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The Pragmatic Power and Promise of Theoretical Environmental Ethics: Forging a New Discourse

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ABSTRACT

Pragmatist environmental philosophers have (erroneously) assumed that environmental ethics has made little impact on environmental policy because environmental ethics has been absorbed with arcane theoretical controversies, mostly centred on the question of intrinsic value in nature. Positions on this question generate the allegedly divisive categories of anthropocentrism/nonanthropocentrism, shallow/deep ecology, and individualism/holism. The locus classicus for the objectivist concept of intrinsic value is traceable to Kant, and modifications of the Kantian form of ethical theory terminate in biocentrism. A subjectivist approach to the affirmation of intrinsic value in nature has also been explored. Because of the academic debate about intrinsic value in nature, the concept of intrinsic value in nature has begun to penetrate and reshape the discourse of environmental activists and environmental agency personnel. In environmental ethics, the concept of intrinsic value in nature functions similarly to way the concept of human rights functions in social ethics. Human rights has had enormous pragmatic efficacy in social ethics and policy. The prospective adoption of the Earth Charter by the General Assembly of the United Nations may have an impact on governmental environmental policy and performance similar to the impact on governmental social policy and behaviour of the adoption by the same body in 1948 of the Universal Declaration of Human Rights. Belatedly, but at last, the most strident Pragmatist critics of the concept of intrinsic value in nature now acknowledge its pragmatic power and promise.

KEY WORDS

Intrinsic value in nature, theoretical environmental ethics, environmental pragmatism, discourse

INTRODUCTION

In one of the most ancient and venerable sources of Chinese philosophy, the *Analects*, a disciple asks Confucius what he would do first were he to become the prime minister of the State of Wei (Hall and Ames 1987). Without question, Confucius replies, first I would rectify names. His disciple was puzzled by this saying; and for a long time so was I. But no more, for I am coming to appreciate the power of names, and of discourse, more generally, in the formation of environmental policy.

The true answer to Juliet's question, 'What's in a name?' in Shakespeare's play, is 'Really, quite a lot'. Consider various names for women – 'chicks', 'babes', 'broads', 'ladies'. The feminist movement has made us keenly aware that what we call someone or something – what we name him, her, or it – is important. A name frames, colours, and makes someone or something available for certain kinds of uses . . . or abuses. Even the name 'lady' is freighted with so much baggage that it is not worn comfortably by many women. A major effort of feminist politics has been the rectification of names for women, and more generally, the rectification of gender discourse.

Self-styled Pragmatist environmental philosophers have complained that environmental philosophy has been bogged down in ivory-tower theorising to little practical effect (Norton 1992). Here I argue that theoretical environmental philosophy has had and is having a profound, albeit indirect, practical effect on environmental policy. It has done so by creating a new discourse that environmental activists and environmental professionals have adopted and put to good use. At the heart of this new discourse is the concept of intrinsic value in nature. I sketch the history of this concept and its associated discourse, and indicate how it is practically impacting environmental policy.

ENVIRONMENTAL PHILOSOPHY MORE THEORETICAL THAN APPLIED

Environmental philosophy has been less an 'applied' subdiscipline of philosophy than some of the other applied subdisciplines with which it is often lumped – biomedical ethics, business ethics, and engineering ethics, for example. Environmental philosophy has, more particularly, been more involved with reconstructing ethical theory than with applying standard, off-the-rack ethical theories to real-world environmental problems.

In large part that is because standard ethical theory had been so resolutely – even militantly – anthropocentric that it seemed inadequate to deal with today's environmental problems. In scope and magnitude, contemporary human transformation of the environment is unprecedented. Gradually, the impact of human activities on nonhuman nature became almost ubiquitous in scope and unrelenting in intensity, so much so that by the mid-twentieth century, the existence of

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an environmental *crisis* was widely acknowledged. And the contemporary environmental crisis seems morally charged. For example, the current orgy of human-caused species extinction seems wrong – morally wrong. And not just because the anthropogenic extinction of many species might adversely affect human interests or human rights. Most first-generation environmental philosophers, therefore, took the task of environmental ethics to be constructing a nonanthropocentric theory of ethics that would somehow morally enfranchise nonhuman natural entities and nature as a whole – directly, not merely indirectly to the extent that what human beings do in and to nature would affect human interests and human rights.

This was the burden of the first academic paper in the field, ‘Is There a Need for a New, an Environmental Ethic?’, by Australian philosopher Richard Routley, presented to the Fifteenth World Congress of Philosophy in Varna, Bulgaria in 1973 (Sylvan 2001). A similar task was set by Norwegian philosopher Arne Naess (1973) in his paper, ‘The Shallow and the Deep, Long-range Ecology Movements: A Summary’. In the first paper on environmental ethics by an American philosopher, Holmes Rolston III (1975) argued that the central task of environmental philosophy is to develop a ‘primary’, not a ‘secondary’, ‘ecological ethic’. Animal rights theorist Tom Regan (1982) reiterated Rolston’s understanding of the enterprise – that a proper environmental ethic was ‘an ethic *of* the environment’, not an ‘ethic for the *use* of the environment’, which he called a mere ‘management ethic’.

THE KANTIAN CONCEPT OF INTRINSIC VALUE

Central to the theoretical challenge of developing a direct, a primary ethic *of* the environment is the problem of intrinsic value in nature. Although the early twentieth-century English philosopher G. E. Moore (1903) wrote much about intrinsic value, Immanuel Kant’s modern classical concept of intrinsic value and the way it functioned in his ethics most influenced the thinking of contemporary environmental philosophers (Kant 1959 [1785]). Central to Kant’s ethic is the precept that each person be treated as an end in him- or herself, not merely as a means. Indeed, the second formulation of Kant’s categorical imperative is this: ‘Act so that you treat humanity, whether in your own person or that of another, always as an end and never as a means only’ (Kant 1959: 39). Kant justifies – or ‘grounds’ – this precept by claiming that each person has intrinsic value. That claim in turn is justified by finding in each person an intrinsic value-conferring property, which Kant identified as reason. Thus, rational beings, according to Kant, have intrinsic value, and should therefore be treated as ends in themselves and never as means only.

This Kantian approach to ethics appears at first glance to be unpromising for developing a *nonanthropocentric* environmental ethic, as Routley, Naess, Rolston, and Regan so unambiguously set forth the task. Why? Because Kant’s

intrinsic value-conferring property, reason or rationality, had long been regarded as a hallmark of human nature. At the dawn of Western philosophy, Aristotle declared that reason or rationality was the ‘differentia’ that distinguished ‘man’, as a species, from the other animals. *Anthropos* is the uniquely ‘rational animal’, according to Aristotle. Thus, Kant’s approach to ethics appears to be a brief for anthropocentrism and to foreclose the possibility of nonanthropocentrism. Indeed, Kant (1959: 46) goes out of his way to exclude non-human natural entities and nature as a whole from ethical enfranchisement: ‘Beings whose existence does not depend on our will but on nature, if they are not rational beings, have only relative worth as means and are therefore called “things”; on the other hand, rational beings are designated “persons” because their nature indicates that they are ends in themselves, i. e. things which may not be used as a means’. For Kant, human beings are ends; beings whose existence depends on nature are means.

EXTENDING THE KANTIAN CONCEPT OF INTRINSIC VALUE TO (SOME) ANIMALS

But look again. In the *Foundations of the Metaphysics of Morals*, Kant himself is quite careful to avoid speciesism – analogous to racism and sexism – the *unjustified* or *ungrounded* moral entitlement of one’s own kind and the exclusion of other kinds. Not being human, but being *rational* is that in virtue of which a human being has intrinsic value. Kant consistently holds open the possibility that there may be other-than-human rational beings. He never more specifically identifies who such non-human rational beings may be. Some passages suggest Kant might be thinking of God and the heavenly host; others that he might be thinking of rational beings on other planets that inhabit very different bodies and therefore have very different desires and inclinations than do human beings. In the passage just quoted, he seems to hold open the possibility that there may be non-human rational beings found in terrestrial nature. It is in this orthodox Kantian moral climate that so much ethical significance was recently attached to proving that chimpanzees and gorillas could master rudimentary language skills, and could, via American Sign Language or some other surrogate for spoken language, express themselves creatively (Savage-Rumbaugh et al. 1998). For Descartes (1950 [1637]) had insisted that the ability to use language creatively – not merely rotely as he believed parrots to do – was an indication of rationality.

Proving that chimpanzees and gorillas are minimally rational does undermine anthropocentrism, but only a little. It certainly does not take us very far in the direction of an expansive environmental ethic – however much it may help ethically rehabilitate our primate relatives and spare them the indignities and outrages of the zoo trade and biomedical research. Kant’s conceptual distinction between humanity and rationality was, however, also exploited theoretically in

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another way, which proved to be more powerful and transformative. Not all human beings are minimally rational. The so-called ‘marginal cases’ are not (Regan 1979). Infants, the severely mentally handicapped, and the abjectly senile are the usual suspects. They are thus in the same boat with all the other ‘[b]eings whose existence ... depend[s] on nature ... i.e., things which may be used merely as a means’, to quote Kant once more. Let’s get specific: if we equitably applied Kant’s ethical theory, we could justifiably perform the same painful and destructive biomedical experiments on unwanted non-rational infants that we inflict on non-rational nonhuman animals; we could open a hunting season on the severely mentally handicapped; and we could make pet food out of the abjectly senile.

Such abhorrent implications of Kant’s moral philosophy provided nonanthropocentric theorists with an opportunity to propose retaining Kant’s form of moral argument – which has, after all, been so compelling in Western ethical thought – but revising its specific conceptual contents, so as to include the marginal cases in the class of persons and rescue them from the class of things. The form or ethical architecture that was retained is Kant’s close linkage of moral ends, intrinsic value, and a value-conferring property. Thus to be a moral end, and not a means only, you must have intrinsic value, but making rationality the value-conferring property, appears, in light of the ‘Argument from Marginal Cases’ to be too restrictive. Various alternatives to rationality have been proposed, selected to justify the theorist’s personal ethical agenda. Regan (1983), who was content to limit ‘moral considerability’ to warm, furry animals, proposed being the ‘subject of a life’ as the intrinsic value-conferring property. Subjects of a life have a sense of self, remember a personal past, entertain hopes and fears about the future – in sum, enjoy a subjective state of being, which can be better or worse from their own point of view. Peter Singer (1977), who wanted to extend ‘moral considerability’ a bit more generously, proposed sentience, the capacity to experience pleasure and pain, as the intrinsic value-conferring property. That move reached a much wider spectrum of animals – how wide is not completely clear – but, clearly, it left out the entire plant kingdom.

EXTENDING THE KANTIAN CONCEPT OF INTRINSIC VALUE TO ALL LIVING BEINGS

To reach out and touch all living beings with moral considerability, several theorists proposed having *interests* as a plausible and defensible intrinsic value-conferring property (Goodpaster 1978, Johnson 1991, Taylor 1986). A living being – a tree for example – can have interests in the absence of consciousness. This basic idea was variously expressed. A living being has a good of its own, whether or not it is good for anything else. Unlike complexly functioning machines, such as automobiles, whose ends or functions are determined or

assigned them by their human designers to serve human ends, living beings have ends, goals, or purposes – *teloi*, in a word – of their own. They are, in Paul Taylor’s terminology, ‘teleological centres of life’ (Taylor 1986). In Warwick Fox’s, they are *autopoietic* – self-creating and self-renewing (Fox 1990).

PROBLEMS WITH BIOCENTRISM AND THEIR PROPOSED SOLUTIONS

The main problem, theoretically speaking, with biocentrism – as this modified or expanded Kantian approach to nonanthropocentric environmental ethics has come to be called – is that it seems to stop with individual organisms. At once biocentrism both too broadly *and* too narrowly distributes intrinsic value.

As to the former, granting each and every organism moral considerability makes ethical space way too densely crowded, rendering our most routine and vital human actions ethically problematic. Surely, it is perfectly possible to refrain from ill-using our fellow primates as objects of amusement and subjects of medical experimentation, with little human inconvenience. Equally possible – and with only a little more mindfulness, abstemiousness, and inconvenience – we might give up eating meat and using other products made from animals, our fellow sentient beings. But we have to eat something, slap mosquitoes and other annoying insects, rid ourselves and our domiciles of vermin, weed our flower gardens – all of which are morally questionable if every living being has intrinsic value and should be treated as an end in itself, not a means only.

On the other hand, biocentrism too narrowly distributes intrinsic value in nature because it does not provide moral considerability for what environmentalists most care about. Frankly, environmentalists do not much care about the welfare of each and every shrub, bug, and grub. We care, rather, about preserving *species* of organisms, *populations* within species, *genes* within populations – in a word we care about preserving biodiversity. We care about preserving communities of organisms and ecosystems. We also care about *air* and *water* quality, *soil* stability, and the integrity of Earth’s stratospheric *ozone membrane*. None of these things appear to have interests, goods of their own, ends, purposes, or goals, and thus none has intrinsic value, on this account.

Solutions to both biocentric distribution problems have been proposed. A solution to the too-broad distribution problem is to distribute intrinsic value unequally or differentially (Goodpaster 1978). Grant all organisms base-line or minimal intrinsic value. Thus, when our own interests are not at stake, we should leave them alone to pursue their own ends, to realise their own *teloi*, each in its own way. Additional intrinsic value is distributed to sentient organisms, yet more to subject-of-a-life organisms, and more still to rational organisms (Rolston 1988). Thus, because we human beings, as rational, sentient subjects of a life, have the most intrinsic value, we are entitled to defend it and cater to it by doing

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bad things to other organisms with less intrinsic value – but only if we conscientiously deem it to be necessary. That seems plausible enough, although rather conventional, leaving us human beings at the top of the moral pyramid where we have always been. The difference is that in traditional Western ethics the pyramid was low and squat. Nonhuman organisms were mere things, with no intrinsic value at all. They were thus available for any human use at all, however fatuous. Differential biocentrism extends the moral pyramid's height and mass to much greater proportions, albeit leaving human beings at the pinnacle.

A solution to biocentrism's too-narrow distribution problem is less plausible. Lawrence Johnson (1991) has seized upon somewhat dated, minority views in evolutionary biology and ecology to argue that species and ecosystems have interests. Some biologists have argued that species are not collections of organisms capable of interbreeding, but supra-individuals that are protracted in space and time (Ghiselin 1974, Hull 1976). If so, we may convince ourselves they have interests, and therefore intrinsic value, and therefore moral considerability. And there is a long, albeit fading, tradition in ecology that conceives ecosystems to be superorganisms to which individual organisms are related as cells and species as organs (McIntosh 1985). And if so, again, we may believe they have interests, and therefore intrinsic value, and therefore moral considerability. But these are big ifs. Rolston (1988) takes a different approach. He points out that the most fundamental end of most organisms is to realise their genetic potential – to represent ('re-present') their species and to reproduce ('re-produce') it. They have a good of their own – *which is their species*. Thus does Rolston try to convince us that species per se may plausibly be said to have intrinsic value. For organisms to flourish, even to live at all, they must live in an ecological context or habitat. Thus does Rolston try to justify finding intrinsic value in biotic communities and ecosystems.

THE SUBJECTIVIST ACCOUNT OF INTRINSIC VALUE IN NATURE

This mainstream line of argument in environmental ethics, which begins with a Kantian superstructure, works through animal liberation, and terminates in biocentrism, assumes that intrinsic value supervenes or piggybacks on some objective property. Thus intrinsic value, albeit supervenient, itself therefore appears to be an objective property in nature. Indeed, the adjective 'intrinsic' seems logically to require that *intrinsic* value, if it exists at all, exist as an objective property. It is intrinsic to the being that has it. Kant himself appears to think that intrinsic value is something objective: 'Such beings [rational beings] are not merely subjective ends whose existence as a result of our action has a worth for us, but are objective ends, i.e., beings whose existence in itself is an end' (Kant 1959: 46). But the idea that value – or worth – of any kind can be objective seems to fly in the face of a shibboleth of modern Western philosophy:

René Descartes' division of the world into the *res extensa* and the *res cogitans*, the subjective and objective domains, respectively, and David Hume's ancillary distinction between fact and value. *All* value is, from the most fundamental modern point of view, subjectively conferred. No valuing subject, no valuable objects. That is, without the existence of valuing subjects, no value of any kind would exist in the world – from a modern point of view.

Nevertheless, some nonanthropocentric environmental philosophers – I among them – have argued that a robust account of intrinsic value in nature can be provided even within the severe constraints of the allied object-subject / fact-value distinctions (Callicott 1999, O'Neill 1992, Routley and Routley 1980). From a modern point of view, 'value' is first and foremost a verb. Value, more technically put, is conferred on an object by the intentional act of a valuing subject. If so, 'instrumental' and 'intrinsic' may be regarded as adverbs, not adjectives. Thus one may value (verb transitive) some things *instrumentally* – our houses, cars, computers, clothes, and such. Similarly, one may value (verb transitive) other things *intrinsically* – ourselves, our spouses, children, and other relatives. If we have learned our religion and moral philosophy well, we may intrinsically value all other human beings. Indeed, it is logically possible to value intrinsically anything under the sun – an old worn out shoe, for example. But most of us value things intrinsically when we perceive them to be part of a community to which we also belong, because we are evolved to do so (Callicott 1999).

'Perceive' here is the key word, for perception can be trained and redirected. Much of the suasive environmental literature aims to train and redirect our perception of nature such that we see it as the wider community in which all our other communities are embedded. Aldo Leopold's *A Sand County Almanac* is an outstanding example. In the Foreword, Leopold (1949: viii) writes, 'We abuse land because we regard it as a commodity belonging to us. When we see land as a community to which we belong, we may begin to use it with love and respect'. Most of the remainder of the book is devoted to persuading us that ecology 'enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively the land' (Leopold 1949: 204) When that happens, people will have 'love, respect, and admiration for land, and a high regard for its value . . . [and b]y value I mean something far broader than mere economic value; I mean value in the philosophical sense' – intrinsic value, in other words (Leopold 1949: 223).

THE CRYPTO-SUBJECTIVISM OF ALLEGEDLY OBJECTIVIST ACCOUNTS OF INTRINSIC VALUE

How could Kant, a thoroughly modern philosopher, and a close student of Hume, actually think that intrinsic *value* is an objective property (of rational beings)?

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A closer reading of Kant himself indicates that in fact he does not think it is. Kant (1959, p. 47 emphasis added) writes, ‘Man necessarily *thinks* of his existence this way’ – that is, as an end-in-itself, something of intrinsic value – ‘thus far, it is a *subjective* principle of human action’. Kant is intellectually honest; he is fully aware that – given the constraints of the Cartesian *res cogitans* / *res extensa* and ancillary Humean fact / value distinctions – value is not objective, in the same sense that a rock is objective, something existing independently of the intentional act of a valuing subject in the *res extensa*. Kant goes on, however: ‘Also every other rational creature *thinks* of his own existence by means of the same rational ground which holds also for myself, thus it is at the same time an *objective* principle from which, as a supreme practical ground, it must be possible to derive all laws of the will’ (Kant 1959, p. 47, emphasis added). The meaning of ‘objective’, in the above-quoted fragment from Kant, is ‘universal’, not ‘existing independently of the intentional act of a valuing subject’. In other words, Kant uses the concept of objectivity in its epistemological, not in its ontological sense. Each organism should be an unconditional end for all moral agents, because for itself it is an unconditional end-in-itself.

A closer reading of Rolston – the most subtle thinker of the purportedly objectivist school of intrinsic-value-in-nature theorists – also shows that he follows Kant in effecting an unmarked shift from the ontological to the epistemic sense of ‘objective’ and back again. We human beings self-consciously value ourselves, as well as other things, intrinsically. But lemurs, Rolston (1994) notes, also demonstrably value themselves intrinsically, though perhaps not self-consciously. So do warblers. What Rolston (1994) does is find in nature a wide spectrum of non-human reflexively valuing subjects. He begins with human subjects, then moves on to our close relatives, phylogenetically speaking, and on from there, to subjects more distantly related and arguably less acutely conscious than lemurs and other primates – birds, reptiles, insects – all in some sense self-valuing subjects. Finally, Rolston posits the existence of valuing subjects stripped of all subjectivity: ‘Trees are also valuable in themselves’, Rolston (2002, p. 118) writes. But why? How? Because, as he explains, they are ‘able to value themselves’. In what sense? Is Rolston going beyond conventional science and claiming a secret, inner life for plants? Not at all: ‘Natural selection picks out whatever traits an organism has that are valuable to it, relative to its survival. When natural selection has been at work gathering these traits into an organism, *that organism is able to value* on the basis of those traits. *It is a valuing organism*, even if the organism is not a sentient valuer ...’. (Rolston 2002, p. 119). So, clearly, although the valuing subject may lack sentience, indeed consciousness of any kind – that is, the valuing subject may, paradoxically, lack subjectivity – Rolston agrees with the subjectivists that the value of any object, a *valuee*, depends, in the last analysis, on the existence of a valuing subject, a *valuer*.

For Rolston, the ethical payoff of this analysis is characteristically Kantian. Rolston’s environmental ethic follows the Kantian pattern, but broadens the

‘subjective principle’ to the maximum extent possible. Reflexive self-valuing is not confined to ‘man’, nor to ‘rational creatures’, nor even to sentient or conscious creatures, but to any and all evolved creatures. And, just as Kant, Rolston argues that because they value themselves intrinsically, we should value them intrinsically as well. That makes the principle ‘objective’, but in a different sense of the word, which neither Kant nor Rolston marks.

THE PRAGMATIST CRITIQUE OF THEORETICAL ENVIRONMENTAL PHILOSOPHY

As this brief summary will indicate – and, believe me, it is brief, sketchy, and incomplete, given the voluminous literature on subject – mainstream environmental philosophy has been preoccupied with a very abstruse and arcane theoretical project. A growing cadre of environmental philosophers, identifying themselves as Pragmatists of one kind or another, has begun to protest against this preoccupation with theory, especially the theoretical problem of intrinsic value in nature (Light 1996a, 1996b; Norton 1984, 1991, 1992, 1995; Weston 1985, 1992). They variously, but basically, argue that it makes no difference to environmental practice and policy whether we think of nature as having intrinsic value or only instrumental value. Whether we value nature as a means to human ends or an end in itself, we still value it – and therefore will save it. Norton (1991) calls this the ‘convergence hypothesis’. Because the concept of intrinsic value in nature makes no difference to environmental practice and policy, debate about it is a waste of time and intellectual capital that could better be spent on something more efficacious. Further, lay people cannot understand the jargon-ridden, abstract discourse of theoretical environmental philosophy. If they do get an inkling of what it is about, they will be alienated from it, because most lay people are uncritically anthropocentric. Worse, nonanthropocentrism and the concept of intrinsic value in nature is divisive, setting environmental philosophers at odds with one another, occasioning endless, unbecoming bickering between shallow and deep theorists, and, among the deep, between subjectivists and objectivists.

Instead, the Pragmatist contingent contends, environmental philosophers could better spend their time and intellectual capital helping lay people clarify their actual environmental values – as opposed to speculating about some newfangled value which they would then try to impose on lay people – and helping lay people sort out what to do in the context of specific problems or issues (Light 1996b). Often we may find that conflicting values support the same policy – as, for example, when those who value waterfowl for hunting and those who value it for watching can support waterfowl habitat preservation and restoration policies – and philosophers can help lay people figure that out (Norton 1991). This is characterised as a more bottom-up, rather than top-down approach to

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environmental philosophy (Norton 1991, Weston 1985, 1992; Minter 2001). Begin with something specific and local – a scheme to develop a forested landscape or to dam a stream and create a lake, or a plan to rehabilitate an abandoned mine site or to reintroduce an extirpated predator. The role of environmental philosophers in environmental policy and decision-making processes is to bring the tools of conceptual analysis, values clarification, and, yes, ethical theory, to bear on the problem – but only to the extent that theory is familiar (and thus conventional), easily understandable, and illuminating, and to the extent that the problem itself determines what theories are useful to its solution.

THE PRACTICAL EFFICACY OF THEORETICAL ENVIRONMENTAL PHILOSOPHY

I have no quarrel whatever with the bottom-up approach to environmental philosophy. I myself was a recipient of a three-year grant from the bi-national Great Lakes Fishery Commission to work with an ichthyologist and an aquatic community ecologist to re-envision fishery management policy in the Great Lakes for the new millennium. My role was precisely to clarify such fuzzy conservation concepts as biological integrity, ecosystem health, ecosystem management, ecological restoration, ecological rehabilitation, ecological sustainability, sustainable development, and adaptive management; and to examine the values that have driven, drive, and will drive fishery management in the Great Lakes in the past, present, and future (Callicott et al. 1999). I do have a quarrel, however, with the representation of the bottom-up, Pragmatic approach as a competitive alternative to theoretical environmental philosophy and to the invidious comparison that environmental Pragmatists make between the two, virtually insisting that theorists should stop their pointless and pernicious theorising (Norton 1992, 1995; Minter 1998). I believe that the two – theory and practice – should be complementary, not competitive. Further, I think that theoretical environmental philosophy is powerfully pragmatic; that theory *does* make a difference to practice.

What difference? First, the convergence hypothesis – which Norton (1991: 241) confesses is merely ‘an article of environmentalists’ faith’ – is not a credible article of faith because it is hard to believe that all Earth’s myriad species, for example, are in some way useful to human beings (Ehrenfeld 1976, 1988). Many may represent unexplored potential new pharmaceuticals, foods, fibres, and fuels. But many more may not (Ehrenfeld 1976). Many species that have no actual or potential resource value are critical agents in ecological processes and/or perform vital ecological functions or ‘services’. But many more do not (Ehrenfeld 1988). Many non-resource, non-ecological-service-provider species are, nevertheless, objects of aesthetic wonder and/or epistemic curiosity to the

small percentage of the human population that is aesthetically cultured and scientifically educated. But such amenity values that endangered non-resource, non-ecological-service-provider species have for a tiny human minority afford them little protection in a world increasingly governed by market economics and majority-rule politics. In short, conservation policy based on anthropocentrism alone – however broadened to include potential as well as actual resources, ecosystem services, and the aesthetic, epistemic, and spiritual uses of nature by present *and future* people – is less robust and inclusive than conservation policy based on the intrinsic value of nature (Ehrenfeld 1976, 1988).

Second, in setting forth the ‘convergence hypothesis’, Norton (1991) focuses exclusively on the content of anthropocentric and nonanthropocentric (or intrinsic) values and the environmental policies they support. But if we focus instead on the formalities, as it were, or structural features of the policy discourses involving, on the one hand, claims of intrinsic value in nature and those, on the other, that only involve anthropocentric value claims, a hypothesis contrary to the ‘convergence hypothesis’ is suggested. Perhaps it should be called the ‘divergence hypothesis’.

Broad recognition of the intrinsic value of human beings places the burden of proof on those who would over-ride that value for the sake of realising instrumental values. For example, an intrinsically valuable human being not wishing to sell a piece of property at any price may refuse any offer to buy it. Their intransigence, however, may be trumped if benefits to the public rise beyond a certain threshold. If, for example, the recalcitrant owner’s property stands in the way of an urban light-rail train track, then the property may be ‘condemned’, and the owner paid fair market value for it, whether he or she is willing to sell it or not. If nature were also broadly recognised to have intrinsic value the burden of proof would shift, *mutatis mutandis*, from conservators of nature to exploiters of nature (Fox 1993). If something has only instrumental value, its disposition goes to the highest bidder. If that something is some subsection of nature – say, a wetland – conservationists must prove that an economic cost-benefit analysis unequivocally indicates that it has greater value as an amenity than it has, drained and filled, as a site for a proposed shopping mall. But if the intrinsic value of wetlands were broadly recognised, then developers would have to prove that the value to the human community of the shopping mall was so great as to trump the intrinsic value of the wetland. The concept of intrinsic value in nature functions politically much like the concept of human rights. Human rights – to liberty, even to life – may be over-ridden by considerations of public or aggregate utility. But in all such cases, the burden of proof for doing so rests not with the rights holder, but with those who would over-ride human rights. And the utilitarian threshold for over-riding human rights is pitched very high indeed. As Fox (1993: 101) puts it:

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The mere fact that moral agents must be able to justify their actions in regard to their treatment of entities that are intrinsically valuable means that recognizing the intrinsic value of the nonhuman world has a dramatic effect upon the framework of environmental debate and decision-making. If the nonhuman world is only considered to be instrumentally valuable then people are permitted to use and otherwise interfere with any aspect of it for whatever reasons they wish (i.e., no justification is required). If anyone objects to such interference then, within this framework of reference, the onus is clearly on the person who objects to justify why it is *more useful* to humans to leave that aspect of the nonhuman world alone. If, however, the nonhuman world is considered to be *intrinsically valuable* then the onus shifts to the person who wants to interfere with it to justify why they should be allowed to do so: anyone who wants to interfere with any entity that is intrinsically valuable is morally obliged to be able to offer a *sufficient justification* for their actions. Thus recognizing the intrinsic value of the nonhuman world shifts the *onus of justification* from the person who wants to protect the nonhuman world to the person who wants to interfere with it – and that, in itself, represents a fundamental shift in the terms of environmental debate and decision-making.

THE PRAGMATIC POWER OF THE RIGHTS DISCOURSE

Mention of human rights leads to my third and last point about the pragmatic power and practical difference of theoretical environmental philosophy and its preoccupation with the concept of intrinsic value in nature. Human beings have shoes, teeth, kidneys, thoughts, and rights. Human shoes and teeth are out there for anyone to see. Human kidneys may be observed during surgery or autopsy. We are privy only to our own thoughts and infer the thoughts of others from what they do, what they say, and what they write. However open to view or hidden away, human shoes, teeth, kidneys, and thoughts are all things of this world. But ‘human rights’ is a name for nothing; it is but an idea – a fiction – created by Western moral philosophers (Nickel 1992). Theoretical moral philosophers created, more generally, a rights *discourse* in the West (Gewirth 1992).

When it was fresh and new, other moral philosophers tried to silence that discourse, for various reasons. For example, in the eighteenth century Jeremy Bentham, infamously, dismissed the idea that human beings have rights as ‘nonsense on stilts’ (Gewirth 1992). But the human-rights discourse survived its political and philosophical naysayers. It was institutionalised in the West by the adoption of the Bill of Rights, the first ten amendments to the Constitution of the United States, in 1789. It was globalised by the adoption of the Universal Declaration on Human Rights by the United Nations General Assembly in 1948,

now translated and published in 300 languages (United Nations 1996). Presently, the United Nations International Bill of Human Rights consists of the Universal Declaration plus other human-rights measures adopted during the 1950s and '60s – the International Covenant on Economic, Social and Cultural Rights, and the International Covenant on Civil and Political Rights and its two Optional Protocols, one on civil and political rights, one on the abolition of the death penalty (United Nations 1996). The United Nations maintains an active (and geopolitically important) Commission on Human Rights and an office of 'High Commissioner for Human Rights'. Human-rights discourse, throughout the latter half of the twentieth century and the beginning of the twenty-first has had enormous pragmatic effect worldwide as an instrument of criticism and political reform (United Nations 1996). In the name of human rights, we condemn everything from 'female circumcision' in parts of Muslim Africa to the Tienamen Square massacre in China, and reform of everything from the political status of American Indians in the United States to that of brides in India.

Especially in the subjectivist version that I endorse, the concept of intrinsic value of nature, like the concept of human rights, designates less a substantive thing than a pragmatic limit on policies driven by aggregate utility. Practically by definition, the *adjective* 'intrinsic' entails that the character or property it modifies exists objectively in the entity to which it is attributed. Indeed, often the adjective 'intrinsic' means that the character or property it modifies is the very essence of the entity to which it is attributed. For example, transporting oxygen to tissues in organisms is intrinsic to haemoglobin; competition is intrinsic to sport; volatility is intrinsic to the gaseous state of matter. In environmental philosophy, however, 'intrinsic value' has also been consistently implicitly defined, *via negativa*, as the antonym of 'instrumental value'. What value remains – if any does – after all something's instrumental value has been accounted for is its intrinsic value. Personally, I want to be useful to my family, friends, colleagues, neighbours, fellow citizens, and to my various human communities, and to the biotic community. But when the time comes, if it should come, because of age, infirmity, or both, that I cease to be of instrumental value, I shall still value myself intrinsically and expect others to value me that way as well (or at least treat me as if they did). Thus to value something intrinsically – as we shift from the adjectival-objective to the adverbial-subjective form – is to value something for itself, as an end-in-itself (to reinvoke the Kantian mode of expression), not merely as a means to our own ends, not merely as an instrument. From this perspective, there is no objective property in entities to which the noun 'value' corresponds. Rather we subjects value objects in one or both of at least two ways – instrumentally or intrinsically – between which there is no middle term.

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THE PRAGMATIC EFFICACY OF THE INTRINSIC-VALUE-IN-NATURE DISCOURSE

Pragmatist philosophers now carp and cavil against the concept of intrinsic value in nature as still more nonsense on stilts. Bryan Norton (1984, 1991, 1992, 1995), for one, has carried on a virtual jihad against the idea. But environmental activists – for example, Dave Foreman, founder of Earth First!, the most radical group of environmental activists in the United States – have appreciated its practical efficacy. A while ago, Foreman (1983) wrote, ‘Too often, philosophers are rendered impotent by their inability to act without analysing everything to absurd detail. To act, to trust your instincts, to go with the flow of natural forces, *is* an underlying philosophy. Talk is cheap. Action is dear.’ Later, Foreman (1991) changed his tune. He identified four forces that are shaping the conservation movement at the dawn of the new millennium. They are, and I quote, first ‘academic philosophy’, second, ‘conservation biology’, third, ‘independent local groups’, and fourth, ‘Earth First!’. That’s right, ‘academic philosophy’ heads the list. This is some of what Foreman (1991: 8) has to say about it:

During the 1970s, philosophy professors in Europe, North America, and Australia started looking at environmental ethics as a worthy focus for discussion and exploration. ... By 1980, enough interest had coalesced for an academic journal called *Environmental Ethics* to appear. ... An international network of specialists in environmental ethics developed, leading to one of the more vigorous debates in modern philosophy. At first, little of this big blow in the ivory towers drew the notice of working conservationists, but by the end of the '80s, few conservation group staff members or volunteer activists were unaware of the Deep Ecology–Shallow Environmentalism distinction or of the general discussion about ethics and ecology. At the heart of the discussion was the question of whether other species possessed intrinsic value or had value solely because of their use to humans [and] ... what, if any, ethical obligations humans had to nature or other species.

Notice that for the discourse of intrinsic value and, more generally, environmental ethics to have practical effect, it was not necessary for ‘working conservationists’ to follow the ins and outs of the ‘big blow in the ivory towers’. Such philosophical niceties as what property justifies or grounds the intrinsic value of nature, which natural entities possess intrinsic value and which do not, and whether intrinsic value is an objectively existing supervenient property or is subjectively attributed and defined negatively as opposed to instrumental value, was not of the least importance. All that was important was that working conservationists were aware of the anthropocentric–nonanthropocentric distinction and the fact that there was a ‘general discussion about ethics and ecology’,

going on among environmental philosophers, ‘at the heart’ of which ‘was the question of whether other species possessed intrinsic value or had value solely because of their use to humans’. Note the parallel with human-rights discourse. Few human rights advocates and activists are conversant with the debate among moral philosophers about whether human rights are natural, God-given, or the wholly artificial product of a ‘social contract’. It is the general idea under philosophical discussion that fires up the imaginations of lay people, morally inspires them, and reorients their perception of the world – the social world in the case of human rights, the natural world in the case of nonanthropocentric environmental ethics.

The intrinsic-value-in-nature discourse soon spread from ‘conservation group staff members and volunteer activists’ to professional natural resources managers. For example, in my work for the Great Lakes Fishery Commission, I found ‘intrinsic value’ – by that name – attributed to the fishes of Lake Superior in a management plan produced by the Minnesota Department of Natural Resources. In a recent review of the philosophical debate about intrinsic value in nature, Christopher Preston (1998) points out the various domains of discourse that the concept of intrinsic value in nature has now penetrated. In addition to that of environmental activists and government-agency environmental professionals, it crops up in the discourse of the new field of ecocriticism – in discussions of nature poets, such as William Wordsworth, Robinson Jeffers, and Gary Snyder, and of nature writers, such as Edward Abby, Annie Dillard, and Barry Lopez. According to Preston (1998), the concept of intrinsic value in nature is ‘latent’ in some U. S. environmental laws – the Wilderness Act of 1964, the 1973 Endangered Species Act, for example – and in some international declarations and treaties, such as the 1982 World Charter for Nature and the Global Biodiversity Treaty, signed by 160 countries (not including the United States) at the Earth Summit in Rio de Janeiro in 1992.

THE EARTH CHARTER: A UNIVERSAL DECLARATION OF INTRINSIC VALUE IN NATURE

Preston (1998: 411, emphasis added) concludes that ‘[t]here is plenty of evidence to suggest that belief in intrinsic value in nature is playing an increasingly prominent role in the formation of environmental attitudes *and policies* worldwide’. One might protest that that depends on what is meant by ‘worldwide’. If Preston means that the concept is pragmatically efficacious worldwide because belief in intrinsic value in nature is playing an increasingly prominent role in the formation of environmental attitudes and policies in North America, Western Europe, Australia, and New Zealand, he is surely correct. But if he means also to suggest that it is pragmatically efficacious in such countries

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as China and India, the world's two largest, some may have reason to doubt his claim. I have no experience in India, nor in the People's Republic of China, but I have been invited to lecture extensively in the Republic of China (Taiwan) and so can say from personal experience that many Taiwanese environmental NGOs partially cast their activities in the discourse of the intrinsic value of nature. As to India, the evidence is contradictory. Ramachandra Guha (1989: 74), in a justly famous article, argued that although 'the transition from an anthropocentric (human-centered) to a biocentric (humans as only one element in the ecosystem) view in both religious and scientific traditions is to be welcomed ... this dichotomy is, however, of little use in understanding the dynamics of environmental degradation'. By implication, presumably, it would thus be of little use in opposing the dynamics of environmental degradation. Vandana Shiva (1989), on the other hand, in a justly famous book, argues that in popular traditional Indian belief, nature is an active subject, not a passive object, as in modern Western thought. Neither Guha or Shiva focus their discussions specifically on the concept of intrinsic value in nature, though Guha's somewhat equivocal discussion of 'biocentrism' and Shiva's approving discussion of nature as active subject could, by implication, be understood as bearing on it.

There is another piece of evidence supporting the worldwide currency of the concept of intrinsic value of nature not mentioned by Preston that is much less problematic. After more than a decade of worldwide 'consultations' with thousands of people representing millions of constituents in hundreds of interest groups and political-identity groups, the Earth Charter Commission issued a final draft of an 'Earth Charter' in March, 2000. The idea of an Earth Charter was first conceived during preparations for the 1992 United Nations Conference on Environment and Development (a.k.a. the Earth Summit). Afterward, the Commission was formed to draft a document that would be circulated throughout the world for comment and revision, finally to be submitted to the United Nations for endorsement by the General Assembly in 2002, on the tenth anniversary of the Earth Summit. The very first principle of the Earth Charter reads: '1. Respect Earth and life in all its diversity. a. Recognize that all beings are interdependent and *every form of life has value regardless of its worth to human beings*' (Earth Charter Commission 2000, emphasis added).

The *phrase* 'intrinsic value' does not appear in the final draft of the Charter – although it did in preliminary drafts, including the penultimate one. The *concept* seems to remain, however, in the statement that 'every form of life has value regardless of its worth to human beings'. A diehard environmental Pragmatist opposed to the concept of intrinsic value in nature and determined to suppress it could argue that these words of the Earth Charter should be interpreted to mean that every form of life may have instrumental value for forms of life other than human beings, but such would be a tortured interpretation. Such an interpretation implicitly assumes, moreover, that if not 'every' then some

nonhuman forms of life have intrinsic value – else why must we care about what is of instrumental value to them? Further, arguments, such as those of Ehrenfeld (1976; 1988), that many forms of life, often those most at risk of extinction, are ‘non-resources’ – whether for human or other kinds of being – implies that, as a matter of fact, not every form of life has instrumental value. In any case, the principal architect of the Earth Charter provides decisive comments on the proper interpretation of the words in question in response to my inquiry about the absence of the phrase ‘intrinsic value’ in the final version of the document after it had appeared in all the previous ones:

In your letter you express some concern about what may have been the anthropocentric orientation of some of our constituencies. You also identify the critical points in the text [those just quoted] where the ecocentric orientation of the Charter is made explicit. Throughout the document you will find that we have made a consistent effort to make clear that the moral community to which human beings belong extends beyond the human family to include the entire larger living world. In line with this outlook, the first principle, from which all the others flow, affirms respect for ‘Earth in all its diversity’ (Rockefeller 2000).

I think that if the Earth Charter is eventually endorsed by the United Nations General Assembly, the result may well be comparable to the adoption of the Universal Declaration of Human Rights by the same body in 1948. The U.N. Universal Declaration of Human Rights was not a binding law or international treaty. But it did put the concept of human rights at play on the world stage. In effect, it globally institutionalised the discourse of human rights. Similarly, the Earth Charter may institutionalise and globalise the discourse of environmental ethics with its most potent concept of the intrinsic value of nature. In comparison with this achievement of theoretical environmental philosophers – the creation and dissemination of such a transformative discourse – the programme of bottom-up environmental ethics recommended by Pragmatists appears quite modest and unambitious. Certainly, the energy and intellectual capital of theoretical environmental philosophy should not be redirected into such yeoman (and yeowoman) work; on the contrary it should be redoubled.

THE ENVIRONMENTAL PRAGMATIST CAPITULATION TO THE CONCEPT OF INTRINSIC VALUE IN NATURE

Minteer (2001), has recently argued that Pragmatists need not eschew the concept of intrinsic value in nature, after all. He even demonstrates that Norton himself, the most ardent opponent of the concept of intrinsic value of nature, actually endorses it, although he still refuses to use the term ‘intrinsic value’ because it is ‘tainted’ (Minteer 2001: 66). This is ironic because the only reason it may seem to be tainted is because environmental Pragmatists, and especially

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Norton, have conflated the various not-so-subtly differing theories of intrinsic value (reviewed here) into one grotesque caricature, in their zeal to stamp out intrinsic-value theorising in environmental philosophy. Minter, who apparently relies on Norton to characterise (that is, caricature) intrinsic value theory in nature thinks that Rolston and I hold more or less the same theory while, as clearly noted here, our theories differ dramatically (my attempt to argue that Rolston is a crypto-subjectivist notwithstanding). Minter (2001: 61) insists, for example, on 'the universalist and foundationalist uses of the concept by such theorists as Callicott and Rolston'. According to Minter (2001: 65), Norton finds us guilty of 'disengaged ontological and metaphysical solutions for environmental quandaries' and 'of abstraction and ideological dogmatism among other vices'. Among these other vices are 'foundationalism', 'Cartesianism', and being 'universalistic', 'monistic', and even 'intellectualistic'. Minter never explains just what these vices amount to, however. What, for example, is foundationalism? What does it mean to offer 'ontological and metaphysical solutions for environmental quandaries' and why is this a vice? All Minter does is sling these words around and rhetorically condemn them. Further, I have repeatedly tried to explain in what sense I advocate monism in environmental ethics and in what sense I do not (Callicott 1999). All such niceties, however, are simply ignored by Minter (2001: 65), who, despite my express declaration to the contrary, insists that I am 'reductionist' on a 'quest for a universal master principle'.

Had Minter read what Rolston and I have actually written about intrinsic value in nature, rather than relying on Norton's caricature, he might have discovered that the kind of Pragmatist theory of intrinsic value that he recommends and seems to believe that he is articulating for the first time is more or less the same as I have long espoused. He writes, 'I do think we can, as pragmatists, accommodate noninstrumental values in our justifications of environmental policy. [W]e may value nonhuman nature noninstrumentally'. And he insists 'human's "do" the valuing, which may or may not be instrumental'. That is pretty much what I have been arguing all along, with the proviso that lots of other forms of life can also 'do' a bit of valuing. All value, in short, is of subjective provenance. And I hold that intrinsic value should be defined negatively, in contradistinction to instrumental value, as the value of something that is left over when all its instrumental value has been subtracted. In other words, 'intrinsic value' and 'noninstrumental value' are two names for the same thing.

Minter (2001: 61) frankly acknowledges that 'we pragmatists have tended to neglect and often besmirch the worth and validity of intrinsic value claims in our enthusiastic embrace of a wide and deep instrumentalism, even if the former resonate with large segments of the public'. He even goes so far as to acknowledge that 'intrinsic value arguments might be the most powerful and effective in certain circumstances'. But he also claims that intrinsic-value-in-nature theorists 'disparage instrumental values'. This is certainly not true. For example, I

have written the following topic sentence for a chapter in a textbook on conservation biology and then have gone on to fully and sympathetically flesh out each topic: 'The anthropocentric instrumental (or utilitarian) value of biodiversity may be divided into three basic categories – goods, services, and information' (Callicott 1997: 29). Because some conservation biologists have confused it with intrinsic value, I go on to cautiously note that 'The psychospiritual value of biodiversity is possibly a fourth kind of anthropocentric utilitarian value', which I also then fully flesh out (Callicott 1997: 30). The taxonomy of 'value in nature' that Rolston (1981: 113) develops is even more elaborate; in the abstract of one article he lists '(1) economic value, (2) life support value, (3) recreational value, (4) scientific value, (5) aesthetic value, (6) life value, (7) diversity and unity values, (9) dialectical value, and (10) sacramental value'. In the abstract of another, he 'itemize[s] twelve types of value carried by wildlands[:] economic, life support, recreational, scientific, genetic diversity, aesthetic, cultural symbolization, historical, character building, therapeutic, religious, and intrinsic' (Rolston 1985: 23). Rolston thinks that appeal to *all* of them – and all but one are anthropocentric/instrumental – by those wishing to preserve wildlands is both effective and legitimate. Thus it is anti-intrinsic-value-in-nature Pragmatists, not us more inclusive pro-intrinsic-value-in-nature theorists who are 'locking out those citizens from the moral debate who choose to speak about the value of nature in ways that' Norton and other Pragmatists 'can[not] philosophically abide' (Minteer 2001: 61).

Minteer (2001) is no more specific about Norton's arguments against intrinsic value in nature than he is about the nature of foundationalism or universalism. He vaguely refers to 'the epistemic problems regarding the justification of intrinsic values as well as the metaphysical status of noninstrumental claims' discussed by Norton, but provides no summary. What Minteer does provide, however, is some insight into Norton's motives. Norton, he says, is 'primarily motivated by his desire to speak clearly and effectively to practical matters of environmental management and problem solving' (Minteer 2001: 62). Thus he 'concluded early on', according to Minteer (2001: 63), that intrinsic value theory was a pragmatic 'dead end and that a weak anthropocentric approach and a broad instrumentalism could deliver the goods'. But intrinsic value theory just would not go away as Norton wished it would. I am grateful to Minteer for documenting that Norton, despite his campaign against the concept of intrinsic value in nature, occasionally forgets himself and acknowledges its pragmatic power in supporting what Minteer (2001: 71) calls 'good environmental policy'. More importantly, I am also grateful to Minteer (2001: 60) for candidly acknowledging, what Norton has persistently denied, that the notion that nature has noninstrumental value is increasingly part of 'the public's everyday intuitions and sentiments regarding nonhuman nature'. My main point in this essay is that the public might not now have so commonly valued nature noninstrumentally had the work of environmental philosophers not created a

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new discourse – the discourse of intrinsic value in nature, a new, positive, and inspiring name, as opposed to the essentially privative term ‘noninstrumental’ – in which the public’s everyday intuitions and sentiments regarding nonhuman nature might be powerfully articulated.

CONCLUSION

We sometimes forget, I think, that we live, move, and have our human being in a world of words, as well as in a physical world beyond words. For all its importance – which above all environmental philosophy affirms and celebrates – that world beyond human words is only accessible through the portal of human discourse. In conclusion, therefore, we must agree with Confucius that the first order of business in any policy arena is to rectify names, so that our policies and practices are framed in terms of the most efficacious and transformative discourse. The way Confucius would rectify names is by administrative fiat. In a democracy we do so by means of the free and sometimes technical philosophical discussion of frequently controversial and sometimes new and radical ideas. While that discussion, especially if it is carried on largely in the academy, may seem far removed from the fray of public policy debate and hopelessly impractical, in multiple and diffuse ways it seeps out of the ivory tower into the public domain, and finally funds the formation of public policy and practice. That has, demonstrably, been the case with theoretical environmental ethics and its central idea, the intrinsic value of nature.

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