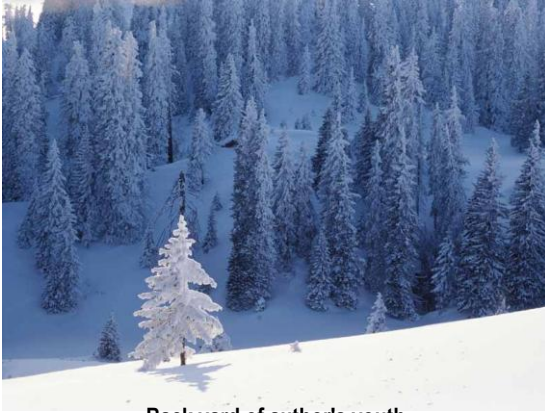


**UNIVERSITY OF NORTH TEXAS
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**What Does This Do For Me?
An Applied Aesthetic Defense And Animal Rights**

**submitted for partial completion of
PHIL 5451.001 Environmental Ethics
Dr. Eugene C. Hargrove**

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Back yard of author's youth.

What Does This Do For Me?:

An Applied Aesthetic Defense And Animal Rights

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I was sitting in a lecture innocently listening to a comment from a fellow student. She described the loss of her childhood play area, a semi-wild area converted into some form of track housing, an area seemingly devoid of any particular environmental value. Her visible frustration seemed to be an appeal of the nostalgic type but it upset this student deeply. "What does this do for me?" She said with brutal honesty and innocence. She meant to ask, "In what manner can environmental ethics contribute to the defense of nature?" If the ethical considerations she had read about in our course could not assist in formulating an approach to defending what she valued in nature, then where is the worth in the endeavor? I was deeply motivated to answer the question for her, maybe not in terms of the particular area she had in mind, but from a more general point of view. This paper will explore Hargrove and Sagoff's historical investigations of American attitudes of valuation and outline a general defense for nature based on aesthetic values and contrast this defense to one of rights for animals.

Basis of Our Attitudes

It is useless to enter a discussion on what humans' value without first investigating the basis of these attitudes. Understanding the history that helped shape and guide human thinking is a window into understanding the conceptions involved. In the fittingly titled text *Foundations Of Environmental Ethics*, Eugene C. Hargrove argues that North American "attitudes actually emerged from an aesthetic interest in wildlife and nature".¹ When non-natives first arrived in North America they considered the land to be barren and desolate. Early settlers died in large numbers and considered wild nature as an enemy, as something to be conquered. The attitudes of early Europeans in North America changed over the next few centuries as we explored and expanded our experience of this continent. Americans, particularly naturalists who were trained both in science and art, began to capture an aesthetic attitude about the objects and they studied and cataloged². This aesthetic valuation was transmitted through landscape paintings and literature. Even animals were first classified in an aesthetic manner, added slowly over time to the landscape gaining value thereof³. Some of the first land areas set aside from development owe their existence to this landscape painting tradition. It is clear that our current attitude towards nature has developed as representations: images from landscape painting, photographs and perhaps descriptive literature of nature and hunting. The idea of nature as a representation sets images of the natural world as representations of an aesthetic value that can be understood in the same manner one would appreciate une object d'art.

A contrasting historical tradition given by Mark Sagoff posits nature as a symbol rather than a representation. Appreciation of wilderness started in the cities out of a picturesque travel tradition that evolved into today's tourism⁴. Symbolism can involve non-aesthetic aspects such a religious or political meaning related to the image, but not inherent to the image. The symbolic makes assumptions about one that perceives the

object. Animal symbolism, present in many cultures, is not to be mistaken as a valuation of nature or animals. East Indian culture is full of animal totems, yet this culture has a very low opinion of nature in general. Even the cow and cobra are not valued as animals in their own right but as extensions of other cultural ideas. The cow does not have a right; it is simply a sacred object.

The bald eagle is an example of an American symbol that is hard for non-Americans to understand. The eagle represents strength and liberty and not an unusual bird of nature that both predator and scavenger. An advantage of symbolic nature is obvious in the success of protecting the bald eagle in the United States. When endangered, the symbolic idea of the eagle as an Americanism resulted in a very strong support for its protection. In addition, symbolic totems are a feature of Native North American culture, which has permeated our own cultural history, could be useful as a basis for environmental movements. In countries and cultures, such as India, whose populations might be less enthused by animals and nature, animal totems and symbols could be useful in getting the environmental message, that we value nature, across.

This account does not explain the lack of understanding of our values and our inability to articulate them, and does not attempt to go into pre-America history. The development of attitudes is accounted for, but missing is a pre-America rationale. Why did settlers from Briton adopt this attitude, and not French or Spanish settlers? This is serious in light of Hargrove's suggestion that our land attitudes are, in part, a cumulative result of influences occurring in Europe well before colonization.

Sagoff also argues that religion is the fulcrum on which our attitudes were balanced and then changed from the Puritans to today. This is understandable is symbolism is the basis to our attitudes. The covenant we have made with nature, which is as much an obligation to use well our natural environment as to protect it - and, in any

case, not to destroy it wantonly or in a wasteful manner - historically had religious rather than economic or even literary and artistic origins.⁵

This virtue implies a virtue ethics, although perhaps only as a historical basis. He later talks in the language of mostly values, but these valuations could be virtue based for Sagoff. "The point would be to recognize our **responsibility** not only to what survives of the past but also to what we have destroyed"⁶ [emphasis mine] "Responsibility to the wilderness" is the tendency or description of what you would expect from a good environmental conscious person.

In contrast, Hargrove would argue that the evolution of environmental ethics has evolved away from the Puritans towards values orientated ethics⁷. A distinction exists between virtue ethics, which were abandoned in the 17th century, and the value ethics now more common to today's thinking. Sagoff's confusion about the historical account of value/virtue is possibly related to his Kantian leaning, or my confusion of his very satirical writings. Sagoff does recognize that there exists an aesthetic component to our values, and more importantly, that the issue is really about values versus cost-benefit analysis, not virtues. Both philosophers identify the issue as one directly related to how attitudes have developed into values human use in environmental ethics today.

Cost-Benefit versus Values

Our student wanted to have something to hold up and declare, "they were wrong to destroy that nature area". She stated that the area was "valuable" to her. Let us not be misleading. The value in question cannot have been bought. Our student was not looking for compensation; she was looking for blood. Economists would have us believe that such values can be expressed in financial terms despite evidence from their own surveys that a contradiction plainly exists⁸. The ultimate policy making tool should be bean counting a communities 'willingness to pay' or 'willingness to be paid off'.

The text *The Economy of the Earth* takes on the value-based ethics versus economic cost-benefit analysis conflict as its main theme and explores the facets of market efficiency driven environmental ethic. Humans have attitudes developed over centuries that we cannot appreciably account for with our language. The average Joe has a poor understanding of the meaning of feelings about these types of values. The economist would claim that these attitudes as qualitative values are meaningless because 1) they cannot be quantified and therefore objectively studied and articulated and 2) because they are hard to account for and very difficult to articulate in language. They take the lack of articulation and our avoidance of the aesthetic argument as evidence that these values cannot be represented or defended, that aesthetic values are not part of our attitudes towards nature.

To criticize aesthetic value because it is difficult to articulate is to deny the existence of other human attitudes such as of love, hate, pride or shame. Many have tried and then failed miserably at articulating feeling of such as love, hate, pride or shame, yet no one would deny their existence as strongly held attitudes. The economist tries to tap into our confusion by constructing a representation of our interests by polling immediate preferences without deliberation and sometimes purposefully withholding information and/or pulling situations out of context. This is an attempt to ignore the qualitative character of an aesthetic value. The economist assumes that to be objectively sought, values must be quantified.

The data is collected and analyzed for group preferences and is offered as a representation of values belonging to a group, in the same sense that values about capital punishment or religion might be presented. These economists are using what Norton describes as "felt preferences" to make this representation.

A felt preference is any desire or need of a human individual that can at least temporarily be satiated by some specifiable experience of that individual.⁹

The persons polled are unsure, confused and unable to articulate their interests as they are asked to immediately represent attitudes in terms a monetary cost or willingness to pay. For example, "How much would you be willing to pay to see this area protected?" An honest response, that you are not willing to pay anything, just as one would be unwilling to pay for respect or love (apart from politicians)

The assumption that quantification creates an objective body of knowledge is correct. Given the ordinal values collected, the result is mathematically valid and is a good representation of the data. The idea that this body of knowledge represents the values of those polled is incorrect simply because the quantification of ethical value is not possible, any more than one could quantify love as monetary value¹⁰.

Environmental policy cannot be determined by cost-benefit analysis.

In addition, the cost-benefit process results in localization among affected individuals only and prevents consideration in the public realm¹¹. It is an attempt to quantify the intangible, to represent satiation of the immediate sort in an almost hedonistic sense.

Economic approaches to decision making often adopt this approach because it eschews "value judgments" - decision makers need only asks people what they want, perhaps correct these preference of intensity, compute the preferences satisfied by the various courses of action, and let the resulting ordinal ranking imply a decision¹².

Valuation ought to be an informed decision making process-expanding conflicts to public realm, allowing and causing informed participation by the community¹³. Felt-preference is not a basis for determining 'good' values. The 'good' is a result of determination¹⁴, not the instantaneous introspection of the felt-preference measure by Mr. Economist. Norton offers a contrary definition to "felt preference" he calls "considered preference" that elucidates Sagoff and Moore's points:

A considered preference is any desire or need that a human individual would express after careful deliberation, including a judgment that the desire or need is consistent with a rationally adopted world view - a world view which includes fully supported scientific theories and a metaphysical framework interpreting those theories, as well as a set of rationally supported aesthetic and moral ideals.¹⁵

Considered preference can include scientific datum and economic considerations. Thus a cost-effectiveness analysis that "helps us find the least costly means to achieve societal goals we chose through the political process [informed deliberation] and approve on moral or cultural [or aesthetic] grounds" is an important tool to be distinguished from the economist market based measurement of efficiency¹⁶. This pulls the focus away from economic efficiency as a basis and pushes the focus towards recognition of pre-existing attitudes evolved into deliberative or considered preferences. The focus is the aesthetic valuations.

Further criticism of economic analysis is the accounting of unplanned costs or properties that are considered external to the market. For example, environmental damage is often identified long after products have entered the market. The financial burden of cleanup is not directly considered or met by the manufacturer but by the community, local or national government. For the manufacturer, this cost is external to the market analysis, a negative externality. It is not reasonable that the most obvious object of consideration, that of protecting nature from despoliation in this sense, is left out of the equation. Recognizing that "that natural areas and species are positive externalities" and that they remain outside cost-benefit analysis 'would help eliminate a lot of confused thinking about the value of nature in terms of economics and public policy.'" ¹⁷

Aesthetic values exist despite our great difficulty with recognizing and articulating these values. The difficulty is not with our attitude; the difficulty is directly related to a lack of education and preparation in aesthetics for most Americans, in addition to the

abandonment of an aesthetic vocabulary of nature since before the 19th century ending with "The Beautiful, The Picturesque and The sublime."¹⁸ We may not understand the origin of the aesthetic basis yet we cannot abandon this valuation for one based on economic cost-benefit. Certainly the economist (and politician) is better than we are at manipulating the economic efficiency argument.

More importantly, cost-benefit analysis is simply not a measure of ethical value. Environmental laws, as are animal rights laws, are based not on the economic quantifiable, not on falsely quantified intangibles, but on qualitative values. Assuming aesthetic values are simply subjective then re-creating a valuation that is quantifiable in order to create objectivity is grossly misguided. Aesthetic value is not necessarily subjective. Indeed, an aesthetic value is demonstrably objective.

Objective Good

Is good subjective or objective? That one finds something pleasing in an aesthetic manner is to imply the aesthetic value one has is purely subjective? This idea that all such values are subjective or "purely individualistic" is based on a strong anthropocentric viewpoint¹⁹. In the main title of this paper, "For me" suggests a subjective valuation. Our student stated as much. "Difficult-to-defend references to the intrinsic value of nonhuman natural objects" plagues environmental ethics, especially in the animal rights arena²⁰.

In "Environmental Ethics and Weak Anthropocentrism."²¹, Norton gives a strong argument that an adequate weakly anthropocentric environmental ethic can be established in place of the strong anthropocentric one. A weakly anthropocentric approach is "not purely individualistic" and "ethical questions about the environment can be divided into ones concerning distributional fairness within generations" or fair treatment of individuals (felt preferences) and questions analogous to management of

the environmental trust across time or allocation which are not individual but group considerations (considered preferences).²² Human relations demonstrate the possibility of considered preferences in non-environmental ethics.

What of the idea of subjective preference? Is it not true if I am discussing my preference for something, that I am subjectively examining my "estimate quality of pleasure" for that something²³?

It is not true that what you think, when you think a thing good, is *that* you prefer it. Even if your thinking the thing good is the same thing as your preference of it, yet the goodness of the thing - that *of* which you think -is, for that very reason, obviously *not* the same thing as your preference of it.

The fact that you prefer a thing does not tend to shew that the thing is good; even if it does shew that you think it so²⁴.

These passages from Moore defend the idea that *good* can be objective and that preference need not be individualistic but can be an objective deliberated preference. Thus, aesthetic value resulting from the deliberative process, especially a deliberative process within a community network, is an objective value that can be articulated. A communities preference to protect a part of nature is not necessarily an expression of a pure hedonistic sense of satisfying the individual but recognizes a community process that is rational, objective and good. Our student may express her need (or in this case her loss) for protecting an area of value to her, but this expression is not just an individual need to preserve nostalgia. I felt the deep loss because she was articulating for others the same attitude most Americans share. How could such an attitude be subjective?

To assert that a thing is beautiful is to assert that the cognition of it is an essential element in one of the intrinsically valuable wholes we have been discussing; so that the question, whether it is truly beautiful or not, depends upon the *objective* question whether the whole in question is or is not truly good, and does not depend upon the question whether it would or would not excite particular feelings in particular persons²⁵.

An aesthetic value of a community is a good that one can articulate, perhaps with difficulty, since it is of "great complexity", but it is one that is objectively defensible²⁶.

Think of an animal in a cage, an image of a nature scene or an informal garden created at the fork in the road. Do these have the same beauty as similar objects in wild nature? We can be saddened by the animal's meager existence. An informal garden is not as beautiful as a wild setting. An exact copy of a nature scene is only a representation of one that ought to be known to exist. If the actual area is known to have been destroyed or altered, then the same picture can evoke a negative value. We all understand these distinctions and can express the difference in quality of the aesthetic value. This is the starting point of an honest assessment of why we should work to protect (or restore) nature.

Aesthetic Value as a Defense for Nature

In the most general terms, as I noted earlier, the object of duty, what we ought to do, is the achievement of good, what ought to be. In this context, the duty to promote and preserve beauty arises out of the recognition that beauty, whether experienced or not, is a good. In addition, the duty specifically to promote and preserve natural beauty arises out of the recognition that not only artistic beauty but also natural beauty constitutes an aesthetic good that makes up part of the general good that exists and ought to exist in the world.²⁷

Aesthetic attitudes have developed in Americans an objective value of nature as an ethical good. But is the best approach to defending environmental issues is an honest appeal to the actual values? What will others say of our appeal to an aesthetic value?

Recent history suggests that we do not have confidence in this approach. For example, Greenpeace, Sierra Club and the Animal Liberation Front often avoid direct appeals to aesthetic characteristics of things or beings they wish to protect. How is one to understand the base attitude of a groups' preferences, if that attitude is hidden away as an embarrassment? Defense does not necessarily have to be one that considers nature as threatened or an endangered something or other. It would be a

poor substitute if we merely attempted to make up some rationale or warped some third issue, to create a means to our end in protecting nature.

Americans have tired of the constant Chicken Little "The sky is falling" approach, feelings have been blunted by twenty-four hour news and blues. I don't doubt that the next Exxon Valdez will be unimpressive in comparison to the burning oil fields at the end of the Gulf War. It should be obvious that one should not adopt just any means to achieve the end. Values are a result of community deliberation, not some kind of Kantian absolute that should be held to the death. One cannot defend the right of one being, an animal for example at the expense or by ignoring the rights of humans. Such thinking breeds terrorism and works against the cause of protecting nature.

False cause, finding some species that might serve as banner bunny or bug is also a poor strategy. Suggesting that we are saving a snail darter or a bat may not, in the end help our plight to save a parcel of land. A bogus banner is easy to caricature and hard to defend. Besides, some smart-ass ecologist might determine that your bogus bug would die off even with maximal intervention or that the species would be indifferent to destruction of object you actually intend to protect.

Economists are not alone in the error of quantifying ethics. A scientific and pseudo-scientific attempt to quantify the value of nature is comparable to the economic cost-benefit analysis. Quantitative analysis of a qualitative is always invalid. Abandoning a true aesthetic approach raises (or lowers) considerations far beyond our ability to articulate and defend. It opens the issue to criticism from cost-benefit analysis, scientific or pseudo-scientific experts, or to political whims and back-luck reality.

Even if one considered aesthetic value simply as a want, as a "felt-preference", then "value judgements lie beyond criticism if, indeed, they are nothing but expressions of personal preference; they are incorrigible, since every person is in the best position to know what she or he wants"²⁸. Even if one discarded Moore and Norton and offered the

strong anthropocentric motive, subjective preferences are acknowledged to be honest and real, although much harder to defend²⁹.

There is a power in an aesthetic defense of nature. Criticism of the "neutral economist" or the "issue driven politician" is plainly legitimate. Partisan players that have failed to recognize ***the values in question***; that is, the moral and aesthetic values of the community are more easily identified and then repudiated³⁰. Hargrove states that "It is possible for a Western society to pass and enforce a law that protects natural beauty simply because it is good"³¹. In fact, the EPA and other agencies write laws, not in terms of cost-benefit but in terms of standards derived from an account of ethical and aesthetic values of nature created as a result of deliberation by our nation community. These laws *are* the nation's articulation of our values and they *are* set forth in an objective forum, i.e. the law of this nation. To attempt to quantify the values to fit these laws is nonsense. It plainly ignores the ethical intention of the laws.

This is not to say that an analysis of the quantitative type cannot play a pivotal role in applying these values that are qualitative. Once one determines a value, say air quality, science as a tool can be utilized to determine quantifiable and verifiable levels that satisfy the ethical/aesthetic values set forth in the laws goal (science-effectiveness). Economic analysis that determines the most cost-effective methods to achieve these levels (cost-effectiveness) can also be an intelligent tool in enacting the policy of high air quality. The act or existence of the value 'clean air' is not quantifiable and cannot be determined by economic poll taking.

Animal Rights

Suppose that one accepts the moral and aesthetic values defense approach to environmental issues. What of the animal rights advocates love of the intrinsic argument? Advocates often talk in terms of animal rights from the intrinsic point of view.

They posit that animals have some kind of inalienable rights. Intrinsic right's arguments have the form of attributing rights as assets of the rights holder, the non-human animal. Such rights would have to be non-anthropocentric, they would need to come from a loci different than humans, and this is very difficult. Should environmental ethics "reject anthropocentrism, the view that only humans are loci of fundamental value?"³²

A morally considerable being, states Watson, should possess six properties in order to be considered as a moral agent: self-consciousness, capacity to understand, freedom to act, understanding principles of duty, capacity to act, and intention to act³³. Beings that have these properties can be said to have intrinsic value. While animals may be considered "sentient" and therefore self-conscious, only higher apes seem to have the potential to demonstrate all the qualities of a moral agent. Most animals, the land, rocks and oceans, cannot all be moral agents³⁴. Making them all moral agents would simply force one to use a difference phrase to express the idea that humans and some other being stand alone because of these properties. Thus, another rationale for intrinsic value is necessary or a non-intrinsic basis is required.

A non-anthropocentric argument for intrinsic rights is, as mentioned, extremely difficult. Arguing that an animal has intrinsic rights conflicts with religious belief in many Americans, not lending itself to a plea of the aesthetic. As Callicott would suggest, I also think that there is no satisfactory way to identify intrinsic rights with most species.

The "grammar" of the term "rights" appears to require that those possessing them be, if not persons, at least localizable thins of some sort [rights attach to individuals not things]³⁵.

It might be that a species as a group might have an intrinsic right to exist but this does not necessarily extend to rights of individuals to exist. All living things have an intrinsic good³⁶ suggests that "it can be benefited or harmed". This implies a benefactor (or a person who harms) and a valuation. Where does the valuation come from? Is "what it

does good?" Who makes this judgment and how? Good is "something intrinsically valuable." Again, the feeling of 'subjective' seems to creep into our understanding of these rights and our attitudes of nature. Norton and Moore warn us of this confusion, Moore gives a way out³⁷.

Creating a system of attitudes from scratch is a possibility to help support animal rights, and this is the approach Taylor attempts. A belief system can be created to describe a "doctrine [that] regards all living things as possessing inherent worth - the *same* inherent worth" - a biocentric outlook. "This, I submit, is as good a reason for making the moral commitment involved in adopting the attitude of respect for nature as any theory of environmental ethics could possibly have."³⁸ "We believe that it [nature or an animal in nature] must never be treated as if it were a mere object or thing". Unfortunately, Taylor also adds that he does not hold that "such a belief system can be proven to be true, either inductively or deductively" since "not all its components can be stated in the form of empirically verifiable propositions."

Another weakness is found in Taylor's "metaphysical and epistemological difficulties" ³⁹ with Judaism and Christianity. As he would reject these belief systems, I would reject the one he is attempting to create in attitudes for nature and animals. A yet further weakness is the denial of superiority of human worth. Again, Taylor's own words are useful:

In the absence of any good reasons for holding it, the assertion of human superiority would then appear simply as the expression of an irrational and self-serving prejudice that favors one particular species over several million others. ⁴⁰

Something must be said of Taylor's attempt since our defense is based on an ethic. If I am to claim a moral basis for protecting animals, I should be able to articulate the rationale for holding such claim. Yet, neither Sagoff nor Hargrove seem to suggest that these claims need to be intrinsic, in fact, Hargrove offers a direct weak anthropocentric argument based on aesthetic value. Again I ask, do we need to worry

where the rights originate? Is it bequeathed from humans to animals or does these rights originate from the animals themselves? Are not species rights specious⁴¹?

Midgley, in the article *The Significance of Species*, offers a discussion on the extension of racism to the idea of human loci treatment of species. She calls this speciesism: The categorizing or identifying of a human according to their race is racism. Thus, speciesism is defined as qualifying an animal by its species in order to determine its moral considerability, using characteristics that categorize or identify a species. The consideration of "prejudice or discrimination" is ignored.

So, if a doctor decides to test a child for a disease because of a high probability because of the child's race, this is racism, even if no prejudice or idea of superiority is intended? The act of describing a species and think is confused with the act of judging a species' moral consideration in the manner set forth by Norton or Watson for example. "Race in humans is not a significant grouping at all, but species in animals certainly is". "But with an animal, to know the species is absolutely essential" [in order that you might know the animal]. Does this not imply that species defines differences that are essential? Color, size behavior, intelligence and, perhaps, the ability to act as a "moral agent" and/or the level of moral considerability one might confer to the animal? So to "know" and animal, a Zookeeper must be speciesist? But if morality resides in terms an agent's intellectual ability, it is morally considerable in the Watson or Norton sense, then the difference between species is not trivial.

Species differences, especially categorizations of intellectual abilities, are not prejudicial but simply descriptive. The judgement of moral considerability is not prejudicial if a moral agent needs to have certain characteristics. It is not simply that humans have chosen characteristics that only humans have. These characteristics are logically necessary⁴², rights attach to individuals whom posses moral considerability, and to identify a species as a group in terms of moral considerability, is to simply identify that

all individuals of that species are not capable of these characteristics. The purpose of attempting to create intrinsic rights on the part of animals is "concerned with species preservation, not necessarily with animal plant welfare, an entirely separate issue"⁴³

The notion of simply rejecting all *discrimination* [italics mine] as speciesist looks like a seductively simple guide, an all-purpose formula. I am suggesting that it is not simple, And that we must resist the seduction.⁴⁴

Speciesism is a waste of time and the using the word 'right' in the intrinsic sense "is a really desperate" move⁴⁵. Words like 'rights' are "like strong tools caught up and used as levers to remove a particular obstacle, without thought of their other properties".

The second approach, non-intrinsic or instrumental rights for animals, is similar to extending moral agent to all beings and objects. It creates a large reciprocity framework with primary rights (intrinsic) those determined by a moral agent, and secondary rights, those assigned (instrumental or weak anthropocentric assigned⁴⁶) by human beings or other moral agents⁴⁷. Animals and/or other objects, would not have intrinsic rights and only have the rights given to them by moral agents.

Those incapable of understanding moral principles, but who are still self-conscious and can communicate about their interests should be assigned secondary rights at least to life and to relief from unnecessary suffering on the ground of the prudential and sentimental arguments.⁴⁸

Consider how one might apply a rights argument. The seal hunt created a sensation in the late 70s and early 80 within the environmental movement. Here's a nice representation of blood and violence on the ice that went a long way to defend the 'rights' of the seal. While rights were at the center of the conflict, the images of baby seals on buttons were more powerful than any and all intellectual base. Economic and even highly political concerns were critically and quickly discarded as not meaningful in light of the rights of these seals. The idea of the butcher shop on the ice disagreed with the aesthetic images of pristine white arctic wilderness and this in a country where the national animal, the beaver⁴⁹, has been trapped and skinned to the brink of extinction. It

was the image of the seal that became the banner for defense, the aesthetic value that seals gave the bleak expanse of nature on the ice. Regardless of whether rights were felt to be primary or secondary, a majority of people felt the need to express their outrage.

Why worry about the loci of these rights if the defense is the negative aesthetic imagery of butchered seals? To talk of rights of the seals opened the criticism from the point of view of the rights of the native hunters, of the right to livelihood (and for some, the sustenance) of entire, very poor,. Rights arguments introduces the conceptions of moral agent and openly questions values and beliefs of those both pro and con and the difficulty can result in a complexity similar to one described in Dizzard's "*Going Wild*"⁵⁰. Who side is the side of the morally right? Do we destroy a part of native life⁵¹? Do we accept the slaughter of sentient beings for the fur market?

Defending nature that lacking the grotesque images and symbolism of the seal hunt, rights arguments can diminish into confused camps similar to the people surround the Quabbin⁵². Without the gut connection with those whom you wish to help join in the defense of nature, it will be more difficult to defend a species based using secondary rights. This is especially true when these rights might conflict with human's rights concerning property, liberty and pursuit of the almighty buck. When the species is barely conscious or perhaps grotesque itself, defense is very difficult based on secondary rights and the calculus or ethics puts assigned rights at the bottom of consideration.

Defending animal's rights seems to create a large area where resolution of conflicts over underlying assumptions precludes using these principles or beliefs as a basis of defense. It is too easy to get bogged down by the question 'Do they animals, or does nature, have right?' instead of 'Should we be destroying this species or this land area?'. It is a self-created ignoratio elenchi or wild goose to deflect community inquiry and discussion away from what the fact that one values nature and simply wants to

defend these values. If animals have rights similar to humans, we also risk dissolving our already feeble hold on human rights issues worldwide. Let us admit that extension of animal rights to rights of the biota are interesting intellectual pursuits but unlikely to result in convincing arguments that can shape attitudes and ultimately, policy.

Our attitudes for defending nature are, historically, not rights based. For example, the almost epic concept of the landowner's right to control their land has an incredibly strong historical basis, even if misunderstood. Rights arguments enter in the fray directly as viewpoint conflicting with those whose attitudes we aim to modify and elucidate. Sorry, farmer John, but your wrong about the origin of your rights, the biota actually has a strong ethical basis so you see you just can't do that.

Rights arguments clearly are a controversial defense of nature and the origin of the rights themselves become the focus of these conflicts rather than the object or being in nature to be defended.

An aesthetic argument is not offered as a conflicting point of view. Yes, the ultimate outcome is in conflict, but the farmer, for instance, can easily come to grips with your point of view and may even share some of the base values. Once ones valuation of an aesthetic or ethic is articulated, the community can recognize the objective character of ones values, and even if not sharing the same exact value, can understand and support the value.

A compromise is much more likely. A strip of land that one grew up on may have no other value but the sentimental value, but others can objectively recognize the value and share values about land the enjoyed in their youth and others can and will recognize this value. The developer might consider the potential inclusion of this valuation and justify their aesthetic attitude but couch it in economic terms. I'll leave this area alone and bill it as "untouched nature" and make it a selling point for all the remaining lots. It is possible that the developer may simply decide to create a park area

for the same purpose and destroy the area anyway. Reality in our world sometimes requires the honest appraisal that one is not always going to be successful and sometimes will lose at least something in the compromise.

Conclusion

We need to do as Hargrove suggests, develop a language for describing and articulating the aesthetic values we actually hold. We need to hold these arguments up as THE basis for defending particular environmental issues. To recognize aesthetic beauty in nature is to admit to our natural inclination to follow attitudes that have developed in Americans over one half of millennia. One must understand and falsify attempts at economic, scientific or any other type of quantification of aesthetic values by sticking to our guns, by showing that the aesthetic valuation is an objective community value that can have a negative ultimate impact on politicians that oppose it. Survival-economic necessity and honesty are important but be wary of the economic-benefit analysis that is the death toll to ethical deliberation. deliberate and judge. Use and pursue science as a tool and avoid science-based values and pseudo-scientific claptrap even when doing so supports one goal.

We do not want the Ski resort because it will ruin the aesthetic value of the land. Its going to be butt ugly and you, the developer, can plainly see this. The animals around your resort will die and the community will lose the aesthetic beauty of knowing nature exists here and eliminate the communities chances to experience this good. None can deny that the beauty will be destroyed, and our values are not for sale. This is what environmental ethics can do for me. For us.

Notes

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- ¹ Eugene C. Hargrove, *Foundations Of Environmental Ethics* (Environmental Ethics Books, 1989) p. 110
- ² Ibid., pp. 81-7 and pp. 122-4
- ³ Ibid., pp. 122-3
- ⁴ Mark Sagoff, *The Economy Of the Earth: Philosophy, Law, And The Environment* (Cambridge Press, 1988) pp. 124-6
- ⁵ Ibid., p. 141
- ⁶ Ibid., p. 142
- ⁷ Hargrove, *Foundations of Environmental Ethics*, pp. 144-8
- ⁸ A very large percentage of the surveys are not completed because people simply refuse to make a monetary valuation of nature. Many are rejected when a non-monetary value is offered or the monetary value is extremely large.
- ⁹ Bryan G. Norton, "Environmental Ethics and Weak Anthropocentrism," *Environmental Ethics* 6 (1984): 131-48 (particularly p. 131)
- ¹⁰ Sagoff identifies this as a category mistake. Sagoff, *The Economy Of the Earth*, p. 92-4
- ¹¹ Ibid., pp. 97-9
- ¹² Norton, "Environmental Ethics and Weak Anthropocentrism," pp. 134.
- ¹³ Sagoff, *The Economy Of the Earth*, pp. 95-6
- ¹⁴ G.E. Moore, *Principia Ethica* (Cambridge 1971) p. 131
- ¹⁵ Bryan G. Norton, "Environmental Ethics and Weak Anthropocentrism," p. 134
- ¹⁶ Sagoff, *The Economy Of the Earth*, p. 38
- ¹⁷ Hargrove, *Foundations of Environmental Ethics*, p. 213
- ¹⁸ Hargrove, *Foundations of Environmental Ethics*, pp. 86-8
- ¹⁹ Norton, "Environmental Ethics and Weak Anthropocentrism," p. 141
- ²⁰ Ibid., p.142
- ²¹ Ibid., pp. 133-40
- ²² Ibid., p. 142 paraphrased
- ²³ Moore, *Principia Ethica*, pp. 77-9
- ²⁴ Ibid., pp. 131-2
- ²⁵ Ibid., p. 201
- ²⁶ Ibid., p. 202
- ²⁷ Hargrove, *Foundations of Environmental Ethics*, p. 192
- ²⁸ Ibid., p. 46
- ²⁹ Bryan G. Norton, "Environmental Ethics and Nonhuman Rights," *Environmental Ethics* 4 (1982): 319-37
- ³⁰ Sagoff, *The Economy Of the Earth*, p. 44-6
- ³¹ Hargrove, *Foundations of Environmental Ethics*, p. 214
- ³² Norton, "Environmental Ethics and Weak Anthropocentrism," p. 132
- ³³ Richard A. Watson, "Self-consciousness And The Rights Of Non-Human Animals And Nature," in *The Animal Right/Environmental Ethics Debate: The Environmental Perspective*, Eugene C. Hargrove editor, (SUNY, 1992) p.3
- ³⁴ If I were to start on complexity, chaos and "the Gaia organism", I would end with a dissertation.
- ³⁵ J. Baird Callicott, "On the Intrinsic Value of Nonhuman Species," in *In Defense Of The Land Ethic* (Albany: SUNY, 1989), pp. 134-5
- ³⁶ Paul W. Taylor, "The Ethics of Respect for Nature", in *The Animal Right/Environmental Ethics Debate: The Environmental Perspective*, Eugene C. Hargrove editor, (SUNY, 1992) pp.97-8
- ³⁷ See objective/subjective consideration given previous in this paper.
- ³⁸ Taylor, in *The Animal Right/Environmental Ethics Debate: The Environmental Perspective*, Eugene C. Hargrove editor, (SUNY, 1992) p. 118
- ³⁹ Ibid., p. 116
- ⁴⁰ Ibid., p. 117
- ⁴¹ Callicott, "On the Intrinsic Value of Nonhuman Species," pp. 134-5
- ⁴² Ibid., p. 134
- ⁴³ Ibid., pp. 134-5

⁴⁴ Mary Midgely, "The Significance Of Species", in *The Animal Right/Environmental Ethics Debate: The Environmental Perspective*, Eugene C. Hargrove editor, (SUNY, 1992) p. 126

⁴⁵ Mary Midgley, *Animals And Why They Matter* (Athens: University of Georgia Press, 1984) p. 61

⁴⁶ Norton, *Environmental Ethics and Weak Anthropocentrism*, p. 135 and also in Bryan G. Norton, "Environmental Ethics and Nonhuman Rights, " in *The Animal Right/Environmental Ethics Debate: The Environmental Perspective*, Eugene C. Hargrove editor, (SUNY, 1992) pp. 131-48

⁴⁷ Watson, "Self-consciousness And The Rights Of Non-Human Animals And Nature," p. 7

⁴⁸ Ibid., p. 34

⁴⁹ It is sad to admit that most Canadians experience with the beaver is either on the backside the nickel or a sugary, deep-fried confection one finds at Canadian amusements parks and outdoor venues called "Beaver Tails". This one is definitely NOT worth the trip.

⁵⁰ Jan E. Dizzard, "Going Wild: Hunting, Animal Rights, and The Contesting Meaning of Nature", (Mass Press, 1999)

⁵¹ Natives hunted the seal grounds seasonally, but note that the natives take adult seals for food and young seals for clothing, not just very young seals for sale in the fur market. Fur market sales are also not to be scorned, for many natives this resulted in the only hard currency year round.

⁵² Dizzard, *Going Wild*