Penguin, 1993), p. 200.
[26] Ted Benton, *Natural Relations: Ecology, Animal Rights, and Social Justice* (London: Verso, 1993), p. 103.
[27] *Ibid*., p. 163.

to prevent environmental degradation. Such overriding is subject to demonstration that significant harm will otherwise befall human or other sentient beings. Admittedly, what is right will not always be apparent, and the temptation will always exist to rationalize as necessary what we desire, or find convenient.

The injunction to let animals live according to their natures will result in treating domesticated animals and wildlife differently. Insofar as animals like cats, dogs, and horses can flourish as individuals in intimate association with human beings, there is no reason to terminate all of our involvement in their lives. Indeed, as a result of natural and artificial selection, dogs may actually require human companionship in order to flourish, and many dogs and horses may thrive on a certain amount of work.

The situation of cattle and other animals that have been artificially bred purely as objects of exploitation is more complicated. These creatures do not live or work as companions of human beings; neither can they be "returned" to the wild. Certainly, an end to their unjust exploitation would see a drastic decline in their populations. Whether the remaining individuals could be used in moderation for their labour without violating their rights is debatable. The issue requires an assessment of what is involved in the physical and psychological flourishing of these animals. What cannot be accepted is the argument that those who are bred to be slaves can with justice be treated as slaves.

The importance for a rights-based environmental ethic of fostering the conditions that promote the exercise of autonomy suggests an alliance of the animal-rights view with ecofeminism and with deep ecology. Ecofeminism emphasizes the intimate connection between forms of domination within society (particularly gender relations) and human domination and exploitation of nature, and the way that the burden of mediating the human exchange with the material world is inequitably distributed.[28] Many ecofeminists have championed animal liberation, though often from an ethic-of-care, rather than a rights, perspective. Deep ecology holds that human beings have no right to reduce the richness and diversity of life forms on this planet except to satisfy vital needs[29] – a precept that must be interpreted in a manner consistent with the interference principle, which rules out satisfying vital needs through unnecessarily harming sentient individuals.

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[28] Mary Mellor, "Feminism and Environmental Ethics: A Materialist Perspective", *Ethics and the Environment* 5 (2000): 107–23.
[29] For the basic principles of deep ecology, see Bill Devall and George Sessions, *Deep Ecology* (Salt Lake City: Gibbs Smith, 1985), p. 70.

The flourishing of sentient non-human life on this planet requires an end to human population growth – indeed, a considerable reduction of human population from the levels that will be reached during the twenty-first century. The good news is that fertility rates have been dropping dramatically in most parts of the world in recent decades, thanks largely to changing social conditions, particularly for girls and women. More crucially now, there must be an end to the cancerous growth of material production and consumption that appears inherent to capitalism, a growth that is fast degrading or obliterating the natural habitats of wildlife species, multiplying the numbers of enslaved factory animals, and having increasingly deleterious effects on the quality of human life. The struggle to replace industrial capitalism is a large and complex task, one that will require political, technological, and ethical imagination.

CONCLUSION

The vital-needs rights view gives rise to an environmental ethic that reconciles the flourishing of ecosystems with the right of sentient beings to exercise their natural powers in pursuit of their flourishing as individuals. In so doing, it recognizes some important points made by proponents of a holistic ethic: in particular, we are entitled to do what is required for our survival, and environmental duties do not replace our duties to our near kin and to others dependent on us. At the same time, the vital-needs rights view maintains that such holists often countenance an ethically insupportable degree of human interference in non-human nature. The vital-needs rights view is proposed as a contribution to meeting the ethical requirements of a non-exploitative, sustainable civilization.