How Should We Live?

Everyday ethics in Aotearoa New Zealand

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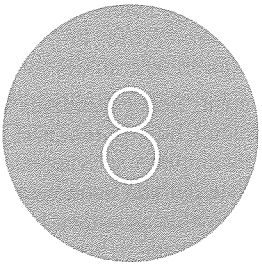

The Environment

STEPHEN DUFFIN

Introduction

Environmental ethics attempts to study the value, moral status and relationship between humans and the environment of which they are a part. The challenge has been to overcome the anthropocentric attitude that appears to be embedded within Western thought. This chapter will look at the history of a recent development in New Zealand where a tract of land was granted the rights of a person. The discussion will include both the progress made by philosophers to overcome the Western anthropocentric attitude towards Nature and the Māori views regarding the environment, and show how these two views have influenced this important decision.

Anthropocentrism

The Te Urewera Act of 2014 saw the New Zealand government give up formal ownership of an 821-square-mile section of land in the North Island. Known for its lakes, forests and natural beauty, Te Urewera had been a national park from 1954 until the Act took effect in 2014. From then on the land became a legal entity with all 'the rights, powers, duties and liabilities of a legal person'.[1] Personhood, among other things, means that lawsuits to protect the land can be brought on behalf of the land itself: something similar to the legal status that companies enjoy.

This result is central in the quest to recognise the value and attribution of rights to the natural world. This outcome is all the more surprising given that traditionally, Western ethics has denied any direct moral obligation to the natural environment. Its approach has been human-centred or, as we say, anthropocentric. The words of ancient Greek philosopher Aristotle are typical of this view:

> Plants exist for the sake of animals . . . all other animals exist for the sake of man, tame animals for the use he can make of them as well as for the food they provide; and as for wild animals, most though not all of these can be used for food and are useful in other ways; clothing and instruments can be made out of them. If then we are right in believing that nature makes nothing without some end in view, nothing to no purpose, it must be that nature has made all things specifically for the sake of man.[2]

In the thirteenth century, Thomas Aquinas, a medieval philosopher and theologian, put the issue into a more theological perspective when he said:

> We refute the error of those who claim that it is a sin for a man to kill brute animals. For animals are ordered to man's use in the natural course of things, according to divine providence. Consequently, man uses them without any injustice, either by killing them or employing them in any other way. For this reason, God said to Noah: 'As the green herbs, I have delivered all flesh to you.'[3]

The influential French philosopher René Descartes (1596–1650) also reinforced the view that mankind and Nature are separate and distinct when he argued that all reality is composed of two substances: 'minds' and 'bodies'. The mind, or soul, is non-material and includes

all thinking, consciousness and sensations, whereas the body has material qualities and works like a machine. Humans are the only ones that have consciousness, minds or souls. Non-human animals, however, while living and organic, are automatons. This attitude contributed to the notion of a division between humans and the rest of Nature. Descartes' views were persuasive and are still held by many today. It would appear, then, that the Western philosophical tradition has been unfriendly to the idea of moral responsibility towards the environment. But it isn't only the Western philosophical traditions that may have contributed to this anthropocentrism; some also point the finger of blame at Western religious traditions.

In 1967, medieval historian Lynn White Jnr published his influential paper, 'The Historical Roots of Our Ecological Crisis'.[4] White contended that our current ecological crisis is due to the 'orthodox Christian arrogance to nature', which, he argued, is rooted in an anthropocentric attitude traced back to the book of Genesis in the Bible. God tells Adam and Eve to multiply and replenish the earth and subdue it — and have dominion over it (Genesis 1:28). White contrasted the anthropocentric Christian attitude to that of pagan panpsychicism where spirits are believed to be in all things, including inanimate objects. In the pagan worldview, animals, trees and rivers are viewed as sacred, so it is wrong to harm them without good reason and without performing the necessary rituals. Not surprisingly, White's paper caused a bit of a stir. The following two passages from Genesis indicate the attitude that White was concerned with:

> And God said, let us make man in our image, after our likeness: and let them have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and over every creeping thing that creepeth upon the earth.[5]

> Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.[6]

From these passages of the Bible it appears as if God has created a moral hierarchy in which humans are superior to Nature.[7]

But White's claim was not that this anti-ecological reading is the only or even the most reasonable interpretation of Christian theology, but that it is the one that had been adopted. His focus, though, was not on how one ought to interpret biblical texts, but rather on how biblical texts have been interpreted in the past.

A year later, Lewis Moncrief, an assistant professor in the department of recreation resources administration of the School of Forest Resources, published his article 'The Cultural Basis of Our Environmental Crisis',[8] which replied to White and suggested that, rather than religion, the nature of capitalism and technology had caused the demise of the environment. While agreeing with White that human ecology is conditioned by our beliefs, he disagreed that religion is the primary conditioner of human behaviour. Rather, he placed the blame on technology, democracy, urbanisation, an increasing individual wealth and an aggressive attitude towards Nature.

In addition to this attitude towards Nature, whether it is caused by religion or culture, we might also consider the labour theory of property. This theory of natural law has been used to justify the acquisition of land whereby a person may gain permanent ownership of an unowned resource by performing an act of original appropriation, such as working the land. In his *Second Treatise on Government*, the English philosopher and physician John Locke (1632–1704) outlines how this can be achieved.

John Locke and property rights

According to Locke, prior to cultivation, land is 'waste' provided by God for use. 'Tis very clear,' he says, 'that God, . . . *has given the Earth to the Children of Men*, given it to Mankind in common.'[9] However, the main concern is how private property arises prior to, and without permission of, all of the commoners. Locke's problem, then, is how the concept of private property can emerge from that which is held in common. Locke justifies his position by saying that:

> God who hath given the World to men in common, hath also given them reason to make use of it to the best advantage of Life and convenience . . . yet being given for the use of Men, there must of necessity be a means to appropriate them some way or other before they can be of any use, or at all beneficial to any particular Man.[10]

God gave the world to men in common; but since it was given to them for their benefit it cannot be supposed that it was meant to remain in common and uncultivated. He gave it to be used by the industrious and rational, and labour was to be their title to it. Locke believes that he can establish a connection between external possessions and the human self by claiming that every man has a property in his own person.

From this it follows that the labour of his body is his, and as a consequence the fruits of his labour also. 'Whatsoever then he removes out of the State that Nature hath provided, and left it in, he hath mixed his *Labour* with, and joined to it something that is his own, and thereby makes it his *Property*.'[11] Thus, by mixing their labours with the earth, persons come to have property: cultivated, and thus improved, pieces of land. The earth remains the property of God, but the labourer has a property in his improvement of it.

It could also be asked why Locke uses labour as the means to

appropriation and not something else. Why should it be the case that, just because a farmer in the Waikato cultivates a piece of land, it becomes his? Locke explains it like this: labour is a command from God, for 'God, when he gave the World in common to all Mankind, commanded Man also to labour, and the penury of his condition required it of him.'[12] It may appear that this only gives mankind a duty to labour, not a right to the fruits of its labour. However, God also commands us to preserve our lives, and such preservation can only be achieved by appropriation. Therefore, the right to what we appropriate is necessary to doing our duty, and hence is also the will of God.

His argument looks something like this:

- God gave the world to humanity in common and for its benefit and support.
- Land in common and uncultivated is not of benefit to individuals.
- Therefore, there must be some way of acquiring property, or we would be unable to support ourselves.
- We have property in ourselves (our labour).
- If we mix what is ours (our labour) with land that is held in common, then that land becomes our property.
- Thus, by mixing our labour with the earth we come to have a property: cultivated and thus improved pieces of land.
- Earth remains the property of God, but the labourer has a property in their improvement of it.

There are some difficulties with Locke's account of private property. As the American philosopher Robert Nozick points out:

> This gives rise to many questions. What are the boundaries of what labour is mixed with? If a private astronaut clears a place on Mars, has he mixed his labour with (so that he comes to own) the whole

planet, the whole uninhabited universe, or just a particular plot? Which plot does an act bring under ownership?[13]

Furthermore, why should the mixing of labour with something make one the owner of it? Presumably because one comes to own a previously unowned thing by mixing what is yours (your labour) with it. But as Nozick states: 'why isn't mixing what I own a way of losing what I own rather than gaining what I don't? If I own a can of tomato juice and spill it into the sea so that its molecules mingle evenly throughout the sea, do I come to own the sea, or have I just lost my can of tomato juice?' [14]

Additionally, there is only a limited amount of land, so once some people have acquired land there may not be enough left for others. Locke, however, places some limits on how much property we may take. We must, he says, leave enough and as good for everyone else, and we mustn't take more perishable goods than we can ourselves consume. Locke also believed that there was ample land in the Americas, and in fairness he probably never envisaged the growth in world population. This does highlight another problem, though, for Locke recognised only some uses of land as being legitimate. He would not have thought, for example, that the American Natives were using the land productively, and hence their use of it would not have entitled them to a legitimate claim.

Locke's assertion that land should be used productively is in part due to his abhorrence of anything wasteful. The English theological writer Lady Masham (1659–1708) tells us that Locke's personal attitudes matched his philosophical convictions about waste: 'Waste of any kind he could not bear to see . . . nor would he, if he could help it, let anything be destroyed which could serve for the nourishment, maintenance, or allowable pleasure of any creature.' We know from the same source that Locke abhorred idleness. The idle holding (or

destruction) of what could be used by others, then, whether the goods spoil or not, will be morally objectionable. Land, of course, doesn't 'spoil' in any literal sense when it lies unused; the grass may or may not rot on the ground (depending on the climate and the kind of grass). But land can be wasted (for example, by the idle rich) by lying unused.[15]

Historically, uncultivated areas have been viewed as wild and untamed and a threat to human survival. Often cited is the wilderness found within the religious traditions of Judaism and Christianity. Adam and Eve were banished from the Garden to a wilderness with thorns and thistles; Moses, with the Israelites, wandered in the wilderness for 40 years; and Jesus was tempted by Satan in the wilderness. This symbolism implies that the wilderness is not only a dangerous place, but is also home to the Devil.

When the *Mayflower* arrived in the New World in 1620, the settlers are quoted as having found a 'hideous and desolate wilderness'.[16] The wilderness was an area to be avoided: a place that was forsaken by God and home to the Devil. Yet this was a place where they could escape persecution, and so the wilderness now becomes an area to be overcome, cultivated and in a sense returned to its paradisiacal glory. The Lockean model supports this attitude, as wilderness is viewed as a commodity to be exploited for human gain.

One way to help us understand Locke's argument in favour of private property is to consider what he was trying to achieve by it. The rest of the *Second Treatise* deals with limiting the powers of government. Under the medieval view of kingship, all estates of the realm were held by the king, who then gave some to his lords, who in turn passed it on down a chain of feudal loyalties. In theory, land grants could be revoked at the will of the king. Although this was unlikely, Locke removes even the possibility of it happening by reducing the king's power and setting aside property which is privately held and thus unable to be interfered with.

Whether the criticisms of Locke's theory hold or not, there seems little doubt that it has been influential in how we think about land. It is just a commodity, it has no rights of its own, and the owner, so long as they act within the bounds of local and governmental laws, can do whatever they wish with it. Given these sorts of attitudes to the non-human environment, it will be worth looking at how we have managed to move towards a more non-anthropocentric approach that has led ultimately to the granting of personhood to a piece of land in New Zealand.

Moving from anthropocentrism

The idea that the members of other species, and even the land itself, should be treated well only because of the benefit that we, as humans, can derive from them is a familiar one. The New Zealand farmer who fattens lambs has an interest in the lambs being healthy, but it is generally because the farmer wants the best price for the lamb. It is lucky for the lambs that their interests happen to coincide with the farmer's, at least for a while. Briefly put, we can say that according to the farmer the lambs are of instrumental value, but do not have intrinsic value.

Some things are valued purely because they enable us to obtain other things that are valued. Thus we say they are instruments in obtaining items of value. For example, I value money because it enables me to do things that give me pleasure. Thus money possesses instrumental value for me. This is because it is instrumental in the obtaining of something else that I value. For example, I value money as it enables me to buy a bar of chocolate. This seems to be the start of a chain of items of instrumental value. But it seems that this chain must terminate.

Somewhere down the chain we must come to something that is valuable in and of itself. I value the bar of chocolate for the sake

of the pleasant experiences that accompany it when I eat it. So the chocolate is also of instrumental value, but the pleasant experience that accompanies it is valued for itself. This pleasurable experience is not valued because of what it leads to. We might say, then, that this experience is valuable in and of itself, and thus is what we call intrinsically valuable, whereas things that are valuable because they lead to something else of value are instrumentally valuable.

So how do these terms apply to the environment? Probably the most fundamental question we can ask with regards to Nature and the environment is this: what should be our attitude towards Nature? People value things in different ways. For example, we may consider the forests as valuable because they are pleasant to look at or because we like to go walking in them. We consider them valuable because they are useful as a means to further ends. They are valuable as instruments rather than being valuable in their own right. In the past we have not generally treated other species and land as intrinsically valuable, but on the whole have viewed them as if they had instrumental value only. We treated them as instruments for the production of other things which we value (food and clothing, for example).

But attitudes are beginning to change. In general, people in New Zealand now believe that other sentient creatures (creatures capable of experiencing pain and pleasure, frustration and satisfaction) have a moral claim on us by virtue of their sentience. For example, most in New Zealand now recognise that it is wrong to inflict wanton and gratuitous pain on at least some sentient beings. Extending our consideration beyond just the human species is an indication that our circle of moral concern is expanding.

Expanding the circle of moral concern

Imagine if we start with the self — it seems natural to think of the self as the most valuable thing in the world, and everything else to be

of merely instrumental value. But then we realise the value of other human beings who are close to us — family and friends. Next we extend our moral concern to other human beings. And then, it might be argued, eventually to the members of other species and even to Nature itself.

So what's happening here? What enables us to extend our moral concern in this way? Well, we might reason that the types of things that make *me* valuable are also the same types of things that make my family and friends valuable, and what makes them valuable also makes other beings which are similar to them, in relevant respects, just as valuable. But what is it about us, as human beings, that makes us valuable in the first place?

One answer is simply that we are human beings, members of the species *Homo sapiens*, and it is this membership that makes us valuable. But this answer seems to be lacking. Imagine another species from a different planet that are like us in all relevant respects but with the one exception that they are not members of our species. That is, they are not members of the species *Homo sapiens*. Would it mean that they do not have intrinsic value? It appears that they would have everything it takes to be as equally valuable as us. This suggests that what makes humans valuable isn't just that they are human and thus members of a certain species, but rather it is because they enjoy certain mental states such as rationality, self-consciousness, autonomy, etc. We are now in a position to see that the kinds of states which we recognise to have value and disvalue in human beings (rational, self-conscious, autonomous, etc.) are also shared by other sentient creatures. And so we may feel compelled to include such creatures in the circle of our moral concern.

Beyond sentient creatures, though, there is also non-sentient biological life. Although we might not be able to determine where sentience starts or ends, we can presume that it ends somewhere.

So whether we are prepared to extend our moral concern further is dependent on whether we think that non-sentient biological life has intrinsic value or merely instrumental value. We cannot use the above argument, based on the possession of mental states, to extend our moral concern to non-sentient beings such as plants, forests and ecosystems, so another approach may be required.

Such an approach was given at a conference in 1973. Australian environmentalist and philosopher Richard Sylvan (then Richard Routley) (1935–1996) suggested a thought experiment that helped launch environmental ethics as a branch of philosophy. Sylvan's thought experiment came to be known as the 'Last Man' argument.

His argument, or thought experiment, goes something like this: the last man (or person) alive sets about to destroy and eliminate, so far as he can, every living thing, animal or plant (painlessly if you like). He does this, supposedly, for no other reason than that he can. Sylvan then asks if the Last Man acts wrongly.

Most people intuitively think that the Last Man's behaviour is wrong, yet what he does, according to basic Western anthropocentrism, is quite permissible.

Sylvan argues that the tradition of Western ethics is human-centred (anthropocentric), and thus cannot condemn the Last Man's actions. Nevertheless, on environmental grounds, and according to commonly held intuitions, it is nevertheless wrong.

Here is the argument:

Premise 1. A human action is only wrong if it harms some human being.

Premise 2. The Last Man does no harm to human beings.

Therefore

Conclusion. The Last Man does nothing wrong.

This argument is valid; that is, if its premises are true, then its conclusion must also be true. However, that's not enough; we need an argument that is sound. So in addition to it being valid, its premises must also be true. In this case, if we believe that the conclusion is false, which most people seem to — the Last Man does act wrongly — we must contest at least one of the premises. Sylvan believes that premise 2 is true, and this seems reasonable, for in this thought experiment there are no other humans to harm. So it must be premise 1 that is false. Thus, it is not the case that a human action is only wrong if it harms some human being. Therefore, there are some wrongs that do not harm human beings. Sylvan is now in a position to claim that a new ethic is needed: one that takes into account the non-human element of the environment, and one that recognises that it isn't only human life that has intrinsic value. Sylvan is attempting to move us from a traditional anthropocentric (human-centred) ethic to a non-anthropocentric one.

In 1972, professor of law Christopher Stone argued in his paper 'Should Trees Have Legal Standing?'[17] that we should assign rights to natural objects such as trees and rivers and mountains. Stone's article came about because of a dispute between the Disney Corporation and the American environmental organisation Sierra Club. Disney wanted to build a ski resort in the Mineral King Valley, but the Sierra Club opposed the development and tried to sue the Disney Corporation on behalf of the trees. Stone showed how, over time, the law had moved to a point where rights were now confirmed upon entities and persons that were previously deemed unworthy or incapable of possessing such rights. Women, children, slaves, fetuses, racial minorities and endangered species were all beneficiaries of the drive to give legal rights.

Stone agrees that the idea of granting rights to trees, etc., will be unthinkable to many, but reminds us that at one time the idea of

granting equal rights to women, children and black people was also thought, by some, to be unthinkable. The question might also be asked how trees or other natural objects could possibly be represented in law. After all, they are not like people in that they cannot speak for themselves when they feel their rights have been violated. Stone believes that natural objects could be represented in the same way that companies, persons with intellectual disabilities or those in comas are. A legal guardian or representative would be appointed to speak on behalf of the interests of the natural objects. Furthermore, we can know the interests of natural entities with as much certainty as we do in corporate cases. He claims:

> The guardian-attorney for a smog-endangered stand of pine could venture with more confidence that his client wants the smog stopped, than the directors of a corporation can assert that 'the corporation' wants dividends declared.[18]

Despite the efforts in recent years to widen this circle of moral concern, many will argue that, globally at least, we appear to have made little progress in our relationship with Nature. And yet, as previously stated, a piece of land in New Zealand has been afforded personhood. What is it that is different about New Zealand that has enabled this to happen? Here, I believe, we must turn to the beliefs of the indigenous people of New Zealand, the Māori, and their attitude and ethics regarding the land and its ownership.

The Māori view of land

We have seen how the writings of John Locke have influenced the concept of private property and the notion that we can come to own land by working on it and mixing our labour with it. Furthermore, under this Lockean model, once we own land then we are free to do

almost anything with it that we wish. It is ours and, apart from our responsibility to other humans, we have no moral responsibility to the land itself.

The Māori people of New Zealand have a different attitude towards the land. They describe themselves as 'tangata whenua' — people (tangata) of the land (whenua). Central to this is that Māori narratives speak of Earth-Mother as their ancestor. This image is reinforced when we discover that whenua refers to the placenta as well as to the land. The Earth is their mother who cares for them and they care for her. This attitude in turn fosters a personal relationship with the Earth.

Although Māori don't have the same concept of land ownership as the West, they do speak of having mana over the land. The English understanding of 'mana' is authority, prestige, power or influence. However, it should be remembered that, as with any translation, there may not be any English words that adequately describe such a thing as 'mana'. It appears, though, that mana over the land (whenua) represents some form of power or authority over the land. This notion is different to ownership as conceived of by Europeans. Indeed, Māori experts declare that ownership of land is not a Māori concept. Thus, Judge Eddie Durie: 'One did not own the land. One belonged *to* the land.' Mana whenua, however, has some of the connotations of land ownership, central to which is the idea of some special status or standing in some specific land.[19]

RESPECT FOR ALL THINGS

According to the New Zealand philosopher John Patterson, within the Māori worldview the people of the land, the tangata whenua, afford respect for all creatures within their lands. Patterson claims that 'part of the authority and power of mana whenua is the ability to see to the well-being of all creatures'.[20] However, it is applicable only in the lands in which one has mana whenua. In this respect, tangata whenua

may not have any responsibility outside of the people's own lands. Nevertheless, even though lacking in universality, it seems at least an adequate starting point for an environmental ethic.

Furthermore, aside from this special link that Māori share with the creatures in their particular lands, according to Māori thought we are related to all creatures and are thus responsible for their welfare. 'This means that all of us are responsible for the wellbeing of all creatures, in precisely the ways that kin are responsible for one another, independently of any mana whenua we may have in any particular place.'[21] Such a linking of all creatures through kinship forms a good basis for Māori environmental philosophy.

The roots of this belief in kinship may be attributed to the ancient whakapapa or genealogical tables going back to Ranginui and Papatūānuku, Sky and Earth. After Tāne-Mahuta, one of the sons of Rangi and Papa, had separated Ranginui and Papatūānuku, another son, Tāwhiri, representing winds and storms, turned on Tāne, Tangaroa (the sea god), and Rongo and Haumia (the gods of cultivated and uncultivated food). Only Tū, the war god, was able to pacify Tāwhiri, but in his anger at the other four, who had left him to withstand Tāwhiri on his own, he felt a wish to injure Tāne. Next, Tū took revenge on Tangaroa and similarly on Rongo and Haumia. Having defeated his four brothers of the earth and sea, their offspring were now his food. Unable to defeat Tāwhiri, he remains an enemy of Tū today. Tū, as the god of war, is man, but only the spirit and not the body, for man was not yet made, there being no woman. It was Tāne who was to put this right, not Tū.[22] Although there are different stories as to how Tāne finally acquired a human woman, the most common is that he made one for himself from the soil and breathed into her mouth, thus giving her life.[23]

Even though these myths give a grounding for kinship, it may seem that, rather than giving a feeling of love and care (manaaki) for our kin,

these stories could be interpreted to portray an alternative view, one that fosters competition rather than cooperation. It appears that the spirit of man, at least, is in a constant battle with his other brothers who represent Nature and its elements. Furthermore, the only creation of Tāne's that has life breathed into it is that of a human, which suggests a distinct separation between human life and the rest of Nature.

Another, different interpretation may, however, do greater justice to these myths. As is common in many of the creation myths throughout the world, order is seen to arise out of apparent chaos. If these Māori myths are viewed in this way, we may develop a different appreciation. Out of the chaos and warring between the brothers, a balance and harmony arises between them and a respect for each other. This interpretation is similar to that of the Māori writer and academic the late Ranginui Walker: 'Although Tū emerged superior, he was a god made in man's image and likeness, he was neither vanquished nor victorious over Tāwhiri. The elements wage continuous war against man, who in turn has to maintain constant vigilance.'[24] Thus, too, should all things enjoy a mutual respect: the elements, Nature, forests and plant life, and the sea.

Other narratives suggest that kin should protect and care for each other. For example, the motive behind Tāne's action of separating his parents, Earth and Sky, is so that he and his brothers can flourish. Furthermore, he does not leave his parents like this; he covers his mother with trees, and his father he decorates with stars. From this story Patterson concludes that:

> Here is a graphic example of the idea that we should protect our kin, even when great harm has been done. It involves more than protection: the action of decorating the sky with stars illustrates a creative, supportive and caring relation between kin, which is part of what is meant by whanaungatanga. So even when we are forced

> to do harm to our kin, if there is scope for recompense and for enhancing their lives we are expected to do this.[25]

If we accept that this idea of kinship is prevalent in Māori thought, it would indeed be a fundamental factor for an environmental ethic that was non-anthropocentric. This point seems to be crucial, because the criticism of the traditional Western viewpoint is that it is centred only on humankind, where other things are valued only for their use to humans, and are thereby considered to have little if any intrinsic value. In Māori thought, all things have a natural sacredness or 'tapu' because they are descended from the gods or 'atua'. By accounting for the tapu of the natural world in terms of mana, Māori find another way to afford respect and intrinsic value to all creatures:

> the tactic is to make use of a link between tapu on one side and mana plus atua on the other, and then come to see the atua as being so intimately linked with the natural world that the mana of the atua can be seen as the mana of the natural world itself. That way, respect for the natural world is seen in terms of respect for the mana of the creatures themselves. To say that a creature has mana in the natural world is very like saying that it has standing, that it is entitled to a place in the world in its own right.[26]

All creatures and even plants and inanimate objects can, according to Māori thought, trace their descent from one or other of the atua. For example, a tree has as its ancestor Tāne-Mahuta so that tree carries with it the mana of Tāne. Furthermore, the relationship between a creature and its atua is not seen as two distinct entities, thus the tree is seen not only as a descendent of Tāne, but simply as Tāne.[27] Regarding all of Nature with tapu, and seeing the creatures as personifications of atua, gives Nature an intrinsic value. Hence, when any act that may be

considered harmful needs to be undertaken (such as felling a tree), it must be done with great care and with the use of the appropriate rituals.

THE INTERDEPENDENCE OF ALL THINGS

Another reason why Māori say we should respect the natural world is because each creature has a 'mauri' or life force, and this life force joins all beings — humans, gods, plants and animals, mountains, rivers and seas — into one interdependent whole, each part depending for its wellbeing on the health of each other part and of the whole itself. The Danish historian of religion J. Prytz Johansen describes mauri as a concentration of life, a centre from where it acts and wells out. This life may be either mana concentrated in an object, or it may be life experienced as concentrated in a point in humans.[28]

Patterson notes that mauri is still an important and real part of a traditional Māori world, and cites an example of how a Māori leader, commenting on a proposal to cease discharging sewage into the Manawatū River, states that this discharge has brought about an imbalance of the mauri of the river.[29] If we accept the view that all things, regardless of their value to humans, contain mauri, then this would join all things into one interdependent whole. There is a similarity here to the point made earlier by Lynn White Jnr regarding pagan panpsychicism. In that view, spirits are believed to be in all things, including inanimate objects. Thus, in this pagan worldview, animals, trees and rivers are viewed as sacred, so it is wrong to harm them without good reason and without performing the necessary rituals.

The Māori belief in mauri delivers a similar conclusion. Respect for the forest is reflected in the story of Rātā as he tries to fell a tree for carving into a canoe. After felling the tree he returns the next day only to find that the tree is standing in its original position. He fells the tree again, but the same thing happens the next day, and the next. Eventually, Rātā hides and sees the hakuturi (forest guardians

in the form of birds, insects and other life) replanting the tree. When Rātā confronts them, they tell him that he has failed to perform the appropriate rites. After doing so, the hakuturi release the tree.[30] So even though it is recognised that humans must take from Nature to provide for their needs, it is not done without due care and respect for other life.

How Western ethics deals with future generations

Much of the discussion about how we should treat the environment focuses on the effects it will have on those of us that inhabit the planet now. For example, there is concern that rising sea levels will cause severe problems for the low-lying islands in the Pacific region. And while this is important and relevant, we should also ask questions about how our behaviour regarding the environment will affect those who are yet to come. However, traditional Western thought has some difficulty coming to terms with attributing rights to what we call 'future generations'. Take the following by Robert Solow, Nobel Laureate in economics: 'future people . . . we don't know what they will do, what they will like, what they will want. And to be honest, it is none of our business.'[31]

Also the advice from the Bible not to concern ourselves with the things of the future reinforces a view that the future is out of our control so we shouldn't worry about it: 'take therefore no thought for the morrow: for the morrow shall take thought for the things of itself'.[32] For Western philosophers, the problem of obligations to future generations is puzzling; future people do not exist, so how can we have responsibilities to them? Attributing rights to things that don't yet exist is problematic. Generally, when we think of a person as having 'rights' we say certain conditions must apply:

- The rights holder must exist.
- The thing they have a right to must also exist.

It doesn't make much sense to say that Fred has rights when there isn't such a being as Fred. Similarly, if I claim to have a right to something, we assume that that something exists. Properties such as being green, wealthy or having rights can only be predicated on something if it exists. X is Y, or X has Z, or X prefers A only make sense if there is an 'X'. If there is no X, then the proposition is meaningless. If I say that Fred has an excellent stamp collection, it only makes sense if Fred exists.

In the same way that it doesn't make sense to say X has Y when X doesn't exist, it also doesn't make much sense to say X has a right to Y, if Y isn't available or doesn't exist. For example, do you and I have a right to see or touch a dodo? We exist but dodos don't, and before dodos became extinct we didn't exist. Insofar as it is implausible that we have the right to the preservation of live dodos, it is implausible to say that non-existent unborn future generations have any right now to inherit any asset. Even if we argue that the unborn will have rights once they exist, they don't have any now and thus have no claim on us.

Some might argue that reference to the human family has a temporal dimension. But future generations are not members of the human family. They are not members of anything, because they don't exist. We may feel that they are a special class of people waiting in the wings to come onto the stage of life, but the fact is, they are not already out there.

How Māori ethics deals with future generations

Māori hold strong views regarding the notion of kinship, which extends beyond our own species to all things. Patterson says, 'In a society that takes kinship seriously, what an individual is free to do is bound up with the needs and activities of a range of kinship groups.'[33] Even so, as he points out: 'The picture is further complicated, from a European point of view because the kin-group includes ancestors and future generations.'[34] When a formal speech (whaikōrero) is given, Māori always remember their dead. To them the dead are still living

in the spirit realm. Accordingly, there is an unbroken link from the gods to past, present and future generations.[35] This linking to future generations through kinship extends not just to humans, but to all things, and has implications environmentally.

The question of whether we should be concerned about future generations is solved within this framework. If kinship extends to the future, then it is assumed that the unborn have a similar standing to those who are living. If this is the case, then all decisions regarding the environment must take into account those generations yet to be born. When we apply this sort of principle to all of our interactions with the natural environment, the results are radical. The idea of respect for mauri fleshes out as the idea that we should respect the essence or character of each creature and of each habitat.

Another Māori concept that benefits future generations and ensures that resources are preserved is the form of tapu or restriction known as 'rāhui'. A particular area might be set aside for a special purpose, such as trees for carving. Access may be restricted to food sources such as fishing grounds, pigeon reserves, wild berries, etc., in order to conserve them for special occasions. Alternatively, an area could be left to lie fallow so that the life and vitality of the land can be replenished and thus provide resources for the future.[36] So while traditional Western moral theory has had some difficulty accommodating the attribution of rights for future generations, Māori, within their framework of extended kinship and rāhui, seem to be more fruitful.

Conclusion

The granting of legal status to a piece of land in New Zealand is a landmark decision. It appears to have come about as the result of a gradual change as philosophers started to think about how we analyse issues relating to the natural world and the need to respond to issues such as global warming. Furthermore, it has become evident that the

decisions we make now will have an effect on those future generations that will follow us. This more sympathetic and caring approach to non-human life, coupled with the views held by Māori, has enabled discussion that culminated in the radical decision to grant Te Urewera all 'the rights, powers, duties and liabilities of a legal person'. In 2017, the Whanganui River was also granted legal status similar to that of Te Urewera; it will be interesting to see whether other entities in New Zealand will follow.

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6 Ibid., 1:28.

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11 Ibid., chap. V, 27.

12 Ibid., chap. V, 32.

13 Robert Nozick, *Anarchy, State and Utopia* (Oxford: Basil Blackwell, 1974), 174.

14 Ibid., 175.

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25 Patterson, *People of the Land*, 25.

26 Ibid., 54.

27 Ibid., 55.

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32 The Bible, King James version, Matthew, 6:34.

33 Patterson, *People of the Land*, 41.

34 Ibid., 42.

35 Cleve Barlow, *Tikanga Whakaaro: Key Concepts in Māori Culture* (Auckland: Oxford University Press, 1996), 167.

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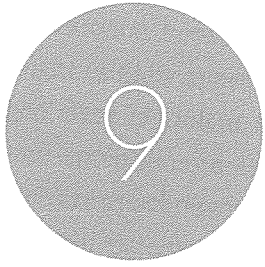

War and Peace

MARCEL ZENTVELD-WALE