On Seemingly Inconsistent Moral Statements in Swedish Environmental Law

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2013

Master of Arts (60 credits)
Jurisprudence

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Abstract

The Swedish Environmental Code constitutes the core of the Swedish environmental law. An aim of this study has been to gain a more precise understanding of what is being said in the objectives of the Environmental Code. Two interesting statements are made in the objectives, which must be understood since the objectives play an important role when the code is applied. The statements – that *nature is worthy of protection*, and that *humans have a right to modify and exploit nature* – give, however, rise to many questions, and are therefore not easy to understand just by reading the legal text. Does nature's worthiness of protection imply limitations on our actions? If so, are such limitations sufficiently considered when stating that humans have a right to modify and exploit nature? Depending on how they are interpreted, the two statements could be consistent or inconsistent. By studying different legal sources, an interpretation has been made that nature is attributed both extrinsic and intrinsic value in the Environmental Code. The implications of these values have been analyzed philosophically, e.g. from the perspectives of deep ecology and deontological ethics, and compared to the statement that humans have a right to modify and exploit nature. It has been argued that if one wants to make an interpretation that involves the two statements being consistent – which is plausible, since inconsistency in legal texts is problematic in many ways – the expressed right to modify and exploit nature must be interpreted to be very limited.

Sammanfattning

Miljöbalken utgör kärnan i svensk miljö rätt. Ett syfte med denna studie har varit att uppnå en mer precis förståelse av det som sägs i miljöbalkens mål. Två intressanta påståenden görs i målen, som måste förstås eftersom målen spelar en viktig roll när balken tillämpas. Påståendena – att *naturen har ett skyddsvärde* och att *människan har en rätt att förändra och bruka naturen* – ger dock upphov till många frågor, och är därmed inte lätta att förstå bara genom en läsning av lagtexten. Implicerar naturens skyddsvärde några begränsningar för vårt handlande? Om så är fallet, är sådana begränsningar tillräckligt beaktade när det påstås att människor har en rätt att förändra och bruka naturen? Beroende på hur de tolkas, kan de två påståendena vara konsistenta eller inkonsistenta. Genom att studera olika rättskällor har en tolkning gjorts att naturen tillskrivs både ett extrinsikalt och ett intrinsikalt värde i miljöbalken. Implikationerna av dessa värden har analyserats filosofiskt, t.ex. utifrån djupekologiska och pliktetiska perspektiv, och jämförts med påståendet att människor har en rätt att förändra och bruka naturen. Det har argumenterats för att om man vill göra en tolkning som innebär att de två påståendena i miljöbalkens mål är konsistenta – vilket är rimligt att göra, eftersom inkonsistens i lagtext är problematiskt på många sätt – måste den uttryckta rätten att förändra och bruka naturen tolkas som mycket begränsad.

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1 Introduction

1.1 Background

The Swedish Environmental Code (Swe: Miljöbalken) (1998:808), henceforth called “the Code” or “the Environmental Code”, was adopted in 1998 by the Swedish parliament, and constitutes the core of the Swedish environmental law. The objectives of the Code are expressed in chapter one, section one of the Code:

The purpose of this Code is to promote sustainable development which will assure a healthy and sound environment for present and future generations. Such development will be based on recognition of the fact that nature is worthy of protection and that our right to modify and exploit nature carries with it a responsibility for wise management of natural resources. (Translation: The Ministry of Environment in Sweden)

Taking a closer look at this section, it is possible to discern two interesting statements, namely that *nature is worthy of protection*, and that humans have a *right to modify and exploit nature*. These statements give rise to many questions. Does a worthiness of protection imply limitations on our actions? If so, are such limitations sufficiently considered when stating that humans have a right to modify and exploit nature? Depending on how they are interpreted, these statements could be consistent or inconsistent.

If the statement that nature is worthy of protection implies that we are *not* allowed to exploit nature, a statement about a right to exploit nature is inconsistent with it. But if the worthiness of nature does imply only some limitations on our actions, a right to exploit nature could be consistent with it. Another possibility is that the worthiness implies quite strong limitations on our actions, but that the right to modify and exploit nature is very limited (and that the statements are thereby consistent). Obviously, the statements in the Code can be interpreted in different ways. When using e.g. the phrase “nature is worthy of protection”, one could refer to many different concepts. Therefore, the interpretation of the statements requires a deeper investigation.

Understanding the statements in chapter one, section one of the Code is important, since these are the objectives of a code that includes the most fundamental environmental laws in Sweden. Normally, objectives do not carry much weight in Sweden, since they often have a general content and therefore fall short in giving guidance in specific cases (Bengtsson, 2001, p. 46). However, regarding the Environmental Code, the objectives are supposed to have a great importance when the Code is applied (Bengtsson, 2001, p. 46). Accordingly, the objectives have lately often been referred to in legal cases (see for instance MÖD 2010:53, MÖD 2010:38, MÖD 2010:13, MÖD 2009:48, MÖD 2006:53, MÖD 2005:66, MÖD 2005:55 and MÖD 2003:45). Most people would probably agree that inconsistency in legal texts is something that should be avoided. Therefore, except from understanding the objectives of the Code, it is also important to identify possible inconsistencies in them.

1.2 Aim

The aim of this essay is to investigate and try to answer the following questions:

- What does it mean that nature is worthy of protection, as it is expressed in chapter one, section one of the Code?
- How does such a worthiness of protection that is expressed in chapter one, section one of the Code influence what we could or could not do to nature?
- Depending on which limitations the worthiness of protection implies on our actions, what does the right (stated in chapter one, section one of the Code) to modify and exploit nature consist of?

Answering these questions will hopefully lead to a more precise understanding of what is actually being said in the first section of the Code.

1.3 Method and outline

Except for this introduction and the ending conclusion, the essay will be divided into two parts that consist of section 2 and 3. In section 2 an interpretation of the objectives of the Code will be made. This part will cover the attempt to answer the question “What do the statements ‘nature is worthy of protection’ and ‘humans have a right to modify and exploit nature’, expressed in chapter one, section one of the Code, mean?”. The text of the Code must be interpreted in order to gain an understanding of its meaning. According to *the principle of charity*, one should interpret a position in a way so that the position remains consistent (Backman et al., 2012, p. 81). This principle will be followed when investigating the relation between the two statements in the Code. This means that when the statements are interpreted, it will be in a way so that they remain consistent if possible (and, of course, if the interpretation seems plausible).

The interpretation will, as far as possible, be literal. It is important to have in mind that the aim is not to find what is actually true about these statements, but to try to find what is *meant* by the expressions in the Code. A hermeneutic method is therefore well suited for the interpretation. According to this method, the interpretation of something (in this case, the formulation of chapter one, section one of the Code (the *object*)) is a continuous process. During the process, it is plausible to study not only the object itself but also other relevant sources. When the object itself does not give sufficient answers, the interpretation will also be made by studying other sources, such as the *context*.

The object is in this case a part of a context, which involves many things. It involves the preparatory works of the Code, which can to some extent explain the meaning of the formulations in the Code. There is also international environmental law, as well as Swedish environmental law and its legislative history. Studying the context, and then returning to the object, will likely give a new and better understanding of the object. The hermeneutic method includes moving from the object to the context, and back to the object to make reinterpretations, and every step of the process will give rise to new and deeper understandings (Backman et al., 2012, p. 327).

Also another part of the context can be studied with the same method, namely the philosophical ideas behind the formulation in the Code. Identifying underlying philosophical (in this case ethical) principles in the law gives an explanation to why the object looks as it looks, and extends the understanding of the object. If ethical presumptions are made – which

seems to be the case in the Code – it is important to elucidate which these presumptions are, and if they are consistent. The environmental ethics can contribute on this matter (Andersen, 1994, p. 89). Finding that studying the legal sources is not sufficient to get a clear understanding of the implications of the statements in the Code, philosophical ideas will be turned to in section 3. This part will cover the attempt to answer the questions “What implications can the statement ‘nature is worthy of protection’ plausibly have?” and “How are these implications related to the statement that humans have a right to modify and exploit nature?”. The philosophical ideas will consist of deontological ethics and deep ecology. Other ethical theories, e.g. utilitarianism, will be left out for the sake of the scope of the essay. The choice of theories is mainly based on which theories that are often mentioned by environmental ethicists.

Other parts of the Code will *not* be seen as relevant parts of the context to study. Gabriel Michanek and Charlotta Zetterberg argues that since the Code was adopted, previous environmental laws that have been incorporated in the Code must be interpreted in a different way with respect to the objectives in chapter one, section one (Michanek and Zetterberg, 2008, p. 111). This indicates that it is plausible to interpret chapter one, section one of the Code not in light of other parts of the Code, but as an independent entity. And especially since other parts of the Code are sometimes generous regarding which interferences in nature that are allowed, it is important to know which limitations the objectives bring about in themselves.

A final remark should be made regarding the language of the essay, since English is neither the author’s primary language nor the original language of the Code. There are several reasons for choosing to write in English. The main reason is to make the text available to international readers. Initially, a conference paper on this subject was written in English, as a contribution to the 23rd World Congress of Philosophy (in Athens, 2013). When the conference paper was developed to this master’s thesis it seemed plausible to continue writing in English. Furthermore, it was seen as an opportunity to practice writing academically in English.

2 Interpreting the Environmental Code

In this part of the essay the aim is to find what the statements that *nature is worthy of protection*, and that humans have a *right to modify and exploit nature*, which are made in chapter one, section one of the Code, mean. Finding the meaning of these statements will make it possible to also reveal their implications. And when the implications are understood, one can examine the relation between them. The answer to the question about what the statements mean can be sought in different legal sources. Among the factors that may have been influential in the development of Swedish environmental law, are different international conventions on environmental matters; therefore some of these will be quoted and discussed. Also, previous environmental laws (prior to the merging into the Code) as well as environmentally related laws in the Swedish legal system, and their legislative histories, have impacted the current formulations in the Code, and are thereby sometimes relevant to examine. Last but not least, the preparatory works of the Code are highly relevant when trying to find what the statements in the Code are supposed to mean.

2.1 What is nature?

Before examining what it means according to the law that nature is worthy of protection and that humans have a right to modify and exploit nature, it is useful to define the word “nature”, since it can be used in several different ways. As Mill (1874) describes, it can refer to *everything* that exists in the world, including humans and things that humans create. However, such a broad definition may conflict with the use of “nature” in the Code. When stating that nature is worthy of protection, nuclear power plants and bottles of Coke are probably not things that are included in the reference of “nature” in the Code. In the preparatory works of the Code, “nature” is often used as synonymous with “environment”. The definition thus needs to be narrower, so that it does not include everything that humans have created. Another definition of “nature”, which has been given by Peter Singer, is the world “as it would be, apart from human beings and what humans bring about” (Singer, 2011, p. 5). This definition is not suitable in this case though, since it would mean that the Code prescribes us to protect something that does not exist, but is merely hypothetical.

What we are looking for is a more narrow definition that reflects on the real world. One suggestion is “places untouched by humans”, but also this is quite problematic, since it seems to be *too* narrow. Is there any place untouched by humans anymore? Considering the global effects of humans’ actions, like global warming, it can be argued that humans have had an influence on every place on Earth, and thus that nothing natural truly exists according to this definition (Katz, 1991). Eric Katz suggests that we by “nature” should refer to the things in the world that are “as far as possible from human manipulation and control” (Katz, 1991). Since there may not exist places totally untouched by humans, we can imagine a scale of naturalness, where the most natural things in the world are those that are most free from human interference. This definition makes the word “nature” a bit vague. However, the word “nature” being vague may correspond with our intuition about what is natural. Sometimes we think that things are completely natural, sometimes unnatural, and sometimes something in between, even if we cannot draw an exact line, and we often have an opinion about when something is more natural than another thing, even if there are exceptions and difficulties. (According to this definition, primeval areas are more natural than cultural landscapes, and cultural landscapes are more natural than nuclear power plants.) Therefore, “things in the world that are as far as possible from human manipulation and control” seems so far to be the

suggestion that is most in accordance with the usage of “nature” in the Code, and will thereby be the definition to have in mind.

2.2 Tracing the statement about nature’s worthiness

2.2.1 International conventions

In 1993, Sweden ratified the United Nations’ *Convention on Biological Diversity*, and has thus endorsed the claim in the preamble of the convention that biodiversity has an “intrinsic value”. It is also stated in the convention that biodiversity has an ecological, social, economic, scientific, educational, cultural, recreational and aesthetic value, and is important for evolution and for maintaining life sustaining systems of the biosphere. Furthermore, in the preamble of the *Convention on the Conservation of European Wildlife and Natural Habitats*, ratified by Sweden in 1983, it is claimed that wild flora and fauna constitute a natural heritage of “intrinsic value”. It is also said that the wild flora and fauna plays an essential role in maintaining biological balances. These are two examples of statements about nature’s value found in international conventions that Sweden has ratified.

Studying these conventions, it is possible to see that two different values of nature (in these cases, biodiversity and wild flora and fauna) are at the center of attention. Firstly, it is stated that nature has *intrinsic* value. This can mean that something has value for the sake of itself (Zimmerman, 2010). Secondly, it is stated that nature has a value for the sake of e.g. economy, science, education etc. Another way of expressing the second type of value is by saying that nature possesses *extrinsic* value, i.e. value for the sake of something else, and not for the value-bearer itself (Zimmerman, 2010).

2.2.2 Swedish legislative history

When the *Convention on Biological Diversity* entered into force, Sweden reviewed its legislation in this field, e.g. in the government bill *Biodiversity Strategy* (Swe: *Strategi för biologisk mångfald*) (Prop. 1993/94:30). The statement that nature is worthy of protection can be traced back to this legislative history. The basis of this government bill is the protocol of a government meeting where a draft to the bill was presented (Prop. 1993/94:30 p. 2). The protocol is attached as an appendix to the bill. The reasoning in the protocol goes as follows:

A starting point for valuation of biodiversity is human beings and their needs. Traditionally, opportunities to exploit different biological resources have often formed the basis for valuation. Also the value of biodiversity for future consumption and to satisfy the human need for beauty, excitement and explaining the world is an important valuation basis.

Another approach is to attribute to nature an intrinsic value. According to surveys, this opinion is relatively common in Sweden. This approach leads, in its most extreme form, to the conclusion that interference with nature cannot be allowed. Most people who believe that nature has intrinsic value should, though, accept that humans utilize it for their living.

Whatever the starting point is, it is possible to agree on that the nature and the biological diversity is worthy of protection. (Prop. 1993/94:30 p. 9, author’s translation)

Also here, it is distinguished between *intrinsic* value and value for the sake of satisfying the needs of humans. It is claimed that nature is *worthy of protection*, but more precisely *why*

nature is worthy of protection – if it is for its own sake, for the sake of humans, or both – remains undetermined.

Shortly after this investigation, the statement that nature is worthy of protection did occur in another place, namely in the *Act on Genetically Modified Organisms* (1994:900), henceforth called “the GMO Act”. Later, this act was incorporated in the Code. The question about nature’s worthiness of protection was discussed in the preparatory works of the GMO Act. When the GMO Act was prepared, a drafting committee stated the following:

The committee believes that nature has an intrinsic value. But the committee also believes that man, under certain conditions, can take the right to change nature and what is living in nature. (Prop. 1993/94:198 p. 70, author’s translation)

These concepts were not further developed in the government bill of the GMO Act; instead the government bill declares that nature is *worthy of protection*, and that man has the right to change and use nature under a certain responsibility to avoid serious disturbances in the ecological systems (Prop. 1993/94:198 p. 45). The GMO Act was formulated like this:

Furthermore, ethical considerations are to be taken. Thus it shall be considered that nature is worthy of protection and that our right to modify and exploit nature is tied to a manager’s responsibility. (GMO Act 4 §, author’s translation)

The formulation resembles the following part the Code – a similarity that is also pointed out in the government bill of the Code (Prop. 1997/98:45 Part 2 p. 481):

Such development will be based on recognition of the fact that nature is worthy of protection and that our right to modify and exploit nature carries with it a responsibility for wise management of natural resources. (Part of chapter one, section one of the Code. Translation: The Ministry of Environment in Sweden)

To sum up, the statements about nature’s worthiness of protection in the Environmental Code can be traced back to the government bill *Biodiversity Strategy*, and the government meeting where a draft to the bill was presented. There it is expressed that nature is worthy of protection. Both intrinsic value and extrinsic value is brought up to discussion, but no clear position is taken in terms of which one of these values (or both) that gives rise to the worthiness of protection. Furthermore, the statement that nature is worthy of protection occurred in the GMO Act. In the preparatory works of this act, a drafting committee actually stated that nature has intrinsic value. This opinion stays with the drafting committee though, since it is not further mentioned in the government bill of the GMO Act, or in the act itself. Here, only the worthiness of protection is brought up and assumed, without discussions about *why* nature is worthy of protection. It is, thus, possible to discern a difference between higher and lower instances in the preparatory works. The lower instances are more willing to expressly attribute nature an intrinsic value, while the higher instances refrain from taking a clear position. Still, the higher instances do not renounce the attribution of intrinsic value of nature.

The international conventions mentioned, however, clearly express that nature (or, more precisely, *biodiversity*, and *flora and fauna*) has intrinsic value, and also extrinsic value. Thus, in some legal sources it is stated that nature (or natural things) has intrinsic value, and in others this question is not discussed – although the phrase “worthy of protection” is still used. The phrase “worthy of protection” is therefore often used in an imprecise way, where it is not

really clear in virtue of what nature is worthy of protection. Is it for the intrinsic or extrinsic value of nature, or both?

2.2.3 Preparatory works of the Code

The statute commentary (Swe: författningskommentar) of chapter one, section one of the Code is found in the government bill of the Code. Several statements are interesting when trying to learn what “worthy of protection” is intended to mean, and they will therefore here be quoted:

Nature is not only habitat for humans, but also has its own worthiness of protection.
(Prop. 1997/98:45 p. 7 Part 2, author’s translation)

[...] which is a natural consequence of that nature is ascribed an independent worthiness of protection. (Prop. 1997/98:45 p. 9 Part 2, author’s translation)

Besides that nature is worthy of protection as such, nature and its resources are a prerequisite for production and welfare and for human survival. (Prop. 1997/98:45 p. 9 Part 2, author’s translation)

These statements in the statute commentary provide support for the claim that nature is ascribed intrinsic value in the Code. It is described how human society is ultimately dependent on the functioning of the ecological system, as being habitat for humans, and providing resources for production, welfare, and survival. It is therefore obvious that nature is attributed extrinsic value. But it is clearly expressed that nature does not *only* have a value for humans, but *also* a value “as such”. Nature is not *only* worthy of protection for humans, but *also* has “its own”, or “an independent” worthiness of protection. A plausible interpretation considering this *other* kind of value is that it is, in fact, intrinsic.

2.2.4 Conclusion

When the phrase “nature is worthy of protection” is used in Swedish environmental laws and their preparatory works, the meaning of the phrase is not always completely settled. Sometimes, however, it appears as if the usage of the phrase includes that nature has both intrinsic and extrinsic value. Support for that to be the case in the Code has been found, and if this is the case it is important to be aware of what such a statement might imply. But neither the Code itself nor its preparatory works describe what implications can be drawn from this, except for the protocol from the 1993 government meeting (also quoted above): “This approach [to attribute nature intrinsic value] leads, in its most extreme form, to the conclusion that interference with nature cannot be allowed. Most people who believe that nature has intrinsic value should, though, accept that humans utilize it for their living.” (Prop. 1993/94:30 p. 9, author’s translation).

When it is written in the Code that nature is worthy of protection, is it the “extreme” implications or the more “allowing” implications of the word that is intended? Just by reading chapter one, section one of the Code, the answer to this question is far from obvious, and a detailed discussion of the issue is missing in the examined legal sources. Therefore, a perspective from a broader context, e.g. the philosophical context, is needed to make it more clear what the intrinsic value of nature plausibly can imply. Also the implications of an extrinsic value of nature should be discussed from a philosophical point of view; for example, does it have implications on how humans should act, for example in cases when humans

exercise their attributed right to exploit nature in ways that are harmful for *humans*? In section 3, the two different values that the Code seems to attribute to nature will be the subject of philosophical inquiry. First, however, the other statement in the Code will be examined.

2.3 The right to modify and exploit nature

Also the statement about humans' right to modify and exploit nature can be traced to the legislative history described in section 2.2.2. As has been seen, it is stated in the GMO Act that "our right to modify and exploit nature is tied to a manager's responsibility" (GMO Act 4 §, author's translation). Furthermore, the preparatory works of the Code refer to the government bill *Biodiversity Strategy* (Prop. 1993/94:30) when pointing out where this expression comes from (Prop. 1997/98:45 p. 391 Part 1).

Since it is explicitly written in the Code that "[humans'] right to modify and exploit nature carries with it a responsibility for wise management of natural resources", it seems like an assumption has been made that humans *have* in fact such a right. There is, however, also another possible interpretation. When the concept of the right expressed in the Code is explained in the literature by Michanek and Zetterberg, an example is given: "The owner of a property does not have the right to use the property to only satisfy her own interests, but should also manage the natural resources for the needs of future generations." (Michanek & Zetterberg, 2008, p. 108, author's translation). This can be interpreted in the following way: *if* one has a legal right (of any kind), *then* this right carries with it a responsibility for wise management of natural resources. A legal *ownership* right that includes the right to modify and exploit the thing owned, also when it is a natural resource, would thus be connected to a responsibility for wise management of natural resources. This interpretation does however not seem plausible when studying the government bill *Biodiversity Strategy* (Prop. 1993/94:30), where the government has explicitly stated: "An important starting point is that humans have a right to modify and exploit nature" (Prop. 1993/94:30 p. 4). With regard to this, it seems plausible to make the interpretation that the right to modify and exploit nature is attributed to all humans, and not only e.g. owners of natural resources.

Is this a moral or a legal attribution, then? In the Swedish constitution different legal human rights are written down for citizens and non-citizens, yet not any right to modify and exploit nature (there is, however, a *protection of property*, and a right to *access the natural environment* (The Instrument of Government, chapter 2 art. 15)). Therefore, the right to modify and exploit nature seems not to be acknowledged as a legal human right among other rights within the Swedish legal system, but rather seems to be a moral assumption. As will be seen in section 3.1.1, this moral assumption may come from the traditional Western way of thinking.

3 Implications of nature's value

The statement in the Environmental Code that nature is worthy of protection seems to intend that nature has two different types of value: extrinsic and intrinsic value. In this part of the essay, one aim is to investigate what these kinds of values plausibly can imply. Another, subsequent question is how the implications of these values relate to the statement that humans have a right to modify and exploit nature.

3.1 Extrinsic value

3.1.1 The argument

Several legal sources describe that humans need nature for survival, and therefore nature should be protected. According to the human centered ethics of Western tradition, nature should be protected *only* so far as it concerns humans' well-being, since nature only has a value for the sake of humans according to this tradition (Singer, 2011, p. 241). The idea that nature only has extrinsic value is often derived from Hebrew, Christian and Greek ways of thinking. According to the biblical story of creation, *Genesis*, humans dominate the Earth (Singer, 2011, p. 239). Aristotle's position is that nature has made all animals (and the plants that animals need) for the sake of men – a view that has also been connected to a Christian way of thinking (Singer, 2011, p. 241). Although there are exceptions (Devall & Sessions, 1985, p. 90), in general, ethics of Western tradition have been anthropocentric, i.e. with humans as a base. According to Immanuel Kant, the nature of *rational beings* indicates that they are not having only relative worth as means, but that they are ends in themselves. Beings that are *not* rational, on the contrary, "have only a relative worth as means and are therefore called 'things'" according to Kant (Singer, 1994, p. 279).

The argument that nature's extrinsic value makes it worthy of protection is based on a fact that probably everyone would agree on: humans need natural resources for their survival, and therefore they should protect nature. There may be a theoretical problem with the argument, though. One way to understand the difference between intrinsic and extrinsic value is by describing them from a means-end relation (even if this may not be the only relation) (Zimmerman, 2010). That something has extrinsic value means that it is a *means* to another thing. Some would say that this thing in its turn must have intrinsic value, or eventually lead to something that has intrinsic value (Zimmerman, 2010). According to this idea, if nature is to have extrinsic value since it is leading to the survival of humans, humans' survival must have intrinsic value, or eventually lead to something that has intrinsic value (e.g. happiness, if this has intrinsic value).

Supporters of some deontological ethical theories (i.e. theories that state distinct moral rules or duties) would say that humans' lives *have* intrinsic value (since it is this value that gives rise to the duties), and thereby avoid the problem described. This is obviously also an opinion of many legal systems. The United Nations' Universal Declaration of Human Rights states that recognition of the "inherent dignity" of all members of the human family is the foundation of freedom, justice and peace in the world (Universal Declaration of Human Rights, preamble). Presumably, the mentioned recognition (or assumption) is also made by the declaration. Supporters of other ethical theories might not agree that humans' lives have intrinsic value. Still, many would maintain that something that humans' lives *could lead to* has intrinsic value, which would also avoid the problem.

Another way to solve this possible problem is to state that extrinsic value does not have to lead to intrinsic value, as have been done by Berdsley, according to whom there exists only extrinsic value (Zimmerman, 2010). Berdsley's argument, according to Zimmerman (2010), is that we can never know what has intrinsic value, which is therefore meaningless to speak about at all. As Zimmerman answers to this argument, whether we *know* or not what it is that has intrinsic value is of no relevance to if there *exists* intrinsic value. Intrinsic value may exist, even if we do not know what possesses it. The thesis that only extrinsic value exists thus needs stronger arguments in order to be a reasonable position.

Regardless of whether intrinsic value exists or not, and whether we can know which things that have such value, one can also argue that *everything* has extrinsic value (and, in addition to this value, some things may have intrinsic value as well). In this case, everything has a worth as being a means to another thing, which leads to an infinite circle of everything having extrinsic value, and the intrinsic value as a final end is thereby not needed. Obviously, there are several different ways to meet the problem of extrinsic value described above, and it will therefore be assumed that nature can have extrinsic value.

3.1.2 Implications of the value, and consistency with the right to exploit nature

Would a right to modify and exploit nature be consistent with the statement that nature has extrinsic value? Let us assume that nature has extrinsic value since it is important for humans, and leave its possible intrinsic value out of consideration. Then – given that we want to maintain this extrinsic value – an implication could be that humans can do anything with nature, as long as the well being of humans (and other beings that we may have to count in) is not jeopardized. Thus, the right to modify and exploit nature must have some *limits*. It seems conceivable that we have a limited right to exploit nature, to the extent that nature is not to be damaged in cases where it is harmful for humans. A difficulty lies, though, in pointing out *when* nature is damaged in a way that is harmful for humans, and hence which limitations that are required. To make the required limitations can thus be a difficult task, but ought to be a possible one. The Code itself makes a move in this direction, pointing out that our right carries with it a responsibility for *wise management* of natural resources. The exact meaning of “wise management” is hard to make clear, and it is thereby difficult to decide if it is a strong enough limitation. However, the rest of the Code gives more precise descriptions of which actions that are legal, and thereby hopefully also within the moral right that is assumed. Thus, there does not seem to be any contradiction in stating that nature has extrinsic value, and at the same time giving humans a limited right to modify and exploit nature.

3.2 Intrinsic value

3.2.1 The argument

If there were no humans on Earth, would nature be of any worth? One answer could be “yes”; based on the idea that nature possesses intrinsic value. If this is true, it could lead to the conclusion that nature should be protected for the sake of itself, and not merely to achieve something else, e.g. the survival of humans. That nature has intrinsic value has been a standpoint in the deep ecology (e.g. Devall & Sessions, 1985, p. 70). Opposite to the human centered ethical theories, the deep ecology does not regard only humans as objects of intrinsic value, but also every other thing that exists on Earth (Næss, 1973). The founders of the deep ecology have not claimed to give precise descriptions of which actions that are morally right,

but have instead focused on general ways of thinking (Næss, 1973). Still, principles within the theory have been set out. One basic norm is a norm of *biocentric equality*, according to which “all things in the biosphere have an equal right to live and blossom” (Devall & Sessions, 1985, p. 67). Furthermore, it has been established within the discipline of deep ecology that:

1. The well-being and flourishing of human and nonhuman Life on Earth have value in themselves (synonyms: intrinsic value, inherent value). These values are independent of the usefulness of the nonhuman world for human purposes.
2. Richness and diversity of life forms contribute to the realization of these values and are also values in themselves. (Devall & Sessions, 1985, p. 70)

A basic question to ask about these principles is “How can it be showed that nature has intrinsic value?”. The deep ecology is to a great extent based on intuitions and experiences of nature and humans’ relation to nature (Devall & Sessions, 1985, p. 65). However, referring to intuition as support for the statement that nature has intrinsic value may not be very persuasive (Singer, 2011, p. 252). Contemporary environmental ethicists have tried to give some more precise explanations. Lawrence Johnson has argued that e.g. species and ecosystems have *interests* that should be taken into account (Singer, 2011, p. 253). However, an explanation is needed for how beings that cannot feel anything (nonsentient beings) can have interests. Freya Matthews speaks about self-realizing systems (including not only conscious living organisms but also e.g. trees, and “holistic entities” like species, ecosystems, and the entire global ecosystem), claiming that their *seeking to maintain and preserve themselves* gives them intrinsic value (Singer, 2011, p. 253). These ways of thinking is criticized by Singer, who argues that it cannot be showed that nonsentient beings *are* interested in maintaining themselves, even if they may “respond to events in ways that resembles self-maintaining systems” (Singer, 2011, p. 253).

The question about what things that have intrinsic value is controversial. George Edward Moore has been called a pluralist regarding what kind of things that have intrinsic value, and William Frankena made a long list with specific things, while other philosophers have been more restrictive (Zimmerman, 2010). As mentioned, Kant held that rational beings have intrinsic value. In sum, it seems to be very difficult to prove that nature, or anything at all for that matter, has intrinsic value (even if it may be a widespread intuition that this is the case).

3.2.2 Implications of the value

The question whether nature in fact has intrinsic value or not will not be further discussed in this essay. The intention was to give a brief description of the ideas on the matter from the perspective of different philosophical scholars. Let us assume that nature in fact has intrinsic value, an assumption that has also been made in the Code according to the interpretation in section 2. What would then be the implication of this?

According to the deep ecology, the norm of biocentric equality (that all things in the biosphere have an equal right to live and blossom) does not mean that humans should not harm nature at all, since a mutual predation among species is regarded to be a biological fact of life (Devall & Sessions, 1985, p. 67). The implication is rather that we should live with minimum impact on other species and on the Earth in general (Devall & Sessions, 1985, p. 68). This idea is connected to the third principle of the deep ecology formulated by Næss and Sessions: “3. Humans have no right to reduce this richness and diversity except to satisfy *vital* needs.” (Devall & Sessions, 1985, p. 70) A conclusion to draw from this is that humans are

allowed to exploit nature for their survival, but not because they are humans, but because *everyone* is allowed to do that.

There are some deontological ethical theories about the intrinsic value of nature and its implications. Some theories are individualistic and do not apply on whole ecosystems or species, but on individual things such as a specific animal or a specific plant. Tom Regan has argued that the intrinsic value of animals gives rise to a *prima facie* moral duty to protect and refrain from damaging them, and to treat them not merely as means to other ends (Brennan & Lo, 2011). Similarly but in an enlarged edition, Paul Taylor argues that the intrinsic value of each living thing (from animals to micro-organisms) deserves moral respect, and that we have a *prima facie* duty to “preserve or promote their goods as ends in themselves” (Brennan & Lo, 2011).

There are also holistic deontological theories that apply to e.g. the biotic community, ecosystems and biophysical world, according to which these wholes should not be treated as a mere means to human ends (Brennan & Lo, 2011). Katz questions the anthropocentric ethical perspective as being a denial of the freedom and autonomy of nature. He argues that human domination over nature leads to that nature “is not permitted to be free, to pursue its own independent course of development.” (Katz, 1991) According to Katz, nature has to be evaluated on its own terms, independent from the interests of humans. Being an “autonomous subject”, nature “deserves moral respect and must not be treated as a mere means to human ends.” (Brennan & Lo, 2011)

The described deontological ways of thinking can be derived to the works of Kant. As already described, Kant thinks that rational beings are ends in themselves. Therefore, he means, one should act so that one treats humanity – since humans are *rational* – “always as an end and never as a means only” (Kant, 1908, p. 60, author’s translation). This has been regarded as one of the major formulations of Kant’s categorical imperative (Johnson, 2008). Kant speaks about “ends” in a both negative and positive sense. The negative sense is that there are *limitations* on how we are allowed to act while we are pursuing other ends (e.g. pleasure), so that we do not neglect humanity (Johnson, 2008). The positive sense of an end is that it is something to “realize, cultivate or further” (Johnson, 2008) by our actions – which, Kant thinks, we should do with both our own and others’ humanity. The humanity (rationality) in human beings requires respect, according to Kant (Johnson, 2008). Kant’s ways of thinking is extended by the authors named above, who speak about having *prima facie* duties treating parts of or the entire nature as an end.

The notion of “*prima facie* duties” may require some explanation. The different types of deontological theories that have been described will have to meet some practical difficulties when guiding us in what we ought to do by prescribing duties. One such practical difficulty is that the duties that they give rise to may conflict (or appear to conflict) with each other, which puts the acting person in a moral dilemma (Backman et al., 2012, p. 170). As William David Ross describes it: if there were duties to tell the truth, keep promises, give pleasure and not hurt other people, “What is the plain man to do when he cannot tell the truth to A without breaking a promise to B, or when he cannot give pleasure to C without hurting D?” (Ross, 1939, p. 312). Judging whether an action is right or wrong is a complicated thing, and presumably an ethical theory would be too simple if it said that *every* action in accordance with a certain duty is right, and *every* action against it is wrong.

Ross avoids doing such a thing by holding that the general principles should be treated as stating not absolute but *prima facie* (“at first sight”) obligations. At first sight, an action in accordance with a *prima facie* obligation should be regarded to be right. But Ross thinks that one duty can outweigh another duty (Ross, 1939, p. 84). Therefore, if there is another duty that outweighs the first duty, and the action that seems right according to the “lower” *prima facie* duty is wrong according to this “higher” duty, the action (that *prima facie* seemed to be right) can turn out to be wrong. Deciding which *prima facie* duties that outweigh other *prima facie* duties is not said to be a simple thing. Ross discusses this problem, and gives some suggestions on how we ought to do: “When we are dealing with obligations of the same kind, we have certain criteria for measuring their obligatoriness; we can see that, *ceteris paribus*, there is a greater *prima facie* obligation to produce a great good than to produce a small one” (Ross, 1939, p. 321). But sometimes, different duties have different goals; one duty may be to produce a good, and another to fulfill a promise, and a comparison is not that easy to make. As Ross describes it, here we “move in a region of uncertainty” (Ross, 1939, p. 321) about which duty that outweigh the other.

One can argue that when many people agree on which duty that is the “highest”, they are more likely to be right than when only a few people have the same opinion. But when the opinions are “pretty evenly divided” (Ross, 1939, p. 321) it is more difficult to decide who *is* right. But who is right might not be so important to know. Instead, we can focus on trying to decide how these people should act. Ross seems to be saying that when something *appears* to be the right course for a person, the person is obliged to act in this way. In other words, we are obliged to perform actions when they are in accordance with duties that that we *think* outweigh other, conflicting duties (Ross, 1939, p. 163). Ross himself brings up a problem with this way of thinking, which is that what is morally suitable will depend on opinions, and opinions can be far from the truth. Is it plausible that we should be obliged to act in a way that may, in fact, be *wrong* (if our opinion about what is right is mistaken)? On the other hand, would it be more plausible to oblige people to act in ways that they think are wrong? Ross discusses this, and maintains his position that we are obliged to perform actions when they are in accordance with duties that that we think outweigh other duties.

An implication from the reading of Ross is that we should try to think for ourselves, and listen to others’ opinions, in deciding which *prima facie* duties that outweigh other *prima facie* duties. So, let us return to the question of implications of intrinsic value. An assumption that has been made is that nature has intrinsic value. Following some of the deontological ethicists, this implies that we have a *prima facie* moral duty to treat nature always as an end and never as a means only. Let us also follow Kant in that we have a duty to treat humanity always as an end and never as a means only. Most people would probably think that the duty that we have to humanity outweighs the duty we have towards nature (some would even say that the duty towards humanity is not a *prima facie* duty (that can be deprioritized) but an absolute duty, i.e., a duty that should never be violated (Backman et al., 2012, p. 170), but this question will not be discussed here). Let us assume that this is the case. In this case, it would be morally allowed to use nature as a means only (e.g. damage it) for the sake of protecting humanity. But doing this *without* thereby protecting humanity would be morally wrong (if it is not needed for fulfilling another higher *prima facie* duty), since it would violate the duty towards nature. A deontological conclusion is, thus, that nature *can* be used as a means only, but only insofar as it is for the sake of fulfilling higher ranked *prima facie* duties, such as the mentioned duty towards humanity. If humans can be treated as ends and not mere means *without* the duty towards nature being violated, we are obliged to not violate our duty towards nature.

To sum up and make a conclusion: from the perspectives of the deep ecology and a deontological ethics, an intrinsic value of nature can plausibly imply that humans should prevent nature from being:

- (1) Used also when it is not necessary for satisfying humans' *vital* needs (deep ecology), *or*
- (2) Used merely as a means, when this is not needed for the sake of our duty towards humanity (deontological ethics).

3.2.3 Consistency with the right to exploit nature

Is a right to modify and exploit nature consistent with the statement that nature has intrinsic value? As already mentioned, the Code itself points in a direction where humans are not allowed to do *everything* with nature. Let us once again take a look at chapter one, section one of the Code:

The purpose of this Code is to promote sustainable development which will assure a healthy and sound environment for present and future generations. Such development will be based on recognition of the fact that nature is worthy of protection and that our right to modify and exploit nature carries with it a responsibility for wise management of natural resources. (Translation: The Ministry of Environment in Sweden)

Assuming that the intrinsic value implies (1) or (2) listed above (which would be the case if any of the theories they are based on were true), there must be quite strong limitations on the right to modify and exploit nature, to prevent nature from being used also when it is not necessary for satisfying humans' *vital* needs (deep ecology), or used merely as a means, when this is not needed for the sake of our duty towards humanity (deontological ethics). When trying to find out if this is the case, it may seem interesting to also explore the other parts of the Code. When the Code is applied in legal cases, it is mainly these other parts that are used (Michanek & Zetterberg, 2008, p. 110). However, these parts must be interpreted in each case, and when this is done, an important starting point is in fact chapter one, section one (Michanek & Zetterberg, 2008, p. 110). I.e., the objectives of the Code are always (or should always be) kept in mind when interpreting the other parts of the Code. Therefore, it is primarily chapter one, section one of the Code that is in focus of this investigation. As was described in the introduction, understanding this part of the Code isolated from the other parts of the Code is essential, since it sets a limit for the other parts.

According to chapter one, section one of the Code, the purpose of the Code is to promote sustainable development. Sustainable development is often regarded to involve ecological, social and economical dimensions. Given that the economical dimension carries most weight, a sustainable development will highly likely result in larger damages of nature than what is necessary for satisfying humans' *vital* needs, and what is needed for the sake of our duty towards humanity. The same might be said about the social dimension. But if the ecological dimension carries most weight among the three dimensions, the risk of conflict with the attributed intrinsic value of nature should be reduced (although not eliminated, depending on to what extent nature should be protected). According to the preparatory works of the Code, the purpose of the Code is to achieve *ecologically* sustainable development; this is clarified several times in the proposition (Prop. 1997/98:45 p. 155, 170 Part 1). There are also utterances that imply that the ecological dimension is attached a great importance also in the Swedish legal system in general:

The overall objective of the Governments politics is that Sweden must be a driving international force and a pioneer in the effort to create an ecologically sustainable development. The government works to achieve that economic development and improved social welfare goes hand-in-hand with the protection of the environment and the management of natural resources. (Prop. 1997/98:45 p. 156 Part 1, author's translation)

Assuming that the ecological dimension of sustainable development is prioritized in the Swedish legal system, the risks of conflicting with the attributed intrinsic value of nature is, however, not gone. Different definitions can be given of "sustainable development". One of the most famous ones is the one given by the United Nations: "Sustainable development is development that meets the needs of the present without compromising the ability of future generations to meet their own needs." (The United Nations, 1987) Kerstin Andersson (2011) argues that the definition given by the United Nations is based on anthropocentric values, according to which only humans have intrinsic value, and nature does not. A sustainable development according to this definition focuses on meeting only humans' needs (in the present and in the future), and will ensure humans good lives, but is not extended to ensure that nature is taken care of as an end in itself (Andersson, 2011, p. 141).

If Sweden would be following this line, there would be a conflict with the implications of an intrinsic value of nature, even if ecologically sustainable development were promoted in the Code. However, Staffan Westerlund (1997) thinks that even if the definition of "sustainable development" is indeed anthropocentric, maybe nature will be equally protected as if the definition would put nature in center, regarding the limitations on our actions that arise from an anthropocentric definition. He mentions for instance the requirement to implement environmental impact assessments, and the *polluter pays principle*, and argues that these procedures could also arise from, and would fit well with, a view that puts nature in center (Westerlund, 1997, p. 171). One may agree that this is the case, but if these kinds of principles and requirements would *ensure* that nature would be protected in a sufficient way is difficult to determine. Suppose that an anthropocentric definition of "sustainable development" is *not* sufficiently ensuring that nature is treated as if it has intrinsic value. Then it is interesting to know if the definition in the Code is anthropocentric or not. Is sustainable development promoted to the extent that the *extrinsic* value of nature is maintained, or also to the extent that the *intrinsic* value of nature is considered?

According to Andersson (2011), the definition of "sustainable development" made by the United Nations also permeates the politics of Sweden. She thinks that Swedish politics is based on an anthropocentric view where only humans (and *not* nature) are regarded to have intrinsic value (Andersson, 2011, p. 141). A reading of the Code and its preparatory works, however, implies that sustainable development defined by the Code may not be as anthropocentric as the definition of the United Nations. It is, after all, written that sustainable development is "based on recognition of the fact that nature is worthy of protection" (The Code, chapter one, section one). And according to the results of the investigation in section 2, the expression "nature is worthy of protection" indicates that it is assumed in the Swedish legal system that nature has intrinsic value. The definition of "sustainable development" in the Code does thereby not seem to be only anthropocentric, but to include that also the "needs" of nature should be met. The formulation of the Code can thus be interpreted as if it states that the right to modify and exploit nature should *not* violate the intrinsic value of nature. Given that the right to modify and exploit nature should be regarded as this limited, there will be no conflict between the statements "nature is worthy of protection" and "humans have a right to modify and exploit nature".

Is it plausible to interpret the right to modify and exploit nature as limited by an intrinsic value of nature? Or is Andersson right in that Sweden's politics (and thereby the environmental law) is based on an anthropocentric view where nature is not regarded to have intrinsic value? In section 2 it was established that nature is, not always but still quite often, regarded to have intrinsic value in the Swedish legal system. Studying different parts of the legal system where the value of nature has been discussed showed this. If it is a correct interpretation that the phrase "nature is worthy of protection" includes that nature has both extrinsic and intrinsic value, our right to modify and exploit nature can plausibly not be unlimited. Most actions where nature is exploited will most likely damage nature also when it is *not* necessary for satisfying humans' vital needs, and also when this is *not* needed for the sake of our duty towards humanity. Therefore, the statement that nature has intrinsic value would be inconsistent with the assumption that humans have a right to modify and exploit nature, if the right is *not* very limited.

If one wants to understand chapter one, section one of the Code in a way that is free from contradictions, it seems plausible to draw the conclusion that the right to modify and exploit nature expressed in the Code is very limited. A charitable interpretation of the Code includes, thus, that the required limitations (the preventing from (1) or (2)) *are* put on the right to modify and exploit nature.

4 Conclusions

As described in the introduction, an aspiration was that this investigation would lead to a more precise understanding of what is actually being said in chapter one, section one of the Environmental Code. It is important to really understand what these objectives of the Code means, since they form the basis for and play an essential role for Swedish environmental law and policy.

In the objectives of the Code it is stated that nature is worthy of protection, which in section 2 has been interpreted to mean that nature is attributed both extrinsic and intrinsic value. The investigation made in section 3 shows that these values must plausibly imply the following things: Concerning the extrinsic value, humans are only allowed to modify and exploit nature when the well being of humans is not jeopardized. Concerning the intrinsic value, and given that the deep ecology *or* the deontological ethics that has been described is correct, nature is *not* to be used also when it is not necessary for satisfying humans' *vital* needs (deep ecology), or *not* used merely as a means, when this is not needed for the sake of our duty towards humanity (deontological ethics).

At the same time as these values of nature are stated, the Code states that humans have a right to modify and exploit nature: “[A sustainable] development will be based on recognition of the fact that nature is worthy of protection and that our right to modify and exploit nature carries with it a responsibility for wise management of natural resources.” (Chapter one, section one of the Code. Translation: The Ministry of Environment in Sweden). A charitable interpretation of this statement implies that one of the limitations described above *are* put on the right to modify and exploit nature. Given this interpretation, the two statements (that humans have right to modify and exploit nature and that nature is worthy of protection) seem to not contradict each other, and this part of the Code seems to be free from inconsistencies. This is a very important conclusion. It would lead to great difficulties to attribute humans a right that, when exercised, violates the (in the same code) attributed value of nature. How would people get clear guidance for their behavior? If the code had made inconsistent statements like these, actions in accordance with one part of the Code would violate another part of the Code. This would of course be problematic in many ways.

The findings of the essay, and thereby the conclusion, is thus that chapter one, section one of the Code – according to the interpretation that has been made – attributes nature both extrinsic and intrinsic value, and attributes humans a right to modify and exploit nature, which however is very limited.

What does it mean, then, that the right to modify and exploit nature is “very limited”? The interpretation could be further developed, specifying what is included in this concept (which could be difficult, though). But even if a plausible and clear limitation on our actions were given, the actions of the Swedish people may not fall within the scope of the limitation. The right that humans are *attributed* in the objectives of the Code may be very limited, but one can ask if the right that people *take* is very limited, since natural resources are being consumed, toxic substances are being released to the environment, etc. An interesting empirical question is thus if the actions that people perform are in conflict with the objectives of the Code, as they have been interpreted in this essay. If this is the case, should and could the objectives be fulfilled, or are they implausible? Even if there are no inconsistencies within the objectives of the Code, there are many other interesting questions concerning them that need to be explored.

Literature

- Andersen, S. (1994). Ret, etik og miljø. In E.M. Basse (ed.), *Miljørettens grundspørgsmål: bidrag til en nordisk forskeruddannelse*. København: Gads Forlag.
- Andersson, K. (2011). *Naturens värde och hållbar utveckling*. Falun: Nya Doxa.
- Backman, Y., Gardelli, T., Gardelli, V., & Persson, A. (2012). *Vetenskapliga tankeverktyg: till grund för akademiska studier*. Lund: Studentlitteratur.
- Bengtsson, B. (2001). *Miljöbalkens återverkningar*. Stockholm: Norstedts Juridik AB.
- Brennan, A., & Lo, Y., "Environmental Ethics", *The Stanford Encyclopedia of Philosophy* (Fall 2011 Edition), Edward N. Zalta (ed.).
- Devall, B., & Sessions, G. (1985). *Deep Ecology: Living As If Nature Mattered*. Salt Lake City, Utah: G.M. Smith.
- Johnson, R., "Kant's Moral Philosophy", *The Stanford Encyclopedia of Philosophy* (Summer 2010 Edition), Edward N. Zalta (ed.).
- Kant, I. (1908). *Grundvalen för sedernas metafysik*. Stockholm: Aktiebolaget Ljus.
- Katz, E., (1991). "Restoration and Redesign: The Ethical Significance of Human Intervention in Nature", *Restoration and Management Notes*, 9:2, 90-6.
- Michanek, G., & Zetterberg, C. (2008). *Den svenska miljörätten*. Uppsala: Iustus Förlag.
- Mill, J.S. (1874). "On Nature", *Philosophy Department at Lancaster University, UK* (Release 1: September 1996).
- Næss, A. (1973). "The Shallow and the Deep, Long-Range Ecology Movement. A summary", *Inquiry*, 16:1, 95-100.
- Regeringens proposition 1997/98:45 *Environmental Code* (Swe: *Miljöbalk*).
- Regeringens proposition 1993/94:30 *Biodiversity Strategy* (Swe: *Strategi för biologisk mångfald*).
- Regeringens proposition 1993/94:198 *Act on Genetically Modified Organisms* (Swe: *Lag om genetiskt modifierade organismer*).
- Ross, W.D. (1939). *Foundations of Ethics*. Oxford: Clarendon Press.
- Singer, P. (1994). *Ethics*. Oxford: Oxford University Press.
- Singer, P. (2011). *Practical Ethics*. New York: Cambridge University Press.
- The United Nations. (1987). *Report of the World Commission on Environment and Development: Our Common Future*. A/42/427.
- Westerlund, S. (1997). *En hållbar rättsordning: Rättsvetenskapliga paradigmer och tankevändor*. Uppsala: Iustus Förlag AB.
- Zimmerman, M.J., "Intrinsic vs. Extrinsic Value", *The Stanford Encyclopedia of Philosophy* (Winter 2010 Edition), Edward N. Zalta (ed.).