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Individual or Community? Two Approaches to Ecophilosophy in Practice

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ABSTRACT: Should environmental philosophers – or practical conservationists – focus their attentions on particular living creatures, or on the community of which they, and we, are part? The individualist ethos of the United States is reflected in legislation to protect endangered species in which particular species are portrayed as individuals with rights that must be protected. By contrast, the planning of environmental protection in Norway, exemplified by the Samla Plan for the management of water resources, emphasizes the importance of community integrity, where ‘community’ includes the whole of nature. These differing approaches are considered in the light of moral monism and pluralism, with special reference to Christopher Stone’s recent work. Despite their differences, and the reservation that each method inevitably takes a *human* perspective, it can be hoped that each may contribute to enabling people and political systems to consider nature more seriously.

KEYWORDS: Ecophilosophy, Endangered Species Act (US), environmental assessment, moral pluralism, Samla Plan (Norway)

I have always wanted to glimpse a mountain lion in the wild. There is something about the sight of a single, elusive and scarce animal in the wilderness that would make me feel I had *arrived*. Where? Into the privileged company of the endangered, perhaps, to see what many may have seen in the past, but what few can see today.

Even if I never get to see one, it may be enough to know that the stealthy cat lurks in the wilderness, without ever bringing the animal into one’s gaze. This is part of the allure of the endangered species, the dwindling few, the tiny population withering away upon the assault of human forces. We do more than empathize with endangered species, passing quickly to the point where we *identify* with them, feeling in the gut that we too might easily be numbered among the tenuous. We want to save what we see to be like us: the tested, the suffering – beings pointed toward the verge of extinction.

I can travel far in this direction from a searching glance for a silent cat in the deep New England forests. What surprises me even more than my own reverie is the effect a passion for the endangered species has had in the legal system in

America, and the extent to which the individual suffering of imperilled populations has become the linchpin of so many heavily publicized environmental conflicts. The Endangered Species Act of 1973 is one of the most powerful pieces of environmental legislation the United States has: it may be the strongest official means for calling public attention to the deleterious effects of major environmental intervention. The vision of the tiny blind snail darter as a helpless individual persecuted by big business led the whole nation to go up in arms about the Tellico dam. The Furbish lousewort brought the death knell to the St. John River hydroelectric plans in Maine, even though few have seen the plant and even fewer would know it if they did.

It is likely that both of these projects would have been disastrous for their respective ecosystems. From an environmentalist perspective, it is good that they have not been built. What puzzles me is the rationale that led this nation to speak out against them – the Endangered Species Act is a law which turns ecological disputes into the claim of an individual against the powerful and hostile authorities, when actually what we want to preserve are places, landscapes, and fields of interaction between many species and natural contexts. Why does our society need to rephrase these conflicts in such an individually centred form in order for them to captivate the public imagination, either intuitively or in policy?

I submit that the consideration of conflicts between humanity and nature as the suffering of neglected ‘persons’ vs. the megalithic state is a particularly American approach, well-rooted in the principles upon which that nation is built. I doubt that this kind of legislation would be so appealing in other countries. Certainly not to the extent which it is in the United States. Other political systems seem more willing to accommodate interests of non-human creatures and places as part of an overall sense of community. Since conservation will only ultimately succeed if the general spirit and state of humanity comes to consider a healthy relationship to nature as part of our overall goal and course, an ability to consider the value of the community of nature is key. Passion for individuals incites a much more limited experience. I want to see the cougar, but it is the forest I love to explore.

In contrast to the Endangered Species Act, I will consider the Samla, or Master Plan for the development of the hydroelectric potential of Norwegian watersheds, which represents a contrasting community-based approach. These are two opposing ways of bringing concern for nature into practical policy debate. I want to emphasize the differing *philosophies* behind the differing laws: one believes that we motivate people toward ecological ‘love’ through empathy for individuals, the other says that what we call nature has value for the community as a whole, and must be treated as a part of that community, not an absolute source of pure value.

This dichotomy has parallels in ecophilosophy itself, echoing the debate between monism and pluralism: in the former, there is an absolute and singular

sense of a right code and order in the treatment of entities (perhaps individuals) in nature, while in the latter, we recognize that different forms of evaluation may be necessary for different situations, and hope that the combination of several 'layers' of analysis may stand to provide the most comprehensive solution to the nuances which make any one problem specific and particular, thereby avoiding the inflexibilities of a single rule which is meant to apply to each and every instance.

Is there a correlation between upholding a single principle and concern for the individual as opposed to the community? It somehow seems easier to uphold a unified principle, and an individual's needs are more singular than a community's. But the one principle of community might be just as obstinate. We shall see.

The American nation rallies to the support of the spotted owl, an elusive bird at the mercy of the technocratic conglomerate poised to destroy it and its kind in the name of unshakable progress. We cry out in solidarity! Why *us*? It is nothing so new. Part of the political heritage of our country includes more than respect for minorities, as our nation is a nation of individuals with equal rights and opportunities before it is a single-minded state with a purpose and mission. But it is a paradoxical point for unity, as it assumes the only maxim which holds us all together is respect for our own individual rights. The consideration of nature as a place to find more individuals whose rights may be infringed upon is merely an extension of this process, probably the easiest kind of extension to accommodate within an individually-centred legal and philosophical system.

It was a problem well-known to the original architects of the American constitution, who saw the new nation a United States of innumerable diverse interests. The government must be structured so that no one group should get too much power! Not one of the myriad factions should grow too large to sway government policy unnecessarily in its direction. Factions were seen as both the bane and boon of a democracy: their flourishing proves the success of the political system, while any single domination by an avowedly limited pressure group would signal the downfall of freedom and safety for the rights of different kinds of individuals. James Madison used an ecological analogy in Federalist Paper #10, where he argues that a well-constructed government should be able to limit the power of factions while simultaneously encouraging them to exist:

Liberty is to faction what air is to fire, an element without which it instantly expires. But it could not be less a folly to abolish liberty, which is essential to political life, because it nourishes faction than it would be to wish the annihilation of air, which is essential to animal life, because it imparts to fire its destructive agency.¹

"A pure democracy", he concludes, "can admit no cure for the mischiefs of faction." The secret is to support the raising of consciousness in the direction of enveloping more and more possible interest groups and their claim for protection, such that there will be so many that none will ever get to be too powerful.

If this strategy reaches its ultimate end, the primary locus of American power

will be individuals and their inalienable rights. *The further we increase our awareness, the more kinds of individuals we will see.* Business has taught us to see corporations as heightened individuals, and environmental law has manoeuvred us to conceive of single species as downtrodden ‘citizens’ whose position needs to be heard! Or rather, it is this faction-encouraging, faction-limiting side of the American political system that has made this the easiest way to allow such beings to be heard in our courts and media.

Christopher Stone’s famous essay, *Should Trees Have Standing?* was an essential contribution to the legal literature which helped to strengthen the Endangered Species Act so that it might make a difference in court. He demonstrated that it was possible to make the needs of animals and plants ‘sound’ like human needs to carry equal weight in the resolution of problems which we humans have created. Though his initial aim was modestly to find a way to get the claim of a Mineral King forest or a black-footed ferret into the courtroom door, his argument takes him much further afield, to the point of hoping and wishing that this expansive path of thinking might lead to a whole new myth for future humankind:

What is needed is a myth that can fit our growing body of knowledge of geophysics, biology, and the cosmos. In this vein, I do not think it too remote that we may come to regard the Earth, as some have suggested, as one *organism*, of which Mankind is a functional part – the mind, perhaps: different from the rest of nature, but *different* as a man’s brain is from his lungs.²

Here Stone reaches far away from the claims of law and into speculation of cosmology. Well, twenty years later the new myth he asks for has a name, the Gaia hypothesis, and however spiritual its appeal may have become, we should not forget its partially political roots. We have envisioned animals and plants to be individuals like us, and now we assess the world, wanting it too to be an *organism*, one thing, a unity, a giant mirror of ourselves, envisioned in our own likeness. It is a gargantuan image, which we want to keep simple, but of course no single picture could encompass all human and natural problems the way it wants to. The larger the myth of the One, the less it seems to mean. The science behind Gaia is always under careful scrutiny, but its religious and political basis are in many ways independent of biological detail. We want to identify with the world, so we see it as simply as we can.

Just how wide can we look around and still imagine that there exists an individual? Early critics of Stone such as John Rodman warned that “the animal shall not be measured by man” and presumably something as vast as the Earth shall not be confined by our meagre concepts of identity and unity. The ‘new myth’ might be to actually treat these entities as really different from us, a ploy true to our convenient smooth system for limiting the power of special interests by encouraging their proliferation in greater and greater numbers. Nature another special interest? Can we reduce it so much? How dare we try to imagine

it has rights, like an oppressed member of merely human society?

According to my friend Arne Naess, we care about nature the more we identify with it, the greater we expand human sensibility toward the larger reaches of nature. We will care about the river because it is a part of ourselves, we respect the mountain because it is essential for our very being. One easy way of making these things come true is to embrace each entity in nature with the vision of particularity: they become part of us because they are 'persons' just like us, with rights, duties, freedom, and purpose. But this is not the only way to expand our *own* identity. The other is to recognize the fish, plants, valleys, and waterfalls as something we need to consider to use our natural world wisely, and that this consideration requires the realization that these 'parts of us' are very different from the part that merits recognition as an individual. They are not *like us*, but in their other-ness, they help define the limits of ourselves.

If so, there is little chance of getting enough of nature in the courtroom door, or giving it fair consideration in our person-centred legal and philosophical system. We cannot turn all ecological conflicts into the struggle of one endangered species against the hungry masses. When it comes to the preservation of nature, there are many instances where an Endangered Species Act has little to say: what needs to be saved may be something beautiful, something necessary, or something which makes possible an important but avowedly *human* experience.

The expansion of the human self means more than learning to see the world as a vast community of individuals, each of whose rights need to be respected with absolute commitment. And yet a legal system based on a person's claim against the interests of a state may be able to do little more than this. There is something about the success of the Endangered Species Act that seems absurd to many people. And we cannot let environmental problems be made to appear ridiculous or partisan.

The call for expanded rights may call greater public and professional attention to previously impossible plaintiffs, but the solution of problems requires a more balanced perspective that can still claim to speak of and for the Earth. I believe it is this realization that led Christopher Stone to move beyond the call for wider definition of standing to an exploration of moral pluralism in eco-decision making in his more recent book, *Earth and Other Ethics*. Pluralism in his context means the attempt to consider any ethical problem to be a situation which can be seen from many distinct planes of evaluation (somewhat like the Rashomon effect, where a story looks vastly different depending on who recounts it), each with its own criteria and scale. None is comprehensive, as each is built on premises which deny the ability to conceive another's point of view.

Today, Stone asks us to layer several perceptual maps, one upon the other, in the evaluation of an environmental situation. Whereas principle-based ethics is a step toward justifying the need to care about nature by uniting an intricate situation around a single idea, pluralism is a step towards solving multifaceted

problems without thinning them out too much in the process. I would not say that either one supersedes the other, but it may be true that an insistence on monism distances one from the complexities involved in solving anything, to the point that one is unable to see the forest for the standing tree.

It is Stone's belief that a carefully plotted intersection of moral planes around a specific problem will avoid the kind of moral relativism which prevents one from seeing the real value inherent in any examined part of nature. He would like to make philosophy precise enough to bring it to the service of specific problems at the case by case level. The way to encourage fairness is to look at each problem from many sides, without offering any one position inalienable rights or superior importance.

Now Norway's Samla, or Master Plan for the Management of Water Resources, is one example of such pluralism in practice. (I will refer to it as the Samla Plan, because Master Plan sounds a bit too generic.) Norway generates 98% of its electric power from native hydropower, and even exports electricity to neighbouring countries. For a relatively small nation, it possesses a hydroelectric potential second only to Canada, a nation over thirty times larger. These resources are the same reasons that make it such a spectacular and beautiful country, with hundreds of rushing waterfalls plunging into deep dark fjords from tiny mountain lakes. The question is: can these two ways of assessing the place – beautiful and energy-rich – be combined to help decide how these watershed landscapes should be treated?

In the 1960s and 70s, when the development of more remote watercourses became more and more feasible, and the Norwegians became richer and richer through the discovery of oil in the North Sea, development of these areas began to increase at a rapid rate. It was the government's original vision that *all* rivers should be dammed, creating a huge quantity of readily usable and exportable energy that could keep Norway in good financial shape forever. But the vision of falling water as potential power meant the drying up of spectacular waterfalls, including the Mardølafoss, highest free fall in Europe. A series of well-publicized non-violent direct actions turned the world's attention to the plight from the river's point of view. Today the Mardøla falls flow only during the summer months, when there are enough tourists to care, while in the winter the descending cascade is hard at work generating Kilowatts by the hour.

This and other demonstrations stopped a few projects in Norway, but by the early 1980s, it was clear that the public was largely opposed to the government's policy to use every river, one by one, until the entire nation was a huge, liquid power plant. Dams were being put up without any second thoughts, and something had to be done about it. After years of deliberation, the Samla Plan was the government's answer – a system to determine the value of a given watershed from a multitude of perspectives. Each potential site could be evaluated according to the plan, and then given a rating of priority which would weigh the energy benefits against the costs on four distinct value-planes:

naturvern, friluftsliv, vilt, and kulturminner, or: nature conservation, outdoor life (usually translated as recreation, but meaning more in Norwegian), wildlife, and ‘culture memories’ or more directly, archaeological significance. The four basic categories are considered to temper the economic value at the earliest possible stage in the evaluation. In the interests of quantifying all together, the effect on each category of the project are rated from +4 to -4, positive to negative effect of the proposed development.

Nature conservation is clarified to include both “preservation of nature as a permanent basis for human activity”, and “preservation of the diversity of nature, in regard to plants and animals and their habitats, natural landscapes, and geological formations and deposits”. So nature is to be saved both for humans and for its own integrity, not just as some vast community of persons, but as a realm of glacial shapes and ecosystems, organic and inorganic, constantly changing and fixed remnants of past upheavals. Endangered species may play a part in this evaluation, but they are just one consideration among many. The vantage point is the value of the natural area to be disturbed as a whole, with whatever parts are necessary to make the totality possible. The government recognizes that no hydropower project will be beneficial from the point of view of untouched nature, so the impact will be from 0 to -4.

The word *friluftsliv* is more than outdoor recreation, but a form of ‘life in the open air’ that expresses the ideal Norwegian enjoyment of land and country, lake and mountain.³ More than outdoor sports, this plane includes “activities where the essential element is the aesthetic experience of the natural scenery itself”. More than recreation, this is the vantage from which human experience and enjoyment of nature is to be most clearly glimpsed. Once again, certain unusual kinds of nature must have some priority, and wild, undesecrated nature should be accessible to the areas where people live. It is also interesting to note that no one in the government even proposed that a new lake might *increase* recreational opportunities: Norwegians don’t seem at all interested in boating or fishing on artificial lakes. The impacts on *friluftsliv*, the national passion, can only be from 0 to -4.

Likewise, most development projects will have a negative effect on fish and wildlife. Evaluation from their perspective is entirely different from the preservation of nature as a whole or the protection of nature for human aesthetic entry and enjoyment. It is here that the necessity of certain habitats for certain species needs consideration. Once again, evaluation is 0 to -4.

Archaeological value is the final of the four base categories enlisted to ‘check’ a development scheme. As many important Viking and Samé (Lapp) sites are near water, these could be completely drowned by a large project. Impact, 0 to -4.

These four main planes are meant to weed out those projects which are unacceptable from any one or more points of view, before additional criteria are applied. These include water *supply* and pollution control (impact +1 to -4),

agriculture and forestry, which may stand to benefit greatly from manipulated water (+4 to -4), reindeer cultivation (the traditional economy of the Samé people (0 to -4), erosion and flood control, transportation, ice and water temperature, climate alteration, and the health of regional economy. It rapidly becomes a complicated series of layers, and it seems remarkable to expect that ensuing conflicts between different viewpoints (where planes fail to intersect?) could be solved in this way.

Norwegian activists generally support the plan, because the haphazard opportunistic development which preceded it so badly needed to be checked. They seem to agree with the way the government has made ecological interests fit in to the larger interests of the state as a whole in regard to nature. This is a notion of national unity which can encompass the interests of fish, birds, and the river itself, which should never be killed or constrained beyond the reasonable limits of its service to the nation, like any other part of the country. Nature is not just an individual, not just a resource, not just something with value in itself, but something which has been looked at in all these ways, each which must be weighed in the decision of the land, like the Tao which must be Taoed, to evoke the name which cannot be named: the actual implicit, intrinsic, inherent *value* of the place in question in itself, independent of external criteria. The multiple perspectives serve to surround and suggest the single worth which cannot be known or numbered alone.

But there is one basic criticism of the Samla Plan: it does not question the need for more hydro-development in the first place. It only places each of the 310 projects into 16 priority groups, specifying the order in which they are to be developed. They might all go eventually, if the power is needed for the goals of Norway. By 1991 many other watersheds have been permanently protected according to *Verneplan* III and IV, two successive attempts to cordon off certain extremely valuable watersheds from any form of development forever. Only with such an ultimatum can the strong pull of an economic development plane ever be overridden. Another approach to the assessment of these projects would be to question the entire long term rationale of large hydrodevelopment schemes in the first place – except that most Norwegian projects are small enough not to involve the risks involved in these. The greatest danger in hydropower development in Norway is that people will come to take all this cheap, renewable energy for granted, and use it as fast as they can. Some Norwegians today keep their mountain huts heated all winter long so they can be comfortable as soon as they arrive from the city – is this what *friluftsliv* has become?

The Plan is not at all an alternative philosophy to redirect civilization's conception of energy. It is a strategy to temper the exploitation of resources, not to question the very validity of thinking of watersheds as things which exist to be exploited. But at least it recognizes that there are many other extremely important ways of evaluating these places wholly independent from their power potential.

Similar methods of assessing developments exist in the United States, though not as national policy. Usually they appear in environmental impact statements, which are often just thick paper apologies for projects whose rationale is rarely questioned. Such an assessment recognizes the sense of compromise nearly always present in the solution of real world eco-problems, as opposed to the virtuous principle upheld in the defence of imperilled species simply *because they are there*. These are symbols of two approaches in reasoning more than anything else. It seems that a more homogeneous nation like Norway, with a more traditional sense of national purpose which enjoys and respects nature as well as including a sense that a person's best role is to serve the state to the best of his or her abilities, demonstrates a stark contrast to the mood of the United States, where we desire to realize our own potentials, make our own way, and make sure others can have the same opportunities for individual fulfilment, be they people of different cultures or creatures great and small. Yet not everything in nature survives if envisioned as an individual, suffering and alone. And no one perspective could possibly encompass everyone's needs.

Deriving from Darwin and Leopold, Baird Callicott has asked for a conception of humanity in nature as membership in a larger community, as an overarching goal to ground a new myth of our species in nature – just what Stone called for in his earlier book. He finds Stone's newer attempt to solve problems upon a range of layers insensitive to the need to take a final stand. It smacks of blind relativism, where every position has equal weight, and no absolute commitments are accepted.

Yet in advocating return to community, one needs to find a way to reconcile the diversity of interests that any group will represent. One might argue that the Samla Plan only works because the ideal of Norway is sufficiently unified in people's minds to agree that each part of the society needs to compromise to serve the whole. The belief that a common goal is important makes the system singular, not pluralistic. Perhaps the individually-centered American system is even more pluralistic, as it admits no common ground save "don't tread on me!" – respect for the rights of other individuals waiting to be conceived and tagged.

Does the debate just come down to the ancient ambiguity of the many or the one? I think it is more a challenge between the staunch clarity of a theory and the maze of particularities required in any specific action. Yet it still seems remarkable how far one can carry the notion of an individual in America's legal system, and equally remarkable that another nation tries to quantify beauty as part of the value of an intervention. 0 to -4. In the end it is a choice between different *human* approaches to the consideration of entities that cannot speak for themselves in our arenas of decision. Both methods are instrumental, because we continue to use the land; and let us hope that the employment of each will combine to enable the populace and the system of political rules to be moved by the consideration of nature – essential to our identity and survival, not always able to be seen as *like us* in any way at all.

NOTES

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¹ Madison et al., 1961, Federalist Paper #10, p. 78.

² Stone, 1974, p. 51.

³ For more on the centrality of this term to Norwegian culture, see Faarlund, 1992.

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