

## Policing Nature

Tyler Cowen  
Department of Economics  
George Mason University  
Fairfax, VA 22030  
Tcowen@gmu.edu

May 19, 2001

\*The author wishes to thank Sahar Akhtar, David Schmitz, and especially Maureen Kelley for useful comments.

## I. Introduction

Issues of animal rights and animal welfare have received increasing attention since the publication of Peter Singer's Animal Liberation (1975). Since that time, numerous philosophers and activists have argued that animal issues deserve closer attention. We now find extensive examinations of the ethics of factory farming, animal experimentation, genetic engineering, and many other animal-related issues.

At least one significant issue, however, has failed to receive adequate attention. I refer to “policing nature.” The question is simple: if human beings should restrict or regulate their own behavior towards animals, why should humans not also restrict how animals treat each other? To the extent that we reject an anthropocentric worldview, it seems that restrictions on human treatment of animals will imply corresponding restrictions on animal treatment of other animals. Human beings are, after all, simply one animal of many.

As with humans, the "crimes" of animals take many forms, including murder, assault, and robbery. The medieval jurist Lombroso referred to "beasts which are born criminals and willfully and wantonly injure others of their kind, violating with perversity and premeditation the laws of the society in which they live."<sup>1</sup>

The extant literature has not provided any clear resolution of the issues. Rollin (1981, p.62) asks "Must We Police Creation?" but offers no clear answer to the question. Many writings on animal welfare and rights do not give the matter serious attention, including Singer (1975) and Pluhar (1995). The thorough and systematic bibliography of Magel (1989) does not address the issue either. Rolston (1988) focuses only on whether human beings should assist animals in need. Regan (1983, p.357) briefly presents the “moral agency” argument, which I consider at length below. Scruton (1998) treats the policing nature argument as a *reductio ad absurdum* on vegetarianism and animal rights. The

most serious treatment, by far, is found in Sapontzis (1987, chapter 13). He rejects the idea that "policing nature" can be used as a reductio to defend human carnivorous tendencies or human violations of animal rights. He does not, however, offer a clear stance on the issue itself. He does conclude that humans can probably do more good policing themselves than by policing other animals; I shall offer a different perspective on this stance further below.<sup>2</sup>

Most commentators in the biological sciences simply assume that nature should not be policed, without offering any rationale. McGowan (1997, pp.48-9) offers a typical comment in his book on predation: "The sight of a snake killing a mammal, a young defenseless one at that, may not be a pleasant one, but we should not view the scene with sentimental eyes. Predators have to kill to eat, and do so without emotion. Killing and being killed have nothing to do with assailant and victim, good and bad, only with survival."

Many believers in animal rights and the relevance of animal welfare do not critically examine their basic assumptions either. Typically these individuals hold two conflicting views. The first view is that animal welfare counts, and that people should treat animals as decently as possible. The second view is a presumption of human non-interference with nature, as much as possible. In part, this paper suggests that the two views are less compatible than is commonly supposed. If we care about the welfare and rights of individual animals, we may be led to interfere with nature whenever the costs of doing so are sufficiently low.

---

<sup>1</sup> Cited in Evans (1987, pp.14-15).

<sup>2</sup> I read Sapontzis (1984), an earlier work, as taking the more radical stance that nature should be policed, but the later book as backing away from this view (without rejecting it definitively). In this paper I do not consider whether human interference in the animal world should be limited to police activities. Human governments, after all, do far more than just serve as police forces. One might ask whether humans should, if they could do so at low enough cost, intervene to restore distributive justice to the animal kingdom, or perhaps provide for equality of opportunity across animals. I have not found a literature on these questions.

## II. The positive argument for policing

I start with the premise that animal welfare matters, though animals may count for much less than human beings. Note that the relevance of the policing issue requires only that animal welfare need receive positive weight with some non-zero probability. Even if the chance of animals "mattering" in moral terms is small, costless forms of nature policing, and there are many (see below), could still bring net benefits in terms of their expected value.<sup>3</sup>

I also adopt an "individualistic" point of view as to why nature, and animals, matter. I view individual animals as carriers of utility, and possibly rights. The utilities and rights of these individual animals carry moral weight, when we are deciding what is the best policy.

This individualistic perspective differs significantly from many forms of environmentalism, especially holistic doctrines. In these approaches the suffering or rights of the individual animal are secondary to nature as a whole. We can evaluate nature in terms of its adherence to particular models or patterns of how the environment should be. These models or patterns might include the idea that human beings should interfere with nature as little as possible, or only according to prespecified criteria, such as preserving endangered species.

I will not, in this paper, argue for the superiority of the individualistic doctrines to these more holistic forms of environmentalism, but rather I will take the individualistic perspective for granted. Thus I do not seek to prove that nature policing is a good thing, but instead I attempt to put it on the agenda. I hope to show that if we can adopt an individualistic perspective, as much of the animals literature is wont to do, we are led naturally to nature policing. At the same time, I hope to show that this conclusion is

---

<sup>3</sup> Leahy (1991) and Carruthers (1992) argue that animal welfare does not matter at all, which presumably renders the policing issue moot.

nothing to fear. And while I do not take on holism head on, a later section of the paper shows that holism might call for nature policing as well.

I do not commit to whether animals matter for utility reasons, for rights reasons, or for some combination of both. In my view, the most plausible accounts of how animals "count" are pluralist and invoke both utility and rights to some extent, albeit a notion of rights that is non-absolute and tempered by utility considerations. In any case we will see that both utility and rights considerations provide some argument for an appropriately chosen degree of nature policing.

The basic individualistic arguments for nature policing are simple. I start with the rights argument and then consider the utility argument. The remainder of the paper considers possible counterexamples and objections.

Let us consider the possibility that animals have rights, as suggested by Regan (1983). Rights of this kind give animals a certain "protective sphere" against being treated in bad ways. Under this premise, carnivore animals would be engaging in murder. If murdering a rights-bearing entity is a bad thing, we should stop that murder, if possible. Few would dispute that we should police murderous fights between human beings, and prevent one human from violating the rights of another, at least if we can intervene at sufficiently low cost. Having accepted this premise for humans, it is not clear why animal rights advocates should reject it for nature.

Even advocates of animal rights typically admit that sheep farmers are justified in shooting coyotes, if those coyotes attack and kill their herds on a sufficiently regular basis. From an animal rights/animal welfare point of view, why should the justification disappear when humans have no material or property interest in the victims?

Or consider a human analogy. We do not hesitate to stop a human murderer, even if we must kill him in the process of protecting the rights of the potential victim. This conclusion would not rest on whether or not we considered the killer to be a "moral

agent” or totally insane. The argument for policing nature is simply the same argument that we use to stop the human killer. Carnivore animals are aggressing against other animals and in principle they are no different from the human killer. Animal victims of carnivores probably "count for less" than do the human victims of murderers. But at the same time, the murdering carnivores count for less too, which should limit our reluctance to stop them.<sup>4</sup>

Reading about Roman times, when animals were placed in bloody and painful fights to the death, we feel that the Romans committed some injustice, or did something wrong. We feel that the Romans brought about a bad state of affairs, by staging such fights. If we believe "it is bad for human beings to cause X", we might conclude that "X is a bad state of affairs." In other words, we might conclude that the bloody slaughter of one animal by another is a bad thing. Why should our assessment of this outcome depend on whether or not humans set up the conditions of the slaughter?

Alternatively, we might eschew rights arguments (for either animals, human beings, or both) and adopt a utilitarian point of view. In this case we must consider whether a carnivorous animal contributes to net utility. In many cases the answer appears to be no. Some carnivores kill many animals for each animal they sustain. An eagle, for instance, kills hundreds of other animals over a full lifetime. The number of eagles supported by such killing is small, relative to the number of animals that are killed.

A form of “gradated utilitarianism,” which weights the utilities of animals according to their intelligence, does not avoid the basic problem. Many carnivores, such as eagles, falcons, snakes, komodo dragons, and sharks, kill animals smarter than themselves or of equal intelligence. Furthermore, even if the carnivore is smarter, the carnivore may not be sufficiently smarter to make up for killing so many victims.<sup>5</sup>

---

<sup>4</sup> DeGrazia (1996, p.277) argues that carnivorous killing of animals is not "unjustified," given that (some) carnivores need meat to survive, but he does not consider either the rights or utilitarian tradeoffs in this context, despite arguing elsewhere in the book that animals deserve equal consideration with human beings.

<sup>5</sup> For general information on predators, see MacGowan (1997) and Grice (1998).

In some cases the prey, taken as a species, may benefit in utilitarian terms from the existence of predators, or at least not suffer. Predators may keep down overpopulation, or perhaps encourage the long-run fitness of the species by weeding out weaker species members. This could provide a utilitarian argument (though not a rights argument) for allowing predators to pursue their prey. But this point does not escape the policing issue. First, not all predators can benefit their prey at all margins. Many animals flourish when predators are absent, and perish when predators are introduced (the history of Australia, and numerous islands, provides examples). Second, in those cases where predators truly do benefit their prey, we may wish to intervene and provide greater support for the predators. There is no reason to believe that nature has provided a welfare-maximizing balance of power between predator and prey.

Some critics cite the potentially high costs of policing nature (Sapontzis 1987 notes this argument). We can imagine the difficulty of sending human policemen out to the Serengeti or into the Amazon to control animal behavior. Even a large number of police would be able to prevent only a very small percentage of animal crimes. And at what level should the policemen stop? Should they prevent only carnivorous crimes against mammals? Should they also prevent fish from eating other fish, birds from eating worms, and insects from preying on other insects? The complexities multiply rapidly.

The cost argument nonetheless does not eliminate the potential gains from nature policing. Most simply, **some** kinds of nature policing can be performed at zero real resource cost to human beings.

Consider tigers. Human beings hunt tigers on a wide scale, and would hunt them even more widely in the absence of legal prohibition. Hunting tigers involves zero net costs to humans and in fact involves significant net benefits, given that tiger products can be sold for profit. The question then arises what prohibitions should be placed on tiger hunting. In this context, **not** policing nature is what brings the net cost. The policing can be done for free, and indeed for profit. The tiger hunters are, in reality, policing nature, even

though that may not be their intention. Every time they kill a tiger, they stop that tiger from pursuing a career of murder and mayhem against other animals, many of which (whom?) are relatively intelligent mammals. Similarly, fox hunting is a long and popular tradition in England.

Most generally, many human policies affect carnivorous mammals, whether we like it or not. We are left with the question of how to evaluate those impacts. We clear land for economic development, drive coyotes off the land, and protect endangered carnivores. In many cases, human beings even subsidize the propagation of carnivorous animals. It is against the law in the United States to kill birds of prey, even if they are not endangered. In recent times, considerable resources have been invested to revitalize the genetic diversity of the Florida panther, to prevent its possible extinction. The Florida state government has imported panthers from Texas and developed special breeding programs, all at real financial cost (see Derr 1999). India has set aside wildlife reserves to help tigers and panthers live and breed.

In each case, the policing nature argument is simple and does not commit us to widespread and costly interventions. Rather, we should count negative impacts on carnivores as positive features of the human policy, rather than as negative features, as we usually do. Policing nature would mean that humans would take action to hasten the extinction of various aggressive carnivores. At the very least, we could stop protecting such creatures, as we do currently at positive cost to human beings.

In sum, the costs of policing nature will limit the amount of policing we can do, but these costs do not remove the issue from the agenda. Some police actions are available for free or may even turn a profit. Other forms of police action we currently perform inevitably in one form or another, but we must decide how to weigh the costs and benefits of various interventionist alternatives.

### III. Objections

Several objections might be made to the argument for policing nature. I will consider each in turn.

### 1. The argument from ignorance

This argument suggests that we should not police nature because we cannot predict the effects of human intervention in nature. Policing nature, for instance, may set off an ecological catastrophe.

This argument, at most, would militate against some forms of policing nature. But in many cases, the most obvious, low-cost means of nature policing does not seem to involve any significant probability of ecological catastrophe. Shooting one tiger or reintroducing one less wolf into a National Park is unlikely to noticeably effect the environment. So considerations of ecological catastrophe may curtail the amount of policing we wish to do, but they do not remove the issue from the agenda.<sup>6</sup>

Many forms of human intervention in nature do not in fact upset the balance of nature in intolerable fashion. The European wolf, a vicious carnivore, was essentially driven to extinction in the 19th century, largely because of urban growth and industrialization. Today the European wolf is not missed, least of all by its would-be animal victims. The European wolf remains in Rumania, Albania, Greece, and parts of Yugoslavia, but it is not obvious that its presence is an unmitigated blessing for “the balance of nature,” however that term is to be construed (on the wolf, see MacDonald and Boitani 1979, p.166).

Nature policing often consists of constraining animals relatively high on the food chain, such as eagles and tigers. While this action may cause the prey of eagles and tigers to proliferate, it is not obvious that an ecological catastrophe will result. In Yellowstone

---

<sup>6</sup> In some chaos theory models, killing even one animal may set off catastrophe through non-linear dynamics. In these same models, however, the carnivorous actions of the non-

Park rangers have taken deliberate action to reintroduce predators to the park, such as wolves, contrary to what the nature policing argument would suggest. There was no impending ecological problem that required the introduction of wolves, and indeed introducing wolves may have increased the risk of negative ecological repercussions.<sup>7</sup>

In other cases we are interfering with nature, whether we like it or not. It is not a question of uncertainty holding us back from policing, but rather how to compare one form of policing to another. Humans change water levels, fertilize particular soils, influence climactic conditions, and do many other things that affect the balance of power in nature. These human activities will not go away anytime soon, but in the meantime we need to evaluate their effects on carnivores and their victims.

Furthermore, not all ecological disruptions are undesirable, all things considered. Preserving the balance of nature is, at most, one good of many. The relevance of utilitarian and rights standards may imply that some amount of ecological disturbance is good. The argument from ignorance fails to justify why ecological balance should be the dominant value in all cases.

Given the prevalence of change and disequilibria in nature, it is not always obvious what an ecological catastrophe consists of. Perhaps tigers and eagles were bringing on ecological catastrophe, until humans started killing them. If humans can, in principle, bring on ecological catastrophe by murdering tigers, surely tigers can, in principle, bring on ecological catastrophe by murdering gazelles. Darwinian evolution does not offer a fixed point or optimum against which we might judge human interventions. In eastern Africa, human beings have been a major predator for many millennia. Does this mean that human intervention in this context is "natural" and thus permissible?<sup>8</sup>

---

killed animal may set off catastrophe as well. When predictability is so low, the result is general uncertainty, not some general presumption against policing carnivores.

<sup>7</sup> On this episode, see Wilcove (1999, pp.60-1).

<sup>8</sup> I am indebted to David Schmitz for this point.

Note how the nature policing argument forces us to be consistent as to what constitutes an exogenous intervention into nature. On one hand, animal rights/welfare theorists wish to limit the differences between animals and human beings. On the other hand, they wish to think of human intervention as something exogenous to nature, rather than endogenous to nature itself. But insofar as we think of humans as another animal, human intervention is no more catastrophic, in principle, than the intervention of tigers or other animals (though of course the empirical scope of such intervention may differ).

Most fundamentally, the possibility of ecological catastrophe, or simply our mere ignorance, increases our uncertainty about **all** policies, including inaction towards tiger murder. It does not militate against nature policing in any special fashion.

The argument from ignorance proves too much. Human beings are interfering with nature in any case, for better or worse. It could be that we have little or no idea of the consequences of these policies on the long-run fitness of nature. That makes it harder to make a good decision, but it should not prevent us from choosing what we believe is best. We face the ignorance in any case. Furthermore, if we are truly very ignorant, policing tigers may not add significantly to our uncertainty. We should then consider policing tigers on its own merits, while taking a high degree of background uncertainty as given and not affected by our marginal decisions.<sup>9</sup>

## 2. The argument from distance

The argument from distance attempts to limit our policing obligations, whether towards human beings or non-human animals. A very simple version of the argument runs as follows. Assume that there is a human community, deep in the jungles of the south

---

<sup>9</sup> The argument from ignorance might be used to claim that all utilitarian standards are inadequate, since we can never trace the full results of a single action, or perhaps not even a meaningful subset of them (this epistemic criticism of utilitarianism is well known in the human context). Nonetheless the individualistic alternative of a rights standard suggests nature policing as well.

Pacific, which practices human sacrifice and cannibalism. Is it better if we can prevent such practices?

Under some ethical views, we have no such obligation to prevent the sacrifices. The tribe is simply too “distant” (to be defined more precisely below) to merit an obligation on our part. The argument from distance appeals to some simple intuitions about connectedness. Common sense morality would suggest that a mother has greater obligation to her child than to a more distant child of total strangers. For that same reason, our obligations to the south Pacific tribe may be quite small.

If we accept this premise, the human obligation to animals may be very small or perhaps zero. Animals are very different from human beings, and perhaps thus very “distant.” Human beings and animals can communicate only in limited fashion, if at all. We do not have a very good idea “what it is like to be a bat,” to borrow a phrase from Thomas Nagel. The typical human life does not much resemble the typical animal life. And so on. Regardless of the difficulties of defining distance in this context, it is plausible to believe that humans are very distant from animals in the relevant sense, much more distant than contemporary Americans are from the south Pacific tribe.

Note that the argument from distance appeals to some of our intuitions about why we do not police nature. Humans often feel “it is not their province” to make sure that a tiger does not kill gazelles. It is simply not seen as a matter for human concern. This does not deny the suffering of the gazelle, but most people do not see the tiger's behavior as requiring human policing in response. Furthermore, the argument from distance also can account for some cases where we **do** police nature. For instance, we police animals in our role as pet owners. If our dog threatens to bite our cat, or our cat threatens to badly scratch the dog, we intervene to prevent the pain and suffering, provided we can do so effectively at low cost. Such interventions do not imply that our pet cat has higher objective moral standing than a tiger in Siberia. Rather, we intervene for the same broad

reasons that a mother feeds milk to her baby but not to a starving baby in Haiti. Our cats and dogs are connected to us through the pet relation, whereas the tiger in Siberia is not.<sup>10</sup> While the argument from distance has some intuitive properties, it does not succeed in dismissing the case for nature policing. First and most generally, the more impersonal philosophic perspectives, which attach little or no weight to distance, may be the correct ones. But this general point aside, the argument from distance cannot handle the numerous cases where we can police nature for free.

It is plausible (albeit not universally accepted) to claim that individuals should not incur some small but positive cost to improve a very distant situation. It is much more difficult to argue that they should pass by improvements that come for free, at zero marginal cost. Even if we have no **obligation** to police nature, it still might be better to police nature when policing costs us nothing. The policing would appear to make the animal world better off, all things considered, without making the human world worse off. This holds whether we see animals as having rights or simply as “counting” in utilitarian terms. We could prevent ongoing rights violations, increase net utility, or perhaps both, if we take a pluralistic approach.

We have already seen some cases where nature policing does not cost anything in terms of net resource investments. First, we can hunt many carnivorous animals, such as tigers for profit. Second, many human policies affect nature in any case. These policies lead to the death of animal carnivores. The question inevitably arises whether we count these deaths as a benefit of the policy or a cost of the policy. The argument from distance will not apply here, since we are intervening in any case. When we put the issue in these

---

<sup>10</sup> The argument from distance is also compatible with claims for animal rights. Return again to the human context. We might believe that we have no obligation to prevent human sacrifice in the south Pacific. But this does not imply that we would be justified in actively murdering humans from the south Pacific. In short, obligations to aid might be contingent upon distance, but the obligation not to violate rights is not necessarily contingent upon distance in the same manner. This distinction can then be applied to animals. Perhaps we have no obligation to aid suffering or rights-deprived animals in the wild. But it does not follow that we should treat those animals without regard for their rights or their welfare.

terms, it is harder to avoid the issue of policing nature. The argument from distance might, at most, suggest that we should not extend our reach into nature. It does not tell us how to evaluate the reach that we already have and are likely to continue to have for the foreseeable future.

### 3. Moral agency

A further counter to the policing nature argument suggests that animal carnivores are not “moral agents,” and therefore they cannot commit rights violations. If the carnivores are not moral agents, it is no crime when a carnivore kills one of its victims. And if this action is no crime, perhaps humans need not police against it.<sup>11</sup>

The moral agency argument does not succeed on its own terms. A tornado obviously has no moral agency and it is an unthinking force of nature. Yet we would not hesitate to stop a tornado, if we could do so, and if that tornado threatened to kill many human beings. Similarly, we would stop the tornado if it threatened to painfully kill large numbers of sentient animals, at least if we could stop the tornado at zero cost. This is not mere speculation, as it is common practice to provide animals with limited protection against natural disasters. If the cost of such protections were zero, we would presumably do more.

The absence of moral agency, in other contexts, does not weaken the case for preventive deterrence. We stop the insane, or very young children, from pursuing murder and mayhem, even if we do not regard them as moral agents (see Warren 1997, pp.112-3). And if an insane murderer were pursuing a potential victim, gun or knife in hand, we would not hesitate to shoot him, if that were the only means of preventing the murder. We do not always apply retributive punishment to the insane, but this does not mean that

---

<sup>11</sup> Sapontzis (1987, chapter 8) discusses many of the relevant issues for whether animals are properly moral agents or not. Regan (1983, p.357) and Taylor (1986, pp.172-3) cite the moral agency argument for not policing nature. Warren (1997) surveys some relational views of animal rights, although not primarily in the context of policing nature.

their actions are invulnerable to outside interference. For similar reasons, even if we agree that animals are not moral agents, we have not removed nature policing from the agenda. The moral agency of the aggressor, or lack thereof, should not prevent our **ex ante**, prohibitive actions.

Ironically the moral agency view cannot object to nature policing done by non-agency-bearing animals. Assume, for instance, that German Shepherds could be trained to police nature. Once these German Shepherds were operating in the field, it would be a matter of animal-to-animal relations and the moral agency argument could offer no grounds for objection. Yet this scenario probably will not please the opponent of nature policing. If animals could be more easily trained (perhaps through genetic engineering), nature policing, through this mechanism, could become quite widespread. This example suggests that the moral agency argument provides only a contingent objection to nature policing, not a fundamental one.

Moral agency may make a difference for **ex post** punishment. If we observe that a tiger has murdered a gazelle, we do not punish the tiger for retributive reasons. Deterrence is presumably not a consideration either. We may regard "previous tiger murder" as a good predictor of "future tiger murder," and thus stop the tiger for this reason. Nonetheless the mere fact of a past murder, taken alone, does not matter if the tiger is not a moral agent. It is for this reason that we reject the medieval practice of trying animals for their "crimes" against human beings in a formal court of law. The issue of moral agency therefore is relevant for some decisions. But it does not render policing nature a non-issue.<sup>12</sup>

#### IV. Can holism imply nature policing?

---

<sup>12</sup> In medieval times it was common to try animals for crimes against humanity, whether it be a pig that killed a child or a swarm of locusts that ruined a farmer's crop. The offending animal or animals then were often put to death. On this era, see Evans (1987) [1906] and Francione (1995, pp.93-4). The Russians once even sent a billy-goat to Siberia, for supposed crimes (see Carson 1972, p.31).

So far we have focused on individualistic standards of animal welfare. The alternative approach of holism starts with the premise that attempts to value animals on an individualistic basis will fail. Instead, we should ask whether a given policy produces an appropriate pattern of animal behavior and animal life, taken in the aggregate. We must assess the overall course of nature, rather than the claims of particular animals, be they carnivores or victims.<sup>13</sup>

The ethical philosophy of holism has had numerous defenders in a human context. Most prominently, neo-Hegelians have argued that the social good cannot be expressed as a summation of individual utilities or individual claims to rights. Instead, we must assess whether a given society is aesthetically pleasing, just, capable of expressive self-realization, and so on, depending on the particular values at stake. For our purposes, the important point is that the holistic standards cannot be reduced to more primitive claims about the welfare and rights of individuals.<sup>14</sup>

Holism, as a policy towards animals, has some roots in human intuitions. We typically regard the death of the last member or members of a species as an especially great tragedy (Hurka 1983). In this regard, holism can explain some of the nature policing that we do in fact perform, such as protection for endangered species.

It is beyond the scope of the article to examine the broader issues behind holism vs. individualism as social theories, whether for human beings or for animals. Nonetheless some more specific remarks can be made.

Holism does not render the policing issue moot. It simply suggests that we police nature according to some holistic criteria. Depending on the holistic standards at hand, human

---

<sup>13</sup> Magel (1989) surveys holistic views and offers a detailed bibliography. Taylor (1986) is one particular example of a holistic account. Callicott (1989, p.57) cites holism to argue that nature should not be policed.

<sup>14</sup> The philosophy of "perfectionism," as applied to entire societies, may yield similar results. Our standards for judging societal perfection may not be reducible to individual claims and utilities.

beings could try to make nature resemble those standards more closely. Plausible holistic standards could require that nature be more "kind," more "balanced," or more "complex." In each case we can imagine interventions that would further the desired holistic standard. Holism might in fact make nature policing all the more necessary.

Furthermore plausible holistic criteria will assign some weight to rights and utility considerations, even if our final evaluation of the environmental pattern is not "reducible" to such claims. Considering rights and utility, however, would bring us back to nature policing at the margin. After all, it would be implausible to use holism to argue that human murderers, or human torturers of animals, should not be restrained. The holistic view cannot, on its own terms, account for why violence of animal against animal should be treated differently than violence of human against human. This reintroduces the need for some other standard to address nature policing.

Holism might be used to argue against policing nature on a large scale, given that full-scale policing would lead to widespread extinction. Extinction might (although might not) violate the holistic criteria that have been erected. Nonetheless holism still does not militate against nature policing on a small scale. At the margin, we can still disfavor another predator, without upsetting the overall balance of nature.

We do find many cases where human beings assist animals, even when no direct human interests are at stake. It is common to expend considerable resources freeing stranded whales, or trying to treat them and then return them to nature. We find cases where a sandhill crane was fitted with artificial limbs, a golden eagle was given a cornea transplant, an albatross was given artificial feathers and flown by to the Midway Islands, and a sea turtle (victim of a shark attack) received artificial flippers at a cost of \$200,000. Holism provides no reason why we should not extend such assistance to protection against carnivores, if it can be done sufficiently cheaply.<sup>15</sup>

---

<sup>15</sup> See Rolston (1988, pp.50-53).

We might interpret holism very strictly, as suggesting that human beings should never interfere with inter-animal relations, at least outside of cases of species extinction or other natural emergencies. Holism of this form, however, is simply restating the conclusion that nature should not be policed, rather than justifying it in terms of some more general moral principle. Holism, as commonly understood, is about evaluating aggregates and patterns. Holism does not make strong claims about how to evaluate individual acts or interventions into nature. To rule out nature policing, we would need to add some additional moral theory to holism. Holism per se is noncommittal on the policing issue.

#### V. Concluding remarks

It is difficult to reject the idea of policing nature out of hand. We have no trouble accepting the policing of humans, whether on rights or utilitarian grounds. Given this premise, it is hard to reject the policing of animals. Animals may "matter less" than humans, for a variety of reasons, but this will apply to the carnivore aggressor as much as to the animal victim. Rights and utilitarian considerations are hardly the full extent of moral theory, but each pointed in the direction of at least partial nature policing.

We might reject nature policing simply by regarding it as intrinsically bad. If this view is selected as an axiom, so be it. This paper could then be read as arguing that such an axiom is not compatible with other plausible axioms that we hold about animals, such as the view that their welfare matters, they deserve moral consideration, or that the painful death of an animal is a bad thing.

Policing nature implies a particular quandary for advocates of animal rights or animal welfare. For instance, it becomes evident that a belief in animal rights does not automatically imply a ban on the human hunting of carnivores, such as foxes and tigers.

The arguments of this paper do not suggest policing nature in a far-reaching sense. Nonetheless, as stated above, we do have several ways of policing nature for free, or even at a profit. At the margin, we should change our attitudes towards those policies. We

should consider a cautious but humble interference, not just to save endangered species, but to shift the balance of power against nature's carnivores.

Most obviously, we should invest fewer resources in saving endangered carnivores. Furthermore, to the extent that human hunting is regulated, the regulations should differ for carnivores and non-carnivores. The strictures against killing carnivores should be very weak, or perhaps removed altogether, relative to the strictures against killing non-carnivores. If we are trapping animals in the wild for use in laboratory experiments, we should be more willing to trap and remove the carnivore. Most generally, when including animal welfare in a broader social welfare function, we should weight carnivores and non-carnivores differently.

Given that we take the appropriate costs into account, policing nature does not bring us to absurd practical implications for real world action. In practice, our imperfect information, and the costs of policing, would limit the actual scope of nature policing. The argument from distance may limit the extent of nature policing as well.

In casual discussion, I find that virtually all individuals find the conclusion of nature policing as one to be avoided. Indeed I set out to write this paper with that intuition in mind. I expected to find some clever twist that would resolve the issue and eliminate nature policing as a philosophically viable alternative. It is impossible to prove that such a clever twist does not exist, but at some point we need to consider modifying our original intuition, if the would-be twist proves sufficiently hard to find. Philosophy is in part about subjecting our intuitions to the scrutiny of reason and hoping to improve on them.

The practical conclusions of this paper do not require that we endorse nature policing as the correct theory with certainty. Perhaps predator-prey relations do not matter for moral philosophy, but then there is no harm to engaging in nature policing when the cost is zero. We should take nature policing seriously, and in the process eliminate the subsidies that we are currently offering to nature's carnivores.

## References

Callicott, J. Baird. *In Defense of the Land Ethic: Essays in Environmental Philosophy*. Albany: State University of New York Press, 1989.

Carson, Gerald. *Men, Beasts, and Gods: A History of Cruel and Kindness to Animals*. New York: Charles Scribner's Sons, 1972.

DeGrazia, David. *Taking Animals Seriously: Mental Life and Moral Status*. Cambridge: Cambridge University Press, 1996.

Derr, Mark. "Texas Rescue Squad Comes to Aid of Florida Panther." *The New York Times*, Tuesday, November 2, 1999, p.D2.

Evans, E.P. *The Criminal Prosecution and Capital Punishment of Animals*. London: Faber and Faber, 1987 [1906].

Francione, Gary L. *Animals, Property, and the Law*. Philadelphia: Temple University Press, 1995.

Grice, Gordon. *The Red Hourglass: Lives of the Predators*. London: Penguin Books, 1998.

Hurka, Thomas. "Value and Population Size." *Ethics*, 1983, 496-507.

MacDonald, David W. and Boitani, Luigi. "The Management and Conservation of Carnivores: A Plea for an Ecological Ethic." In *Animals' Rights - A Symposium*. Sussex: Centaur Press, 1979, 165-177.

MacGowan, Christopher. *The Raptor and the Lamb: Predators and Prey in the Living World*. New York: Henry Holt and Company, 1997.

Magel, Charles R. *Keyguide to Information Sources in Animal Rights*. Jefferson, North Carolina: McFarland and Co., 1989.

Pluhar, Evelyn B. *Beyond Prejudice: The Moral Significance of Human and Nonhuman Animals*. Durham: Duke University Press, 1995.

Regan, Tom. *The Case for Animal Rights*. Berkeley: University of California Press, 1983.

Rollin, Bernard E. *Animal Rights and Human Morality*. Buffalo: Prometheus Books, 1981.

Rolston III, Holmes. *Environmental Ethics: Duties and Values in the Natural World*. Philadelphia: Temple University Press, 1988.

Sapontzis, S.F. "Predation." *Ethics and Animals*, 1984, 5, 27-38.

Sapontzis, S.F. *Morals, Reason, and Animals*. Philadelphia: Temple University Press, 1987.

Scruton, Roger. *On Hunting*. London: Yellow Jersey Press, 1998.

Taylor, Paul W. *Respect for Nature: A Theory of Environmental Ethics*. Princeton: Princeton University Press, 1986.

Warren, Mary Anne. *Moral Status: Obligations to Persons and Other Living Things*. Oxford: Clarendon Press, 1997.

Wilcove, David S. *The Condor's Shadow: The Loss and Recovery of Wildlife in America*. New York: W.W. Freeman and Company, 1999.