Towards the development of a Kantian environmental ethic

Sally Nelson Wiedmann

University of Northern Iowa

Copyright ©1992 Sally Nelson Wiedmann
Follow this and additional works at: https://scholarworks.uni.edu/etd

Part of the Other Environmental Sciences Commons, and the Other Philosophy Commons

Let us know how access to this document benefits you

Recommended Citation
Wiedmann, Sally Nelson, "Towards the development of a Kantian environmental ethic" (1992).
Dissertations and Theses @ UNI. 692.
https://scholarworks.uni.edu/etd/692

This Open Access Thesis is brought to you for free and open access by the Student Work at UNI ScholarWorks. It has been accepted for inclusion in Dissertations and Theses @ UNI by an authorized administrator of UNI ScholarWorks. For more information, please contact scholarworks@uni.edu.
TOWARDS THE DEVELOPMENT OF THE

KANTIAN ENVIRONMENTAL ETHIC

An Abstract of a Thesis
Submitted
In Partial Fulfillment
of the Requirements for the Degree
Master of Philosophy

Sally Nelson Wiedmann
University of Northern Iowa
August 1992
ABSTRACT

This thesis is a response to Aldo Leopold's 1949 call for a new, wholistic environmental ethic. Leopold's call stemmed from his concern over the increasing degradation of the environment as a result of a utilitarian approach which judges nature as good only insofar as it is good for human economic and recreational benefit. This thesis is aimed at the development of a wholistic, non-utilitarian environmental ethic grounded in the philosophy of Immanuel Kant.

The thesis begins with a brief review of the utilitarian environmental ethic which Leopold opposed and some of the consequences it has wrought in the natural world. It then examines some of the alternative environmental ethics which have already been proposed and their shortcomings. These new, alternative environmental ethics generally fall into one of three categories: neo-utilitarianism, animal rights, and eco-feminism.

I next undertake an examination of Immanuel Kant's philosophy as it concerns theory of knowledge, moral theory, teleological judgments of nature, and aesthetic judgment. Kant's theory of knowledge leads us to a view of nature, as an organized system, and human beings, as distinct individuals, as mutually dependent. Kant's moral theory argues that human biological life ought to be subordinated
to human moral life. Also Kant's moral theory, applied to private action, requires a critical thought process. This same critical thought process is engendered when his moral theory is applied to public action. Kant's theory of teleological judgment regarding nature leads us to a view of nature as a system of ends directed towards the establishment of a "realm of ends," a moral world community. Kant's aesthetic theory saves nature, as natural beauty, from appropriative human claims. Just as our sensible nature ought to be subordinate to our moral nature, so too our approach to nature as useful ought to be subordinate to our approach to nature as beautiful.

Kantian philosophy results in a number of duties on the part of human beings as moral beings towards nature. We have a duty to preserve nature as a changing, balanced diversity. We have a duty to treat the non-human parts of nature as components of a systemic whole. How these duties ought to be fulfilled will be affected by contextual factors, and ought to be decided through public discourse.
TOWARD THE DEVELOPMENT OF THE KANTIAN
ENVIRONMENTAL ETHIC

A Thesis
Submitted
In Partial Fulfillment
of the Requirements for the Degree
Master of Philosophy

Sally Nelson Wiedmann
University of Northern Iowa
August 1992
This Study by: Sally Nelson Wiedmann
Entitled: Toward the Development of the Kantian Environmental Ethic
has been approved as meeting the thesis requirement for the Degree of Master of Philosophy.

8/29/92  William W. Clohesy, Chair, Thesis Committee

8/29/92  Fred Hallberg

8/29/92  David Morgan

8/29/92  Martha Reineke

8/29/92  Tony Smith

1/27/93  Dr. John W. Somervill, Dean, Graduate College
ACKNOWLEDGMENTS

I am deeply indebted to Dr. William W. Clohesy, my graduate supervisor and thesis committee chair. His guidance has been sure, his advice invaluable, and his standards rigorous. I am also grateful for the support and advice of my thesis committee: Prof. Fred Hallberg, Prof. David Morgan, Prof. Martie Reineke, and Prof. Tony Smith.

I have had the good fortune to pursue my Master of Philosophy Degree as part of a department composed of excellent professionals. The support and encouragement of all the members of the department are gratefully acknowledged and genuinely appreciated. I particularly wish to thank Dr. Shivesh C. Thakur, Head of the Department of Religion and Philosophy, for establishing the degree program and for supporting my application to it.

I also want to thank Tom Sandberg, a most courteous and companiable office mate; Karen Glynn and Larry Underwood, who put me up and put up with me; Helen Harrington, who helped untangle the bureaucratic knots and kept the coffee pot full.

I also wish to publicly acknowledge and give thanks to my family for their patience, understanding and support. My parents, Selma and Gus Wiedmann, taught me my earliest and best lessons about honesty, compassion and the beauty of nature. My husband, Richard Martin Nelson, has unflaggingly
supported my efforts and kept faith with my goals with a
ture grace and elegance of spirit.

Finally, I wish to dedicate this thesis to my maternal
grandfather, Lars Magnus Helstedt, who believed in fallowing
his fields, retiring his horses, and educating his
daughters; and to my daughter, Aurelia Ann Nelson, who is
and always will be my best contribution towards the
transformation of this world.
# TABLE OF CONTENTS

<table>
<thead>
<tr>
<th>Chapter</th>
<th>Page</th>
</tr>
</thead>
<tbody>
<tr>
<td>I INTRODUCTION</td>
<td>1</td>
</tr>
<tr>
<td>Statement of Purpose</td>
<td>1</td>
</tr>
<tr>
<td>Alternative Expansionist Ethics</td>
<td>8</td>
</tr>
<tr>
<td>II A KANTIAN APPROACH</td>
<td>24</td>
</tr>
<tr>
<td>Kant's Theory of Knowledge</td>
<td>24</td>
</tr>
<tr>
<td>Kant's Moral Theory</td>
<td>39</td>
</tr>
<tr>
<td>Kant's Theory of Teleological Judgments</td>
<td>78</td>
</tr>
<tr>
<td>Kant's Aesthetic Theory</td>
<td>92</td>
</tr>
<tr>
<td>III A KANTIAN ENVIRONMENTAL ETHIC</td>
<td>108</td>
</tr>
<tr>
<td>The Kantian View of Nature</td>
<td>108</td>
</tr>
<tr>
<td>Our Duties Towards Nature</td>
<td>113</td>
</tr>
<tr>
<td>Contextual Factors</td>
<td>124</td>
</tr>
<tr>
<td>BIBLIOGRAPHY</td>
<td>130</td>
</tr>
</tbody>
</table>
CHAPTER 1
INTRODUCTION

One of the earliest calls for a new environmental ethic was that of Aldo Leopold in 1949.¹ This call was issued in response to what Leopold viewed as a purely utilitarian approach towards the natural world. Leopold held that contemporary humans viewed nature as a tool, an instrument, to be used merely as a means for economic, recreational and aesthetic benefit.² Leopold considered such an approach short sighted and unacceptable as destructive to the biotic community.³

Statement of Purpose

This thesis is a response to Leopold's challenge. Its aim is the development of a wholistic, non-utilitarian environmental ethic based on the philosophy of Immanuel


²Regarding the use of the term 'nature', it is, in part, due to a habit of language that we use the term 'nature' as though it represented something apart from us, as though nature were something 'out there'. As will be seen in Chapter 2, however, according to the philosophy of Immanuel Kant nature is a product of the irrepressible organizational activity of human understanding. Thus, it is not simply the case that we cannot know nature apart from us. Rather, there can be no nature apart from us, and we cannot exist apart from nature.

³Aldo Leopold, A Sand County Almanac, pp. 224-225.
Kant. I will begin with a short description of the utilitarian approach criticized by Leopold. I will next give a review of the literature regarding the alternative expansionist ethics that have, so far, been offered by others, and explore their inadequacies and resultant problems. By "expansionist ethics" I mean those ethical systems which seek to enlarge or expand the set of entities deemed as qualifying for moral consideration. In other words, expansionist ethics increase the number of types of entities in connection with which our conduct is considered to have an ethical component. Some expansionist ethics are still utilitarian in nature, for example, those of Baird Callicott and Arne Naess. Such ethics seek to enlarge the circle of moral consideration because such expansion is seen as being in the material interest of human beings. Such approaches are, then, a more sophisticated version of the traditional utilitarian approach; thus, I term them neo-utilitarian. I will then develop an environmental ethic grounded in Kantian philosophy.

4 By "wholistic" I mean an ethic which recognizes that identity and definition are, in part, relational. In other words, knowing what a natural entity is involves knowing not only its characteristics or predicates but also its relationships with other entities. A wholistic ethic, then, recognizes at a very fundamental level the interconnectedness of all natural entities.

5 It should be noted that the term 'utilitarian' does not refer to the philosophical theory. Rather, it signifies the concept of that which can be put to use.
A key to the problems of both utilitarian and expansionist approaches to environmental ethics is the decision-making calculus specific to each: in a utilitarian approach the calculus is inappropriately anthropocentric; in an expansionist approach the ethic blurs the lines of distinction between humans and animals which, in turn, leads to a problematic decision-making calculus.

As previously mentioned, Leopold called for a new environmental ethic in response to a utilitarian ethic which had been and continues to be the prevailing environmental ethic of the modern period. Predator destruction and the compromise of wilderness areas are but two examples of this utilitarian approach. Leopold cited the frequent practice, with regard to wilderness areas, of the initial, systematic elimination of native predators because they were viewed as threats to the native game species and, thus, threats to the pleasures of human hunters. This, in turn, led to an overpopulation of game species and increased hunting for sport. Sport hunting required the building of roads and other developed facilities. In some cases this was followed by the introduction of exotic game species as well. We are left with a wilderness area of reduced wildness. We are left with hardly wilderness at all. It is, rather, managed nature, a natural area altered to better satisfy the

6Aldo Leopold, A Sand County Almanac, p. 191.
needs and desires of human beings. Although not as fully domesticated as the areas of regular human habitation, it is nevertheless a nature considerably tamed and tailored to human tastes.

The history of species-reintroduction programs is also indicative of a utilitarian approach to nature. Species-reintroduction programs have existed within the United States since the early part of this century. One of the first was that headed by Dr. R. N. Looney which brought eighty-five elk from Yellowstone National Park to the Mogollon Rim of northern Arizona in 1913. Arizona's indigenous elk population had been completely depleted more than twenty-five years earlier. With serious overpopulation of the Yellowstone herds, due in part to the government's elimination of natural predators, the United States government offered eighty-five elk to any state in which the animal had become extinct, with the proviso that all costs be paid by the importing state. Dr. Looney, a dentist by profession, organized such an effort. As a result, northern Arizona now enjoys an elk population of approximately twenty-thousand.7

Species-reintroduction programs have continued ever since with varying degrees of success. Species as different

as bighorn sheep and thick-billed parrots have been the subjects of such efforts. Nearly all reintroduction programs, however, have shared one common characteristic regardless of site location or predicted success rates. With extremely rare exceptions, such reintroduction programs have dealt with species which are not primary predators. By "primary predators" I mean those indigenous species other than human beings which occupy the ultimate niches in the food chain in a given area. Three species, consistently rejected as subjects for such reintroduction programs, are Panthera onca, the jaguar; Canis lupus, the grey wolf or timber wolf; and Ursus horribilis, the grizzly bear.

In 1967 the grey wolf was officially declared an endangered species, and, as such, came under the protection of the U.S. Fish and Wildlife Service. It was not until 1987, however, twenty years later, that the Northern Rocky Mountain Wolf Recovery Plan (NRMWRP) was finally approved at the national level. Nevertheless, since implementation of the plan was left up to the pertinent states, no wolves have yet been reintroduced due to the opposition of local stockmen. The sole attempt to date regarding grey wolf reintroduction, and even this was not part of the NRMWRP,

---

8 Ibid., p. 45.
9 Ibid., p. 46.
10 Ibid., pp. 48-49.
was the release of four wolves in northern Michigan. In less than one year, two wolves were shot, one was trapped and killed, and one was struck and killed by a car. It remains fairly clear, then, that the large, primary predators continue to be viewed as undesirable. They are undesirable in that they threaten, either directly or indirectly, that which we consider economically valuable, recreationally valuable, and that from which we derive aesthetic pleasure.

The same is true of our approach to wilderness areas. The Wilderness Act of 1964 defined wilderness, in part, as "... an area where the earth and its community of life are untrammeled by man, where man ... is a visitor who does not remain." Yet Section 4 of the Act allows continued mining for an indefinite period of time by any company which staked a claim before 1984. The Act also allows the development of water resources at the discretion of the President; the grazing of livestock; and the use of airplanes and motorboats if such practices were allowed prior to the Act. Currently, the Congress is considering

11Ibid., p. 48.
13Ibid., p. 111.
opening up the Arctic Wildlife Refuge to commercial oil exploration and drilling.

The foregoing can all serve as examples of the utilitarian approach to the environment which has pervaded secular Western culture throughout the modern period. The effects of this utilitarian approach to the environment have become increasingly deleterious and obvious over the last thirty years. Species extinction, in itself a naturally occurring phenomenon, now occurs at a rate of 17,500 species per year.\(^\text{14}\) In some cases species' extinction and near-extinction has been deliberate. Most frequently, however, it has been a secondary result of human activity through destruction of habitat, the introduction of exotic species (usually game species), and the proliferation of harmful chemicals.

Another equally serious effect is the increasing competition among nations, as well as smaller entities, for decreasing resources. The United States, which comprises 4.8% of the world's population, uses 23% of the planet’s energy resources.\(^\text{15}\) The American dependence on oil, a

\(^{14}\text{The California Nature Conservancy as reported in "Econews," Greenpeace Magazine, October/November/December 1991, p. 7.}\)

dependence which exceeds its own oil resources, was a contributing factor in the recent Persian Gulf War. Interstate disputes have also occurred recently over the division of shared resources, for example, the 1990 dispute over regulation of flow rates on the Missouri River.

Finally, we are experiencing increasing degradation of the biosphere overall. This is evidenced by such phenomena as the polar holes developing in the ozone layer, increasingly frequent health alerts in some major cities due to poor air quality, and, according to some climatologists, the increase of global warming. On a smaller scale, environmental degradation has caused more and more cities and citizens to be concerned about water quality and water-source depletion.

**Alternative Expansionist Ethics**

Such ecological degradation has led some philosophers to develop new, alternative environmental ethics. Although differing from each other in some aspects, these alternative ethics fall into three major groups: neo-utilitarianism, animal rights, and eco-feminism. All are basically expansionist approaches. That is to say, all seek to expand the circle of ethical concern beyond the limits of the traditional utilitarian approach.

A number of philosophers have argued for a wholistic or neo-utilitarian approach on varying grounds. Callicott argues in favor of a safe minimum standard of conservation. Such an approach calls for the setting of guidelines regarding an acceptable minimum amount of land and species to be set aside and preserved. In other words, a certain percentage of land is to be left in its natural condition to ensure the continuation of the evolutionary process and the various life-supporting cycles. His argument, however, is admittedly founded on "economic value." Naess decries the atomistic view of traditional utilitarianism and calls for "Gestalt thinking." He argues that, as our understanding of biotic systems increases, we must cease to view the physical world in terms of individual objects or species. Rather, we should approach the environment in terms of systems or biomes.

Central to all these arguments is the necessity for a healthy earth as a home for humans. Such arguments arise out of an increasing knowledge of the science of ecology. In other words, as our understanding of the

---


17 Ibid., p. 132.

interconnectedness of the physical world grows, we have more and greater reasons for seeking a wholistic approach. Yet such an approach is still utilitarian in its concept of nature. It still results in a decision-making calculus which is clearly anthropocentric in its weighting. It is an enlightened and enlarged utilitarianism, but a utilitarianism nonetheless.

In his book, *Animal Liberation*, Peter Singer argues that the capacity for feeling pain or pleasure "is the only defensible boundary of concern for the interests of others." He goes on to argue that the principle of equality requires equal consideration of interests. It is at best interesting to consider the possession of rights as grounded in the capacity for pleasure and pain. Such an approach derives from a definition of happiness, as the purpose of life, in terms of the enjoyment of pleasure and the avoidance of pain. Such an approach is grounded in wants rather than needs.

But to speak of wants as something separate and apart from needs with regard to animals seems questionable at best. On the contrary, it seems clear that animal wants, if they exist, are inextricably linked to needs in a way that is significantly different from human wants and needs. It

---

may be the case that a lioness wants a wildebeest for her meal, but it clearly cannot be the case that any lion wants to be a vegetarian.

Further, Singer's requirement of equal consideration, when taken to its ultimate, logical end, results in a decision-making calculus that is, in marginal cases, unproductive or, at least, unclear. According to Singer's line of reasoning, the interests of a comatose human being deserve less consideration that the interests of a starling. The interests of a severely retarded child may or may not deserve consideration equal to the consideration owed to the interests of a normal chimpanzee depending on the extent to which that child is thought to experience pleasure or pain according to some third party.

Tom Regan bases his argument for animal rights on the intrinsic value of a nonhuman animal as the subject-of-a-life. In his book, The Case for Animal Rights, he states "[a] variety of reasons makes it reasonable to view mammalian animals as individuals who, like us, have beliefs and desires." To speak of 'beliefs', 'desires' and 'individuals', I contend, is questionable with regard to animals. Animals certainly evidence instinctive and habitual behaviors. But habit and instinct are not

---

Equivalent to 'belief'. On the contrary, habitual behavior in humans generally arises as a consequence of belief.

Desires are linked to wants which, as previously mentioned, seem directly linked to needs with regard to animals. Even if we grant that desires are possessed by animals, such desires cannot be known to us. We may, upon extended study and observation, be able to recognize what animals need but not what they want. This is due to the simple fact that we cannot experience life, the environment, or existence as anything other than a human being. The most fertile human imagination will never know what it is to be something or someone other than a human being.

To speak of animals as individuals is also incorrect. A given animal may be considered as an individual member of its species; i.e., as a single example of the species, but that is not at all the same as being an individual. Existence-as-an-individual is a characteristic which, since the ancient Greeks, has been reserved for human beings. It was on this ground that the Greeks distinguished between bios and zoe. Animal life, zoe, was considered species life. A species was immortal due to its continuation through procreation. Human life, bios, was viewed as the only form of mortal life since human life was viewed as
individual life. Mere continuation of the human species through procreation could not provide immortality to the individual human being.\textsuperscript{21}

In criticizing both Singer and Regan, Roger King states "[t]he extension of the moral domain to include some animals is possible because some people are willing to allow that suffering in animals, for example, is as morally wrong as suffering in human beings."\textsuperscript{22} I question, however, whether this really says something about animals. The fact that the inflicting of suffering for no good end is widely considered unethical really says something about human beings. Animals, after all, do not concern themselves with the moral rightness or wrongness of our suffering or even the suffering of other animals. It is not unusual for a cat or dog to play a small animal to death and then to walk away without eating the animal so killed.

It is true that particular animals do, on occasion, respond to emotional states experienced by nearby humans. For example, if my dog sees me weeping, he will very likely approach me quietly, sit down next to me and put his head gently in my lap in a manner that appears sympathetic. Very

\begin{footnotesize}
\begin{enumerate}
\item[\textsuperscript{21}]Hannah Arendt, \textit{The Human Condition} (Chicago: The University of Chicago Press, 1958), pp. 18-19.
\end{enumerate}
\end{footnotesize}
young children frequently respond to the emotional states of their adult caretakers even when they, the children, are not yet capable of genuinely comprehending the full character of the emotion being experienced by the adult.\textsuperscript{23} Similarly, if I walk into a room of adults and immediately perceive that everyone present has a look of terrified panic, I will likely begin to feel at least anxious myself. But unlike my sympathetic dog or the empathizing child, I will not just react to the terror and panic of the surrounding adults. I will begin to seek out the cause of their fear.

To the best of our knowledge, we alone possess the capacity to reflect upon ourselves and our actions from a distanced and impersonal perspective, to step out of ourselves figuratively and consider questions concerning the mode of our existence and its meaning. We live in a world; animals live within their surroundings. The world in which we live is, itself, a conceptual organization of that which surrounds us. We are able to take a distanced perspective because we are able to engage in symbolic; i.e., conceptual, thought. We alone, then, are capable of being moral agents.

The discipline of ethics and the possibility of a self-legislated morality exist uniquely as powers of human self-reflective consciousness. One does not blame the coyote for

eating the prairie dog. Nor does the coyote consider whether such behavior is ethical or not. Human beings are a part of nature (having evolved within nature), but human beings as moral agents are, in a very special way, also different from all other forms in nature.\textsuperscript{24} To ignore this distinction between human beings and animals is to ignore the very capacity which allows these authors to formulate their arguments.

Another major objection, on my part, to the animal rights approach is that it operates on an individualized basis. Its concern is with individual members rather than species as species. Tom Regan specifically states

\begin{quote}
The rights view is not opposed to efforts to save endangered species. It only insists that we be clear about the reasons for doing so. On the rights view, the reason we ought to save the members of endangered species of animals is not because the species is endangered but because the individual animals have valid claims.\textsuperscript{25}
\end{quote}

This view, however, imparts to animals an existence-as-individuals which is specious. As mentioned earlier, since the time of the ancient Greeks, animal life has been

\textsuperscript{24} By "nature" I mean, not only the physical objects and entities of the world, but also the cycles and processes which make life possible, and the relationships between and among the objects, entities, cycles and processes. Nature, therefore, is not a static state, thing or place, but dynamic. It is, itself, an evolutionary process characterized by both equilibrium and imbalance, constancy and change, regularity and randomness.

\textsuperscript{25} Tom Regan, \textit{Animal Rights}, p. 360.
viewed as species-existence. This is not mere prejudice on the part of humans. It is true that members of some animal species recognize other members of their species as specific individuals. For example, horses form social attachments with other horses, usually on a pair basis, which are stable, specific, and individual. In other words, the social attachment between horse A and horse B within a herd (or a stable) involves the recognition and identification on the part of horse A of the identity of horse B, not merely as another member of horse A's species, but as a particular member. I contend, however, that the recognition of a specific, individual animal does not serve as proof that the recognizing or recognized animal possesses a self similar to what we mean when we use the term 'self' with reference to humans. Some animals may have a sense of themselves, but not a concept of self. Animal life, that is, may be characterized by multiplicity but not plurality.

Human life is characterized by plurality. Human plurality, what Hannah Arendt described as "the paradoxical plurality of unique beings," involves the qualities of distinctness and sameness. If human beings did not possess sufficient sameness, communication between

---


individuals regarding ourselves and our world would not be possible. Indeed, 'our world' itself is only possible because we possess a sameness sufficient to make a view-in-common possible. If we possessed only distinctness, without sameness, we would be condemned to lives of isolation. At the same time, without distinctness, our lives would devolve to identicality. It is the fact of our distinctness, each from every other, that makes speech necessary. As Arendt points out, if we were not individually different, "[s]igns and sounds to communicate immediate, identical needs and wants would be enough."\(^\text{28}\) It is, then, the condition of human plurality which makes speech both possible and also necessary.\(^\text{29}\)

Human plurality is also the basic condition of action in the sense of the classical Greek praxis. Action, unlike labor, is not motivated by physical necessity. Neither is action, like work, aimed at the production of artifacts. Rather, it is "the only activity that goes on directly

\(^\text{28}\)Ibid.

\(^\text{29}\)By 'speech' I mean a system of symbolic communication which includes concepts and is rich enough to make our experiences of the external world, and our experiences of our inner states, communicable to others and ourselves. Speech is inherently public. It is public in that it presupposes the presence of another, speech is one means of communication between people. Even internal speech, the inner dialogue between me and myself, engages me as if I were two—I the speaker, and I the listener. Speech is one activity by means of which we shape our world, and it, in turn, shapes us.
between men without the intermediary of things or matter." But action in the sense of praxis is only possible if there is first arche. Arche is the capacity to make a beginning, to initiate, to start something into motion. It is this capacity of inexhaustible spontaneity to bring into being something new which is the mark of human life. Indeed, each of us at birth is a new beginning, the start of something (really someone) that has never existed before or since. So it is that we can meaningfully ask only of another human being "Who (not what) are you?" It is important to remember that we are addressed and treated as individual selves even before we are, ourselves, aware of ourselves. Once we are self-aware, we continue to be confirmed as selves by the speech and actions of others at the same time that we reveal ourselves through speech and action to others. Although both speech and action are, thus, revelatory, it is speech that is primary of the two. As Arendt points out, an action can be perceived in its "brute physical appearance" without accompanying speech, but the action cannot be fully understood unless the actor, by means of speech, can communicate the accompanying intention. So it is that Arendt goes on to state

---

31Ibid., p. 177.
32Ibid., p. 179.
In acting and speaking, men show who they are, reveal actively their unique personal identities and thus make their appearance in the human world. . . . This disclosure of "who" in contradistinction to "what" somebody is . . . is implicit in everything somebody says and does. 33

Human beings thus encounter each other as unique individuals due to and through speech and action. If animal life were characterized by plurality, each and every animal would be capable of encountering each and all other animals as humans are capable of encountering each other, as unique individuals. With rare and limited exceptions, this they do not do.

My final criticism of expansionist approaches is that, while enlarging the circle of ethical consideration, they nevertheless leave some natural entities outside the circle. Tom Regan's argument is specifically limited to "mammalian animals." Singer's argument, being based on the capacity to feel pleasure or pain, likewise leaves nonsentient entities (trees, mountains, rivers, etc.) outside the boundary of ethical concern. Therefore, such approaches can hardly lead to the wholistic ethic called for by Leopold.

One of the newest alternative environmental ethics being put forward is that of eco-feminism. Karen Warren, a major voice in this movement, and Jim Cheney define eco-feminism in part as involving

33 Ibid.
a shift from a conception of ethics as primarily a matter of right, rules or principles predetermined and applied in specific cases to entities viewed as competitors in the context of moral standing [to an ethic that] makes a central place for values of love, care, friendship, trust and appropriate reciprocity-values . . . that presuppose that our relationships to others are central to our understanding of who we are. 34

Deborah Slicer, another eco-feminist writer, criticizes traditional ethical theories based on principles as not allowing for feeling, context, relationship, virtue, and affection. 35

Warren and Cheney liken eco-feminism to a patchwork quilt in which each piece represents a response to a given environmental problem. In such a quilt, although no two pieces are the same, the aggregate comprises a whole and a successful design is created. Analogously, although eco-feminism allows for many and varied approaches, actions and solutions to various environmental questions, it remains a genuine ethic. For example, an eco-feminist response to the question of hunting by Aleuts may well be different from an eco-feminist response to the question of deer hunting by Iowans due to the differences in culture and context.

Anticipating charges of ethical relativism, Warren and


Cheney go on to argue that, just as a crazy quilt has a defining border, so too eco-feminism has a defining guideline. This guideline includes the inadmissability of hierarchical thinking, and all attitudes of domination. In other words, although eco-feminism cannot clearly enumerate what is required for inclusion in the ethic, it can state what cannot be included. It does, then, set a guideline in the negative sense according to Warren and Cheney.

One question arises, however, with regard to eco-feminism's stalwart opposition to hierarchical thinking. Is hierarchical thinking itself the source of problems or, rather, the criteria upon which it is based? Is not hierarchical thinking, at least in some contexts, necessary? Any decision involving a choice of possibilities requires the weighing of those possibilities. The very activity of weighing possibilities, of choosing between possibilities, requires that the possibilities be ranked in preference. This is hierarchical thinking.

Whether or not eco-feminism's defining guideline is sufficient to save the ethic from relativism, two serious problems remain: Which values are to be central to the ethic? Which and/or whose feelings are to be given

consideration and to what degree? Although future discussion may well clarify and enumerate the values to be given primacy, it is unlikely, if not impossible, that further debate and discussion will firmly decide which or whose feelings. Feelings are inherently subjective. I am reminded of a cartoon which appeared in The New Yorker. A couple is shown standing at a scenic overlook. He is a prosperous businessman (portly, three-piece suit and tie). As he gazes out over a beautiful, undeveloped valley he exclaims, "What a great place to build something!" Although we may chuckle at such humor, the fact remains that some people honestly respond in just that way to such vistas. How am I, or anyone, to tell such a person that she or he is wrong? How are we to argue feelings? Such a contextually and relationally oriented ethic cannot but give rise to a number of serious questions. At what point does the fact of relationship pass into self-interest? At what point do context and affection pass into exception? If, out of a love for animals, I argue that pets should be neutered, as many do argue, does the fact that the pet in question is my pet, my exceptionally intelligent (in my eyes) pet, really allow me to make an exception in its case?

It is my contention that two concepts are required in any new environmental ethic: a recognition that only human beings exist as individuals; and a (related) recognition
that humans are distinctly unique as the only beings capable of moral action. I further contend that an environmental ethic which includes these concepts, avoids a utilitarian anthropocentrism, and is wholistic in its approach can be constructed out of the philosophy of Immanuel Kant.

My choice of Kant as a source for a new environmental ethic is based on a number of key points within his philosophy. An environmental ethic influenced by Kant escapes the anthropocentrism of utilitarianism because it recognizes an interdependent relationship between humans and nature. Kant's treatment of natural beauty as outlined in the third Critique preserves nature from appropriative claims by humans even as the experience of natural beauty contributes to our growth as moral agents. Further, a Kantian based ethic avoids the pitfalls of expansionist ethics because Kant provides a sound and clear distinction between humans and other natural entities based on moral agency. Finally, Kant's treatment, in the third Critique, of natural entities as organisms rather than mechanisms will, I contend, lead to an environmental ethic which is wholistic rather than atomistic. This is the task I shall now take up.
CHAPTER 2
A KANTIAN APPROACH

This chapter will examine Kant's theory of knowledge, his moral theory and its political application, and his theory of judgment. Each theory will be reviewed with particular emphasis on those points which are most significant with reference to an environmental ethic. It will be shown that Kant's theory of knowledge leads to a view of human beings and nature as mutually dependent. Kant's moral theory, it will be shown, calls for: ethical thought and action; public discourse in determining ethical public action; and nature as the arena in which we act. Kant's theory of teleological judgment will be shown to result in a view of nature as a system of ends in which (but not over which) human beings have a superior position. Finally, it will be shown that Kant's theory of aesthetic judgment results in an approach to nature incompatible with and superior to that of the utilitarian approach.

Kant's Theory of Knowledge

Kant's theory of knowledge was a "Copernican Revolution." Just as Copernicus dared "to seek the observed movements, not in the heavenly bodies, but in the spectator," Kant dared to explain our knowledge of the world (what we know), not in terms of the things in the world, but
in terms of our perception of such things.¹ In other words, the knowledge we have of things in the world is a knowledge of things as they appear to and are organized by us, as they are for us, not as they are in themselves. Kant refers to this distinction between things-as-they-appear-to-us and things-as-they-are-in-themselves as the distinction between phenomena and noumena.²

According to Kant, time and space are a priori principles for perception. All external sensations are perceived spatially; i.e., as in space. As Kant points out, regarding objects outside ourselves, we can imagine some object in space, we can imagine the same space without the object, but we cannot imagine the object without the space.³ All sensations, both external and internal, are perceived in terms of time. A sensation is either prior to, after or contemporaneous with other sensations.⁴ So it is that Kant argues that time and space are conditions of sensation. Because time and space are a priori, universal conditions for all human sensation, Kant terms them transcendental.

¹Immanuel Kant, Critique of Pure Reason, trans. Norman Kemp Smith (New York: St. Martin's Press, 1965), Bxxii; p. 25. In this and subsequent citations from this work, 'A' refers to the page number of the first edition and 'B' refers to the page number of the second edition followed by the page number of Prof. Smith's translation.


³Ibid., A24 = B38-39; p. 68.

⁴Ibid., A32-34 = B49-50; pp. 76-77.
According to the critical philosophy of Immanuel Kant, our knowledge of things in the world begins with sensation. Sensation is the mode of all human perception. Sensations, as felt, are aggregates of particular sensations without any organization or relation. Perceptions are the result of the mental ordering of sensation in terms of space and/or time by productive imagination; that which was given in sensation as an aggregate, as a perception is ordered by the a priori principles of space and/or time.

Sensations (Empfindung) organized in space and/or time are perceptions (Wahrnehmung); perceptions further organized by the power of judgment in accordance with the categories of the understanding are intuitions (Anschauung). Just as a perception is the spatial and/or temporal unity of the manifold given in a sensation, an intuition is the categorial unity of the manifold present in a perception. The categories of the understanding are a priori concepts of the understanding. As in the case of time and space, the categories of the understanding are organizational concepts which we bring to judgments of experience. The categories of the understanding, as pure concepts, give the unity necessary to synthesize perceptions into intuitions and intuitions into concepts. They dictate the types of judgment by which concepts are formed. As a priori principles of the understanding they, too, are transcendental. They are the forms of organization which we
necessarily bring to experience. They are the 'hard wiring' of human thought. So it is that Kant states, "[o]bjects are given to us by means of sensibility, and it alone yields us intuitions; they are thought through the understanding, and from the understanding arise concepts."\(^5\) Concepts which arise out of intuitions by means of thought are empirical concepts of the understanding in contrast to the categories of the understanding which are a priori concepts of the understanding.

At the most fundamental level, we encounter the world sensibly. Objects act upon our senses. That which is encountered sensibly is perceived spatially and/or temporally. Perceptions are then further organized by judgment as intuitions, and from intuitions we construct empirical concepts. Intuitions and the empirical concepts which arise out of them constitute experience. In this way, all human experience begins at the level of sensation. As Kant states

We cannot think an object save through the categories; we cannot know an object so thought save through intuitions corresponding to these concepts. Now all our intuitions are sensible; and this knowledge, in so far as its object is given, is empirical. But empirical knowledge is experience.\(^6\)

The categories of the understanding, as a priori concepts of the understanding, are independent of

\(^5\)Ibid., A19 = B33; p. 65.

\(^6\)Ibid., B165; p. 173.
sensations. Taken on their own they can provide no knowledge of the world. How is it, then, that we are able to apply the categories to sensations? How can that which is entirely independent of sensations be referred to sensations? Kant argues that such referral is possible due to the transcendental schemata of the understanding.\(^7\)

As already pointed out, all sensations have, as a universal and necessary condition for experience, a temporal character. Kant also argues that each of the categories of the understanding has a temporal character that is a priori. For example, the category of 'cause' has as its transcendental schema succession in time. The category of 'actuality' has as its transcendental schema existence in a specific time. The transcendental schemata are, in other words, a priori rules of synthesis with respect to time for the categories of the understanding.\(^8\) The transcendental schemata, then, mediate between the categories of the understanding and sensible phenomena.

Further, the transcendental schemata are the products of imagination. The power of imagination manifests itself in two types of activity. Reproductive imagination is what we call memory. Productive imagination is creative power. It is productive imagination which makes possible the organization of sensations into perceptions; the

\(^7\)Ibid., A138 = B177; p. 181.

\(^8\)Ibid., A144-145 = B183-184; p. 185.
interpretation of perceptions, according to the categories of the understanding, as intuitions; and the synthesis of intuitions, by means of judgment, into concepts. How the imagination performs these varied tasks we cannot say. Imagination, itself, is a faculty such that its working cannot be analyzed. We know it only by its effects. Imagination, in terms of how it works, is an "activity [which] nature is hardly likely ever to allow us to discover, and to have open to our gaze." 9

An intuition is an immediate perception of an object and is singular. A concept of the understanding relates only mediatel to an object according to some feature which the object possesses and which it may have in common with other objects. Such concepts of the understanding, empirical concepts, also have (non-transcendental) schemata. With regard to an empirical concept, the schema "is a rule of synthesis of the imagination." 10 Given a number of particular intuitions which, although differing from each other, yet also possess a degree of commonality, I may subsume the particular intuitions under an empirical concept. The subsumption of the particulars under the concept is possible by means of judgment and the imagination in accordance with the empirical schema of the concept. For example, given the particular intuitions called Lassie, Rin

9Ibid.

10Ibid., A141 = B180; p. 182.
Tin Tin and Hooch, I am able to subsume them under the empirical concept 'dog' according to the schema of the concept; i.e., according to the rule of synthesis determined by the concept 'dog' for the imagination. Indeed, the very process of creating and defining general terms, such as 'dog', is the production of (non-transcendental) schemata. It is also possible for a concept to be related to other concepts; i.e., to be a concept of concepts. Again, this is possible due to the (non-transcendental) schema which we generate in the process of defining a concept-of-concepts. Indeed, it is only by means of (non-transcendental) schemata that empirical, general concepts can have meaning since, as general concepts, they can never be adequately instantiated by any, single intuition.

All knowledge results from acts of judgment. Perception is a passive faculty. Passive perception is the means by which we are given the substance of potential knowledge. The understanding, on the other hand, is active. It is the faculty by which we give structure to the substance perceived through the senses. The understanding thus provides the form of potential knowledge. The faculty of judgment, assisted by the imagination, synthesizes passive perception and active understanding to produce knowledge. Such synthesizing acts of judgment, however, are still conditioned by the categories of the understanding. All knowledge, then, is unavoidably conditioned by the
spatio-temporal character of perception and the categories of the understanding.

Because all knowledge is conditioned by a priori principles for perception and conception, nature (as the sum of all appearances) is likewise conditioned by these same a priori principles. In other words, nature, as experienced and thus known by us, must necessarily be a nature known in terms of space, time and the categories of the understanding. Regarding an environmental ethic, Kant's theory of knowledge so far results in a knowledge of things in the world that is, unavoidably, distinctly human in terms of its conception. We can only have knowledge of things insofar as their appearance is structured in accordance with a priori concepts; i.e., the categories of the understanding, not as they are in themselves. Consequently, our knowledge of nature is, likewise, necessarily structured in accordance with the same, distinctly human, a priori concepts.

Because the goal of the understanding is the production of a systematic unity out of the manifold of experience, the categories of the understanding are, themselves, of such a character as to make system-building an irrepressible activity of the understanding. For example, the a priori concept of 'cause', as a category of the understanding, makes necessary a view of every event as the effect of a cause. So it is that we unavoidably approach nature as an
organized system. In experiencing nature we necessarily construct a system of nature. Nature is, thus, not merely a sum of appearances, but a system. 'Nature' stands for the unavoidably systematized sum of knowledge of naturally occurring appearances. In other words, nature is a human construct; it cannot exist separate from us. Rather, nature exists due to the activity of our understanding.

A view of knowledge as conditioned is, however, problematic. Experience is able to provide knowledge of a world (as a system of all appearances), but it is not able to provide a world-whole. Similarly, although in experience we necessarily refer every event to a cause, we are not able, experientially, to arrive at a first cause. Every event is, necessarily, viewed as having a cause. Every cause is, as an event, necessarily viewed as the result of a preceding cause, ad infinitum. According to Kant, in order for our knowledge to have true systematic unity, it must stand in relation to an overarching framework which is unconditioned and necessary. This framework is provided by the Transcendental Ideas.\textsuperscript{12}

The Transcendental Ideas arise from the expansion of the categories of the understanding beyond experience. Kant asserts that the Transcendental Ideas, being beyond experience, cannot be considered knowledge. They are,

\textsuperscript{11}Ibid., B163-65, pp. 172-173.

\textsuperscript{12}Ibid., A311 = B367-368, pp. 308-309.
nevertheless, necessary for knowledge. The Transcendental Ideas provide the necessary, albeit unattainable, goal of thoroughgoing systematic unity towards which knowledge strives. "Just as the understanding unifies the manifold in the object by means of concepts, so reason unifies the manifold of concepts by means of ideas, positing a certain collective unity as the goal of the activities of the understanding." As will be seen, the Transcendental Ideas of freedom, in the sense of spontaneity; the thinking-I; a supersensible, rational source of the world; and a world-whole are all of interest with regard to an environmental ethic.

The project of constructing this unity of knowledge is carried out by means of the powers of judgment and imagination. Judgments, inasmuch as they are made by each of us, are obviously subjective. Knowledge, as objectively valid, is dependent upon verification within a community of other thinkers. My (subjective) judgment has objective validity only if all others, given the same experience, are bound to make the same judgment. So it is that Kant states that "objective validity and necessary universality (for everybody) are equivalent terms." 

---

13Ibid., A644 = B672, p. 533.

It must be remembered that this world which we construct is not constructed by each of us in isolation. Just as we do not come to know ourselves as selves in isolation, neither can we come to know the world in isolation. Knowing the world and constructing the world are both dependent upon the intersubjective character of objectively valid knowledge as mentioned earlier. In other words, as I develop as a self-conscious being only in and through the company of other self-conscious beings, the concepts I construct out of experience are constantly reviewed by those same others and either confirmed or rejected. Further, although each of us constructs the world, in the Kantian sense, as we come to know it through experience, we are all born into a world already constructed by those who have preceded us. Although this construction can, and does, change over time, we do not each construct the world on our own from the beginning.

The foregoing has a number of implications for an environmental ethic. To say that humans are dependent upon the world for our physical existence is obvious. We are, however, also dependent upon the world for our existence as uniquely individuated self-conscious beings. First, we are dependent upon the existence of things, external to ourselves, as examples of permanence in time against which we

determine our own existence as continuous in time. The determination of experience with respect to time, according to Kant, presupposes something permanent in time against which the temporal determination of experience can be set. Kant points out, however, that this temporal permanence cannot be in me since it is only by means of a temporal permanence that I can determine my own existence in time. Therefore, a temporal permanence can only be recognized in terms of something outside myself.\(^\text{15}\)

As I mentioned earlier, we become aware of ourselves as uniquely distinct selves through the speech and actions of others even before we are capable of such speech and action ourselves. This self we come to know is an empirical self. This empirical self is experienced both in terms of internal sensations (I feel . . .) and external activity. It is an historical self. But for an empirical self to be known, as a sum of experience, that sum of experience must be related to a single, particular, irreducible consciousness; i.e., the unity of apperception, the thinking-I. The empirical self, as a sum of experience related to a single, particular, irreducible consciousness, is a concept of an object. It is the result of cognitive activity that unites sensation and the understanding. Thus, the thinking-I, the unity of apperception, is the necessary ground of the empirical self.

\(^{15}\)Immanuel Kant, *Critique of Pure Reason*, B275; p. 245.
In the very young child, however, the mental state is first passive; merely a state of sensational receptivity. "[T]he time of early childhood is not a time of experiences but rather a time of mere sporadic perceptions which have not yet been unified by any real concept of an object."\(^{16}\) After a time, however, the child moves from a passive to an active mental state. In the course of normal development the child comes to acquire concepts of things. This shift in mental activity is not only evidenced in the use of language, but is actually dependent upon it. Eventually the child acquires the concept, the thought, of an empirical self, and this is again evidenced by and dependent upon the use of the first-person pronoun. It is this progression from a passive to a fully active, cognizing mental state which Kant refers to when he states, "[a]t first the child merely felt itself, now it thinks itself."\(^{17}\) A child, however, does not accomplish this shift entirely on its own. As small children we must learn the use of the first-person pronoun, and we do so, at least in part, in response to the language of others which indicates our existence as


\(^{17}\)Ibid., p. 9; \((7:127)\).
selves.\textsuperscript{18} It is interesting to note that autistic children frequently refer to themselves in speech by use of the second or third-person pronoun. This practice has been explained "in psychoanalytic terms as a breakdown in the child's development of a sense of personal identity, a self."\textsuperscript{19} The world, which contains others as well as things, is, then, the ground against which we develop our awareness of ourselves as uniquely distinct individuals who possess a constancy in time.

We are dependent upon this intersubjective world for our development as uniquely distinct, self-conscious beings, and the world, as a systematized world-whole, is dependent upon us. This world, into which we are born and in which we find ourselves, is a world which we construct in community. Our construction is conditioned by the spatio-temporal characteristics of intuition, the categories of the understanding, and the Transcendental Ideas. Further, this construction of the world is an unending task aimed at, yet never attaining, thorough-going systematic unity. Our knowledge of the world is, then, a limited knowledge, and the knowledge of ourselves for which it is the ground is likewise limited. To the extent that our knowledge of the


\textsuperscript{19}Ibid., p. 263.
world is limited, our ability to predict events and consequences is also limited.

There is, however, a greater significance to our possession of limited knowledge. On the one hand, if, rather than knowledge or even the capacity for knowledge, we possessed only instinct, we would be merely another form of animal life. Our actions would, in fact, not be actions. Rather than actions, we would be limited to responses to immediate, surrounding conditions like other animals. As I have already mentioned, questions of morality or ethical conduct simply do not pertain to the behavior of animals. Although we are animals in the sense that we are biological life forms, we are, I contend, something more.

On the other hand, if our knowledge were unlimited, we would possess the intuitive understanding of a divine being. A divine being, in turn, possesses a holy or perfect will. For a divine being, possessing perfect knowledge and a perfect will, there is no difference between what is the case and what ought to be the case.

We, however, are neither like other animals nor like divine beings. We are, rather, rational beings; something more than the other animals but less than gods. As rational beings...
beings our understanding is directed towards knowledge of the world; it is concerned with what is the case with regard to the sensible world. Our power of reason, however, can be directed towards determining what ought to be the case with regard to a possible world-whole. In other words, our power of reason makes ethics possible.

Kant's Moral Theory

As a result of Kant's theory of knowledge we find that we construct our world in community, and human existence is dependent upon existence within a human community in the world. We come to cognition in and through contradistinction of what and who is other. Further, just as our mental state moves from passive receptivity to active cognition as we develop, our physical state moves from relative passivity in infancy to activity as we develop. We are beings who act in and on the world. It will be seen that we exist as beings capable of acting freely; i.e., capable of self-determination.

Kant's moral theory provides guidelines for thought about human action and organization aimed at producing individual lives that are moral, and public entities which strive toward the highest good.\textsuperscript{22} The moral theory of Kant is aimed at transforming the conventional world, which we

\textsuperscript{22}Regarding my interpretation and presentation of Kant's moral theory, I am particularly indebted to: William W. Clohesy, "On Rereading the Categorical Imperative," \textit{Graduate Faculty Philosophy Journal} 10, no. 2 (Winter 1985): 57-74.
constuct out of what is given to us through sensaton and received knowledge, into a system of ends compatible with the moral law. It will be seen that, for Kant, it is a duty for us to try to transform the world as it is given to us into a system of ends compatible with the moral law. It will be seen that, for Kant, ethics is not only possible but is necessary in order for us genuinely to be human beings.

In his second Critique Kant argues that the concept of freedom, shown only to be possible in the first Critique, is given greater validity by our experience of the moral law. It is the experience of the moral 'ought' which makes us aware of ourselves as beings capable of free choice. That which we commonly call 'conscience' is nothing more than the experience of the moral 'ought'. "[C]onscience is practical reason holding man’s duty before him." The experience of the inner conflict between what we want to do and what we ought to do is what first makes us aware that we have the power to freely determine our actions. This experience of duty is, for Kant, an experience had by all human beings. "[E]very man, as moral being, has a conscience inherent in him." So it is that, while "freedom is certainly the ratio essendi [the reason for the being] of the moral law,

---


24 Immanuel Kant, *Doctrine of Virtue*, p. 60; (6:399).

25 Ibid.
the latter is the ratio cognoscendi [the reason for our knowing] of freedom."\textsuperscript{26}

The experience of duty makes us aware of ourselves as free beings. This same experience of duty also makes us aware that we are obligated to a rule of conduct which holds for us as a law, that is, which holds for us universally and necessarily.\textsuperscript{27} As sensible beings we are subject to efficient causality according to the laws of nature. Yet, when I experience a conflict between what I want to do and what I ought to do, I become aware of myself as a being subject to another form of causality and subject to a law other than a law of nature. I become aware that, as a moral being, I am subject to causality by freedom and to a law, the moral law, which arises within me. In other words, I find myself both subject of the moral law and also the source of that same law. Regarding the moral law, then, we are autonomous.\textsuperscript{28}

Our experience of duty makes us aware of ourselves as subject to the moral law which commands us necessarily and universally. The moral law results in imperatives of action to which we are obligated. "An imperative is a practical rule which makes necessary an action that is in itself

\textsuperscript{26}Immanuel Kant, \textit{Critique of Practical Reason}, p. 4; (5:4).

\textsuperscript{27}Immanuel Kant, \textit{Doctrine of Virtue}, p. 36; (6:378).

\textsuperscript{28}Ibid., p. 41; (6:382).
contingent." As Kant points out, although we are beings who possess practical reason, we are also beings subject to "wants and sensuous motives."\(^{29}\) We are beings capable of a pure will but not possessing a holy will. It is, therefore, possible for us to have maxims which conflict with the moral law. Thus, the moral law does not describe our actions but commands them. Once an action, which is in itself contingent, is made necessary by an imperative, the action is one which we are obligated to perform. Because our will is not holy, because our will can be affected by inclination, the relationship between the will and the moral law is "one of dependence under the name of 'obligation'."\(^{30}\) Further, an action to which we are obligated is, for Kant, a duty.\(^{31}\) Consequently, moral imperatives result directly in duties.

A Kantian ethic is, then, an obligation-based ethic, not a rights-based ethic. Kant, however, is not silent on the subject of rights. For Kant, every duty gives rise to a single right "in the sense of a moral title."\(^{32}\) In Kantian terms, a right is legitimate only insofar as it has, as its determining ground, a duty. For Kant, 'ought' implies 'can'

\(^{29}\)Ibid., p. 20; (6:221).

\(^{30}\)Immanuel Kant, *Critique of Practical Reason*, p. 32; (5:32).

\(^{31}\)Immanuel Kant, *Doctrine of Virtue*, p. 21; (6:221).

\(^{32}\)Ibid., p. 40; (6:382).
since to hold a person obligated to an action which is, in fact, impossible is to make an inappropriate demand on the person. If a right arises from a duty-to-self, a person, on the basis of the right, can claim freedom from outside interference or prevention in performance of the duty that is the ground of the right. If a right arises from a duty-to-others, others can claim a right to the performance of the duty by the person for whom it is a duty. In other words, I can claim something as my right if and only if that 'something' is first either a duty-to-myself or someone else's duty-to-others. It should be noted that a moral duty which gives rise to a right "in the sense of moral title," is markedly different from a juridical duty which gives rise to a right "to exercise compulsion."\(^{33}\) In other words, a juridical duty, a duty institutionalized as public law, is a duty involving an external action a person can be compelled to perform. The performance of a moral duty "is based only on free self-constraint."\(^{34}\)

For Kant, "free self-constraint" is possible because we possess both reason and will. This capacity for self-legislation, which is the source of the moral law, is also the source of motivation for its actualization. Our awareness of our capacity for self-legislation, our awareness of the law in us, gives rise to a feeling in us of

\[^{33}\text{Ibid., pp. 40-41; (6:382).}\]

\[^{34}\text{Ibid., p. 41; (6:382).}\]
respect both for the moral law itself and for ourselves as sources of the moral law.

While Kant grants that respect is a (subjective) feeling, he holds that it is a feeling of a special sort, distinctly different from feelings of inclination or fear. He argues that respect, properly understood, "is regarded as the effect of the law on the subject and not as the cause of the law." Respect for the law, as the effect of the law, is, then, the one feeling which can motivate our action without undermining the universal character of a categorical imperative. Respect for ourselves, as potential sources of the moral law, is but another form of respect for the law itself.

As individual free beings, beings capable of determining our actions other than according to a law of nature, we are capable of setting for ourselves a virtually infinite number of goals or 'ends'. It is quite possible, and frequently the case, that the ends we set are not consistent or compatible with each other. It is perfectly

---


36 Although H. J. Paton translates "Achtung" as "reverence," I have substituted "respect" due to Kant’s statement in the third *Critique* that the feeling we experience when we realize "it is beyond our ability to attain to an idea that is a law for us is RESPECT." See Immanuel Kant, *Critique of Judgment: Including the First Introduction*, trans. and with an Introduction by Werner S. Pluhar, with a Foreward by Mary J. Gregor (Indianapolis: Hackett Publishing Company, 1987), p. 114; (5:257).
possible that I will set ends for myself which conflict with each other. Further, the ends which I set may also conflict with those ends set by other individuals. Due to our inherent sociality and freedom, the process of living as individuals in a common world forces upon us two questions: "What ought I do?" and "How ought we to live?" For Kant, the answers to both questions are to be reached through a process of critical thought.

Productive imagination makes it possible for us to draw upon and synthesize experience so as to envision future results of proposed actions. Productive imagination coupled with freedom of choice and speech allows us to conceive purposive plans of action. Just as productive imagination allows us to envision the future results of our actions, productive imagination also allows us to envision a world changed as a result of our action. We are, thus, able to act purposively in the world.

The formulation of purposive plans of action and the ability to set them in motion are manifestations of the twofold character of the human will. For Kant, will is both Wille and Willkuer; it is both reason and initiative. Now reason may be either theoretical or practical in character. Theoretical reason is directed at the production of a sensible world-whole. Practical reason is directed at the production of an intelligible; i.e., moral, world-whole. It

---

37 Immanuel Kant, *Doctrine of Virtue*, pp. 9-10; (6:212).
is possible for us, through practical reason and will, to strive to transform the sensible world into a moral worldwhole. For Kant, this transformation of the sensible world into a moral world-whole, albeit an ideal, is the goal of the moral law and the "model for the determination of our will." 

As we live in and gain experience of the world, we are able to comprehend more fully our effect upon it. In order to transform the sensible world into a moral world-whole, it is necessary for us to engage in critical thought. Critical thought is characterized by three (related) elements: unprejudiced thought, enlarged thought, and consistent thought. A moral world-whole is not a world ordered only according to physical well-being and instrumental values; i.e., values that are 'goods' because they are good for something else. Rather, it is a world also ordered according to moral well-being and unconditioned values; i.e., values that are good in themselves, values that are ends.

As already mentioned, the experience of duty makes me aware of myself as both free and subject to a moral law which, as law, holds necessarily and universally. In other

---

38 Immanuel Kant, Critique of Practical Reason, p. 45; (5:43).

39 Immanuel Kant, Critique of Judgment, p. 160-161; (5:294). Also see Immanuel Kant, Anthropology, p. 128; (7:228).
words, "What ought I do?" is the equivalent of "What ought anyone in the same situation do?" We are able to seek answers to these questions due to our capacity for critical thought. The very effort of seeking answers for ourselves is to engage in unprejudiced thought, it is "to think for oneself."

The possibility of moving, in thought, from "What ought I do?" to "What ought anyone in the same situation do?" is due to our capacity for enlarged thought. Further, this ability "to think from the standpoint of everyone else," Kant held to be a potential capacity of all human beings. "[T]o think from the standpoint of everyone else" is to think from a standpoint removed from personal interest. It is to think from a distanced perspective; i.e., impartially. It is to think in a manner such that, personal interest having been placed in perspective or even overcome, any rational being, also holding personal interest in abeyance, would understand the reasoning and concur. In other words, if my choice is the result of enlarged thought, I ought to be able and willing to render an account of it to any rational being and expect the other to understand my reasoning.

Even private moral actions, in terms of the deliberation which precedes them, have a public character. Others are present, at least in thought. To hold others

---

40 Ibid.
present in thought also serves to help render thought 
**consistent**. Consistent thought is thought that fits into a 
larger account of one's life and aims. To think 
consistently is to think in a way that the thinker would be 
willing to explain to others if necessary. It is unlikely I 
would willingly explain my own inconsistent thought 
publicly.

Further, these three characteristics (unprejudiced, 
enlarged, consistent) of thought seem to point towards 
thought for which a thinker can be held accountable. If I 
think for myself, if I think from an enlarged perspective, 
and if I think in a way that is consistent, then I am 
genuinely the author of my thought and can be held 
accountable for my thought. There is, then, implicit in 
Kantian moral theory a need for thought that is 
unprejudiced, enlarged, and consistent.

Thought that is unprejudiced, enlarged, and consistent 
results in a process of critical thought for devising and 
evaluating human action. Such a critical thought process is 
central to a moral theory in which morality is grounded in 
autonomous deliberation rather than preset or given rules of 
action. Such a critical thought process is inherent in 
Kant's moral theory as evidenced by the formulation of the 
Categorical Imperative as: "Act only on that maxim through
which you can at the same time will that it should become a universal law. ¹¹

As already mentioned, as free beings we are capable of setting a virtually infinite number of ends and plans of action for achieving them. The great variety of possible ends is due to our existence as uniquely distinct individuals. Because each of us differs to a degree from every other, our personal (subjective) desires also differ in at least some cases. In other words, what I want (based on subjective desire) may well, and very likely, differ from what you want (based on your subjective desires). Now ends are determined as the result of an act of choice. According to Kant, a choice "determined only by inclination (sensuous impulse, stimulus)" is an example of "animal choice." A "human choice," however, while it can be "affected by impulses," can only be determined by reason. Reason, as the determination of choice, may be either reason-affected by impulses ("human choice") or pure reason. If it is the case that pure reason is the determining ground, the result is a "free choice."¹² We are, then, capable of three kinds of choices: "animal choice," "human choice," and "free choice." Pure reason, as the determining ground of a "free choice," is reason unaffected by impulse or personal inclination. A "free choice" is a choice determined by

¹¹Immanuel Kant, Groundwork, p. 88; (4:421).

¹²Immanuel Kant, Doctrine of Virtue, p. 10; (6:212).
reason from which all personal interest has been removed. A "free choice" is a choice which can be expected from any rational being also choosing according to pure reason. It is, in other words, a choice which is universally valid for rational beings. In this way, critical thought makes the decision of an individual applicable to all. As a living, acting individual, faced with the question of what I ought to do, I am able, through critical thought, to arrive at an answer which, although the result of individual thought, concerns all rational beings.

It is interesting to note that, while Kant grants that a "human choice" can be "affected by impulses," it cannot be determined only by impulses. A choice determined only by impulses is, by Kantian definition, an "animal choice." Such unthinking choices are more akin to reactions. Reactions are certainly a part of human life and appropriate within certain contexts. If I touch something very hot, for example, I will, without thinking, pull my hand away. If I trip and suddenly lose my balance, I will, again without thinking, put out my hands in an effort to keep from falling. These kinds of automatic, unthinking reactions are examples of "animal choice," and, as such, are appropriate insofar as we are animals; i.e., sensible beings. In fact, many such responses are life-sustaining; e.g., my (automatic) blinking when a tree branch slaps my face. As
free beings, beings who experience duty, however, we are something more than just animals.

"Human [but not "free"] choices," as the determining ground of actions, result in the setting of subjective ends; i.e., ends chosen in accordance with personal inclination. Now any plan I formulate as a means to achieve a subjective end will, as a guide for action, result in a hypothetical imperative. It will be a plan which can hold for me only so long as I desire the 'end'. Such a plan can hold for others only if they have each set the same end for themselves.

Hypothetical imperatives, being grounded in inclination, cannot provide rules for action characterized by the idea of moral necessity entailed in the concept of law. It must be remembered that, according to Kant, the setting of an end is an act of choice. Kant argues that, although I may compel another person to perform an act as a means to my end, I cannot compel another person to set my end as his end. I can set ends only for myself. \(^\text{43}\)

If, however, I set an end and make a decision for action through critical thought (I set an end by means of a "free choice"), the result will be a categorical imperative. Having set aside or overcome personal inclination in setting an end and making a decision for action, I have set an end which can hold universally; i.e., categorically. The maxim of my action can, likewise, hold universally. That is, the

\(^{43}\text{Ibid., p. 38; (6:380).}\)
maxim of my action can hold as a law for all rational beings. In this way critical thought results in a moral law.

As a free being acting in the world, when confronted by a situation which prompts the question of what I ought to do, I can, through critical thought, arrive at a maxim for action that can hold as a moral law. My maxim for action, precisely because it can hold as a moral law, commands me even as it has its source in me (in my practical reason). In this way I am both author and subject of the moral law. I am morally autonomous. When, by means of practical reason and will, I both legislate a universally valid moral law and hold myself to obey the law I have legislated, I hold myself responsible for the law and accountable to it.

The grounding of morality in moral autonomy sets Kantian moral theory apart from all other previous forms of ethics. Under a Kantian ethic, what is morally good is not determined according to the action itself or its result. What marks the morally good is the critical thought process itself. This shift in emphasis, from act or outcome, to actor both results from and points to the unique condition of human beings as the sole possessors of intrinsic worth. For Kant, morality is grounded in autonomy; the moral life is a life lived according to universal moral law which has its source in our capacity to be morally autonomous, self-legislating persons. So it is that, for Kant, the only
'good' which is unconditionally good is a good will; i.e., a will determined by practical reason."

The shift in emphasis from act or outcome to actor is evidenced by the purely formal character of the Categorical Imperative as quoted earlier. The Categorical Imperative does not give a law for actions but only a law for determining the maxims of our actions. It speaks of a thought process concerning actions. Our actions, and the deliberations which precede them, however, occur in the world; they occur in contexts. In the process of living as specific individuals we are confronted by specific problematic situations. The fact that Kant is aware of this is evidenced by his statement, "ethics, because of the play-room it allows . . . inevitably leads judgment to pose the question of how a maxim should be applied in particular cases." In other words, the Categorical Imperative tells me how I ought to think when deciding upon action; it does not tell me which action to take. The decision as to which specific action to take in a specific situation is, ultimately, made by the individual. In this way the Categorical Imperative requires the moral actor to use her or his judgment in determining what (specifically) ought to be done. So it is that Kant, concerning virtue as the exercise of our moral power, says

"Immanuel Kant, *Groundwork*, p. 61; (4:393).

"Immanuel Kant, *Doctrine of Virtue*, p. 73; (6:410).
Virtue is always in progress and yet always beginning from the beginning.--It is always in progress because, considered objectively, it is an ideal which is unattainable, while yet our duty is constantly to approximate to it. That it is always beginning anew has a subjective basis in human nature, which is affected by inclinations under whose influence virtue can never settle down in peace and quiet, with its maxims adopted once and for all--unless it is climbing, it inevitably sinks.46

Under a Kantian ethic, then, there are no prescribed or preset rules of action, only rules of thought about action. Although the moral law commands necessarily and universally, application of the law in specific contexts by specific moral actors requires that moral thought be continuously renewed if the moral life is to remain moral.

The experience of duty makes us aware of ourselves as subject to the moral law. The moral law, as law, commands necessarily and universally; thereby subordinating personal inclination to practical reason. That is, the moral law subordinates us, as sensible beings subject to sensible wants and needs, to an existence as free beings under the moral law. To say that we are free beings under the moral law is to say that we are morally autonomous; we are exemplifications of the only unqualified 'good'; i.e., the 'good will'. For Kant, what is distinctly human is the ability to set ends according to reason rather than inclination. We have, as human beings, a duty to raise ourselves from "the crude state of [our] nature, from [our]

46Ibid., p. 71; (6:408).
animality . . . and to realize ever more fully . . . the humanity by which [we] alone [are] capable of setting ends." In other words, we have a duty to be moral, as well as sensible, beings. The experience of duty makes us aware of ourselves as both free beings and as beings subject to the moral law.

Our capacity for morality is due to our ability to determine our will according to practical reason. A will determined according to practical reason is a good will. Regarding the 'good will', Kant says, "[i]t is impossible to conceive anything at all in the world, or even out of it, which can be taken as good without qualification, except a good will." Objects, talents and skills are good only in context; they are 'good for' something. It is not so with the good will. Rather than being good in context, the good will provides the moral context in terms of which other things are or are not good. The good will, however, is not something which exists separate and apart from human beings. Because we have the potential to set ends according to reason rather than inclination, we have the potential to possess wills that are unconditionally good. So it is our potential for morality which is the ground for our intrinsic worth. It is our potential for morality which makes us

47 Ibid., pp. 45-46; (6:386).
48 Immanuel Kant, Groundwork, p. 61; (4:393).
49 Clohesy, "On Rereading the Categorical Imperative," 67.
ends-in-ourselves, persons rather than mere things. Things have only instrumental value. Because we are persons, and not just things, we have the potential to set our own ends. Thus, we ought not be treated merely as means towards someone else's end. Inasmuch as we do not want to be treated as mere things, we ought not treat anyone else as a mere thing. This is reflected in Kant's further formulation of the Categorical Imperative as: "'Act in such a way that you always treat humanity, whether in your own person or in the person of any other, never simply as a means, but always at the same time as an end.'"  

Kant's presentation of his moral theory, with its heavy stress on motive, has led readers to criticise the ethic as unconcerned with consequences. But it is a misreading, I contend, to say that Kantian moral theory ignores consequences. For Kant, morality is grounded in autonomy. The moral actor, through critical thought, arrives at a maxim of action that qualifies as a moral law. The action is moral because it arises out of practical reason, and not because of the consequence it brings about. But that is not to say that there is no interest in the consequence of an action. Kant holds that we have a duty to cultivate all our natural capacities. Kant says, concerning the moral individual, "it is his duty to diminish his ignorance by education and to correct his errors. . . . morally-practical

---

50Immanuel Kant, *Groundwork*, p. 96; (4:429).
reason commands it absolutely and makes this end his duty.\textsuperscript{51} In other words, we ought to learn from our mistakes and apply this improved knowledge to future efforts. This can hardly be the case if Kant intends us to ignore consequences. Further, in a Kantian ethic, actions and ends (the consequences of actions) are inextricably linked. "An end is an object of free choice . . . Every action, therefore, has its end."\textsuperscript{52} Because the will is Willkuer, as well as Wille, action is inherent in Kant's moral theory. Because action is inherent in the Kantian ethic, and action always entails an end, the Kantian ethic can hardly be blind to ends. Kant's moral theory, grounding morality in autonomy, does spare the actor from moral responsibility for genuinely unforeseeable consequences. We are, after all, beings of limited knowledge.

Kant's stress on consistency of thought within his moral theory might also lead a reader to another misinterpretation. It is possible, though incorrect, to read the Categorical Imperative as if mere universalizability of a maxim were sufficient to make it a moral law. In other words, it is possible to misread the Categorical Imperative as if it meant that, as long as I am willing to let everyone else do what I do, what I do is

\textsuperscript{51}Immanuel Kant, \textit{Doctrine of Virtue}, pp. 45-46; (6:385-386).

\textsuperscript{52}\textit{Ibid.}, p. 38; (6:380) and p. 43; (6:383-384).
moral. As already mentioned, Kant does hold that there is one, unconditioned good; i.e., the good will. The good will is not merely good in context, but, rather, establishes the context in terms of which other things, as ends and practical initiatives, are judged.

The good will makes present in the world persons who act freely through the moral law. Due to our distinctly human potential to set ends for ourselves, we are ends-in-ourselves. Because we have the potential, not merely to set ends for ourselves, but to set ends according to practical reason, we have the potential to possess wills that are unconditionally good. It is as beings who are ends-in-themselves and who are potentially capable of possessing good wills that we have intrinsic worth. So it is that the mere universalizability of a maxim of action is not sufficient to constitute the maxim as a moral law. Any maxim of action needs to meet the requirement of treating persons as ends-in-themselves, not merely as means. Things are means only, entities inherently incapable of setting their own ends. Persons, on the other hand, are capable of having their own ends, of being ends-in-themselves. According to Kant, we have a duty to recognize and respect the intrinsic worth of others, as well as of ourselves. Failure to respect another person as a person, as a being possessing intrinsic worth, is to treat a person as a thing. It is to make an exception of the person so treated. Such
exception-making, other than in rare and limited cases, is incompatible with the requirement of consistency in critical thought.

Critical thought, being thought from a distanced perspective, leads the thinker to view herself in relation to others. Recognizing the intrinsic worth of others, as well as herself, the thinker is brought into association with other persons as equals. Because each is morally autonomous, all are equal under the moral law. Because all persons are ends-in-themselves, each is deserving of respect and consideration. Critical thought, then, brings us to a view of ourselves as morally autonomous persons who ought to strive towards "a systematic union of different rational beings ... a whole of all ends in systematic conjunction (a whole both of rational beings as ends in themselves and also of the personal ends which each may set before himself)." In this way, we are able to strive towards a transformation of the sensible world into a moral (and ideal) world-whole, Kant's "realm of ends." We can envision, and act to try to bring about, a community of moral beings.

As previously stated, Kant’s moral theory requires thought that is unprejudiced, enlarged, and consistent as

---


54Ibid., p. 100; (4:433). Although H. J. Paton translates 'Reich' as 'kingdom,' I follow the practice of Lewis White Beck in translating 'Reich' as 'realm'.
fundamental for thought about human action and as necessary in order for our wills to be good wills. The good will, as the only unconditioned good, grounds morality in moral autonomy. The good will, thought and action determined according to practical reason, works toward the transformation of the sensible world into a moral world-whole. Further, this transformation is not just a possible activity, but a duty for us.

We do not, however, live and act only as private individuals. Human existence is necessarily existence in community. Critical thought is needed, not only for thought concerning private actions, but in public discourse concerning public action under a system of law.

As beings subject to causality through freedom, we possess the capacity to set our own ends. Because we possess the potential to set ends in accordance with practical reason, we are capable of moral autonomy. As morally autonomous individuals we are all deserving of equal respect. Because we are all capable of critical thought, we are all capable of participating, or of being prepared to participate, in a political system in which public discourse is a necessary part of the decision-making process; in which public action is determined publicly.

For Kant, human existence is necessarily existence in community. As members of a community we come to the recognition of our interconnectedness and interdependence.
Each of us requires others in order to survive, much less prosper. As we become aware of our dependence upon the community in which we exist, we also become aware that the community as a community has goals distinct from our personal goals. These communal goals are public ends or interests.

By 'public interests' I do not mean the sum of the private interests of all the members. Rather, 'public interests' signifies the goals and values desired by the members of the whole as a whole. Public interests are the goals through and around which communities are formed. Public interests are the reflections of a people's view of themselves as a people. They are the means by which we define ourselves as a community.

To engage in public discourse is to subject one's thinking to "the test of free and open examination." Thought from a strictly personal perspective, thought that is not enlarged, is unlikely to withstand public examination. If what I propose that we do is based only on my personal perspective, it is unlikely to accord with the perspectives of the others who, along with me, constitute the 'we'. By engaging in public discourse concerning public action (action as a community), the participating members of

---

a community are brought to "a common perspective drawing individuals into a supportive community."  

Engagement in public discourse is the making public of what, initially, was private thought. By making our (initially) private thoughts public, we expose them, not only to public examination, but to public confirmation or refutation. In this way, engagement in public discourse concerning public action makes our political decisions dependent upon public examination and approval. The goals of the community as a community are determined by the members as a community.

Engagement in public discourse fosters the emergence of a people as a people. Although each of us begins by seeing the world from a distinctly personal perspective, each of us is also capable of taking a distanced perspective. By engaging in public discourse concerning public actions we are brought to a perspective that is not only distanced but common.

The very act of rendering thought public implies that the thinker can give an account of her thought. This is not an 'account' in the sense of a simple recounting of the way her thought happened to proceed. Rather, it is a reasoned explication of what was, itself, reasoned thought.

---

Rendering my thought public, making it subject to public examination, implies that I can present a rational explanation of why I think as I do. The thinker thus takes responsibility for the thought.\textsuperscript{57} According to Kant, as individuals in association, engagement in public discourse concerning public action is necessary for our public actions to be just. By engaging in public discourse we are brought to thought which is not based only on our private perspectives, and thereby we make and hold ourselves collectively responsible and mutually accountable for our actions.

It is reasonable to expect that participation by an individual in public discourse, though it begin from a thoroughly individual point of view, will lead eventually to an enlarged view. If the thought I make public always reflects my individual standpoint alone, I will find my thought constantly rejected by others as idiosyncratic. My thought concerning public action is thus subject to public confirmation as is my thought concerning knowledge of the world. Just as intersubjective confirmation leads to a common view of the sensible world, public discourse concerning public action leads to a common view of public interests.

By grounding public action, action as a community, in public discourse, we reinforce our dependence as individuals on the community. We cannot bring about public action as private individuals but only as members of the public. By grounding public action in public discourse we make necessary the generation of a common, public view of ourselves and our public interests. We become a system of citizens, rather than an aggregate of individuals. By engaging in public discourse, we are brought to an understanding and an appreciation of the perspectives of others, and they, in turn, are brought to an understanding and appreciation of our perspective. The final result is the generation of a common perspective. Further, the grounding of public action in public discourse results in the need for consensus prior to public action.

By organizing as a community which grounds public action in public discourse we join together as a people. We find that we do not relinquish our freedom but, rather, create another kind of freedom--the freedom of political participation. "The formation of communities around projects marks the creation of political power."58

The process of critical thought inherent in Kant's moral theory, when applied to public action, leads to a form of government grounded in freedom (unprejudiced thought),

58Clohesy, "From the State of Nature to the U.S. Constitution?" p. 31.
equality (enlarged thought), and a common body of law (consistent thought). A governmental form so grounded respects the intrinsic worth of all (equality), recognizes all its citizens as equally capable of moral autonomy (freedom), and does not make exceptions on an arbitrary basis (a common body of law). Kant holds a republican form of government to be the only morally acceptable form due to its foundational principles of freedom, equality of citizens, and a body of common law. In other words, the republican form of government is grounded in thought that is enlarged, unprejudiced, and consistent. Kant thus holds that the only morally acceptable form of government is the republican form; a form characterized by a separation of legislative and executive powers. Only a republican constitution springs "from the pure source of the concept of law;" i.e., from reason. In this way, a republican constitution shares the same source as the moral law.

The republican form of government is characterized by a separation of legislative and executive powers. Because the legislative power lacks the power of enforcement, it is not spared from obeying the laws it makes. At the same time, because the executive power cannot legislate, it can execute

---


60 Ibid., p. 434; (8:351).
only those laws made by the legislative body. Each body is both necessary for and dependent upon the other; public laws without enforcement soon become meaningless, public enforcement without public law is despotism. Because both bodies are composed of individuals, and because individuals frequently differ from each other in terms of their perspectives, in order for such mutually dependent bodies to accomplish anything, ends must be set by mutual agreement; i.e., the various perspectives of the individuals must give way to a common perspective.

The elected representatives under the republican form of government cannot merely reflect the private interests of the constituents. If the representatives only reflect the interests of their constituents, factionalism is the result. It is the case, rather, that representatives ought to work towards a common view of the country's interests. Further, the representatives ought to take the perspectives of others back to their constituents. "A system of discourse should take place both horizontally among those in government and vertically between representatives and the electorate."\(^6\)

Kant's moral theory recognizes that we exist as both private individuals who set private ends and as individuals in association capable of setting public ends. The accommodation of private to public ends is the vision of

---

6 Clohesy, "From the State of Nature to the U.S. Constitution?" pp. 34-35.
Kant's "realm of ends." Recognizing myself as a member of a community, and recognizing the public ends of the community as a community, I also recognize my need to accommodate some of my private ends to the community's public ends. This synthesis of private and public ends is also the goal of republicanism as envisioned by Kant. The accommodation of private to public interests is the goal of public discourse. Any political action which requires secrecy for success is, perforce, unacceptable. Whatever is done politically, if it is to be just, must be done publicly. This leads to Kant's first "transcendental formula of public law" which states: "'All actions relating to the right of other men are unjust if their maxim is not consistent with publicity.'"62

If public discourse concerning political action is not merely possible but necessary for the form of governmental organization, we are brought to a state of affairs similar to the "realm of ends". Kant's first "transcendental principle of public law" makes public defensibility the yardstick of just political action. According to Kant, a political action which cannot withstand public examination is, perforce, unjust. In other words, if the actor (political body, official) cannot render to the public a rational account of the action, the action is inherently unjust. As Kant points out, however, this is only a negative principle. It provides a definition of what

constitutes unjust political action. Kant's second "transcendental principle of public law" states: "All maxims which stand in need of publicity in order not to fail their end agree with politics and right combined." This principle is affirmative in character. In other words, if a political action cannot withstand publicity, it is unjust. If, however, a political action needs publicity in order to accomplish its goal, it is definitely just and moral. If a political action needs publicity for success, it "must accord with the public's universal end, happiness." The fact that a political action which requires publicity for success "must accord" with the happiness of the members of the public is due to the very nature of happiness. Private happiness can be defined as "the opportunity to go about one's own affairs in peace." In other words, private happiness is the freedom to act as a private individual. Our actions as private individuals differ nearly as much as we do as individuals. It is not at all surprising, then, that private happiness for one individual can be quite different from the private happiness of another.

By organizing as a people which grounds public action in public discourse, we become a community with a common

---

63Ibid., p. 457; (8:386).

64Ibid.

65Clohesy, "From the State of Nature to the U.S. Constitution?" p. 25.
view, a public with public interests. Public actions which are grounded in public interest reflect the common view of the people as an organized body. The goal of public action grounded in public interest is "that laws and policy will express the enlarged common interest." In other words, public action grounded in public discourse serves to foster what is commonly called the general welfare. Further, this general welfare, because it is grounded in an enlarged, common interest, cannot be envisioned by any one person. Rather, it can only be defined and redefined by the members of the society through public discourse.

The setting of national goals and values is one example of the kind of political action which requires publicity in order to succeed. For goals and values to be truly national, to be shared by all members of the public, they cannot be arbitrarily set by a leader. As already mentioned, however, one example of political leadership is the effort of helping to shape common, public views and values. In order for a political action to accord with public happiness, it must also accord with the rights of the members of the public. Now, a political action which accords with the rights of the members of the public, and which also accords with the happiness of that public, is an action which accords with and contributes to "the union of

66Ibid., p. 34.
67Ibid., p. 34.
the goals of all." A political system which works toward "the union of the goals of all" is a system of human organization which furthers human progress toward "a whole of all ends in systematic conjunction;" i.e., "the realm of ends." By engaging in public discourse we are brought to thought that is unprejudiced, enlarged, and consistent; we are brought to critical thought. Critical thought, necessary for Kant's moral theory, is engendered by his political theory. It is not surprising, then, that Kant viewed a just political organization as fostering morality. "A good constitution is not to be expected from morality, but, conversely, a good moral culture of a people is to be expected only under a good constitution." In other words, morality alone will not bring about the "realm of ends." The actualization of Kant's political Idea will, however, serve to advance us towards the realization of his moral Idea.

The advancement of the realization of Kant's moral Idea by the actualization of his political Idea is due to the differences in the meanings of 'publicity' and 'compulsion' within each sphere of application. In the political application of Kant's moral theory, publicity is required; and it is publicity in the literal sense of the term. Political proposals must be made subject to public

---

68Ibid.

examination and testing. When Kant's moral theory is applied to private action, publicity is not required in actuality but only in possibility. I am not, in fact, required to explain publicly the moral maxims of my private actions; at least, not prior to acting. I should, however, be able to defend my moral maxims, regarding private actions, if called upon to do so. When Kant's moral theory is applied to private action, compulsion is respect for the moral law. It is not external compulsion as is the case when Kant's moral theory is applied to the public sphere. Quite the contrary, since the setting of an end is an act of choice, I cannot be compelled by another to set something as my end. According to Kant's moral theory, external compulsion regarding private moral action is contradictory.

Kant's moral theory, in both of its fields of application, has a number of points of significance for an environmental ethic. The utilitarian approach to nature criticized by Leopold treats nature as a means to human ends. But the human ends to which the utilitarian approach subordinates nature are ends for humans as sensible beings only. The utilitarian approach treats nature as good only insofar as nature satisfies our sensible needs and wants and, thus, at best, ignores our existence as moral beings.

The moral theory of Kant is an obligation-based theory. The Kantian ethic is based on a decision-making thought process aimed at determining what we ought to do, not merely
what we can or may do. Its primary products are duties, which in turn give rise to rights. This is of special value with respect to an environmental ethic.

In *Constructions of Reason*, Onora O’Neill argues that an obligation-based ethic is more successfully productive than a rights-based ethic for determining ethical behavior on the part of adults towards children. O’Neill argues that the scope of an ethical theory which takes rights as fundamental significantly differs from the scope of a theory which takes obligations as fundamental when evaluated in terms of the recipients.\(^7^0\) I submit that her argument also applies when determining ethical behavior with regard to nature.

A significant point of difference between rights-based and obligation-based theories with regard to an environmental ethic concerns the nature of the recipients and the difference between an obligation and a right. For an obligation genuinely to exist, that is, to have binding power on an agent, it need only be recognized as such by the agent. The obligation does not need to be recognized by a recipient as something owed to her, him, or it. On the other hand, a rights-based theory, generally speaking, requires the moral agent to recognize the recipient as a right-holder in order for the relationship to have an

---

\(^7^0\) Onora O’Neill, *Constructions of Reason: Explorations of Kant’s Practical Philosophy* (Cambridge: Cambridge University Press, 1989), p. 188.
ethical component. In the event that the recipient recognizes himself as a right-holder when the moral agent does not, the right-holding recipient, it is expected, will be able to bring his claim to the attention of the moral agent. If it should be the case that a moral agent does not recognize a recipient as a right-holder, and if the recipient, for some reason, is incapable of bringing his claim to the attention of the moral agent, it may be possible for a third party to make the claim on behalf of the recipient. As O'Neill states, however, "[i]t is hard to see the point of according rights to agents whose freedom of action goes no deeper than uncoerced determination by natural causes."  

I suspect that the foregoing statement was made with respect to fetuses and infants. As mentioned earlier, action, in the sense of both praxis and arche, is grounded in the possession of a concept of self which, in turn, is dependent for its development upon existence and growth within a community of thinking actors. Fetuses and infants, not yet having developed such concepts of self, are not yet capable of action in the sense of praxis or arche. Rather, any action exhibited by a fetus or infant is action only in the sense of movement or instinctive response; i.e., "action [that] goes no deeper than uncoerced determination by natural causes."

---

71 Ibid., p. 195.
Now the question may be raised: Why not accord rights to entities capable only of action determined by natural causes? The answer lies in the meaning of 'right' itself. A complete history and explication of the various theories of rights is beyond the scope of this thesis. O'Neil's statement, however, indicates a view of 'right' that is linked to 'freedom'. In general, when we invoke the concept of 'right', we do so as a defense against external interference. A's right to do X means that, if P wishes to prevent A from doing X, the burden of justification is on P, not on A. In other words, what is primary is A's freedom to act, not P's power to interfere. This is the case even if A's right to do X is claimed by another on behalf of A. But 'right' in this sense does not apply if, in fact, A is inherently incapable of acting freely. Further, if we accord rights to entities incapable of acting freely, do we not run the risk of making 'right' meaningless?

Now let us assume that a situation exists which involves a moral actor ('M') and a recipient ('R') incapable of acting freely. If we agree with O'Neill's position that it makes no sense to accord rights to an entity incapable of acting freely, we have a situation involving a moral actor and a right-less recipient. Let us further assume that the moral actor in our hypothetical situation recognizes herself as having a right to do something, to act in a particular way ('W'), towards the recipient. Finally, let us assume
that a third party observer ('T') does not concur with M’s doing W to R. T cannot argue on behalf of R’s right; R has no rights. From the point of view of R, it is a no win situation. At best, T can argue against M doing W to R on the grounds that M’s doing W will somehow violate T’s right. The concern, the ethical focus, is with M and T, not R.

This is not to say that children do not have rights of any sort. Which rights, and at what age they are held, however, is a matter open to a great deal of discussion (and not the point of this thesis). The point which O’Neill wishes to make, rather, is that an obligation-based ethic can avoid some of these problematic situations.

O’Neill’s point serves well when applied to animals and nature overall. As already mentioned, animal life differs qualitatively from human life. Animal existence is not existence-as-an-individual precisely because, to the best of our knowledge, animals do not possess the concept of self necessary for existence-as-an-individual. Nature, in terms of non-conscious entities (mountains, rivers, etc.) and processes, is likewise incapable of action beyond "uncoerced determination by natural causes."

This is not to suggest, however, that fetuses and infants are not significantly different from animals and nature in general. Although fetuses and infants do not possess concepts of self, they are, generally speaking, potential possessors of such concepts. Given time and
existence within a community of thinking actors, it is generally presumed that all infants will, to some degree, develop concepts of self. This potential for the development of a concept of self is not shared by other animals, much less by non-conscious nature.

Finally, although it may be possible to develop a rights-based theory regarding nature without seriously devaluing the concept of 'right' as it applies to human beings, I contend that such an undertaking is not necessary. A Kantian, obligation-based theory can sufficiently defend nature from inappropriate human interference as will be seen.

In summary, Kant’s moral theory recognizes our intrinsic worth as arising out of our potential to be moral agents. This, in turn, presupposes the presence of a world in which we can meaningfully act. As private individuals we may act individually.\textsuperscript{72} We are, however, necessarily, individuals in association. Action in association with others which is concerned with public ends is, inherently, public action. Public action may or may not involve the making of public laws. Action which arises out of the deliberation and activity of a group of people, and which is intended to affect the public sphere, is, I contend, public.

\textsuperscript{72}As already mentioned, deliberation about private moral action does involve, at least in thought, others. Private moral action, as action, however, is action by an individual.
action even should its aim not be the making of public law. For example, organizations such as The Nature Conservancy, Habitat for Humanity, Amnesty International, etc. do not seek to enact law through their activities, yet their activities are aimed at the public weal. Such groups, through their activities, seek to improve the condition of the public. That is, such groups seek to foster, and oftentimes shape, public interests. Habitat, for example, does not only build housing for low-income persons, but, through this activity, also seeks to raise the public's consciousness regarding some of its less fortunate members. The Nature Conservancy engages in fund-raising campaigns in order to purchase, and thereby preserve, rare or threatened ecosystems. At the same time, the organization seeks to increase public awareness concerning the value of such ecosystems and the need to preserve them. Public action ought to be based on public discussion and impartiality. Public discourse, as a means of determining public action, serves to engender the critical thought process called for by Kant's moral theory. Further, Kant's moral theory, when applied to the sphere of public action, serves to bring us closer to the goal of a moral world-whole. As individuals acting freely in and on the world, we need a world in which to develop and act. It will be seen that our conception of nature as purposive also results in a need for us as moral beings.
Kant's Theory of Teleological Judgments

In the third Critique Kant characterizes the power of judgment, in general, as "the ability to think the particular as contained under the universal." If we are given a universal under which to subsume the particular, the subsumption is an act of determinative judgment. If, however, we are given only the particular, "judgment has to find the universal for it." The power of judgment to find universals is the power of reflective judgment. Because reflective judgment does not involve given universals, it does not give attributes to objects; it does not determine what some thing is. Rather, reflective judgment tries to find universals. If reflective judgment is to search with any hope of success, it must not operate randomly, but according to some principle. Further, reflective judgment cannot take its principle from experience since that would make the judgment determinative. Rather, reflective judgment must give a principle to itself. Because the principle which reflective judgment must give itself "is to be the basis for the unity of all empirical principles," yet cannot be taken from empirical principles, it needs to be a transcendental principle. Because this transcendental

---


74 Ibid., pp. 19-20; (5:180-181).
principle is one which reflective judgment gives itself, it is only a regulative principle for human thought. In other words, when we are forced to reflect upon particulars for which we are given no appropriate universal, our power of reflective judgment gives to itself, as a law, a rule for reflection and subsumption. So it is that, while determinative judgment judges what something is, reflective judgment judges what something is for us due to "a peculiarity of our (human) understanding."\textsuperscript{75}

Kant argues that a view of nature as intentionally purposive is a universally valid, reflective judgment. Regarding Kant's use of the term 'purpose', he says, "when the special presentation of a whole precedes the possibility of the parts, then it is a mere idea; and when this idea is regarded as the basis of the causality, it is called a purpose."\textsuperscript{76} As mentioned earlier, the very system-building activity, with respect to the sensible world, which is the task of the understanding requires us to think of nature as having a logical arrangement. The a priori concepts of the understanding are of such a character that they make system-building an irrepressible activity for the understanding. "To this extent, then, experience as such must be regarded,

\textsuperscript{75}Ibid., p. 289; (5:405).

\textsuperscript{76}Ibid., p. 425; (20:236).
according to transcendental laws of the understanding, as a system and not as a mere aggregate."\textsuperscript{77}

As Kant points out, however, it does not follow from the above that actual experience of nature either must or will meet this requirement of our understanding. Kant realizes that the empirical laws of nature "might be so diverse and heterogeneous that . . . we could never bring these empirical laws themselves under a common principle [and so] to unity."\textsuperscript{78} While the transcendental principles of the understanding give laws for the possible experience of nature, in the actual experience of nature we discover empirical laws. Such actual lawfulness on the part of nature cannot have, as its source, either human understanding or reason. "Neither understanding nor reason can provide a priori a basis for such [empirical] natural law."\textsuperscript{79} It is thus necessary for us to posit, as a source of the actual lawfulness of nature, a rational source outside ourselves. In other words, due to the transcendental principles for our understanding, it is necessary for us to view nature as the product of a supersensible rationality. We cannot but approach nature as if it were the purposeful product of a non-human intelligence. This necessarily presupposed logical

\textsuperscript{77}Ibid., p. 397; (20:209).

\textsuperscript{78}Ibid.

\textsuperscript{79}Ibid., p. 399; (20:210).
arrangement of nature Kant terms the logical purposiveness of nature. Kant argues, however, that in this sense, the logical purposiveness is not a purposiveness in the actual forms of nature but only a purposiveness of the relations between and among the forms, as well as their suitability for a logical, empirical system of knowledge. In other words, as we experience the various forms in nature we find that the relationships which appear between and among them allow us, in accordance with the categories of the understanding, to fit these various natural forms into a logical system. Because, at this level, the purposiveness is not a purposiveness in the forms of nature but only a purposiveness of nature for our cognitive powers, it is a strictly subjective purposiveness.

This judgment of nature as subjectively, logically purposive is, however, a universally valid judgment. The construction of nature as a systematic unity requires the presupposition of a logical arrangement of nature appropriate to our cognitive powers. In other words, for the power of judgment to construct a system of nature out of experience, judgment must first assume that nature, in its actual forms, possesses a lawfulness appropriate to our understanding. The power of judgment requires, as an a priori principle for judging nature, the concept of nature as lawful. This idea of nature as a logical system is the

---

80Ibid., p. 404; (20:216).
principle which "first provides us, a priori, with the concept of a lawfulness that is contingent objectively but necessary subjectively (for our cognitive power)—the concept of a purposiveness of nature."\(^{81}\)

This presupposition of the logical purposiveness of nature is "necessary subjectively," i.e., necessary for all finite, rational beings. That is to say, due to the a priori character of our cognitive faculties; i.e., the (humanly) universal character of our cognitive faculties; each and every finite, rational being cannot but make this same presupposition. This presupposition is necessary in relation to our cognitive faculties even though it is not necessary in relation to nature in itself; i.e., nature as it is separate and apart from our perception and cognition of it. So it is that the judgment of nature as logically purposive is a judgment which is valid according to the intersubjective character of validity as set forth in the first Critique.

This presupposition of the logical arrangement of nature appropriate to our cognitive power has its formal ground in the Transcendental Ideas of a rational source of the world and a world-whole. The Transcendental Idea of a world-whole implies that there is in nature an order whereby the manifold of particulars can be fitted into a systematic whole. The Transcendental Idea of a rational source of the

\(^{81}\)Ibid., p. 432; (20:243).
world, in turn, implies that nature, even in the particular, possesses a lawfulness, an order, suited to our understanding. The particular which we discover needs to be subsumable under the universal. The necessity of this subsumption presupposes "a harmony between natural characteristics and our power of concepts."\textsuperscript{82} The presumption of this harmony is an a priori principle of reflective judgment and, thus, subjective. That is to say, the apparent harmony between nature and our understanding, nature's fitness for our understanding, "concerns a peculiarity of our (human) understanding in relation to the power of judgment and its reflection on things of nature."\textsuperscript{83}

There is, however, an objective purposiveness of nature as well. According to Kant, that are two requirements which a natural thing must meet in order to be an objective natural purpose. "First, the possibility of its parts (as concerns both their existence and their form) must depend on their relation to the whole."\textsuperscript{84} In other words, the parts derive their full meaning only from the whole they form. Second, "the parts of the thing combine into the unity of a whole because they are reciprocally cause and effect of their form."\textsuperscript{85} Objective, natural purposes are, then, self-

\textsuperscript{82}Ibid., p. 291: (5:406).
\textsuperscript{83}Ibid., p. 289; (5:405).
\textsuperscript{84}Ibid., p. 252; (5:373).
\textsuperscript{85}Ibid.
generating and self-sustaining; they are both organized and self-organizing.\(^{86}\)

All living things are such objective, natural purposes. Kant further argues that such a view of nature is necessary for our investigation of nature because a view of nature in strictly mechanistic terms fails to adequately explain such organized forms. Mechanisms, according to Kant, have only motive force. Living things, as organizing and self-organized, have formative force. Thus, while a mechanistic approach to nature may be very useful for describing inorganic nature, a teleological approach is required in order to fully explain all of nature. It should be remembered, however, that we are still dealing with judgments of nature made in accordance with the transcendental principle of reflective judgment; i.e., the purposiveness of nature.

All living things, as objective natural purposes, are instances of material purposiveness in nature. Here, the purposiveness is material in that it is found within the living thing itself, it is a purposiveness of parts to the whole and the whole to the parts. It is not a purposiveness which we give to the thing; i.e., a formal purposiveness, as is the case of the purposiveness, for example, in geometric figures.\(^{87}\) Our judgment of living things as instances of

\(^{86}\)Ibid., p. 253; (5:374).

\(^{87}\)Ibid., pp. 239-241; (5:362-364).
objective material purposiveness, however, is still a universally valid reflective judgment in that it is a judgment that has, as an a priori principle, the purposiveness of nature.

Now, materially objective purposiveness may be either intrinsic purposiveness or relative purposiveness. Intrinsic purposiveness requires that the purposiveness of a living thing be considered, as an effect, as the product of art; i.e., as itself a purpose. In order for living things to be regarded as instances of intrinsic purposiveness, we would need to view nature itself as having an intelligent supersensible substrate. Relative purposiveness, on the other hand, is purposiveness which, considered as an effect, is considered as the means to an end employed purposively by some other thing.\(^8\)

If living things, as natural purposes, are considered to have only relative purposiveness, then they (the living things) must be the means to some other end. Further, if all living things are considered to have only relative purposiveness, we face the problem of an infinite progression. An infinite progression, however, is in contradiction to the Transcendental Idea of a world-whole as the goal of the system-building activity of the understanding. In an infinite series (either progressive or regressive) every member of the series is conditioned by the

\(^{88}\)Ibid., p. 244-245; (5:366-367).
next. Such a series can never arrive at the idea of the unconditioned which our reason demands. Relative purposiveness, to avoid an infinite progression, requires that there be at least one thing that can be considered an instance of intrinsic purposiveness; i.e., as an end-in-itself. In other words, if we view nature as relatively purposeful, if each thing in nature is viewed as a means to some other thing’s end, we must eventually arrive at some thing which is not a means to some other end.

Traditionally, this last member of the series has been human beings. This approach, however, remains problematic if, as the last member of the series, we posit human beings as strictly sensible beings. If we take the view that nature exists to serve us, as sensible beings, if nature is there for our economic or recreational benefit, we are still left with the question: Why should we exist, or continue to exist? In other words, human beings as the "ultimate end of nature" is insufficient as an end-in-itself. What is required is a "final end of nature." As shown in the preceding section, for Kant, on this earth only human beings as moral agents are ends-in-themselves. But if we are the final end for nature’s purposiveness, then our relationship with and actions on nature must have an ethical component.

The introduction of the concept of a "final end of nature," made necessary for us by reason’s demand for the

89Ibid., p. 285; (5:402).
unconditioned, "leads us necessarily to the idea of all nature as a system in terms of the rule of purposes."\(^9^0\) In other words, we now find ourselves necessarily viewing the whole of nature as a system of ends directed toward its final end. Nature viewed as a system of ends directed toward a final end is nature viewed as an organic whole. A system is not an aggregate, it is not a mere accretion. Rather, a system is an organized collection of parts which constitutes a whole due to internal organization and interrelation of the parts. A system of ends, then, is an organized body of ends in which individual ends, as the parts, are structured to produce a whole and derive their full meaning only in relation to the whole they form. Even that end which is the "final end" towards which all other ends are aimed is itself a part of the whole. Such a view of nature, with regard to an environmental ethic, leads to an ethic which is, perforce, wholistic. Each species in a natural system, then, can only be fully understood in relation to the system overall. Further, Kant argues that, even though some natural entities are not living things; i.e., not organisms, we are still allowed to view nature as a teleologic whole because the existence of organisms in nature has already brought us to the idea of an intelligent supersensible substrate of nature.\(^9^1\)

\(^9^0\) Ibid., p. 288; (5:379).

\(^9^1\) Ibid., pp 260-261; (5:380-381).
Kant's position, which holds natural purposiveness to be relative rather than intrinsic, makes necessary both a final end for nature's purposiveness and a source, other than nature, for the concept of that purposiveness. As stated earlier, relative purposiveness, considered as an effect, is purposiveness employed as a means to an end by some other thing. Nature, as relative purposiveness, is, according to Kant, a means with regard to human beings as (final) ends. But if nature is so employed, its employment requires "some other thing." In other words, we need some thing, other than nature itself, considered as the source of purposive nature employed toward a "final end." Nature viewed as an organic whole, as a system of ends, cannot also be the source of its purposiveness. Nor can human beings. For us, the purposiveness of nature is only a reflective judgment. Therefore, the "some other thing," which cannot be nature, which cannot be human beings, and cannot be phenomenal (we would then be dealing with a determinative judgment) must be a noumenon which is purposive. We are brought to the Transcendental Idea of a supersensible, rational source of the world.

The foregoing, however, is not a proof of the existence of God. All that has been said concerning the teleological approach to nature is that this approach is a product of reflective judgment. We have not determined nature to be purposive, an organic whole directed towards human beings as
its final end. All that has been established is that, for us, as a regulative maxim for human thought, we cannot but view nature in this manner.

In summary, then, we cannot but view nature in teleological terms. Due to the inherent and unavoidable characteristics of human thought, we must approach nature as if it were the purposive product of a rational intelligence other than our own. Further, we can fully ground the relative purposiveness of nature in ourselves only insofar as we are moral agents and not merely phenomenal beings.

Kant's theory of teleological judgments has two major points of significance with regard to an environmental ethic. The first of these concerns his argument for a view of nature as an organic whole. As already mentioned, Kant views living things as both organized and self-organizing. The parts can be fully understood only in terms of the whole, and the whole is possible only because the parts are "reciprocally cause and effect of their form." Such language, in fact, reflects the organismic approach to biology and the current, general view of nature overall. As Ludwig von Bertalanffy points out, regarding modern theories of biological development, "organismic" has come to replace "teleological." An organism and its processes can be described physico-chemically "in principle." A physico-chemical explanation is not, however, exhaustive. The parts
and processes within an organism are organized "in quite a peculiar manner" aimed at "the maintenance, production, or restoration of the wholeness of the organism. . . . They [the parts and processes] must be considered from the standpoint of their significance for the maintenance of the organism." Ecosystems, as 'wholes', are made up of various species of flora and fauna along with meteorological elements and cycles. Simultaneously, through the science of ecology, the parts of a given ecosystem are coming to be increasingly understood in terms of the whole which they constitute. In other words, Kant's argument for a teleological approach to nature leads to a wholistic approach to nature.

Perhaps of even greater significance for an environmental ethic is Kant's distinction of teleological judgments concerning nature as reflective judgments rather than determinative judgments. Teleological judgments about nature are subjectively valid; i.e., they are valid, reflective judgments. If, however, we err and view our teleological judgments about nature as objectively valid; i.e. as valid, determinative judgments; we are brought to the Aristotelian view of nature. Further, if we mistakenly treat our reflective judgments as though they were

---

determinative judgments, nature as it seems to us is then mistaken for nature as it is.

Kant's moral theory, as discussed in the preceding section, results in a view of the world as necessary for humans as moral agents. Human beings as moral agents are, in turn, necessary in order for the purposiveness of nature to have a final end. Regarding an environmental ethic, Kant's theory of teleological (reflective) judgments regarding nature, I submit, leads human beings to have a superiority in nature but not over nature. Nature exists as a human construct. Our existence, as biological life forms, is obviously dependent upon nature. Our existence as moral beings, however, is also dependent upon nature. It is the experience of duty that first makes us aware of ourselves as beings capable of morality. Further, because the moral will is both Will~ and Willkuer, as moral beings we need the world as the arena in which we act. Because we are, to the best of our knowledge, the only beings on this planet capable of morality, our position in nature is a position of superiority grounded in duty. To consider ourselves as superior over nature is to consider ourselves as separate and apart from nature. This approach to nature views nature as 'other', an inferior 'other', which we are free to use, eradicate or ignore as we wish. This is the utilitarian view of nature. Our position in relation to nature is a position in nature. As set forth in Kant's theory of
knowledge, nature is a product of the irrepressible organizational activity of human understanding. Although we come to know ourselves as selves in contradistinction to nature, we are neither separate nor separable from it. Kant’s theory of teleological judgments brings us to a view of nature as a system of ends of which we are a part. We have a superior position as the final end of nature, but we are yet an end within the system overall. Because our superiority in nature is grounded solely in our capacity as moral agents, not as merely phenomenal beings, we are not justified in viewing nature as existing merely to satisfy our sensible wants and needs. As the final end of nature, the end towards which all other ends are directed, we have a superiority within the whole of nature as a system of ends. We, as moral beings, are the highest end of nature. Further support for such a non-utilitarian approach to nature is to be found in Kant’s theory of aesthetics.

Kant’s Aesthetic Theory

Kant holds that aesthetic judgments, like teleological judgments, are reflective. Kant argues that beauty, although grammatically a predicate, is not a property of any thing, but, rather, is a feeling we experience when we encounter some phenomena. While we speak as if beauty were external to ourselves, as if it were a property of an external object, this manner of speaking merely expresses how we feel when we are affected by an object we
judge as beautiful because of that same feeling. Further, beauty is a particular kind of inner sensation; it is a feeling arising from the free interplay between imagination and understanding.\(^93\) Further, a judgment of beauty is characterized by four "moments." The four "moments" of a judgment of beauty correspond to the divisions of the categories of the understanding: quality, quantity, relation and modality. In this way, judgments of beauty are related to the understanding.

Kant is careful to distinguish the difference between something judged to be beautiful and something judged to be either good or pleasing. For Kant, a judgment that something is good is a judgment determined by a concept. Something is judged good because it is good for some other thing. A judgment that something is good is, thus, a judgment which employs the concept of purpose.\(^96\)

A judgment of something as pleasing is, perforce, a judgment grounded in personal inclination. A judgment on my part that something is pleasing is a judgment that it is pleasing to me. Further, something is pleasing to me only insofar and precisely because it satisfies a personal inclination; i.e, a subjective desire.\(^95\) A judgment, then,  

\(^93\)Immanuel Kant, *Critique of Judgment*, p. 63; (5:219).

\(^94\)Ibid., p. 56; (5:213).

\(^95\)Ibid., p. 55; (5:212).
that something is pleasing is an inherently (private) subjective judgment.

Judgments of things as either pleasing or good are similar in the respect that both involve direct interest. "Interest is what we call the liking we connect with the presentation of an object's existence." In the case of a judgment of a thing as pleasing, the judgment involves direct interest in terms of personal inclination grounded in sensation. That is to say, I judge as pleasing something which I like with reference to sensation. In the case of a judgment of a thing as good, the direct interest involved is a rational interest. In other words, I judge as good that for which my liking has a rational ground. In both cases, the judgment involves a direct interest in the existence of the object so judged. I take a direct interest in the existence of what I find pleasing as a satisfaction of personal inclination. I take a direct interest in the existence of some thing I judge good as a satisfaction of the will.

In contrast, Kant holds that the first moment of a judgment of beauty is immediate. A judgment of something as beautiful, because it does not employ any concept, "neither [being] based on concepts nor directed towards them as

---

96 Ibid., p. 45; (5:204).
97 Ibid., pp. 47-51; (5:205-209).
purposes," arises as the result of a free interplay between the understanding and imagination.\textsuperscript{98} This free interplay between the understanding and imagination results in an immediate relationship between the experiencing agent and that which is experienced; a relationship not mediated by any concept.\textsuperscript{99}

The second moment, quantity, is that of universality. Because a judgment of beauty does not employ any concept, and, thus, is disinterested, Kant holds that we cannot "help judging that it must contain a basis for being liked [that holds] for everyone."\textsuperscript{100} In other words, if I judge something as beautiful, my liking for it as beautiful is not due to any personal inclination (it is not pleasing) or subjective rational interest (it is not good for). I then cannot but feel that others will experience the same disinterested liking since neither personal inclination nor subjective rational interest were involved in my initial judgment of the thing as beautiful.

The third moment, relation, is that of indeterminate purposiveness. Because a judgment of something as beautiful cannot involve any concept, the purposiveness of nature, as an a priori principle for judgment, must here be a

\textsuperscript{98}Ibid., p. 51; (5:209).
\textsuperscript{99}Ibid.
\textsuperscript{100}Ibid., p. 54; (5:211).
purposiveness without any determinate concept of a purpose. Kant states that "a purpose is the object of a concept insofar as we regard this concept as the object's cause...and the causality that a concept has with regard to its object is purposiveness." He further states that "[t]he power of desire, insofar as it can be determined to act only by concepts . . . would be the will." It is possible, then, to speak of "a purposiveness without a purpose" if we do not posit a will as the cause of the purpose but, yet, can only posit the possibility of the purposiveness as deriving from a will.\textsuperscript{101} This "purposiveness without a purpose" is a subjective judgment in that it arises as a result of the feeling generated in us by the free interplay of imagination and understanding.

The fourth moment, modality, is that of necessity. This cannot be a logical necessity due to the fact that a judgment of beauty employs no concept whatsoever. Kant does not argue that if I judge something as beautiful, everyone else will also judge it as beautiful. Rather, it is the case that my judgment of something as beautiful necessarily leads me to feel that everyone else ought to find the thing beautiful. This, however, is not a determinate 'ought' like the moral 'ought'. Because no concept can be involved, it is a merely subjective 'ought'. It is a necessity which

\textsuperscript{101}Ibid., p. 64-65; (5:220).
Kant terms "exemplary, i.e., a necessity of the assent of everyone to a judgment that is regarded as an example of a universal rule that we are unable to state."\textsuperscript{102}

This "exemplary necessity" which characterizes judgments of beauty arises from the necessary presupposition of a common sense of feeling which needs exist as analogous to the sensus communis which is required for the communicability of empirical cognitions. Kant argues that all cognitions and judgments "must be universally communicable."\textsuperscript{103} But if our cognitions must be universally communicable, then "the mental state, i.e., the attunement of the cognitive powers" that makes cognition itself possible, must also be universally communicable.\textsuperscript{104} This "attunement of the cognitive powers" when it does not involve in any way a concept is the very basis of the feeling we call 'beauty'; namely, the free interplay between imagination and understanding.

Judgments of beauty are disinterested, universal, subjective and necessary. Kant's aesthetic theory clearly holds that a judgment of beauty cannot have "an interest as its determining basis."\textsuperscript{105} According to Kant, an interest is

\textsuperscript{102}Ibid., p. 85; (5:237).
\textsuperscript{103}Ibid., p. 87; (5:238).
\textsuperscript{104}Ibid., p. 88; (5:238).
\textsuperscript{105}Ibid., p. 163; (5:296).
the liking we have for an object's existence, and "a liking always refers at once to our power of desire." But if my judgment of something is determined by my power of desire with regard to the thing, I have judged the thing as good or pleasing, not as beautiful. Kant does, however, allow that, a judgment of beauty having been made absent interest, an interest may subsequently be connected with the object of the judgment indirectly. Further, the connection of an indirect interest; i.e., an interest without any purpose; with the object first judged as beautiful can also give rise to "a pleasure in the existence of the object." In other words, if I take an indirect interest in something, I can have a liking for the something's existence even though my liking is not determined by my power of desire.

In order to connect an interest indirectly with the object of a judgment of beauty, "we must think of taste as first of all connected with something else." The "something else" may be either empirical or intellectual in character. Kant argues that taste is of empirical interest only in society. Taste is the power "to judge whatever allows us to communicate even our feeling to everyone.

\[106\] Ibid., p. 45; (5:204).

\[107\] Ibid., p. 163; (5:296).

\[108\] Ibid.
Taste, as a power at least indirectly concerned with communication, has value only where there are others with whom we may communicate. The connection of taste with society, however, is an empirical connection. What Kant seeks is an a priori connection; a connection which, being a priori, holds for everyone. As Kant points out, if we can establish an a priori connection between taste and something else, we will better know how to use taste purposively, and we will be able to show that the power of judgment serves as "a mediating link in the chain of man's a priori powers... on which all legislation must depend." But in order for the connection to be a priori, the "something else" must be intellectual.

Kant argues that this intellectual "something else" with which taste is connected is "the will's property of being determinable a priori by reason." In other words, the human capacity for morality is, for Kant, directly linked to the aesthetic capacity. Under a Kantian ethic, valid moral judgments are determined by practical reason absent, and sometimes despite, interest (as personal inclination). It is precisely because valid moral judgments are not determined on the basis of inclination that they are

109Ibid., p. 163; (5:296-297).

110Ibid., p. 164; (5:297-298).

111Ibid., p. 163; (5:296).
universally valid. Similarly, judgments of beauty are determined apart from interest (as personal or rational inclination). Because both types of judgment are determined without regard for or even despite interest, Kant holds that aesthetic judgments of natural beauty are "always a mark of a good soul."\textsuperscript{112} Judgments of natural beauty do not depend upon an interest (as personal or rational inclination), yet such judgments lead us to posit an a priori (universal) liking for that which is judged as beautiful in nature. Moral judgment does the same thing based on practical reason by use of concepts. Judgments of the beautiful in nature, then, introduce us to the experience of loving without interest.

It is interesting to note, however, that Kant holds this "mark of a good soul" to be the judgment of natural beauty, not the judgment of plastic beauty (fine art). The reason for this distinction lies in Kant's distinction between natural and plastic beauty, and his treatment of "genius". He holds that natural beauty refers to a beautiful thing, while plastic beauty refers to a beautiful presentation of a thing. Further, he terms the production of fine art "genius."\textsuperscript{113} When we encounter an example of fine art, we correctly attribute the genius of its

\textsuperscript{112} Ibid., p. 165; (5:298).

\textsuperscript{113} Ibid., p. 179; (5:311).
production to the artist who created the work. Similarly, when we encounter an example of natural beauty, we necessarily are led to consider wherein lies the genius which produced it. Just as the Transcendental Idea of a supersensible, rational source of the world serves as the noumenal source for nature's relative purposiveness as mentioned in the preceding section, this same Transcendental Idea serves as the source for the beauty in nature. In this way, contemplation of the beautiful in nature leads us to the Idea of God.

Related to, but interestingly different from, aesthetic judgments of beauty are judgments of the sublime. Like beauty, Kant argues, sublimity is not a property possessed by things. Rather, we call something sublime because it arouses in us an awareness of our own sublimity. To call some thing sublime is a misstatement; the sublime resides in us. "Sublime is what even to be able to think proves that the mind has a power surpassing any standard of sense."\(^{114}\)

While nature in its indeterminate purposiveness arouses in us that particular feeling which leads to a judgment of nature as beautiful, it is nature as chaos which arouses in us another, particular feeling which leads us to judge nature as sublime.\(^{115}\) "Nature as chaos" is not to be

\(^{114}\)Ibid., p. 106; (5:250).

\(^{115}\)Ibid., p. 99; (5:246).
interpreted only in terms of pointless destruction or random action. Rather, for Kant, this is "chaos" in the sense of existence and activity which leads us beyond the boundaries of our powers of cognition. As Kant describes it, regarding magnitude,

our imagination strives to progress toward infinity, while our reason demands absolute totality as a real idea, and so [the imagination,] . . . is inadequate to that idea. Yet this inadequacy itself is the arousal in us of the feeling that we have within us a supersensible power.¹¹⁶

What in nature we call sublime is simply that which arouses in us an awareness of our own capacity to think what cannot possibly be known. It brings us to an awareness of reason's power to go beyond all possible bounds of the understanding. It awakens us to ourselves as something more than just phenomenal beings. "If the human mind is nonetheless to be able even to think the given infinite without contradiction, it must have within itself a power that is supersensible."¹¹⁷ Experience of the sublime in nature, then, leads us to a view of ourselves as beings who defy explanation in strictly mechanistic or sensible terms.

When we encounter in nature that which we judge sublime, we are, in reality, experiencing our own two-fold character. We judge as sublime that which gives rise to a

¹¹⁶Ibid., p. 106; (5:250).

¹¹⁷Ibid., p. 111; (5:254-255).
particular feeling in us, a feeling that, in turn, results from the understanding's inherent inability to attain to the Transcendental Ideas of reason.

The feeling that it is beyond our ability to attain to an idea that is a law for us is RESPECT. . . . our imagination, even in its greatest effort to do what is demanded of it . . . proves its own limits and inadequacy, and yet at the same time proves its vocation to [obey] a law, namely, to make itself adequate to that idea. Hence the feeling of the sublime in nature is respect for our own vocation. ¹¹⁸

Our very capacity to judge something as sublime is linked to our possession of reason. Were it not for reason's power to posit Transcendental Ideas, which Ideas are, perforce, beyond the power of the understanding to determine in experience, we would not be capable of the feeling of respect. So it is that, while the experience of natural beauty introduces us to love without interest, the experience of the sublime introduces us to the experience of respecting something even against our interest. Both of these capacities (love-without-interest and respect-against-interest) are necessary for the actualization of the moral will.

Kant's aesthetic theory has a number of significant implications for an environmental ethic. As already mentioned, when I make a judgment of beauty, I cannot help but feel that everyone else ought to make the same judgment.

¹¹⁸Ibid., p. 114; (5:257).
This, in turn, requires that we assume a common sense of feeling, a sensus communis aestheticus. This common sense of feeling, in turn, serves to underpin the common understanding, the sensus communis logicus, which must be assumed for the communicability of our cognitions.119

Kant's argument that judgments of natural beauty are made absent and even despite interest provides a clear refutation of the utilitarian approach to nature. To view nature in strictly utilitarian terms is, according to Kantian aesthetic theory, effectively to deny ourselves the opportunity to experience natural beauty. A utilitarian approach to nature, which views natural entities as good only insofar as they are good for something else, necessarily grounds judgments concerning nature in the concept 'purpose'. This is true of both strict utilitarian approaches and what I have earlier termed neo-utilitarian approaches to nature.

The question might be raised: Can't nature be a good because it provides us with the experience of beauty? The answer is yes. To value nature because it is beautiful is in keeping with Kant's aesthetic theory if the interest in beauty is linked to our moral capacity, our ability to determine the will according to practical reason. But if this is the case, if we consider nature good by means of an

119Ibid., p. 162; (5:295).
indirect interest, then nature has an immediate, not merely instrumental, value. Because nature has immediate value, we ought to seek to preserve nature. Because nature has an immediate, not merely instrumental, value, nature ought not be viewed only in terms of satisfying our sensible wants and desires. Our view of nature, rather, ought to reflect our recognition of our moral duty. We ought, then, to act on and towards nature and natural entities in ways that are compatible with our existence as moral beings. In other words, our treatment of nature ought not be grounded solely in sensible needs and desires. For example, our treatment of nature ought not be grounded only on economic factors. A treatment of nature that is grounded only on economic factors is a treatment of nature as a means solely in terms of our sensible wants and needs. This is not only a reduction of the view of nature, it is also a reduction of the view of ourselves to the level of animality.

Now another question might be raised: What damage is done even if we allow a utilitarian approach to despoil nature and, thus, deny us the opportunity to experience natural beauty as long as plastic beauty remains? As already mentioned, natural beauty is a beautiful thing, while plastic beauty is only a beautiful presentation of some thing. Plastic beauty is a characteristic of a work of art; natural beauty is a characteristic of an effect of
nature. In order to judge a work of art as beautiful, I must first have "a concept of what the thing is [meant] to be, since art always presupposes a purpose in the cause (and its causality)." Quite the contrary is true of a judgment of natural beauty; I need have no concept of what a natural thing is meant to be in order to judge it as beautiful.

From this it follows that, when I experience a work of art as beautiful, I am led to think of how the thing harmonizes with its purpose. When I experience natural beauty, however, what I am led to is the thought of how nature harmonizes with my a priori cognitive powers. In other words, the experience of natural beauty leads me to feel that I am fit for this world. Perhaps more importantly for Kant, plastic beauty leads us, regarding its genius, to a human artist. Natural beauty, regarding its genius, leads us to the supersensible, rational source of the world.

Kant's aesthetic theory leads us to a view of nature which is incompatible with and, I contend, superior to the utilitarian approach to nature. The experience of natural beauty, according to Kant, proves our fitness for the world, and underpins the common understanding required for the communicability of our cognitions. Kantian aesthetic theory

---

120 Ibid., p. 170; (5:303).
121 Ibid., p. 179; (5:311).
122 Ibid.
provides a view of nature as having immediate value beyond its instrumental value. Nature, as the source of the beautiful and of the sublime, introduces us to love-without-interest and respect-against-interest. In so doing, nature introduces us and leads us to our true vocation, our existence as moral beings.
CHAPTER 3
THE KANTIAN ENVIRONMENTAL ETHIC

This chapter will bring together the significant points from the preceding chapter into a single ethic. I will examine the duties which arise in an environmental ethic grounded in the philosophy of Immanuel Kant. I will also examine some of the questions related to the implementation of the duties. Finally, I will discuss some of the contextual variables which affect the implementation of the ethic.

The Kantian View of Nature

According to Kant's theory of knowledge, the goal of the understanding is the production of systematic unity out of the manifold of experience. The world in which we find ourselves is a product of this irrepressible organizational activity. Our world is a human construct which we construct in community. Nature as an organized system of natural entities is also a regulative Idea for human thought about natural entities. Nature exists as an organized system due to and through the irrepressible organizational activity of the human understanding. We may, due to a habit of language, speak of nature as though it were something separate and apart from us. But this is a characteristic of
our language, not of nature. There can be no nature apart from us, and we are an inseparable part of nature.

Kant's moral theory, which results in primary duties from which rights are derivable, presents us with a view of human beings as beings for whom morality is necessary and not just possible. Morality, according to Kant, is necessary for us if we are to be fully human beings. In other words, our existence as sensible beings ought to be subordinate to our existence as moral beings. Grounding morality in moral autonomy, Kant's moral theory results in a view of humans as potential possessors of wills that are good wills, and so as possessing intrinsic worth. As beings capable of moral autonomy, we are all equally deserving of respect as persons. Additionally, because Kant grounds morality in moral autonomy, the duties to which we are obligated, the moral maxims, are guidelines for thought about action. When we apply his moral theory to action aimed at affecting the public sphere, such publicly oriented action ought to arise out of public discourse. A single voice can neither fully enumerate nor define our duties to the non-human parts of nature. A single voice can, however, try to begin the task.

According to Kant's theory of teleological judgment, we unavoidably approach nature as purposive. We cannot but view nature as an organized, purposive system. Our organization of nature as a purposive system results in a
view of nature as a system of ends aimed at a final end. According to Kant, the final end of nature is humanity. But this is a humanity composed of humans, not merely as sensible beings (animals), but as free, rational beings; i.e., as moral beings. Further, for Kant, the final end of humans, as moral beings, is the "realm of ends;" the development of a moral civil society. So it is that the non-human parts of nature, as means, are not merely means for the satisfaction of our sensible needs and want, but also means towards our end as moral beings.

Now this view of nature's non-human parts as means to the "realm of ends" seems to impart to nature an instrumental value. This is not, however, an instrumental value synonymous with the instrumental value of nature as presented in the utilitarian approach to nature. The utilitarian approach to nature views nature as an instrument for humans as sensible beings only. Kant's philosophy results in a view of nature and nature's non-human parts as also serving as instruments for humans as moral beings. According to Kant's moral theory, our existence as sensible beings ought to be subordinate to our existence as moral beings; i.e., we have a duty to be moral. From this it follows that our use of nature as sensible beings also ought to be subordinate to our use of nature as moral beings. We ought not treat nature and its non-human parts only in terms of their usefulness in satisfying our sensible needs and
wants. If our treatment of nature and its non-human parts is grounded solely in our existence as sensible beings, we have, in effect, reduced our vision of ourselves to the level of heteronomous, not autonomous, beings. We are sensible beings, but we are also something more.

Kant’s theory of reflective teleological judgment begins with a view of living things as organisms. An organism can only be fully understood and explained in terms of the relationship of its parts to the whole. Nature overall, as an organized system of ends, also requires an organismic; i.e., wholistic, view on our part. Natural entities, processes and cycles are, then, parts of the whole which we call nature. But another part of nature is the organization we bring to its parts through the construction of the concept ‘nature’. Our relationship to the non-human parts of nature is a relationship in nature. As moral beings we are the final end of nature. Because our relationship to nature is a relationship in nature, we have a position of superiority in nature, but not over nature.

Now we do find in Kant’s philosophy that nature has not only a morally-grounded instrumental value but also an immediate, aesthetic value. Nature as a component in the experience of beauty and sublimity has a worth quite separate from any instrumental value. Nature provides us the experience of beauty and of sublimity. Further, for beauty to be beauty, according to Kant, our interest in it
cannot be direct. In order to judge something as beautiful, in order to experience beauty, my judgment cannot involve a determinate concept (purpose). Because my judgment of something as beautiful cannot involve a determinate concept, my interest in the thing judged beautiful (my liking for it) also cannot involve a determinate concept. Consequently, my liking for natural beauty can only be a liking for the mere contemplation of natural beauty.

Kant does allow, however, an indirect interest in natural beauty. This indirect interest in natural beauty can arise if the experience of natural beauty can be connected with something else. According to Kant, this 'something else' is the will's capacity to be determined by practical reason. In other words, the capacity I possess which makes it possible for me to experience natural beauty is the same capacity which makes it possible for me to be moral also. In this way Kant links 'the beautiful' and 'the moral'. Further, because we can have an indirect interest in nature (as natural beauty), we can also have an interest in the existence of nature.

Now our indirect interest in nature is grounded in our potential for morality. Kant's moral theory results in a view of morality, grounded in moral autonomy, as not only possible but necessary for us fully to be human beings. In other words, we have a duty to be moral. Because our potential for morality is the basis of our indirect interest
in nature, and because our indirect interest in nature allows an interest in the existence of nature, as beings who ought to be moral we are also beings who ought to preserve nature. In other words, our duty to be moral leads to a duty to preserve nature. Further, because Kant's theory of teleological judgment leads to a view of nature which is wholistic, our duty to preserve nature is a duty to preserve nature viewed wholistically.

**Our Duties Towards Nature**

Nature, as a regulative Idea, is an ideal whole which is itself composed of smaller empirical wholes, the ecosystems. Our duty to preserve nature is a duty to preserve ecosystems as wholes. Preserving an ecosystem as a whole means preserving the viability of the system overall. Systems within nature, like nature itself, are dynamic systems. Change is inherent in natural systems. Preserving an ecosystem thus means preserving a system of various life forms in a manner such that the system remains diverse and dynamic.

Now the question might be raised: "If nature as a system only exists due to and through our understanding, how is it possible for nature not to be preserved as long as we are preserved?" The key to the answer lies in "nature as a system." It may well be possible to preserve natural entities without preserving natural systems. Zoos, for example, formerly preserved various species of animals as
discrete entities. These old-style zoos, however, did not preserve the natural systems of which the various species were parts.

Ecosystems are systems composed of natural entities. Systems, in turn, are totalities which derive their identities as systems from their internal organization. A system is a unitary organization of parts, not merely an aggregate of parts. Merely preserving natural entities does not fulfill our duty to preserve ecosystems.

Because human beings are an inseparable part of nature, preserving ecosystems means preserving ecosystems of which human beings are a part. Human existence necessarily entails human action in and on nature. As living beings we are parts of the ecosystems in which we live. Human action in and on nature is an unavoidable activity for our continued existence. Because we have a duty to preserve ecosystems, when acting on nature, we have a duty not to act in ways that needlessly undermine or destroy ecosystems as wholistic systems. Our actions regarding nature need to be tempered by a concern for the effects of our actions on the viability of the natural systems in which we act. As our knowledge of nature develops through the science of ecology, we come to understand more fully the interconnections and interdependencies between and among various forms of life. As our ecological knowledge increases, then, we come to know
better what changes in nature are possible, what changes can be made without compromising the viability of the whole.

Recent studies have served to support the theory that ecosystems contain species which have a disproportionate effect upon the systems in which they are found. For example, one recent study found that by removing all members of three species of kangaroo rats from a desert plain resulted in the transformation of the system into an arid grassland in just ten years.¹

Even the most cursory examination of nature reveals it to be composed of a vast multiplicity of diverse forms. Over time and through a growing body of scientific knowledge, we have come to realize that many of the natural entities which exist today are significantly different from the natural entities which existed during earlier periods. We now know, for example, that there is a natural process of forestation of grasslands. Additionally, we know that species extinction is also a natural process. Nature, though fundamentally a process of change, is also characterized by diversity. Thus, preserving nature means preserving a changing and diverse nature. Preserving nature means preserving a viable system of nature; it means preserving ecosystems as wholes; as viable, dynamic systems.

Now the question might be raised: Even if we have a duty to preserve nature, why ought we preserve a diverse nature? If we do not preserve a diverse nature, the nature that we do preserve will be a nature limited in a number of possible ways. We may decide to preserve only what we like and can use. We may decide to preserve only what is absolutely essential for our biological existence. Both of these possible choices are in violation of our duty to view nature as more than just an instrument for satisfying our sensible needs and wants. Further, the world which we have constructed over time and in which we have developed is, itself, a world of diversity. It is a world that includes a nature that is diverse. Because nature is a construction of the understanding, if we preserve a nature greatly diminished in its diversity, we run the risk of diminishing ourselves also. Finally, the world in which we act as moral beings includes nature. If the nature we preserve is a nature of reduced diversity, then the kinds and numbers of questions concerning human action regarding nature will likewise be reduced. If the sphere of nature is diminished, our sphere of action with regard to nature, even when the decision for action is a decision not to act, will be diminished also.

One task that exists for us is to determine which changes are of such a character that they ought to be allowed, perhaps even fostered, and which changes ought to
be prevented. The importance of this task is, perhaps, most obvious with regard to changes involving the introduction, development, and elimination of species of plants and animals. Because our duty to preserve nature is a duty to preserve nature viewed whollistically, I suggest that changes within a natural system ought to be evaluated in terms of their effect upon the system as a whole. The scope of the whole will be determined by the system in question. As I have already pointed out, nature, as a regulative Idea, is an ideal whole composed of smaller empirical wholes, the ecosystems. A farm, however, is no less an ecosystem than the Loess Hills. Thus, the question of what changes constitute acceptable changes will be affected by the scope of the whole in question.

For example, the introduction of the ring-necked pheasant (*Phasianus colchicus*) into North America has not had deleterious effects upon the ecosystems in which it is found. Although subject to endangerment from overhunting and particularly severe winters, the species fits well into the surrounding system as a whole. It has not contributed to the endangerment or extinction of indigenous species, nor has it had negative effects upon human projects. Quite the contrary, any negative effect these birds may have on agricultural crops is generally considered to be more than compensated for by the opportunity they provide for sport-hunting.
Preserving a nature of genuine diversity, I suggest, makes necessary the preservation of diverse types of ecosystems. Further, the ecosystems we choose for preservation cannot be chosen only on the basis of their fitness for satisfying our sensible needs and wants. If we preserve only those systems which benefit us economically or recreationally, we have reverted to a utilitarian approach once again.

Because the Kantian environmental ethic involves a view of nature as wholistic, we may wish to shift the focus of legislation concerned with the preservation of nature. Current legislation aimed at preserving endangered species ought, perhaps, to be aimed at preserving ecosystems. The current Endangered Species Act is clearly focused on the preservation of species, not systems. The Act states, in part, "various species of fish, wildlife, and plants . . . have been rendered extinct . . . other species . . . are in danger of or threatened with extinction." The Act sets, as policy, the conservation of "endangered species and threatened species." I contend that we ought to consider redirecting the focus of such legislation. In point of fact, experience indicates that when a species becomes sufficiently endangered to qualify for protection under the

---

Act, it is frequently the case that efforts to preserve the species are synonymous with efforts to preserve the ecosystem. For example, efforts to save the northern spotted owl call for a concomitant effort to save old-growth forests. Species are parts of the ecosystem (whole) they inhabit. As we come to understand more fully the relationships among the parts of an ecosystem and between each part and the whole, we come to realize that a change in a part is connected to a change in the whole. Threatened or endangered species thus serve as a sort of 'miner's canary' for the ecosystems of which they are a part.

Human actions affecting nature which arise from decisions grounded solely on economic considerations are morally inappropriate actions. If the decision which determines an action affecting nature is based only on economic factors, it is a decision which views nature only as an instrument for serving our sensible wants and desires. This is, as already mentioned, a reduction of nature that is incompatible with the philosophy of Immanuel Kant. Further, it is a concomitant reduction of our vision of ourselves to the level of heteronomous beings.

Additionally, human actions affecting nature are actions which take place within an ecosystem. If a human action affects the ecosystem in which it occurs, and if the

---

action is grounded only in economic considerations, it is an action which does not take into account the preservation of the ecosystem as a viable whole. Such action, by chance, may not harm the viability of the whole, but this is not enough. Our duty to preserve ecosystems as viable wholes makes it necessary for us to consider, not only the economic effects of our actions on ecosystems, but the ecological effects of our actions as well. It is not the case that economics, per se, is immoral. But an economics which affects ecosystems without consideration of the effect on the natural system as a system is inappropriate.

This point is of special significance with regard to domesticated plants and animals. Treating domestic animals, and in particular, livestock, in ways that are not grounded solely on economic considerations would seem to call for changes in some of the ways we treat these animals. For example, the practice of raising hogs in confinement is a practice grounded in economic considerations. Hog-confinement operations produce more pork, more tender pork, more quickly and efficiently than facilities that allow hogs to move about and root. Rather than adapting technology to the animal, sophisticated farming methods tend to adapt the animal to the technology. This has resulted in farms frequently referred to as factory farms.

As I have already pointed out, however, a farm is an ecosystem. Farm animals are thus parts within a ecosystem.
Farming methods which seek to adapt the animal to the technology affect the parts of the whole, and thus the whole itself. Whether such changes in the parts (animals) can be carried out without compromising the integrity of the ecosystem as a whole is a question which ought, I submit, be investigated. If we wish our farms to continue to be viable ecosystems, our actions regarding their parts need to be considered in light of their effects on the ecosystem itself.

The treatment of animals on factory farms is the result of decision making processes grounded solely in economic consideration. Decisions concerning the treatment of animals that are grounded solely in economic considerations are examples of heteronomous action on the part of the human beings involved. Such decisions are examples of human choice, but not free choice. Such heteronomous behavior on our part is incompatible with Kantian morality as grounded in autonomy.

Because our decision concerning actions regarding nature are not morally appropriate when based solely on economic factors, we may want to consider establishing livestock laws similar to those recently established in Sweden. The Swedish law requires, in part, that cattle be allowed to graze and pigs to root. Chickens cannot be confined in cramped cages but must be allowed to range freely. Hormones and antibiotics can only be administered
for the treatment of disease. Finally, even slaughtering methods are required to be as humane as possible. In this way, although livestock remains livestock, animals raised for food, the treatment of the animals is not based solely on economic factors. Rather, the Swedish livestock laws require that human action regarding farm animals be considerate of the natural characteristics and needs of the animals themselves. Instead of being treated as mere means to human economic satisfaction, Swedish farm animals are treated as living organisms (wholes) whose natural characteristics and needs (parts) are necessary to the organism (as a whole). In other words, to be a cow means, in part, to be an animal which grazes; grazing is part of 'cowness'. To deny a cow the opportunity to graze is to treat the animal as a whole in a way that ignores a part of that whole. It is a reduced vision of cows.

Maintaining the integrity of natural systems as wholes may, in some cases, actually mean restoring the integrity of the whole. For example, natural systems generally require the presence of a primary predator in order to control the population levels of animal species in the system. This population control is frequently accomplished by sport-hunting. There are, however, some natural systems in which hunting is not allowed; for example, national parks. If

such areas lack sufficient types or numbers of primary predators, it would seem that a morally appropriate action on our part would be the reintroduction of primary predators.

The Kantian environmental ethic has its ground, in part, in Kant's moral theory. Kant's moral theory regarding human action results in primary duties, not rights. So too, the Kantian environmental ethic also results in duties. Further, just as Kant's moral theory is expressed by the Categorical Imperative, the environmental ethic can also be expressed in terms of a categorical imperative concerning our actions toward nature. Like the Categorical Imperative, the environmental imperative is a guideline for thought about actions.

Our duty to preserve nature can be formulated as a positive and universal maxim: Act with regard to nature in a way such that the affected ecosystem is maintained as a viable, dynamic whole. In other words, act to maintain the integrity of the whole as a whole. This formulation defines the kinds of action that are appropriate and permissible. It also serves to define inappropriate kinds of action as well. Actions that compromise the integrity of a natural system as a viable and dynamic whole are clearly not actions that maintain the integrity of the whole. This formulation serves to define the kinds of action that are allowed and that are required of us by the Kantian ethic; the kinds of
actions regarding nature that are required of us in order for us to be moral beings. This formulation, then, can serve as a universal (categorical) imperative for our actions concerning nature.

**Contextual Factors**

Our duty to preserve nature viewed wholistically results in a universal moral maxim. Like the Categorical Imperative, this is not a maxim for action, but, rather, a maxim for thought about action. The Kantian environmental ethic results in duties on our part towards the non-human parts of nature. Due to the "play-room" in ethics, however, these duties are only general guidelines for thought about action. How these duties are translated into actions will depend upon a number of contextual factors. Some, although perhaps not all, of these factors are: the type of area and its condition; the level of ecological knowledge and technology; and the portion of the human population that is held to be involved and their economic considerations.

The type of area and its condition, as contextual factors, can result in actions which, differing greatly between areas, are nonetheless ethically appropriate to their contexts. At the present time, brushtail possums (*Trichosurus vulpecula*) are posing a serious threat to the integrity of the New Zealand ecological system. The animal was imported into New Zealand in order to establish a fur trade. Native to Australia, in New Zealand the brushtail
possum has no predators other than human trappers. In the late 1980's the bottom fell out of the fur market; the number of New Zealand trappers declined by 70%. As a result, the brushtail possums are increasing in population at a dramatic rate, and consuming various plant species at an alarming rate. Many of these plant species exist nowhere else in the world. Consequently, the New Zealand government is involved in efforts to reduce the possum population. Neighboring Australians, however, are bringing pressure on New Zealand to cease its governmental trapping programs. The brushtail possum, which is native to Australia, is fully protected from human predation in its home country. In Australia, however, the possum has a number of natural predators which serve to keep the possum population in check. Because the possum has natural predators sufficient to control its population in Australia, protection of the animal from human predation is appropriate. Lacking such natural predators in New Zealand, the duty to preserve natural systems makes trapping of the animal an appropriate action.

The level of ecological knowledge and technology are also contextual factors which ought to be considered when deliberating on action involving the non-human parts of nature. In 1973, a program was enacted to save from

---

extinction the red wolf (*Canis niger*) of the southeastern United States. Between 1973 and 1980 four hundred animals were captured and examined. It was found that, over time, the red wolves had hybridized through breeding with local coyote populations. Of the four hundred animals examined, only forty wolves were judged pure red wolves and, thus, suitable for captive breeding efforts.⁶

In *Last Animals at the Zoo*, Colin Tudge examines the past and future role of zoos as breeding facilities for endangered and threatened species. Tudge admits that the number of breeding members of a species necessary to successfully maintain the species over a significant period of time can vary from species to species. He posits, however, a "ballpark figure" of five hundred breeding members as necessary in order to maintain 90% genetic diversity over two hundred years.⁷ Even if we cut Tudge's "ballpark figure" by 90%, when applied to the red wolf preservation effort, the forty wolves which constituted the captive breeding stock may well have been insufficient in number for long term success. This is not to imply that the red wolf preservation effort was wrong at the time it was begun. But it does seem to indicate that, if presented with


a similar situation in the future, we will need seriously to question the rationality of an effort to preserve a species which has insufficient breeding stock. One effect of Tudge's work may be a redefinition of such terms as 'endangered' and 'threatened'.

As already established by the application of Kant's moral theory, public actions ought to arise out of public discourse. The portion of the human population considered to constitute the 'public' is another contextual factor for deciding morally appropriate actions regarding the nonhuman parts of nature. Actions involving nationally owned or commonly held areas ought to be the result of public discourse involving the citizens of the nation. Due to the inherent interdependence of global, life-sustaining cycles and processes, there are actions which ought to arise out of public discourse on an international scale. Also, there are vast areas on this planet that are owned by no individual or country, and thus, in a sense, are owned by everyone; e.g., the oceans. Questions concerning these areas ought likewise arise out of public discourse that is global. Finally, there are questions concerning actions undertaken at a local or national level which, because the actions result in global effects, ought to arise out of discussion that is global, or at least global in view. For example, although the rainforest of Brazil is Brazil's rainforest, the effects caused by its destruction are global. Global discussion
concerning the fate of such rainforests is appropriate. Closer to home, the fact that Americans, who constitute less than 5% of the world's population, use almost 25% of the planet's energy to sustain a life-style and economy which are based on production and consumption of material goods, makes that life-style and economy, as it is presently sustained, morally questionable. This is not to say that we must, necessarily, reduce our standard of living to that of less developed nations. I suggest, however, that our disproportionate consumption of finite energy requires us, as moral beings, actively to seek out alternative energy sources. What we claim for ourselves as a right, we cannot deny to other persons. To consume finite energy sources in a way that, ipso facto, denies other persons and nations an energy supply sufficient to attain to a life-style commensurate with that which we enjoy, is to make an exception of ourselves. Such exception-making is not compatible with Kantian moral theory.

In conclusion, the Kantian approach results in an environmental ethic that is wholistic and non-utilitarian. As fully human beings we have duties to ourselves, to others, and to the non-human parts of nature. Among these latter duties are the duty to preserve nature-viewed-wholistically, to preserve a nature of changing diversity. This duty, in turn, requires that we preserve ecosystems as integral wholes. Preserving natural wholes, in some cases,
also entails the preservation of species. Our actions regarding the non-human parts of nature, as public actions, ought to arise out of public discourse. It is clear, then, that no single voice can accomplish the task of fully delineating the Kantian environmental ethic. What each of us can, and ought, do is participate in and contribute to the effort.
WORKS CITED

Primary Sources


Secondary Sources--Books


**Secondary Sources—Articles**


