

The Value of Nonhuman Nature: A Constitutive View

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Abstract: A central question of environmental ethics remains the question of how best to account for the intuitions generated by the Last Man scenarios; that is, it is a question of how to explain our experience of value in nature and, more importantly, whether that experience is justified. Seeking an alternative to extrinsic views, according to which nonhuman entities possess normative features that obligate us, I turn to constitutive views, which make value or whatever other limits nonhuman nature places on action dependent on features intrinsic to human beings and constitutive of them or their obligations. After examining two kinds of constitutive views—environmental virtue ethics and Korsgaard’s Kantianism—I suggest an alternative that takes up the strengths of both while avoiding their shortcomings. On this view, we have an indirect obligation to experience nature as obligating us, although we have direct obligations only to human beings.

I

A prominent theoretical impetus for environmental ethics involves offering a response to—or, better put—an explanation of Richard Sylvan’s famous “last man” intuition pumps (Sylvan 1973). Through a series of thought experiments, Sylvan poses variations on the following scenario: The last man or group of humans left on earth decide to spend their time wrecking the environment, killing animals for fun or for the sake of technological mastery, hunting species to extinction, and so on. Since he or they are the last humans on the planet what they do cannot harm future generations; nor need their activities be wanton: they may derive personal profit, enjoyment, or comfort from their activities. As Sylvan anticipated, readers are likely to respond to all these cases in the same

way: with an intuition that the last man is doing something *wrong*. The question, then, is how we are to explain and justify this intuition.

Sylvan, of course, goes on to conclude that it demonstrates the need for a new ethics, since the classics—utilitarianism, Kantian deontology, and the like—cannot account for the wrongness of an activity which in no way impacts human beings. As many critics have pointed out, however, the argument is inconclusive as it stands. First off, the intuition could be explained away as a merely psychological response with no normative implications.¹ Second, the fact that the thought experiment brackets out certain features (like future generations) obviously does not mean that the reader can similarly bracket those features out in her mind while forming an intuitive response. And finally, Sylvan offers no evidence that the status of the “wrong” in question is an ethical one. I might feel that it is wrong to disassemble an old car for parts, but this feeling seems ridiculous upon further reflection—the feeling, however, still remains. Or, I might find the environment *aesthetically* pleasing, and so think that destroying it is wrong for that reason—if the last man decided to deface Picasso’s *Guernica*, this too seems objectionable.² But a thought experiment that suggests that hunting whales to extinction is wrong in the same way as defacing Picasso seems to give us too much—much more than environmentalism requires, in any case—by according normative standing to an overly wide field, or far too little, since it would reduce the normative status of nonhumans to that of paintings. So we cannot rely on the intuitive deliverance of the thought-experiment alone; what is needed is a defense of it.

Two broad ways of explaining—and justifying—the intuition dominate the discourse. First, we might appeal to the normative status of nature itself. On views of this sort the natural entities, out there, put a

¹ It is worth noting that the intuition that the last man does something wrong is not universal—plenty of my students, at least, do not see most of the cases as involving wrong action. In any case, no less a figure in the environmental philosophy movement than Peter Singer has questioned appeals to intuition in ethical debate (Singer 2005).

² See Carter (2004) for a discussion of and response to this objection.

check on acceptable human actions, either by having rights we may not violate or by having an intrinsic value that we ought to promote. For example, Regan (1985) has famously defended animal rights on the following grounds: hurting an animal wrongs that animal, but the only way to explain how it is possible to wrong an entity is by appeal to its rights. In a similar vein, Rolston (1989; 2001) argues that there must be human-independent value in nature, since it is implausible to think that the value we find in nature is somehow generated by us: we do not contribute anything to what is valuable in nature other than our *recognition* of that value.³

One difficulty with this approach is that the arguments in this category may seem to presuppose precisely what they aim to prove. For example, if one can wrong a dog, then perhaps it follow that the dog has rights, but the opponent of an animal rights view can insist that the concept of a wrong already has the corresponding idea of a right built into it, and thus that the premise of the argument is only the conclusion in disguise. More significantly, views of this kind find it notoriously difficult to draw a connection between the valuable properties of natural entities and our obligations to them. Even if we accept that value can exist outside of us, this cannot by itself impose limits on our actions, a point that becomes especially clear when we consider entities like rats, plague bacteria, or viruses, whose activities frequently have a strong disvalue from the standpoint of human interests.⁴ Finally, views of this kind

³ Readers sensitive to the alleged incompatibility between animal liberation and environmental approaches will no doubt notice that I seem to be running the two strands together. But it is clear that a number of arguments for the moral considerability of plants, species, and ecosystems draw on strategies similar to those used in the animal liberation debates. Taylor (1986), for example, relies on arguments virtually identical to those used by Singer and Regan to point out that we lack principled ways of giving human interests a higher value than nonhuman entities. Such strategies are especially evident in classics like Goodpaster (1978), as well as newer appropriations of Taylor, such as Sterba (1998).

⁴ This point is raised by, among others, John O'Neill (1992), who concludes that we cannot justify such obligations without an appeal to virtue theory. For an updated approach, which surveys an even wider scope of environmental ethics literature but reaches similar conclusions, see Nolt (2006).

frequently rely on the notion of intrinsic value, which leads to charges that they are drawing on unexplained and contentious metaphysics and is, in any case, unlikely to be convincing to those who hold that value requires the existence of a rational, or at least sentient, valuer.

Let me label this broad class of approaches with the tag of “extrinsic views,” since they look for the ethical checks on human action outside of human beings. The problems I have mentioned for such views have generated a parallel approach to the problem, consisting of what I will call “constitutive views.” These views make value or whatever other limits nonhuman nature places on action dependent on features intrinsic to human beings and constitutive of them or their obligations. Taking the correctness of some standard moral view as given, both kinds of views proceed to extend ethics beyond human beings into the nonhuman world. But unlike extrinsic views, which seek to extend the realm of moral considerability by pointing to various morally significant similarities between humans and nonhumans (such as rights or values), constitutive views focus on showing that the nature of morality itself demands taking nonhumans into account. I will examine two such constitutive views, hint at difficulties they face, and outline a third alternative.⁵

II

Perhaps the best known (and possibly most notorious) way of explaining the intuitions in question is the Kantian response. The simplest version of it is found in the claim that mistreating animals is wrong because it is cruel, and cruelty is an objectionable character trait (Kant 1997, 241). Kant’s much maligned view has the overlooked advantage of having the

⁵ The two types of views I am distinguishing here, extrinsic and constitutive, should not be taken to be mutually exclusive. A number of approaches in environmental ethics blend features of both, and can be usefully classified as hybrid views. It seems likely that most views in environmental ethics will fall somewhere on the continuum between extrinsic and constitutive, though authors may emphasize one side over the other, as well as present one or the other as foundational. My attempt to develop a constitutive view, then, should be viewed as a supplement to extrinsic views as much as a competitor.

resources to separate out the aesthetic strand of environmental thinking from the ethical strand, which the last man cases run the risk of conflating. Kant argues that our ability to respond to beauty is important to our ability to function as moral beings.⁶ A Picasso is not quite the same as a redwood or a whale, because a characteristic of beauty is *purposiveness without purpose*. Natural beings exemplify this trait in ways that human works rarely can and, for that matter, our appreciation of beauty in art is grounded in a more primary appreciation of beauty in nature. Destroying *Guernica* really is wrong, but it is wrong for the same reasons (though to a weaker extent) that destroying a redwood grove is wrong. The suggestion, then, is that what makes the destruction of nature wrong is that it displays character traits unsuitable to human beings, such as cruelty or a failure to appreciate beauty.⁷ What makes the Kantian version of the view so objectionable to many environmentalists is the further claim that what is *wrong* with cruelty or aesthetic blindness is that these character traits interfere with our disposition to treat other human beings morally. And this, along with a host of other objections, raises the strong charge of anthropocentrism: the view claims not that there is anything directly wrong with destroying a redwood grove or harpooning a whale, as such, but that such actions are wrong in a very indirect way—they disrupt character traits that, in turn, are central to our moral dealings with other humans.

But the key feature of the Kantian view has nevertheless been taken up by the recent upsurge in environmental virtue ethics. This field is a broad one, and I will focus here only on the two central aspects. First, some environmental virtue ethicists have attempted to extend the traditional conception of the virtues beyond our dealings with the human social world to encompass our interactions with the natural environment.

⁶ Thus the famous claim that morality is a symbol of beauty, in Kant (1987).

⁷ This is a very condensed version of a Kantian argument, though I hope a recognizable one. I return to a more nuanced reading of Kant's view below. It is interesting in this regard to note that it was a Kantian, Thomas Hill (1983), who kicked off the wave of environmental virtue ethics along these lines.

Thus, we are told, cruelty to animals is just plain cruelty. And the problem with it—from a virtue perspective—is not that it might inspire us to be cruel to other people, but that cruelty as such is a vice and therefore to be avoided. Similarly, a common theme running through much environmental literature has been that of gratitude toward nature: we live off the products of our natural environments, we are capable of appreciating their beauty, and—finally—we ourselves are natural beings. Just as we should show gratitude to other people for their gifts, then, we should show gratitude to the broader natural world.⁸

Second, a number of authors have attempted to extend the traditional conception to encompass new virtues, rather than simply new applications of the old ones.⁹ Thus, for example, we are told that respect for nature, or perhaps something a little more vague—like a proper attitude toward nature—is an important virtue to cultivate in ourselves and our children. On the traditional Aristotelian line, virtue benefits its possessor; thus, any attempt at an environmental virtue ethics in this direction must show that environmental virtues do so as well. Sometimes this benefit is presented in a merely self-interested manner. That is: there is an attempt to work out how respecting nature will directly make us happier. But this is not the central claim of virtue ethics. The claim, rather, is that a virtuous person *is* happier—or at least living a better life, *eudaimonia*—and the virtuous person is, in turn, one who has the virtues. Thus, someone who respects nature in the proper way will respect it for its own sake. That a life of virtue is also *eudaimonia*—a good life—is not an incentive for the virtuous agent; it is an incentive for the rest of us, screwed up as we are, to get our act together and become virtuous. In other words, one does not give a self-interested incentive to an ethical person to be ethical. One gives a self-interested incentive to the non-

⁸ Again, Hill (1983) leads this approach; Frasz (2001) attempts something similar. Cafaro (2005) works out an interesting extensionist account with regard to vices rather than virtues.

⁹ See, for example, Hursthouse (2007).

virtuous person who, because he is not yet ethical, responds to such incentives.

On this point, a recent criticism of virtue ethics seems slightly off-target. Rolston (2005) argues that rather than emphasizing that the virtues—in this case, virtues such as respect for nature—benefit their possessor, we must start from the recognition that the natural entities themselves are valuable, thus echoing an extrinsic theme against a constitutive one. On a virtue account that remains continuous with Aristotle's view, of course, the virtuous person *will* be the sort of person who recognizes valuable things as such; it is only the non-virtuous who do not perceive value correctly. Now, one can try to incorporate intrinsic value directly into virtue, bypassing the connection to *eudaimonia*. So one can posit that if something has value, then valuing it is a virtue regardless of whether it benefits its possessor, and so moving virtue back to an extrinsic account. For example, Sandler (2006; 2007) argues that, insofar as humans have the ability to value entities for their own sake, having the disposition to value nature in this way may well be a virtue. But this does not show that having such a disposition *is* a virtue. Sandler's strategy rests on positing non-*eudaimonistic* virtues, but this account runs into two problems: first, it abandons the relation between virtue and human flourishing, and second, it makes it hard to see why the valuing of valuable things is a *virtue* in any sense that isn't purely *ad hoc*.¹⁰ So we can read Rolston as posing a challenge: for environmental virtue ethics to avoid being simply an extrinsic account, it must show a connection between environmental virtues and *eudaimonia*.

But there are treacherous difficulties along this route. Showing that the virtues really *are* constitutive of *eudaimonia* is difficult enough; showing that respect for nature is constitutive of it—especially to an urbanite—is even harder. With the traditional virtues it is often not too difficult to show why—in general—having such virtues will benefit their possessor. For the most part, treating others well is likely to earn similar

¹⁰ For criticism along these lines, see McShane and Thompson (2008).

treatment for oneself; in addition, spelling out what particular virtues involve makes this clearer: giving away all one's money to charity, for example, will leave one destitute, while being too stingy is likely to show that a person is closed off to the needs of others and thus to all sorts of social pleasures. The mean, then, will be beneficial.

But in the case of environmental virtues things are more complicated. For example: if you spend your life in a city, how does caring about the maltreatment of farm animals, or the destruction of rain forests in Brazil, or oil drilling in Alaska, make your life better? Doesn't it actually make it worse, by giving you more to worry about? Of course you might want to preserve nearby forests so you have some place nice to drive over the weekend, but this hardly shows that caring about the forests for their *own* sake, or that caring about forests you will likely never visit, is constitutive of *eudaimonia*.¹¹ Perhaps valuing nature leads to other—less tangible—benefits; perhaps doing so makes a life more choiceworthy. But we then need a defense of such a claim that avoids the difficulty faced by Sandler's non-*eudaimonistic* account, i.e., the appearance of being entirely *ad hoc*. Environmentalists have long written about the importance of recognizing that we are ourselves natural beings, imbedded—in ways that may not be readily apparent—within a wider ecosphere, and that this is a reason to care for it. But is it a virtue-related reason? Whatever my participation in a wider ecosphere amounts to, if I am not readily aware of it, then it is unclear how properly relating to it is analogous to the need for relating properly to the members of my human community.¹² Maybe

¹¹ Treanor (2008) argues that narrative can allow individuals to “try out” such virtues, in a sense, before taking them on; thus, narratives can convince us that certain character traits really are constitutive of *eudaimonia*. So in this sense, reading Thoreau or another nature writer might convince us to adopt the relevant virtue of respect for nature. Of course this is plausible; but it is unclear why narratives glorifying the destruction of nature might not be written as well—many have been—or why these latter sorts of narratives might not, ultimately, prove more convincing.

¹² Leopold (1966) argued that loving something requires us to have a mental image of it, and he suggested the biotic pyramid as such an image of the Land as our wider community. But this image has markedly little in common with the images we typically have of our human communities.

spending more time in nature would help, but why should I even do that? For that matter, we might want to take up Žižek's interesting recent suggestion: that environmentalism suffers from the fact that we are still *too close* to nature, making us unable to conceive of the possibility that it might be destroyed. Perhaps we should follow his advice by distancing ourselves from it more and losing ourselves in abstractions!¹³

The situation is complicated as well with regard to the traditional virtues. Lack of gratitude may be a bad character trait to have. But whatever gratitude toward nature amounts to, it seems to have little if anything in common with gratitude toward human beings. Our reactive attitudes work in particular characteristic ways, such that they are modified by changes in our knowledge of their object. For example, I will feel gratitude toward John for helping me move into a new apartment. But I might feel less gratitude if I find out that John was just trying to get closer to my friend Jamie, who was also helping me move. These variations are characteristic of gratitude *as such*—they are key, for example, to one's ability to feel gratitude at the right time, in the right place, toward the right person, and so on.¹⁴ They are also utterly absent in the case of the advised gratitude toward the natural world. This is not to say, of course, that there are no individuals for whom or cultures in which it is common to have feelings resembling gratitude with respect to nature; it is extremely hard, however, to see what could make such feelings normatively appropriate *as* gratitude, rather than as a non-normative surrogate. Now, it is true that these variations may be absent in some

¹³ I take this to be the gist of Žižek's rambling—but as always entertaining—monologue in Astra Taylor's film, *Examined Life* (2008).

¹⁴ The notion of reactive attitudes is introduced in recent ethics by Strawson (1962). Wallace (1994) develops and extends the account, pointing out that reactive attitudes are constituted by the normative expectations they contain, which determine the situations in which it is—or isn't—appropriate to feel these attitudes. So, for example, it is of course possible for me to feel gratitude towards someone who has done nothing good for me or anyone I care about, but this fact will make it clear that I am *mistaken* to feel gratitude in this situation. Reactive attitudes, because of their normative content, can be appropriate or inappropriate.

relations of gratitude with other humans as well, without undermining the claim that gratitude is still present. We may, for example, show gratitude toward small children or even adults with social disorders. But in these cases, our feelings of gratitude will still respond to the agent's intention (even if we don't think the intention is fully clear to the agent).¹⁵ But none of this is present in the case of gratitude toward nature; any *intention* on the part of nature, especially, must be metaphorical or require the idea of some anthropomorphic entity guiding it. We can, of course, speak of nature as giving us a gift, and we might use a complex Derridean analysis to show that such gifts are really gifts in the most genuine sense of the word.¹⁶ But these analyses will hardly be conclusive if we take terms like "gift" or "gratitude" as having their usual meaning for us.

Cruelty is a more complicated subject, but it is at least not *obvious* that cruelty to a mouse and cruelty to a human *are* the same sorts of character traits; it may be argued that describing both behaviors as falling under the same vice just begs the question by importing a normative conception that belongs to the human domain into our treatment of animals. Even if, moreover, we can give a convincing account of why cruelty toward human beings is a vice—why, for example, it harms the agent herself—it is far from obvious that the same kind of account can be given for why cruelty to a mouse may be equally vicious. In other words, it is not clear that virtues can simply be directly extended from the human to the nonhuman domain. These points are, of course, not conclusive, and those committed to explaining all morality in terms of the virtues will undoubtedly continue to explore such avenues. But those who are not convinced that there is a way to show that lack of gratitude or cruelty toward nature detract from *eudaimonia*, or that a non-*eudaimonistic* view

¹⁵ In the case of children, especially, having the proper reactive attitudes also aims at training them to take their place within adult social relations.

¹⁶ See Derrida (1994).

can successfully justify environmental virtues and vices, will require a different strategy.

III

Another constitutive account appears in Christine Korsgaard's recent defense of obligations to animals (Korsgaard 2004; 2011). On Korsgaard's view, we can expand Kant's account of obligation into the nonhuman world. It is true, she argues, that our ability to be obligated depends on our standing under self-legislated laws. But it does not follow from this that only entities *capable* of legislating laws for themselves are capable of obligating us. We might, instead, be forced to legislate laws for ourselves that obligate us *toward* others. Korsgaard rejects what she calls the reciprocal view, i.e., the idea that you can obligate me only insofar as we stand under common laws. On her view, the Kantian picture of ethics is something like this: insofar as we recognize each other as making laws, we can come to an agreement on the laws we make for ourselves, such that we can obligate each other through reciprocal laws.

On Korsgaard's account, however, it is a mistake to think that anyone who cannot legislate laws is therefore incapable of obligating us, as critics of contractarianism sometimes assert. For example, only the citizens of a particular country can contribute to making its laws. But if their laws include prohibitions on murder, then they are obligated to avoid murdering not only other citizens, but anyone who enters their country—foreigners obligate them just as much as other citizens. Similarly, Korsgaard suggests, animals can obligate us if the laws we necessarily make for ourselves protect them. And this is just what happens.

There is, on Korsgaard's view, no value in the world apart from a valuer. Rather, value enters the world through our legislation: we, rational beings, make certain things valuable by legislating that they are so. Thus, for example, we decide that our natural inclination to avoid unnecessary pain is a good reason to avoid it. And we thereby legislate that everyone stands under an obligation to avoid causing us unnecessary

pain. Others can ignore this obligation, of course, but they can *avoid* it only if they refuse to recognize that the harm of unnecessary pain provides a reason to refrain from causing it. Insofar as they recognize that it does, they agree with us and place themselves under the same norms as ourselves. They are thus subject to the same law as we are—a law to avoid causing unnecessary pain—by virtue of their own legislation.

At a more fundamental level, we recognize that certain things are good for us, and we take those things to be valuable. We must also recognize that, just as we take certain things to be good for us, so other people can do the same. But this means that, just as the things we take to be good are valuable, so the things others take to be good are also valuable. Thus, by recognizing our good and taking it to be valuable, we assent to the claim of others to the value of their good. This does not mean, however, that only other people can obligate us with their values, for many nonhuman animals can also recognize their good in such a way that their good matters to them. If I value my good because it matters to me, then I should value the good of others because it matters to them.

Another way of putting this argument, on Korsgaard's account, is this: as autonomous beings, we can impart value on what we take to be good. But what is good for us is not good simply for our nature as autonomous beings; that is, I do not object to being tortured simply because torture is bad for me as an autonomous being. Rather, I object to being tortured because torture is bad for me as an animal being. But other animals are also animal beings, and if I object to what is bad for my animal being, I am likewise committed to objecting to what is bad for their animal being. In other words, since I value what is good for my animal nature, and I share that animal nature with other nonhuman animals, I must also value what is good for them. So on Korsgaard's account there is something to Kant's view—that is, we can value animals only via our valuing ourselves—but animals can still obligate us through this indirect route. On a more speculative note, Korsgaard even adapts Aristotle to suggest that the good for an entity is determined by its function, and since we share functional identities with all nonhuman life (and even with

machines), we respond normatively to them. Now, if we can *justify* these intuitions at “the far outer reaches of our normative thought and feeling” (2004, 106, fn. 69), we will have a powerful defense of the intuition provided by the Last Man argument. The question is whether our best option for such a justification lies in our ability to confer value on our good.

Korsgaard’s argument rests on the idea that I can both separate my autonomous from my animal nature, and bring them together. That is: my autonomous nature can legislate on the basis of what is good or bad for my animal nature because ultimately both are myself. But this does not entail that whatever is valuable for my animal nature would be just as valuable in the absence of my autonomous nature. Our autonomous nature is not simply a complement to our animal nature, a part that can be added or taken away with no change. Rather, our autonomous nature characterizes our animal nature: it determines what that nature means and what we do with it; somewhat crucially for the topic at hand, it determines why that nature *matters*.

This suggests that it cannot be taken as a given that, in valuing our animal nature, we really value it for itself in isolation. Rather, if we *do* value our animal nature, it seems we must value it precisely because it is attached to an autonomous nature, or because it serves as a condition necessary for the proper functioning of that autonomous nature. I value my life, for example, not simply because it is *a* life, or simply because it is the life of an animal, but because it is the life of a *rational* animal. If my autonomous nature can impart value onto my animal nature, it seems reasonable to think that it can also *make* my animal nature worth valuing. But this means that we stand under no obligation to animal nature *as such*; we have obligations to it only because it is the basis of value for an autonomous being. And this implies that we cannot extend moral considerability from ourselves to all animals, but only to all *rational* animals. My aim here, of course, is not to endorse this negative conclusion; quite the opposite. My point is only that this conclusion is all

that Korsgaard's argument warrants. If we are to make sense of the value of nonhuman nature, then, we will need to pursue a different course.

IV

I have been dwelling on the constitutive approaches because of their promise to provide an alternative to extrinsic views. I now want to sketch a constitutive view that incorporates aspects of both of the approaches examined. We can begin by distinguishing normativity from the experience of normativity. The distinction can be clarified by adapting an idea from Kant: our obligation is determined by the moral law, but we *experience* that obligation as respect. Alternatively, we can note that there is a difference between explaining what makes something valuable, and describing our experience of value. If what *makes* something valuable, or what constitutes the ground of an obligation, can be distinguished from the experience of value or of obligation, we can suppose that the two can come apart. It is possible to experience something as valuable, or to experience an obligation to some entity, even without that entity's satisfying the criteria for being valuable, or its failing to be a proper object of obligation.¹⁷

Experiences of value or obligation, in turn, are not simply superfluous items in our mental repertoire. They serve to guide the transition between *recognition* of value on one hand, and appropriate action on the other. Of course recognition and action can come apart, but so long as they do not, we will be motivated to act on our perception of value or obligation, regardless of whether that perception constitutes a

¹⁷ Of course some subjectivist theories will not allow such a distinction. On an emotivist view, or some varieties of expressivism, for example, my judgment that X is valuable simply depends on my experience of X as valuable, and there is no further fact of the matter aside from that experience. The two could diverge only if my judgment is mistaken about my experience. Here I will simply assume without argument that such views are false, and that we can correctly make claims of the sort, "I have an obligation to that tree to water it, although there is no reason to have an obligation to trees" (the statement may well seem to be Moore-paradoxical, as in the famous "it's raining but I don't believe it" example; the point is that Moore-paradoxical or not, the statement may be *true*).

genuine recognition or not. In other words, perception of normativity can motivate us to action in the same way as recognition of normativity. Thus, if we have obligations to human beings, and we recognize those obligations, we will (under normal circumstances) be motivated to act on them. Similarly, if we do not have obligations to nonhuman natural entities, but we experience ourselves as having such obligations, we will likewise be motivated to act *as if* we had such obligations. Nothing I have said so far implies that we *do* have obligations to humans; the preceding statements are conditional ones. Nor does my argument require that we have obligations to humans. It requires only that we believe that we have such obligations. The aim of the argument will be to show that such (perhaps non-veridical) obligations to humans can justify acting and feeling as if we have obligations to nonhumans.

The view that we have obligations to other human beings is common, and enough defenses of it already permeate the ethical literature that a defense of it as a starting point does not seem necessary here. Given that the existence of obligations to humans is widely accepted, while the existence of obligations to nonhumans is problematic, we can—for the practical purposes of the argument—treat the first as a given. If it turns out that we lack obligations to humans, my references to recognition, as opposed to perception, of value, like references to genuine obligation rather than its appearance, can then be interpreted as referring to what we take to be recognition and genuine obligation as opposed to the more dubious putative obligations to nonhumans. We would still be able, that is, to justify non-anthropocentric normative attitudes without insisting on a non-anthropocentric metaethic.

With these preliminaries out of the way, the next step in a constitutive account of this kind is to link our experience of the value of humans, or of our obligations to human beings, with our experience of the value of nonhumans, or of obligations to nonhuman beings. If this account is to explain value in nature and justify negative judgments about the Last Man, then it must show how the former experience is tied to the latter. The goal is thus to develop an argument for taking up a worldview that

allows or facilitates our obligations to human beings and, by including nonhumans within its purview, also provides us with an experience—perhaps non-veridical—of their value or of our obligation to them. And insofar as our having obligations to humans must facilitate our fulfilling of those obligations to them, it follows that insofar as we have obligations to humans, we also have an indirect obligation to take up the worldview that will facilitate those obligations. And such a view will include nonhumans.¹⁸

Even if we have no duties to nature but do have moral duties to other humans, then insofar as we have those duties, we have an indirect duty to have a worldview which allows us to recognize those duties by seeing human beings as valuable. And this worldview, I suggest, should involve seeing the rest of nature as valuable as well. So insofar as we have direct obligations to humans, we have an indirect obligation to adopt a worldview that will involve our experiencing nonhumans as valuable. McShane (2007a) has suggested that we should not be too quick to jettison the concept of intrinsic value, so long as we treat it not as a metaphysical view about value, but as an explanation of our moral psychology. I am proposing that we understand nonhuman nature as valuable in this sense; not in insisting that it *is* valuable or that it *is* a source of obligation, but rather that we ought to see it as valuable or as obligating us because our so seeing it facilitates our seeing and treating human beings as valuable. An approach of this kind nicely allows us to have our cake and eat it too with regard to extrinsic views. For it allows us to adopt their practical advantages without having to take on their theoretical vulnerabilities.

When our perception of obligation toward humans is weakened, we are less likely to discharge our obligations toward them. And insofar as we have a sense of obligation to nonhumans, we will act on that

¹⁸ I use the term “worldview” here as shorthand for the way one perceives, understands, and—most importantly for my purposes here—values the entities one encounters in the world.

obligation. What we need, then, is a way of connecting our perception of value in nonhumans to that of value in humans. The claim that allows for the transition from direct obligations to humans to indirect ones to nonhumans (or from valuing humans to valuing nonhumans) is the claim that our attitudes toward nonhumans are somehow constitutive of our attitudes toward humans. Thus, the weaker our perception of value in nonhuman nature, the weaker will be our perception of value in or obligation toward humans.

One reason we naturally feel some obligation toward nonhuman animals is, of course, their similarity to us. Mammals, especially, tend to express feelings in roughly similar ways, as a recent study on pain expression in mice vividly demonstrates (Langford et al. 2010). And pain is an especially powerful example, since all of us are intimately familiar with its inherent unpleasantness. Mary Anne Warren goes so far as to suggest that this is enough to establish that animals have rights for, as she argues, if we accept the inescapable reality of animal pain and its similarity to human pain, we lose any grounds for thinking that causing the latter, but not the former, is wrong.¹⁹ Once again, however, if we are cautious about extrinsic claims, this licenses us to say not that animals have rights in roughly the same way humans do, but that we are inclined to see them as having such insofar as we see humans as having them, and for the same reasons. Granting this limited point may seem to undermine my earlier skepticism about the idea that cruelty to humans and cruelty to animals are the same vice. But that isn't exactly right. Even if causing pain to humans and animals are both wrong, and wrong for the same reason (and note that this appeal to the intrinsic wrongness of pain is not, at least without serious supplementation, a virtue-theoretical kind of explanation), this does not yet show that the character trait involved in

¹⁹ In comparing cruelty to animals with cruelty to humans, Warren notes that “[u]nless we view the deliberate infliction of needless pain as inherently wrong we will not be able to understand the moral objection to cruelty of *either* kind,” insofar as it is precisely the badness of pain that makes it wrong to inflict it unnecessarily on humans in the first place (Warren 1983, 114).

both is the same, or that showing that a disposition to be indifferent to human pain is harmful to *eudaimonia* and *therefore* the disposition to be indifferent to animal pain is similarly harmful.

Of course there is more to our ethical attitudes than the recognition of pain and the badness of causing or allowing it (when it can be alleviated). There are, for one thing, a number of other negative but widely shared feelings, as well as many widely shared positive feelings, the respective diminishment or promotion of which in humans and in animals seems to be good for similar reasons. And our empathy can easily extend beyond simple feelings to the recognition that animals have purposes, and the perception that allowing them to pursue those purposes is good for the same reasons it is good to allow other humans to do so. Here one might object that a crucial step is missing: even if there is a moral reason to allow humans to pursue their purposes and perhaps even aid them, it does not follow that the same is true for nonhumans. But my point here isn't about whether there is a moral reason; only that there is a perception of such, if not usually *de dicto*.

Furthermore, we certainly don't perceive purposes *only* in mammals, but in all animals, as well as plants and—if we study them enough—perhaps even ecosystems. Our emotional responses here are not as strong, and for good reason. In mammals, we tend to perceive feelings directly, due to their aforementioned similarity with ourselves. This perception is more difficult in animals outside the class Mammalia. And once we switch to perceiving more abstract purposes, unaccompanied by immediate body-language and feeling (as in the case of plants), we react less strongly. Nevertheless, the emotional response can be found even there, and it seems a mistake to class plants together with machines in this regard. For in the case of machines, our responses to them are tempered by the knowledge that they are carrying out human purposes; the purposes of plants and animals, by contrast, are not to be found in external agents.

Again, the discussion so far is aimed only at addressing our perceptions of value and obligation, and even so these perceptions are

variable: some people cannot bring themselves to kill a spider or a plant, while others have no trouble causing extreme pain to apes for the accomplishment of quite minor ends. So the next stage in the argument is to link the emotional response described above—the response involving the perception of value in or obligation to nonhuman nature—to the response to humans, at least in normal cases. Here it is helpful to turn to Kant. A common reading of Kant has it that his negative assessment of mistreatment of animals rests on a dubious causal claim: the claim that cruelty to animals dulls one’s moral emotions and thereby causes one to mistreat humans (Broadie and Pybus 1974). Although the claim has a plausible premise—that there is some connection between our treatment of animals and of humans—it fails to show a causal link. Negative treatment of both humans and nonhumans may be an expression of an underlying trait; if so, then the moral problem would be with the expression of that trait with regard to humans, while its expression with regard to nonhumans would, having no negative causal consequence, not be morally problematic (Fieldhouse 2004).

But Kant need not be read as resting his case merely on a causal claim. It is open to a Kantian view to embrace the possibility that our morally relevant attitudes toward humans and nonhumans are similar enough that to weaken one isn’t to *cause* the other to weaken—it just *is* to weaken it. To recognize a creature in need, for example, is to recognize that it is a certain kind of creature: one that *has* needs and that can therefore be harmed or helped. And such recognition—if it is to move us to help—must evoke a certain kind of emotional response. By suppressing or simply ignoring that response in some cases, we weaken its ability to move us in others. As Patrick Kain notes in his defense of the more nuanced reading of Kant’s view, “proper treatment of animals is a necessary condition for and perhaps a constitutive part of one’s moral well-being, rather than a mere ‘instrumental’ means to it” (Kain 2010, 227). My aim here is not to defend Kant’s own view, however interpreted, but to suggest that something like this reconstruction can motivate the view that perceiving the normative force of the claims nonhuman entities

make on us is constitutive of our recognizing the normative force of those humans make on us. We have duties to other people, and fulfilling those duties is facilitated by our having the right emotional responses to others and the right recognition of how and when to discharge those duties. And perceiving ourselves as having similar duties to nonhumans is constitutive of what that right recognition consists in.

There is, in fact, some interesting recent empirical evidence for this view. Work by Kimberly Costello and Gordon Hodson on the Interspecies Model of Prejudice has yielded data suggesting that our attitudes toward members of human “outgroups,” such as immigrants or ethnic minorities, are bound up with our attitudes toward nonhuman animals. Priming study participants with editorials that emphasized the similarity of animals to humans led to a statistically significant uptick in participants’ tendency to humanize immigrants and empathize with them (Costello and Hodson 2010). Studies on children asked them to choose between characteristics and emotions typically thought to be uniquely human and those shared with other animals, finding a correlation between white children’s perception of the gap between humans and animals and their willingness to assign the uniquely human characteristics to black children; a tendency that, it turned out, varied with manipulating of the children’s view of the human-animal gap (Costello and Hodson 2012). And a follow-up study discovered that adults who were asked to write essays on the similarities of animals to humans were more likely to say they were willing to intervene when members of various minority groups were being treated unfairly (Bastian et al. 2011). Interestingly, those primed with editorials or essay assignments comparing humans to animals showed responses that did not present a similar tendency to empathize with members of outgroups as compared with the control groups—a finding that suggests one environmentalist strategy, that of stressing our similarity to nonhumans and our place within nature, may not improve intra-human ethical relations.

The researchers theorize that the studies can be explained by understanding negative attitudes toward members of outgroups as

resting on the explicit or implicit dehumanization of their members by thinking of them as possessing animal characteristics. But thinking of animals as similar to humans and not inferior to them may rob this strategy of its cognitive benefit: if nonhuman animals are not inferior, then likening humans to them will have less of a tendency to lower the perception of moral obligation toward them. If this is right, it suggests that our perceptions of the value of nonhuman animals are constitutive of our perceptions of the value of humans, or at least those humans to whom we do not already accord ingroup standing. The research is, so far, in its infancy; it has been performed only by one psychology lab, and only on Canadians. But it relates in interesting ways to a recent development in ethics.

David Velleman attempts to split the difference between philosophers like Korsgaard, on one hand, and Bernard Williams, on the other. Korsgaard pursues a strongly Kantian project of attempting to derive moral obligations from the nature of rationality; for someone like Williams, on the other hand, ethics is a matter of contingent localized—and perhaps inconsistent—norms. Velleman takes a middle position between the two, holding that while reason does not lay down obligations for us, it does exert non-contingent pressure on our thinking and acting. The basic idea is fairly simple: on Velleman’s view, intelligibility or self-understanding is a constitutive aim of agency.²⁰ Our decisions about how to act, in other words, are guided by considerations of what it makes sense for us to do given what we know about ourselves. While this claim requires a good deal of elaboration that I do not have space to offer here, there is a fairly simple and intuitive way of bringing it out: if I am a generally stingy person and understand myself as such, the thought that “X is a generous action” will not give me a reason to perform X, because the idea of performing X under this description will not fit with the rest of my understanding about what gives me reason to act; if I were to perform

²⁰ Technically, for Velleman self-understanding is *the* constitutive aim of agency. This claim is both harder to defend and, conveniently, unnecessary for my argument here.

X, I would have at best a very incomplete grasp of what I was doing. Thus, I have reason to perform actions that make sense to me. Velleman's middle strategy, then, is to argue that this process of making sense of ourselves and acting on that intelligibility constitutes practical reasoning, and practical reason thereby exerts pressure on us to act in ways that are intelligible to ourselves.

One way in which my actions can fail to make sense to me is by responding to motives or values that themselves do not make sense. Say that a man yields to a sudden urge to drink a can of paint (Davidson 1980, 4). His action will make little sense to him precisely because the motive is not one he understands: a lover of gustatory pleasure, he prides himself on taking an interest in only the finest of beverages. Unless he can reconcile the motive with his other motives and values, he will be unable to incorporate the action into his self-understanding; it will remain as opaque to him as any unintentional twitch. So if making sense of what one does is an aim in doing it, agents will also aim to make their motives and values intelligible to themselves by fitting them into patterns that cohere with their other patterns of responding and acting.²¹ This is the foundation of Velleman's account of valuing. What, he asks, is the difference between liking something and finding it likable, given that we are capable of doing the former without the latter (and vice versa)? That is, what is the difference between a simple emotional reaction and an evaluation? On his view, "[r]eacting becomes valuing when it is regulated by the subject's conception of what it would make sense for him to feel" (Velleman 2009, 40). The idea here is that if we simply acted on the basis of our immediate emotional responses to situations, our patterns of action would lack coherence and consequently our individual actions would fail to be intelligible in light of our (in this case highly fragmented) self-understanding. Practical reasoning, on Velleman's conception, must drive us to coherent patterns of reacting—ones that make our reactions

²¹ Though of course this aim need not be one agents are aware of pursuing. As Velleman notes, the aim may be set by a sub-personal mechanism (Velleman 2000, 20).

intelligible in light of our other reactions, beliefs, desires, and the rest of our mental repertoire—and this is just what valuing consists in.

If we are to react in coherent patterns, we must react in similar ways to similar things, since reacting involves reacting *to* something. This means that practical reasoning, on this conception, “favors cultivating appreciative responses to things that belong to general kinds—kinds that are recognizable, if not by explicit description, then at least by family resemblance” (Velleman 2009, 45). So while things in the world are not valuable in themselves, Velleman thinks, practical reasoning drives us to see general kinds of things as warranting similar kinds of reactions. We can extend this account to see why valuing humans and nonhumans in similar ways would make sense: we can perceive pain, or purpose, to take two examples, in both. And it thus makes sense to react to both in roughly similar ways, depending on their degree of similarity. Importantly, this is something we are already disposed to do—and something that we clearly *do* do, for the most part.

Now, obviously it is possible for us to value animals and humans quite differently—it is even possible to maintain a sensitivity and willingness to respond to human purposes while completely disregarding the purposes of nonhuman animals and especially plants. And our extension of Velleman’s account does not rule out this possibility, since for Velleman our valuations must cohere with our self-understanding, and this means that extraneous factors can lead us to diversify our reactions to otherwise similar classes of things. A butcher, for example, needs a self-understanding that allows him to react to human and nonhuman life differently, or else he would either be unable to live with his actions or become a psychopath. Similarly, those of us who continue to consume animal flesh and to use animals in other ways in which it would be unacceptable to use them were we to respond to them in the same way we respond to humans, must diversify our evaluative responses. And we have numerous tools for doing so. German, for example, maintains two separate verbs—*essen* and *fressen*—for human and animal eating,

respectively; similarly, Russian distinguishes between *litso* and *morda*—again, respectively—for human and animal faces.

This diversification, however, is likely to be only partially successful. Most meat-eaters do not, for example, suppress their standard emotional responses to *all* nonhuman animals, but only to some; and even there the suppression is usually only partially successful, thus requiring the geographical separation of residential areas from abattoirs and meat packaging that conceals its origins. And even then the diversification of our emotional responses can remain incomplete and the tendency to value like things alike continues to work under the surface in morally problematic ways. This is exactly what Costello and Hodson's work suggests: an extraneous pressure (e.g., racism or xenophobia) to value different humans differently can lead to dehumanizing patterns of valuation precisely by tapping into the rational pressure to respond to humans and nonhumans in similar ways. I am calling the first pressure *extraneous* to suggest that it does not itself stem from the nature of practical reason, but insofar as it continues to make a difference to how we understand ourselves and our actions, practical reason must attempt to integrate it with our other evaluative patterns. The result, however, is unstable, and their work suggests that the degree of divergence in our evaluation of humans and nonhumans is a significant factor in whether the extraneous pressure to diversify evaluations of different groups of humans succeeds in allowing agents to make sense of themselves. Their work, then, suggests one way in which reducing the extraneous pressure to evaluate nonhumans differently from humans can help to bring our evaluations of all humans in line with each other—something I am here assuming we ought to do in any case.

Of course to some extent our patterns of evaluation must depend on the facts. Living things are not all the same, and consequently if we were to try to react to them all in the same way, we would likely fail: an attempt to treat humans and rose bushes in identical ways—provided we could imagine what that would involve—would not succeed in helping us to become more intelligible to ourselves. So my argument here is not that

we should value nonhumans in the same way as humans, but only that we should accomplish greater coherence and stability in our valuing of humans if we reduce divergences in reactions that don't respond to real differences between humans and nonhumans. Reducing such divergences would involve removing dispensable differences in our evaluative responses to humans and nonhumans rather than, as now, schizophrenically increasing those differences artificially by treating cats and dogs as cute while thinking of cows and pigs as food, or taking as a given that the purposes of trees, forests, and swamps are utterly dissimilar to the purposes of magnates who require an extra pipeline.

To sum up, my suggestion is that, given that we *do* tend to value like with like, and thus *are* already cognitively disposed to react in similar ways to similar features of humans and nonhumans, our tendencies to value nonhuman entities are constitutive of our valuing of humans. And if valuing humans is important—in part, because we cannot discharge our obligations to them without valuing them—then valuing nonhumans in appropriate ways is also a requirement bestowed on us by our obligations to other humans. Just what such *appropriate* valuation of nonhumans must involve is a complex question—in part because it will depend on the specific features of the nonhumans in question, and in part because establishing it requires experimental exploration of which valuative attitudes contribute to and which detract from our ability to discharge our obligations to humans rather than *a priori* inquiry. My argument here is thus aimed at providing a metaethical framework for defending the obligation to have some valuative attitudes toward nonhumans; it is not intended as a normative enumeration of the specific attitudes required.

V

My argument is intentionally meant to offer a weakened version of the constitutivist strategy. This weakening preserves the strengths of those approaches without, I believe, inheriting their more problematic aspects. First, we can now reconstruct the basic point of environmental virtue ethics without the defects noted above. We should cultivate

environmental virtue—seen as involving dispositions to respond to nonhuman entities in ways that find value in them—because it supports our ability to respond correctly to human beings. My view, moreover, gives a non-*eudaimonistic* account of how dispositions to respond to similar features in humans and nonhumans may constitute the same virtue without either relying on an attempt to tie all virtues to the umbrella of *eudaimonia* or positing an *ad hoc* virtue of responding to value in nature. Similarly, we need not take the Korsgaardian step of valuing the nature of animals because we are rationally bound to value our own animal nature. Rather, we need to value nonhuman nature because our valuing of human nature is tied up with that valuation. Our possessing an animal—and even plantlike—nature is the occasion for our recognizing similarities between ourselves and nonhumans, and this recognition of similarities, together with a requirement to value humans, obligates us to treat those similarities as morally significant. At the same time, however, we can hold on to the Kantian idea that it is our duty to *humanity* that grounds our duties to the non-natural world, thus avoiding the challenges faced by extrinsic views.

My view is likely to face its own challenges within environmental ethics, however, and in closing I want to respond to the objection that the view is unabashedly anthropocentric. My account does not posit that nonhumans *have* any value in themselves or any ability to obligate us directly; thus, accepting the argument would involve holding that the obligation to value nonhumans is contingent on the demand to value humans. And it may seem as if this is exactly the sort of view many environmentalists, Sylvan included, have struggled against. My response, first, is that the account is not anthropocentric in the most objectionable sense: it does not require that we value nonhumans only (or at all) because of their usefulness to humans. Rather, it makes our valuing of nonhumans responsive to real features of those nonhumans themselves, and thus yields a worldview that is non-anthropocentric in another sense: it is a worldview that involves genuinely valuing nonhuman entities for

their own features, rather than for what those features might provide for us.

Second, insofar as my account involves defending a non-anthropocentric worldview on the basis of an anthropocentric metaethic—a metaethic that appeals to the value of human beings—it has quite a bit in common with two of the most popular approaches favored by environmentalists: the Land Ethic and Deep Ecology.²² The Land Ethic makes nonhuman nature valuable as a part of our community; the community Leopold has in mind may be a biotic rather than a human one, yet the appeal to value nonhumans is made to humans precisely through this metaphor of community, drawn from the more quotidian model. Deep Ecology makes nonhumans valuable because our identity includes the natural world, and self-realization demands that we value it insofar as we value ourselves. In one way or another, both approaches take human communities or human interests as primary models, merely extending these to include nonhuman communities and nonhuman well-being under the heading of what really matters, or should really matter, from the human perspective. On the charge of anthropocentrism, therefore, my constitutivism seems to fare no worse than two of the greenest views in justifying our valuing of nonhumans.

Finally, when we ask what the problem with anthropocentrism is in the first place, we find that the constitutive view can avoid it. McShane (2007b), arguing against the Convergence Thesis—the view that anthropocentric and non-anthropocentric ethics will converge on the same recommendations—insists that there is a value to non-anthropocentrism that goes beyond its specific ethical conclusions. Insofar as ethics has to do not only with action but also with feeling, non-anthropocentrism involves preserving feelings toward nonhuman nature that anthropocentrism would leave out. This argument follows the claim

²² The Land Ethics is first proposed by Leopold (1966). It has since been developed in detail by Callicott (1989; 1999). Deep Ecology finds its original formulations in Naess (1985; 1987, among other places) and has been developed in numerous articles, collections, and monographs to the present day.

of Leopold (1966) and Naess (1973) that we cannot treat something well unless we love it, or at least that loving something makes it easier for us to treat it well, and thus more likely that we will do so. Their claim, then, was that we need a non-anthropocentric ethics because it will give us grounds for loving nature, or at least respecting it, in ways anthropocentrism cannot. And this is precisely what a constitutive view can provide: without slipping into straightforward non-anthropocentrism, that is, without insisting that nonhuman nature *has* normative standing, constitutivism can insist that, nevertheless, there are reasons to *see* nonhuman nature as having normative standing, and thus to treat it accordingly. Here we find a vindication of Kant's claim that cruelty to animals is objectionable because cruelty to humans is objectionable, but also a principled way to defend a non-anthropocentric normative experience of the natural world.

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