



The Moral Standing of Trees?

There are two ways of trying to extend moral consideration to trees and other plants: legal reasoning and a philosophical consideration of intrinsic value. This essay addresses the latter, for a difficulty with legal considerations is that law is a human institution that works well in defending the intrinsic value of human beings, however, when it is used to defend the lives of animals or plants it usually does so by appealing to human interests. Further, legal considerations ultimately rest on philosophical concepts, the most pertinent for this issue being the notion of rights.

Hence, the question concerns whether or not philosophical argument can successfully establish the intrinsic value of trees? Or, to put it another way, can trees be the object of moral concern in the way that human beings and animals are? Of course, one can—in a Utilitarian fashion—argue that any being that experiences pleasure and pain (e.g., that is “sentient”) warrants our moral concern, but in doing one blocks extending consideration to non-sentient beings such as trees since they do not have the sense organs or nervous system necessary for the experience of pleasure or pain.

However, trees are not on par with, say, stones since they are living things that have the capacity to respire, grow, and perish. It could also be argued that they have “interests” in that they strive to mature, reproduce, or, more generally, flourish after their natural kind. Some who make this kind of argument rely on Aristotle’s notion of soul as described in his *De Anima*.¹ There, he observes that there are three kinds of soul (nutritive, sensitive, and rational) that are characteristic of plants, animals, and human beings (respectively). The reason why this line of thought is stressed in this context is because the soul of the human being is distinct from that of other species (since it is rational) but it shares certain properties with them. That is, human beings have both nutritive and sensitive aspects since they require nutrition in order to grow and since they have the capacity to experience pleasure and pain in the way that animals do. This explains why the term “flourish” can be used in describing the state of development of any kind of soul for, in any case, flourishing entails developing in an environment that makes possible the full development of the organism’s latent tendencies. In Aristotle’s terms, the flourishing soul is one that is well on its way to realizing its inherent end or *telos*.

Do we then have the obligation to ensure that other beings flourish? Aristotle is clear that our own flourishing is contingent upon the fact that we develop in a community of individuals that determine the quality of our development. We must have parents, family, friends, and fellow citizens in order to become fully human and our character ultimately depends upon the social environment that they provide. A difficulty arises, however, since the flourishing of plants and animals is indeed good for them, but it does not guarantee their intrinsic value since, for Aristotle, what guarantees such value is the

possession of a *rational* soul. Indeed, Aristotle was skeptical that slaves, women, and barbarians were capable of developing a rational soul, however it can be argued that he was being short-sighted and that he could not see—presumably for cultural reasons—that all human beings, sentient creatures, and plants warrant moral consideration since they all are capable of flourishing and actualizing the goods of their kind.² More specifically, the continuity that exists between different kinds of soul or species provides grounds for considering the intrinsic value of trees and other plants since it gives us insight into the goods of plant life. Indeed, we can appreciate the “interests” of plants since we too desire to grow and to have our basic needs met. To take an example, our rational minds are directly influenced when such needs are not met, that is, when we lack clean air or do not get enough good food or water the body and the mind are both negatively affected. However, the crucial difference is that human beings are manifestly aware when their needs are not met and, as mentioned a moment ago, we have no reason to think that trees and other plants are aware of whether or not their needs are being met. They cannot be satisfied or frustrated with their current conditions in the way that animals and humans can.

But perhaps we can take a different route by considering the virtues. Aristotle held that the moral life entails acting virtuously and avoiding the vices that keep us from flourishing and being happy.³ If this is the case, then the question becomes: are there any virtues that should be enacted in our dealings with trees? The virtues discussed by Aristotle presume interactions among human beings but perhaps they can be extended. The most relevant seem to be sympathy, justice, generosity, and reciprocity.

(a) *Sympathy* entails concern for the suffering of another, however, since plants

cannot suffer in any literal sense, sympathy for them is misdirected. Of course, one can sympathize with a tree if it is damaged or threatened but only if one ascribes human characteristics to it. One may sympathize with a tree that has been toppled by a storm since what was once majestic is now vulnerable and subject to death. In doing so one may see one's own vulnerability (and possibly impending death) but this has little to do with the tree itself. Sympathy, then, is not relevant for our dealings with plants.⁴

(b) *Justice* entails giving a thing its due, either by rewarding it for the goods that it has brought about or by punishing it for the evils that it has produced. There are two reasons why this virtue is inappropriate to extend to plants or animals. The first is that we do not reward or punish a being if its behavior cannot be helped, that is, it is contrary to justice to reward or punish something for doing things that it could not control. Justice is applicable only when the subject is aware of the consequences of its actions. For this reason we punish neither minors nor the insane and we do not reward those who unintentionally do good things. Justice is not applicable to trees since they cannot act in any sense of the term. The second reason is that the rewards and punishments that are given in order to enact justice are pointless if the subject is incapable of becoming aware of them. Hence, one could "reward" a fruit tree for bearing delicious fruit by protecting it from the cold and one could "punish" it by letting it freeze, but this is senseless since the tree is incapable of recognizing such actions.⁵

(c) *Generosity* is possibly more applicable to plant life since it entails giving to another unselfishly. I say "more applicable" since many environmental philosophers argue that it is humankind's selfishness or self-interest that is at the root of our environmental crisis.⁶ If, on the other hand, we acted generously toward the environment

(and more generously in general) then this would drastically change our current trend of consuming with reckless abandon. There are two problems with this approach.

The first is that in order to be generous one must have something to give and consequently generosity is pertinent for those who have extra resources.⁷ However, if scarcity becomes prevalent, then the practice of generosity will likely decline and this will produce negative outcomes for the natural environment. To put it another way, in conditions of scarcity individuals will do whatever they can to waylay their hunger and thirst and will care little about sustainability, endangered species, and so on.⁸ A related difficulty is that generosity often implies a relationship between a superior and an inferior, one that is at odds with the relationships of mutuality advocated by ecologists and conservationists. These difficulties demonstrate that generosity may be relevant for our dealing with the natural environment, but it does not go far enough in establishing the intrinsic value of the trees themselves.⁹

(d) *Reciprocity* entails creating mutual exchange in order to establish, maintain, and develop relationships. Among people, reciprocity is essential since it provides the social equilibrium necessary for fruitful relationships. For example, a friendship must be reciprocal in the sense that both individuals contribute something significant to the relationship and that both benefit from the other's contribution. Further, both individuals must enjoy being in the company of the other. If reciprocity breaks down, then the relationship either only benefits one of the participants or worse, benefits neither. For this reason, reciprocity is essential for relationships between parents and children, husbands and wives as well as citizens and politicians.¹⁰

An interesting fact about this virtue is that it is also relevant for relationships in

which an individual engages a practice or institution with an established tradition. For example, an artist will ideally benefit from her artistic education and then go on to carry on the practice by teaching the next generation of students and/or by developing innovative techniques, methods, or theories. In this way, the individual and the tradition mutually benefit one another. Indeed, many social institutions function in this manner, for example, one can reciprocate a gift of blood by either donating blood in return at a later date or by financially supporting the American Red Cross.

Of course, institutions are not individuals, but they are composed of individuals with specific needs and wants and, for this reason, when one considers whether or not one should reciprocate to non-sentient beings, one will more than likely reply in the negative since institutions are human endeavors.¹¹ Regardless, a question that must be considered concerns whether or not a debt can be created through interaction with non-human species, for if a debt is created, then this would demand reciprocal action in the way that the debt accrued through social action (such as receiving blood and other services) does. The second part of this essay will consider the notions of debt and gratitude as they relate to the virtue of reciprocity.

Eric C. Mullis
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2 – For a discussion of this issue see Ward, Julie K., ed. *Feminism and Ancient Philosophy*. New York: Routledge, 1996.

- 3 – *Nicomachean Ethics*, 1097b22-1098a20.
- 4 – It should be said that Aristotle did not consider sympathy to be a virtue. However, sympathy has been stressed by those who have developed Virtue Ethics in light of the limitations of which Aristotle was unaware. See Philippa Footé, *Virtues and Vices and other Essays in Moral Philosophy*. Oxford: Oxford University Press, 2003.
- 5 – Aristotle’s discussion of justice can be found in Book Five of the *Nicomachean Ethics*.
- 6 – For example see Thomas E. Hill Jr., “Ideal of Human Excellence and Preserving Natural Environments” in *Environmental Ethics* 5 (1983): pp. 211-224.
- 7 – This is not to say that generosity is only possible when one is wealthy, for it is clear that people often act generously in dire circumstances. However, it can be argued that, generally speaking, generous behavior is more frequent when resources are prevalent, that is, when there is a significant amount of goods to share.
- 8 – One could cite cases of poor native populations ignoring restrictions on hunting endangered species in light of their pressing physical and economic needs.
- 9 – Aristotle discusses “liberality” in Book Four of the *Nicomachean Ethics*. In the first chapter he argues that it “is more distinctive of virtue to do good to others than to have good done to you, and to act nobly than not to act basely: but it is plain that doing good and acting nobly go with the giving, while having good done to you and not acting basely goes with the taking.”
- 10 – Aristotle does not discuss reciprocity per se since he views it as justice applied to familiar relationships. For an incisive discussion of the virtue see Lawrence C. Becker, *Reciprocity*. Chicago: University of Chicago Press, 1990.

11 – This is another reason why legal reasoning is out of place in discussions about the intrinsic value of non-human species. Reciprocity is relevant for the relationship between individual citizens and the institution of law in that they should mutually benefit one another. Of course, animals and plants cannot enter into a reciprocal relationship with any human institution.