

Review and Examination of *the Rights of the Nature*

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Abstract

This article surrounds Roderick Frazier Nash and his research on wilderness, conservation, and rights of nature. It reviews Nash's masterpiece, the Rights of Nature: A History of Environmental Ethics, and examine how he employs materials in view of nature, and its related ethics. Also, comparative analysis of the viewpoints on the opinions on environmental movement is also presented in Nash's book and Christopher Rootes' article "Environmental Movements"

Keywords: environmental ethics, rights of nature, environmental movement

Roderick Nash is considered the foremost wilderness historian in the United States with numerous books and over 150 essays since he finished his dissertation, as one of the foundational texts of the field of environmental history, at the University of Wisconsin–Madison in 1970s. As a firm believer in environmental education and concerns of Americans toward the idea of wilderness, he discusses the different attitudes that humans

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have toward nature, from multiple perspectives of philosophy, social science, law, and history, to redefine the relationship between nature and human being. In his following years, he helped to create environmental studies in the UC, Santa Barbara. His concepts about wilderness, environmental protection, and rights of nature not only have promoted intense arguments in the academic circle, but also facilitated social movements in the fields of environmental protection, establishment of national park, green industry, and fight against polluted corporations.¹

1. Review of the Book:

In his book, Professor Roderick Frazier Nash discusses history and the implications of extending ethics to nature. From the economics, emotional, and intellectual aspects, he discussed the evolution of rights toward the animals even to nature from the natural rights concepts developed by John Locke. He believes that the present-day animal liberation ideas and radical environmentalism are extensions of the American liberalism.

In the first chapter, Nash stated that following the development of western ethics, intellectuals began to pay attention on the issues of relationship with animals and nature while the natural rights advanced. The inclusion of animals in the area of ethics was seen in the many works of 17th and 18th century philosophers, scientists and writers. Their discussions were on account of anthropocentrism coupled with a utilitarianism perspective that regarded animals and nature as auxiliary beings beneficial to mankind. Based on the thoughts, they argued against abuse of nature and animals. For example, Jeremy Bentham argued for “an end to cruelty toward animals”; John Lawrence proposed the “Rights of Beasts”

¹ The discussion of development of environmental concepts and ethics could be seen: Kay Stables and Steve Keirl edited, *Environment, ethics and cultures: design and technology education's contribution to sustainable global futures* (Rotterdam: Sense Publishers, 2015); William P. Kabasenche, Michael O'Rourke, and Matthew H. Slater edited, *The environment: philosophy, science, and ethics* (Cambridge, Mass.: MIT Press, 2012); Warwick Fox, *A theory of general ethics: human relationships, nature, and the built environment* (Cambridge, Mass.: MIT, 2006); John Foster edited, *Valuing nature?: ethics, economics and the environment* (New York : Routledge, 1997); Robin Attfield, *The ethics of the global environment* (Edinburgh: Edinburgh University Press, 2015); The analysis about the relationship between economic development and environmental protection: Grant Ledgerwood and Arlene Idol Broadhurst, *Environment, ethics and the corporation* (New York: St. Martin's Press, 2000); Sherry Hoskinson, and Donald F. Kurato edited, *The challenges of ethics and entrepreneurship in the global environment* (Bingley, UK: Emerald Group Publishing Limited, 2015); Peter Y. Paik and Merry Weisner-Hanks edited, *Debt: ethics, the environment, and the economy* (Bloomington: Indiana University Press, 2013); The discussion on environmental issues, social reform and mobilization: Mario Diani and Doug McAdam edited, *Social movements and networks: relational approaches to collective action* (New York: Oxford University Press, 2003); Peter A. Coclanis and Stuart Bruchey edited, *Ideas, ideologies, and social movements: the United States experience since 1800* (Columbia: University of South Carolina Press, 1999); David Naguib Pellow and Robert J. Brulle, *Power, justice, and the environment: a critical appraisal of the environmental justice movement* (Cambridge, Mass.: MIT Press, 2005); Rik Scarce, *Eco-warriors: understanding the radical environmental movement* (Chicago : Noble Press, 1990).

and detested bull-baiting and cock-fighting though accepted fox hunting. Although their main concern was for domestic animals, humanitarianism urged people to realize that cruelty to animals is morally wrong. This particular stand grew more popular in the 19th century. For instance in England, Richard Martin and other English humanitarians organized the Prevention of Cruelty to Animals (RSPCA) in 1824.² In 1826, English government passed the British Cruelty to Animals Act and required the practice of vivisection “only if animal pain was minimized with anesthetics”. Henry Salt pointed out the concept of “*jus animalium*” that posed the claim “if humans have rights to life and liberty, so do animals”, and believed that “democracy expanded to include all people and all nonhuman beings.” (pp.28-29). Nash closed this chapter by stating that although the term “environment” was yet mentioned as ethics vocabulary in the 19th century England, a country the ethic thoughts were prevailing, but the humanitarianism in British “was an ideological building block leading to environmental ethics “(p.31), and had an extremely profound influence on America.³

Nash went on discussing ideological origins of American environmentalism in Chapter 2. He affirmed that from 18th to 19th century the development of the rights of nature in America from 18th to 19th century was far behind which in the contemporary England. This was caused by certain factors such as: (a) since majority of U.S. territory was wilderness, “the idea of living ethically and harmonious with nature was incompatible with American priorities”; (b) American society traditionally focused on slavery issues, and no room to discuss for further rights advancement; (c) Americans felt that protecting nature was solely for recreational and utilitarian purposes, even national parks were established with these intentions in mind.⁴

Nevertheless, the advocacies of some forerunners like Henry Thoreau, John Muir, and Henry Berge caused humane movement and related reform movements such as vegetarianism and antivivisectionism to gain ground in the U.S. After the abolition of slavery and the spread of Charles Darwin’s thoughts of altruism through natural selection in 1860s, Americans began to value animals and nature and granted certain rights for them. For instance, Edward Payson Evans claimed “nonhuman life-forms held intrinsic rights that humans ought not to violate”; John Howard Moore emphasized that “All beings have not equal rights, but all have rights.” In this light, Evans, Moore and others stepped stones toward holistic environmental ethics in the United States.⁵

²Roderick Frazier Nash, *The Rights of Nature: A History of Environmental Ethics* (Madison, Wisconsin: The University of Wisconsin Press, 1989), pp.23-25.

³ *Ibid*, pp.28-31.

⁴ *Ibid*, p.35.

⁵ *Ibid*, pp.51-54.

In Chapter 3, Nash turned his focus on the growth of American ecological awareness in the 19th and 20th century. He wrote how the numerous researches made on botany, horticulture, and biology by the western world in the 20th century proved the interdependence that exists among species. These studies suggested that man is not the master of nature but merely a part of it, and thus, man cannot use nor abuse any of the other species or natural resources for the sake of selfishness. In line with this, many scholars emphasized that “every being had a place in the ecosystem” through the wide-ranging environmental ethic category.⁶ Aldo Leopold, the pioneer of American environmental ethics, also influenced by these thoughts. He transformed his basic concepts from utilitarian conservation to the claim that “the indivisibility of the earth – its soil, mountains, rivers, forests, climate, plants and animals was sufficient reason for respecting the earth not only as a useful servant but as a living being”.⁷ His land ethics stated that the earth is a “biotic team”, and the life forms that share planet with people should be allowed to live as a matter of biotic right, regardless of the presence or absence of economic advantage to us.⁸ Although Leopold’s concept strongly influenced America’s ecological awareness, it was not widely accepted prior to 1940s.

In 1950, Joseph Wood Krutch endeavored to popularize and expand Leopold’s ideas. He stood by his belief that “people must be part...of the natural...community”, “the wanton killing of an animal differs from the wanton killing of a human being only in a degree”. Supporters for Krutch also appeared from the field of science such as bacteriologist René Dubos who declared the use of “antibiotics to control disease-causing germs but not exterminate them...people and germs should coexist.”⁹ Another one was Rachel Carson who redefined “pest” and questioned the proper use of DDT and other pesticides. Carson proposed “reasonable accommodation between insects and people” and believed that man should “share our earth with other creatures”.¹⁰ Dave Ethrenfeld and others further claimed that “according to the biocentric reading of environmental ethics, there was no logical reason for discriminating against the virus just because it was small and harmful to humans” .These scientific and philosophical thoughts extended the limits of America’s traditional liberalism to include nature. In this regard, the American government passed the Wilderness Act in 1964 and the Endangered Species Act in 1973.¹¹

⁶ *Ibid*, p.62

⁷ *Ibid*, p.66.

⁸ *Ibid*, pp.69-70.

⁹ *Ibid*, pp.76-76.

¹⁰ *Ibid*, p.81

¹¹ *Ibid*, pp.85-86.

In Chapter 4, Nash further discussed the evolving religious views on ecological sense. First of all, he cited remarks of Lynn White who argued that for thousands of years Judeo-Christian tradition made up the dualistic ethical system in the Western society that “discriminated so sharply between people and the environment“(p.88). Animalism was also regarded as traditional paganism whereby the Western society had no misgivings about exploiting natural resources. White received numerous criticisms from the religious figures who thought that his arguments were partial and biased. Therefore, the religious circles tried to refute the statements of White by tracing back to the theological theories on relationship between human and nature during early Christianity. Rene Dubos found the theological ideas of 6th century San Benedict who developed the idea of “Christian stewardship.”¹² Walter C. Lowdermilk’s work entitled “The Eleventh Commandment” completed the trinity of man’s responsibilities – to his Creator, to his fellow men, and to Mother Earth.¹³ Joseph Sittler, Richard A. Baer, Jr., Paul Santmire, and other scholars continued to build up “ecotheology” to strengthen the bond between God and nature. Also, many Americans had begun to search for the relationship of human and nature in oriental religions such as Taoism, Jainism, Shinto, and Buddhism. Thus, after 1960, “ecotheology had not only become a new word but a compelling world view“.¹⁴

Chapter 5 presents Nash’s opinions on the philosophy of greening. Traditionally, America’s liberalism focuses on human’s freedom. The minorities’ fight for equality in 1960s echoed the liberation of slaves in 1860s. The boundaries of America’s liberalism finally extended to all humans after 1960s. In 1970, liberalism went beyond human and began to embrace some nonhumans (animals) and all nonhumans (planets, insects, viruses) as well. Therefore, questions like “Does nature possess interest, value, or rights?” and “How far should morality go in connection with environmental ethics?” were posed in philosophical discussions. As early as 1940, Leopold already promoted the idea of biotic rights. In 1960, Joel Feinberg stated the possible use of “the interest principle” to determine what sort of beings or things could possess rights.¹⁵ Christopher D. Stone gave more radical views by asserting that besides possessing rights, nature should be treated equally with men – “to bring the environment into the society as a rights holder”.¹⁶ Moreover, Peter Singer supported “animal liberation” and “linked the defense of animals to liberation movements benefiting

¹² *Ibid*, pp.96-97.

¹³ *Ibid*, p.111.

¹⁴ *Ibid*, p.120.

¹⁵ *Ibid*, p.126.

¹⁶ *Ibid*, p.130.

human minorities such as women, blacks and gays “.¹⁷Beyond 1970, more radical ecologists campaigned for deep ecology, ecological egalitarianism or ethical holism. They adopted the positions of biocentrism or anti-anthropocentrism, rather than anthropocentrism, and affirmed that environmental ethics should include nonhuman life and nonliving matters, and all have equal rights. Their concept became the foundation and the driving force of modern environmental movements.

Nash focused his discussions in Chapter 6 on the development of environmental movement and its related legislation in the Western World. The Animal Welfare Act (1966), the Marine Mammal Protection Act (1972), the Endangered Species Act (1973) and other laws are responses to the growing environmental awareness of Americans. However, interest conflict may arise between human and nature. And the question followed is whether humans should sacrifice the practical interest to meet the goal of environmental protection. For example, the question was posed whether dam building should be suspended for the sake of protecting the environment or should it proceed for human’s convenience. On September 1979, Tennessee’s House of Representative John Duncan added an additional rider in the Endangered Species Act (1973) which aimed to limit it. This kind of political manipulations reflects that the constraint of environment movements for legislative reforms. Thus, radical environmental movements continued to emerge after 1970s. These radical environment activists embraced deep ecology and similar ideologies and were inspired by the social movements in 1960s. They even applied for the similar ways such as sit-ins and civil disobedience. The groups successfully made the society to concern about the environmental issues. In the end part of this chapter, Nash introduced Greenpeace, Animal Liberation Front and other organizations, as well as Paul Watson and other environmentalists, their ideas, efforts and actions.

In the epilogue, Nash compared the abolitionism in 1860w with the present-day environmentalism, and later confirming the similarities between the two. Once again, Nash reiterated that environmentalism the extension of American liberalism. He stressed that though the environmental movements are obviously hindered by many difficulties but just like American liberalism that overcome all the difficulties, environmentalism will rise and advance rightfully in the future.

Conclusively, the environmental movement is present and proceeding with its intense connection with the contemporary social movement. It inevitably possesses some features

¹⁷ *Ibid*, pp.137-138.

learning from the social movements' experiences in 1960s as well as some parts still wait for evolution. Since Nash's book began circulation in 1989, Nash has felt the initial momentum of environmental movements and has given quite an impressive forecast on its potential as particular form of social reform and protection.

2. Materials Examination:

Nash's skillful use of materials was very impressive and apparent in his attempt to describe the awareness on environmental movements. His historical data were extensive and included the perspectives of concerned individuals from different fields, namely: philosophy, science, social sciences, religion, political science, legislation, and ecology. Nash also consulted a broad range of books and essays related to nature and environment, making his book an encyclopedic discussion on environmental ethics.¹⁸

Nash thoroughly discussed his materials in the Afterword. Under "Selected Bibliography", this author gave a list of suggested readings and monographies about deep ecology, contemporary nature-oriented moral philosophy, environmental ethics, general histories of the human-nature relationship, intellectual history and environmental philosophy, environmental theology and other subjects, respectively. Nash's personal interviews with radical environmentalists such as Paul Watson, Zygmunt Plater, and others deepened his understanding of the qualities and practices of the current environmental movements.

3. Comparative Analysis:

Nash's urges upon the promotion of awareness of environmental ethics and concerns of rights of non-human creatures and even the ecosystem earn increasing support in the American society in recent years. Particularly, the theorists in the environmental movements seriously challenged and disputed his suggestions and ideas. In this part, Christopher Rootes's thoughts will be proposed with a comparative perspective with Nash.

Did Nash and Rootes reach at the same conclusions about environmental movements? Rootes addressed his point first by discussing how academic circles have recently defined the term environmental movement. He stated that "networks, collective action, and shared identity or concern" are very important qualities but "may not be the same in all countries at any point in time," perhaps because "the linkages amongst the constituent actors and organizations of an increasingly mature environmental movement are not always readily

¹⁸ Peter W. Bakken, "Book Review," *Journal of Religion*, Oct 90, Vol. 70 Issue 4, pp.662-663.

visible.”¹⁹ In addition, Rootes affirmed that the environmentalism has evolved through four stages: conservation, preservation, reform environmentalism, and deep ecology. Its development attests to how humans have in so far regarded nature – from the utilitarian purpose, “recognizing humankind as part of nature”, to “all living things are part of a single natural system”.²⁰ This perspective absolutely corresponds with the intellectual discussion about the evolution of rights of nature given by Nash.

Rootes elaborated the political room that the New Left and student revolt in 1960s had created for the development of environmental movements in the U.S. He also gave further details about “the fourth wave” – deep ecology and its strands like ecofeminism and eco-theology, etc. In addition, Rootes assiduously compared the origin, objectives, and practices of important environmental organizations and movements at present like Greenpeace, Friends of the Earth (FoE), and Environmental Justice Movement (EJM). In short, while Rootes focused heavily on the practical aspect and possible challenges that may hinder modern environmental movements, Nash’s emphasis was on the development of environmental awareness among intellectual circles without enough contents for its practical activities upon social reform and legislation.

According to Rootes, certain trends like localism and community-based development exist among the environmental movements in advanced or developed countries. He also compared the growing number of global environmental movements nowadays. He believed that in developed countries, since their environmental awareness has become the common social consensus, certain measures may be modified or improved on the government level, other than direct actions, in order to achieve their objectives. Thus, they do not need to resort to radical means in expressing and defending environmental issues. In other countries, however, the developments of environmental movements are more diverse. Taking for example, the development of environmental movements in certain countries seem to go hand in hand with their domestic democratization; while in some, the movements are still in their formative stage that they require the support from First World EMOs and human rights organizations in order to survive. Nevertheless, Rootes believed that the environmental movements’ progress after 1970s showed a continuous upward trend, which sometimes testify the theory and concerns that Nash had suggested in the Rights of the Nature and his other writing works.

¹⁹ Christopher Rootes, “Environmental Movements,” p.611.

²⁰ *Ibid*, pp.612-613.

Conclusion:

To sum up, Nash's book, published in 1980s, served as the one of early academic group to stress the evolution of human's idea toward the rights of nature. He defined modern environmental awareness and movements with American liberalism. However, perhaps due to the reason of earlier publishing, Nash highlighted less about the relationship between modern environmental movements with social movements in 1960s, and he also paid less attention than on the recent growth of global environmental movements. However, Nash still stood as one of the pioneers to aware the importance of the environmental movements. His work shows the origin of environmental concerns among all other social movements, leading it to be one of the most significant issues to advance and achieve global recognition in the future.

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