

# HOW BIG IS THE MORAL UMBRELLA?

(An Enquiry Concerning Moral Scope)

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To the memory of C. K. R. (Ken) Pierce – teacher, priest, and friend –  
with whom I began this conversation.  
And for Morgan, who must inherit the mess.

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## ABSTRACT

The question *What kinds of things are morally important in themselves?* (People? All sentient creatures? Trees? All living things? Ecosystems? Mountains? Rivers? Pebbles? Old cans?) is pressing. Thanks to 'animal rights' activism, the abortion debate, environmentalism, and a sense that technology needs greater moral guidance, analytic philosophy now offers four broad answers: HUMANISM (all and only humans), SENTIENTISM (all creatures capable of 'affect'), VITALISM (all *individual* living organisms), and ECOSOPHISM (all living individuals plus some natural 'systems' and, perhaps, certain non-living natural entities).

These answers are carefully developed and contain many persuasive elements. However, critical exploration of representative literature reveals that each answer is predicated on a distinct and different view of morality's purpose, and we are rationally free to reject any (or all) of those views. In consequence, debate stalls. Short of question-begging appeals to first principles, the positions fall back on touting their relative merits. The best we can say is that humanists extending consideration to *all* humans will face difficulty resisting sentientism, but even sentientism is not rationally incumbent. Once we look beyond life-forms to whom events can *matter* in some way, expansionist arguments clearly fail to speak to humanist (and sentientist) concerns. Because humanism (and, to a lesser extent, sentientism) is informed by long-standing tradition, a considerable burden of proof impedes expansionist ambitions.

The expansionist programme requires finding common ground; ground which is not obviously in evidence. To conclude, I offer an explicitly *tentative* suggestion for beginning to resolve this impasse. All parties should agree that whatever else morality does (or does not) achieve, rational morality promotes human well-being. And it is abundantly clear that human well-being requires a healthy, sustainable environment. Thus, an instrumental, *pragmatic*, approach to framing moral requirements promises grounds for moral expansion. *But can this essentially anthropocentric view of morality and environmentalism be used to determine what kinds of things are morally important in themselves?* Separating our reasoning *about* morality from *situated* moral reasoning *per se*, reveals reason to think the approach can and will support a vitalist, or even ecosophist, account of moral scope.

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## PROLEGOMENON

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For I will consider my cat Jeoffry.  
For he is the servant of the Living God, duly and daily serving him.  
For at the first glance of the glory of God in the East he worships in his way.  
For is this done by wreathing his body seven times round with elegant quickness.  
For then he leaps up to catch the musk, which is the blessing of God upon his prayer.  
For he rolls upon prank to work it in.  
For having done duty and received blessing he begins to consider himself.  
For this he performs in ten degrees.  
For first he looks upon his forepaws to see if they are clean.  
For secondly he kicks up behind to clear away there.  
For thirdly he works it upon stretch with the forepaws extended.  
For fourthly he sharpens his paws by wood.  
For fifthly he washes himself.  
For sixthly he rolls upon wash.  
For seventhly he fleas himself, that he may not be interrupted upon the beat.  
For eighthly he rubs himself against a post.  
For ninthly he looks up for his instructions.  
For tenthly he goes in quest of food.  
For having considered God and himself he will consider his neighbour.  
For if he meets another cat he will kiss her in kindness.  
For when he takes his prey he plays with it to give it chance.  
For one mouse in seven escapes by his dallying.  
For when his day's work is done his business more properly begins.  
For he keeps the Lord's watch in the night against the adversary.  
For he counteracts the powers of darkness by his electrical skin and glaring eyes.  
For he counteracts the Devil, who is death, by brisking about the life.  
For in his morning orisons he loves the sun and the sun loves him.  
For he is of the tribe of Tiger.  
For the Cherub Cat is a term of the Angel Tiger.  
For he has the subtlety and hissing of a serpent, which in goodness he suppresses.  
For he will not do destruction, if he is well fed, neither will he spit without provocation.  
For he purrs in thankfulness, when God tell him he's a good Cat.  
For he is an instrument for the children to learn benevolence upon.  
For every house is incomplete without him and a blessing is lacking in the spirit.  
For the Lord commanded Moses concerning the cats at the departure of the Children of Israel from Egypt.  
For every family had one cat at least in the bag.  
For the English Cats are the best in Europe.  
For he is the cleanest in the use of his forepaws of any quadruped.  
For the dexterity of his defense is an instance of the love of God to him exceedingly.

For he is the quickest to his mark of any creature.  
For he is tenacious of his point.  
For he is a mixture of gravity and waggery.  
For he knows that God is his Saviour.  
For there is nothing sweeter than his peace when at rest.  
For there is nothing brisker than his life when in motion.  
For he is of the Lord's poor and so indeed is he called by benevolence perpetually  
– Poor Jeoffry! poor Jeoffry! the rat has bit thy throat.  
For I bless the name of the Lord Jesus that Jeoffry is better.  
For the divine spirit comes about his body to sustain it in complete cat.  
For his tongue is exceeding pure so that it has in purity what it wants in music.  
For he is docile and can learn certain things.  
For he can set up with gravity, which is patience upon approbation.  
For he can fetch and carry, which is patience in employment.  
For he can jump over a stick, which is patience upon proof positive.  
For he can spraggle upon waggle at the word of command.  
For he can jump from an eminence into his master's bosom.  
For he can catch the cork and toss it again.  
For he is hated by the hypocrite and miser.  
For the former is afraid of detection.  
For the latter refuses the charge.  
For he camels his back to bear on the first notion of business.  
For he is good to think on, if a man would express himself neatly.  
For he made a great figure in Egypt for his signal services.  
For he killed the ichneumon-rat very pernicious by land.  
For his ears are so acute that they sting again.  
For from this proceeds the passing quickness of his attention.  
For by stroking him I have found out electricity.  
For I perceived God's light about him both wax and fire.  
For the electrical fire is the spiritual substance, which God sends from heaven to sustain the bodies  
both of man and beast.  
For God has blessed him in the variety of his movements.  
For, though he cannot fly, he is an excellent clamberer.  
For his motions upon the face of the earth are more than any other quadruped.  
For he can tread to all the measures upon the music.  
For he can swim for life.  
For he can creep.

Christopher Smart (1722-1771)[1]

# PART ONE: FRAMING AN ENQUIRY

## Chapter One THE INITIAL QUESTION

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This enquiry will soon give 'considering' Jeoffry a technical meaning in addition to any (likely sense) intended by Smart, and many of the *reasons* for considering Jeoffry will acquire special significance. But, for now, in the everyday sense, consider another cat, Trilby, who shared my desk throughout much of the enquiry. Trilby was abandoned on the freeway, soon after giving birth, and taken to a humane society. Only last-minute adoption saved a withdrawn 'unadoptable' cat from euthanasia when space was needed for new arrivals. Later, when Trilby was deathly ill at 3 a.m., the animal hospital offered to euthanise her on credit, but they wanted cash or a charge card for treatment. Years later, the neighbours clearly thought sorrow misplaced when hungry coyotes ended her life.

Trilby illustrates how nonhumans, in themselves, are traditionally granted little moral importance: their suffering matters to some, but obviously not everyone, and their lives are deemed of small consequence. When simpler creatures than cats are in question, there is thought to be even less basis for moral concern, and it is broadly accepted that where the capacity for suffering ends, so, too, does any possibility of a thing being morally important in itself.

But is this the best that rational morality can do to protect other creatures and the nonhuman world in general? Not everyone is satisfied, and the question, *Which entities, and kinds of entities, are morally important in themselves?*, is becoming a central and controversial one in ethics. This question may also be phrased as metaphors, *How broad is the moral umbrella?*, *How big is the moral franchise?*, or, in terms used in the current philosophical literature, *Which entities, and kinds of entities, possess 'moral standing' or are 'morally considerable'.*

However it is framed, I shall call this 'the initial question'. This enquiry will offer a critical exploration of the major answers to the initial question currently proposed by academic philosophy, explore the impasse which develops between those positions, and tentatively outline a possible reconciliation project. To begin the task, I shall briefly sketch the initial question's provenance, then describe a terminology to use in discussing it. That should make good my claim that the question is a central one and will introduce the issues it raises.

### SOURCES OF CONCERN

#### *'Animal Rights'*

Perhaps the most prominent source of both popular and philosophical interest in the initial question is the 'animal rights' literature and movement. One measure of the movement is the way consumer resistance is persuading manufacturers to reduce product testing on live subjects and the growing hostility to methods used in raising nonhumans for food.[2] As we shortly find, contemporary moral philosophy supports this concern for nonhuman welfare by arguing that creatures capable of suffering also warrant moral concern. But why is widespread interest in nonhuman welfare developing *now*, when moral philosophy is already thousands of years old? In part, utilitarian moral theory is surely responsible. But what else has influenced the *Zeitgeist*?

## *Technology*

Part of the answer appears to be a growing sense that humans are only one life form amongst many others, and are not quite so special, or so entitled to privilege, as most ethics and religions have traditionally taught. Alongside this development, and perhaps partly causative of it, there is also a growing perception that human kind has developed technology so powerful that it stands in immediate need of careful direction and control.[3] In particular, as technology expands, human kind increases its ability to sustain, destroy, and modify entities. Within the lifetimes of school children, entities once well beyond human influence have been adversely affected. The once ubiquitous butterfly has almost vanished from English gardens, and environmentalists are arguing that the temperate rain forest of the Canadian west-coast is similarly endangered, to take just two examples. Closer to home, perhaps, we in the industrial nations eat increasingly modified foods thanks to intensive farming and manipulation of food products. And our families are shaped by medical technologies which support previously unviable babies and offer controlled reproduction.

The visibility of this burgeoning power, plus its potential to harm both us and our environment, seems to be accompanied by a gathering sense that humans must use technology responsibly. But if technology *is* to be used responsibly, then it would help to have an ethic capable of guiding us, and one job that ethic must do is identify whom or what moral agents are responsible to. Taking the butterfly example, are we responsible to those who can no longer enjoy butterflies in their gardens, or to future generations who may never see wild butterflies, or, perhaps, to the butterflies themselves?

## *The Abortion Debate*

In bio-medical ethics, the controversy consequent on improved abortion techniques has given its own impetus to the initial question, with fetal moral status becoming a central issue. Although at least one philosopher has sought to argue that fetal moral status is *not* the central issue of the abortion debate,[4] the provocative originality of that claim has hardly slowed the search for an account of moral standing. This enquiry will not be concerned with the abortion debate or fetal moral status *per se*, but a significant part of the argumentation we must deal with has its origins in the search for a principled way of assigning fetal moral status.[5]

## *Ecosophy*

A third 'high-profile' source of interest in the initial question is environmental degradation. Environmental concern has occasioned a recent marriage between the science of ecology and philosophy, giving us what some call 'ecosophy', or 'ecological wisdom'. The issues germane to ecosophy may not yet be so philosophically popular as the abortion debate, but the attention paid them is growing rapidly. In both philosophy and the press, ecosophy's concern for dwindling trees, dying waters, and dead species is an increasingly prominent theme.

But despite their shared concern, ecosophy and the popular press tend to view environmental issues quite differently, and the difference is significant for this enquiry. Popular environmental concern usually runs alongside an attempt to justify itself by reference to the long-term benefits which environmental 'resources' offer humankind. *Where would we be without them?* is the refrain.[6] Occasionally, someone suggests that concern might be justified on aesthetic grounds, but that only offers another version of the 'resource' argument.[7]

By contrast, much ecosophical argument is designed to show why natural entities are morally important *for their own sakes*, not just for ours. Arne Naess (who coined the term 'ecosophy' and initiated 'deep ecology') has written that, "Every living being should have an equal right to live and flourish." [8], and many ecosophists go on to offer reasons for extending moral concern to non-living things as well. It is the philosophical distance between this desideratum and the traditional concern for human welfare (and, perhaps, the welfare of other sufficiently sentient creatures) which will prove a major impediment to univocally answering the initial question. [9]

#### FOUR KINDS OF ANSWER

##### *A Taxonomy*

Contemporary academic philosophy is responding to these concerns with a variety of what I call 'accounts of moral scope' offering principled answers to the initial question. A preview of what they involve, beginning with a simple taxonomy, will provide a handy context for future discussion.

If the various accounts are arranged according to increasing generosity of scope, they form four main groups. Each one offers a distinct kind of answer to the initial question which is supported by particular theoretical considerations, and – with two minor exceptions – each more generous group completely overlaps its predecessors. [10] Thus, the different ranges of entities protected by the accounts of moral scope may be thought as four concentric circles. (In keeping with Peter Singer's 'expanding circle' metaphor, and with opening up the 'moral umbrella' which gives this work its title.) Here is a brief introduction to the four kinds of account with reference to some principle exponents whose work will be discussed later: [11]

- **HUMANISM** offers a range of finely differentiated positions. Their essential similarity is that human characteristics which are not (thought to be) shared with other creatures are made the basis of the moral franchise. A. I. Melden will be the main exponent of humanism discussed here. Humanism is sometimes called 'speciesism', but the term is perjorative. [12]
- **SENTIENTISM**, roughly speaking, enfranchises all creatures capable of *suffering*. Jeremy Bentham is widely regarded as the first sentientist. William Frankena, Tom Regan, Peter Singer, Geoffrey Warnock and a number of other contemporary moral philosophers are also sentientists. It is a popular, 'liberal' view, and perhaps the nearest that philosophy comes to a current consensus on the initial question. The name 'sentientism' is common in the literature. [13]
- **VITALISM** enfranchises all *living individuals*, hence the name of this account. Kenneth Goodpaster provides a pioneering defense of vitalism; more recent and more detailed accounts are offered by Holmes Rolston III and Paul W. Taylor.
- **ECOSOPHISM** takes vitalism a step further, enfranchising *species* and *ecosystems* as well as (what are usually thought of as) individual organisms. Some ecosophists argue that there are even non-living, naturally occurring entities which warrant consideration. Holmes Rolston III offers a seamless progression from vitalism to a form of ecosophism; the deep ecologist Arne Naess is best characterised as an ecosophist, and so is his interpreter Warwick Fox. As the name suggests, ecosophism is informed primarily by environmental and ecological concern. [14]

For reasons I shall not attempt to anticipate, but which will soon become clear as the enquiry develops, it will be convenient to think of humanism and sentientism as jointly forming a 'movement from interest', and to think of vitalism and ecosophism as jointly forming a 'movement from ecology'. Hence the names given to Parts Two and Three of the enquiry.

### *Explaining The Clustering*

This clustering into four main kinds of account is by no means an inevitable consequence of trying to answer the initial question, so why does it occur? Part of the answer is that the theoretical considerations which support each account are sufficient to enfranchise many different kinds of entity. For example, if we quit humanism because nonhuman suffering seems morally significant, it is difficult to provide principled, persuasive reasons for limiting moral concern to a particular group of sentient nonhumans rather than to all creatures capable of suffering. It is as though the moral umbrella sticks when we try to open it, then opens with a rush when we apply enough force. But the umbrella soon sticks again: the other half of the answer is that the theoretical considerations which support expansion falter, or fail to have relevance altogether, three times.

### *The Three Major Breaks*

These breaks in the movement for expansion are the source (and, arguably, the result) of fundamental moral disagreement, and it is the debate about them which is the main business of my enquiry.

Contemporary sentientism attempts to overcome the first break primarily by appealing to the moral relevance of *all* psychologically grounded interests notwithstanding who, or what, may hold them. Later, I shall argue that a fundamental moral disagreement continues to separate humanism and sentientism despite the work which sentientists have done to ensure a smooth transition.

The second break — between sentientism and vitalism — is currently a major source of controversy. To understand why, think of sentientism as extending consideration to all entities capable of experiencing what is done to them, things to whom what we do *matters*.<sup>[15]</sup> Vitalism finds this insufficient, citing reasons to extend moral protection to non-sentient living things to which *nothing* matters, or ever could. A tree is the usual example of vitalist concern. Leaving aside the interest which any sentient creature may have in a tree, humanists and sentientists wonder *how* can it matter morally what we do to one when it does not, and cannot possibly, matter to the tree itself.

Vitalist answers tend to leave humanists and sentientists bemused: until now, moral concern has always been limited to organisms with some psychological capacity, and, seemingly quite suddenly, vitalists (and ecosophists) are claiming other relevant qualities. Thus, the separation between sentientism and vitalism — which I shall call the 'mattering gap' — is profound. To those on the sentientist side of the gap it appears an unbridgable chasm whereas to those on the vitalist side it seems largely irrelevant.

The final break — between vitalism and ecosophism — is currently causing less argument than the mattering gap; however, if enough people become persuaded that the mattering gap is crossable, then the split between vitalism and ecosophism may become a major issue. This is because whereas humanism, sentientism, and vitalism are almost exclusively concerned with morally significant

*individuals* (according to an 'every day', 'common sense' view of what individuals are) ecosophism extends to *systems* (on an 'every day' understanding). This not only enfranchises morally novel kinds of entities, it also alters the nature of moral conflict. How, for example, should we balance the reasons for logging a watershed (thus keeping a community of loggers and mill workers in business) with the reasons for preserving that watershed as an intact ecosystem? As we shall find later, it is not even clear that the bases of these two different concerns are commensurable.

### *Radical Disagreement*

Disagreement over these issues is profound, and dispute over the initial question is sometimes bitter, with the 'principle of charity' often observed in the breach. In conversation, I have heard humanists discuss sentientism as though it were unintelligible, and, in the literature, sentientists treat humanism with scant regard. Each sees the other as making a bewildering 'error', rather than diverging from a common tradition in a comprehensible if wrong-headed way. Between humanists and ecosophists, misunderstanding is almost guaranteed.[16] Two general points about this high level of misunderstanding and incomprehension also warrant advance billing.

### *An Evolutionary Process*

First, debate over the initial question may be viewed as one aspect of an evolutionary process in which morality is adapting to the newly acquired powers I mentioned earlier. Lacking traditions adequate to guide us we are trying to re-shape, extend, and develop existing moral notions as seems most appropriate. But what seems necessary or appropriate to you may not seem so to me, and our shared guidelines hardly extend so far as the problems we are dealing with.

In consequence, there is not only a pressing need to develop an ethic capable of guiding our new powers; there is also a particular need to ensure that accompanying claims about the size of the moral umbrella are supported by arguments and reasons of a kind which others can be expected to follow and understand. This pursuit of grounds for moral expansion which are capable of commanding broad understanding, and which can then be presented as worthy of acceptance by all moral agents, will be a recurrent theme in the discussion which follows.

### *A Fundamental Issue*

Second, it will become apparent during this enquiry that each of the main accounts of moral scope is predicated on a particular understanding of morality's informing purpose and aims. These views of morality are 'fundamental', in the sense that no more deep-seated justification of them is available. This entails that any attempt to offer deductive support for an account of moral scope quickly becomes question begging. But the alternative, which is to set forth the particular virtues of an account, may well fail to satisfy, or even be fully comprehended by, critics who hold very different views. This problem, too, will be a recurrent theme. It will emerge as a major obstacle to the broad understanding mentioned above.

## THE ORDER OF THEIR GOING

### *Conducting An Impartial, Critical Exploration*

It remains to make some brief comments about the way this enquiry will be conducted. In the interest of impartiality, I must try to set aside my own bias. I would *like* to find that there are adequate moral resources for crossing the mattering gap and, ideally, moving all the way to ecosophism. But this desire is based on love for the nonhuman world more than on the kind of philosophical considerations which are needed here. In order to try to obviate bias and discover morally sound reasons for expansion, I shall seek to sketch the strongest available case for each expansive step, then attempt to take the view of a conservative critic in probing its weaknesses. My hope is that this will reveal both the strengths and weaknesses of the different positions while neutralising my partisan tendencies.

### *A Minor Theme*

But the policy has a drawback. Given that there *are* problems inherent in current attempts to answer the initial question, the approach will not yield the case for extensive moral expansion which I want to see established. At the end of the enquiry, in Part Four, I shall sketch the outlines of an alternative way of treating the initial question which offers some hope of reconciliation between the disputants. Then I shall ask briefly how generous an answer to the initial question that approach might sustain. However, I stress, now, that neither reconciliation nor an alternative account of moral scope is this enquiry's purpose. What I have to say in Part Four is tentative and at times speculative in nature. The informing task remains a relatively non-partisan, critical appraisal of representative expositions of the four accounts of moral scope.

### *Three Omissions*

It should also be noted that the enquiry involves some omissions which, if unremarked, could cause confusion or concern. First, little reference will be made to virtue-based systems of ethics. This is because a virtue-based approach to morality entails no particular answer to the initial question and is compatible with any of the four main accounts. Virtue-based ethics offer a catalogue of human characteristics and qualities which are a recipe for 'being a good human being' or 'living the good life', and it is theoretically possible to construct the recipe in accordance with any chosen account.

The second omission is that nothing said here is intended to answer the question, *Why be moral?* I am assuming that a desire to act morally is a pre-requisite for interest in the initial question, and I am writing for those already persuaded of the reasonableness of acting morally. If the enquiry began with the need to justify morality *per se*, I doubt that we would ever get to the initial question.[17]

Third, and finally, the enquiry will not discuss ecofeminism. This is not meant to disparage ecofeminism's important attempt to link environmental issues to a broader pattern of patriarchal attitudes and behaviour. However, it *does* indicate that ecofeminism tends not to address the initial question directly so much as assume an expanded moral umbrella as a theoretical starting point.[18]

## THE LANGUAGE OF CONSIDERATION

### *A Claim To Be Considered*

We now need a definitive statement of the initial question and of the central terms which will be used to discuss it. Although the synonyms and metaphors I have used so far will continue to have a place in the enquiry, their meaning needs to be anchored more precisely. I shall do this by adopting what I call 'the language of consideration'. Its origins are in an oft-quoted passage by G. J. Warnock:[19]

Let us consider the question to whom principles of morality apply from, so to speak, the other end – from the standpoint not of the agent, but of the "patient". What, we may ask here, is the condition of moral relevance? What is the condition of having a claim to be considered by rational agents to whom moral principles apply?

The "question to whom principles of morality apply" is, of course, the initial question by another name. And the clear sense of Warnock's discussion is that an unstated proviso applies: the question is only concerned with entities which have "moral relevance" or "a claim to be considered" *in (and of) themselves*. This proviso is significant, as an example shows.

Suppose that my neighbour is a Cartesian who thinks that cats are morally uninteresting stimulus response mechanisms. Even so, she is kind to my cat out of regard for me. By her kindness, my neighbour does not confer any moral status on *the cat* because her concern is for *me* alone; the cat is merely *instrumental* to my well being. This is a crucially important point, and I shall repeat it. My neighbour only accords the cat "moral relevance" or "a claim to be considered" *in the sense of the initial question* if she takes account of the cat 'for its own sake', or 'in its own right'. With this restriction in view, I shall adopt the following definitive statement of the initial question:

The INITIAL QUESTION asks, If an action, A, will affect an entity, E, what must E be like, in (and of) itself, in order to provide reason for moral agents to take the affect of A on E into account when deciding how to act?

### *Defining The Central Terms*

Amongst those who take up this challenge, Kenneth E. Goodpaster is the first to focus explicitly on the conditions which must be met in order for something to be deemed "morally considerable".[20] 'Morally considerable' and two important related terms may be defined as follows:

E is MORALLY CONSIDERABLE if and only if there is sufficient moral reason to take E into account when making a decision which will affect E, and that reason is grounded in concern for E in itself.

If and only if E is morally considerable then E has MORAL STANDING. (Something which *is* considerable *has* moral standing; moral standing is the *quality* of being considerable.)

To treat E as a morally considerable entity is to extend E MORAL CONSIDERATION. (Something which is taken into account, 'for its own sake', thereby receives moral consideration.)

The definition of 'morally considerable' also makes it possible to state the initial question more briefly while retaining its precise meaning:

The INITIAL QUESTION asks: Which entities, and kinds of entities, are MORALLY CONSIDERABLE?

It is these definitions and this version of the initial question which are the basis for the language of consideration. Two further points need to be made about them. First, although it is certainly most natural to say that there is reason to take account of something 'for its own sake', or 'in its own right', and it may even appear clumsy and pedantic to speak of an entity warranting moral concern "in (and of) itself", it is necessary to phrase the initial definitions with care. For example, it is highly questionable whether a non-sentient organism, like a tree, has a 'sake' of its own, but it is as yet an open question whether such things warrant consideration. Similarly, the applicability of rights is arguably quite restricted. Once the language of consideration is clearly founded, however, more everyday ways of speaking may be adopted where appropriate.[21] Second, 'moral standing' is sometimes referred to by its synonym 'moral considerability' in the literature (most notably by Goodpaster), but I shall use only the former term.[22]

## THE PROBLEM WITH RIGHTS

### *Rights Won't Cross The Mattering Gap*

My intention to use the language of consideration may prompt an objection from rights-theorists. Rights-based arguments have made a significant contribution to the literature on moral standing, and it may be said that investigating *rights* would be more perspicuous than discussing the basis of moral consideration. However, rights are problematic in the context of the initial question.

If we ask, *What kind of entities warrant rights?* rather than, *Which entities are considerable?*, moral expansion, particularly beyond the mattering gap, is made more difficult. This is because the paradigm rights-bearer is a 'normally' functioning adult human, and the further away from that paradigm something is, the more questionable rights-ascriptions become.[23] Although we are accustomed to 'animal rights', they are usually associated with the higher mammals, and current usage and rights-theory do not easily permit rights ascriptions to be made much lower on the phylogenetic scale than mammals. On a standard interpretation, rights run as far as the mattering gap at best.

### *The Need For Neutrality*

This limitation is crucially important for vitalists and ecosophists, who want to enfranchise organisms and entities quite unlike humans. It is difficult enough to argue that nonsentient life is considerable without having to claim, for example, that 'carrots have rights'. In consequence, doing justice to vitalism and ecosophism means not presenting or discussing their claims in terms of rights. And that entails conducting at least half of this enquiry without using a rights vocabulary. Given the need to compare the claims of positions on opposite sides of the mattering gap, there is no way the enquiry can become 'bilingual', so a single, theory-neutral vocabulary is needed. (Any vocabulary that is not theory-neutral has scant hope of being accepted by all parties.) The language of 'moral consideration' fits the bill, and I doubt whether any other common terminology is able to state without prejudice the

claims of humanists (who think that moral standing requires the possession of what will shortly be introduced as 'narrow rights'), of sentientists (who think that being considerable requires the possession of psychological interests and 'wide rights'), and of vitalists and ecosophists, (who disagree with both parties). For this reason alone, the language of consideration must be the language of enquiry into moral scope.

### *A Positive Consequence*

While this makes the *negative* case for preferring the language of consideration (Here is a need; what else meets it?), the *positive* aspect of my choice is also worth stressing. When we ask whether something is morally considerable, there is no possible built-in presupposition that considerable entities must possess a particular quality *of any sort*: the only pre-requisite for considering something is a morally good reason to do so, and a substantive argument must always be offered for linking moral standing to any particular quality. In consequence, the language of consideration minimises the danger of inadvertently begging the question we want to answer.[24]

## SEEKING A RAPPROCHEMENT

### *Giving Rights—Theory Its Due*

But rights-theory cannot be simply dismissed. If justice is to be seen to be done to rights-based humanist and sentientist accounts of moral scope then a *rapprochement* with rights-theory is needed. A basis for one is suggested by a critical reading of Kenneth E. Goodpaster's brief but fertile attempt to free vitalism from rights-based hindrance to moral expansion. He draws a distinction between two different senses of 'rights' which can be adapted to our present requirements. There is a "narrower" sense in which rights are roughly restricted to humans, and a "wider" sense in which rights can be enjoyed by other organisms.[25] Because Goodpaster's discussion is very brief, the nature of this distinction is best elucidated by looking at his choice of theorists who exemplify the two senses.

### *Narrow Rights*

Goodpaster's advocate for narrow rights is John Passmore. Discussing the immorality of being cruel to nonhumans, Passmore says that cruelty is wrong because, "...callousness, an insensibility to suffering, is a moral defect in a human being." [26] He claims that nonhumans cannot possibly be protected from ill-treatment by granting them rights:[27]

The idea of "rights" is simply not applicable to what is non-human...It is one thing to say that it is wrong to treat animals cruelly, quite another to say that animals have rights.

The problem is that rights must be grounded by membership in a cooperative community, and cooperation is only possible between those who have mutual interests and who recognise mutual obligations. If we follow Passmore, then,

NARROW RIGHTS are those which have a roughly 'communitarian' or 'contractarian' basis; they are 'rights' to the goods and kinds of treatment which facilitate mutually beneficial association.

For example, if beneficial cooperative endeavours require, for example, freedom from physical assault, then that right is granted to community members; otherwise, it is not. Thus, narrow rights contrast sharply with the language of consideration. Because there are no initial constraints at all on the kind of entity which can be deemed considerable, 'moral consideration' is a weaker notion than 'narrow right', and so the number of considerable entities is potentially much larger than the number of narrow rights holders.

With this basis for separation established, Goodpaster invites us to set aside the unprofitable question "whether...the class of rights-bearers is, or ought to be, restricted to human beings" in favour of a more rewarding enquiry into the conditions of 'consideration'. [28] However, although this enquiry has already agreed to focus on, *Which entities are considerable?*, rather than on, *Which entities are narrow rights bearers?*, Goodpaster's proposal goes too far. He is setting aside the latter question as altogether irrelevant to his (and our) enquiry. This dismisses the substantive claims of traditional, humanist rights-theorists, who link moral standing to the possession of rights grounded in community membership, and it is contrary to a policy of neutrality. [29] Humanism's claims must be given a fair hearing. In consequence, the first step towards a *rapprochement* with rights-theory is to temper our insistence on the language of consideration with an assurance that the humanist position will be examined prior to drawing any conclusions about its relevance.

### *Wide Rights*

Turning to wide rights, Goodpaster cites Joel Feinberg (who was the first contemporary philosopher to seek comprehensive criteria of moral standing) as someone who ascribes 'rights' in the widest sense. [30] Feinberg asks what sort of entities "the principles of an enlightened conscience" must recognise as having claims "to something and *against* someone" who is a moral agent. [31] He calls these claims 'moral rights'. They range from a right to "careful treatment" to a right to life. Almost any service which a moral agent can render is a candidate for a moral right and, in this sense at least, Feinberg subscribes to a very wide notion of 'rights'.

Feinberg grounds rights by invoking what he calls the "interest principle": [32]

...the sorts of beings who can have rights are precisely those who have (or can have) interests. I have come to this tentative conclusion for two reasons: (1) because a right holder must be capable of being represented and it is impossible to represent a being that has no interests, and (2) because a right holder must be capable of being a beneficiary in his own person, and a being without interests is a being that is incapable of being benefited, having no good or "sake" of its own.

This summarises a view of rights which is compatible with a broadly utilitarian view of right action: rights are grounded in interests, and interests are grounded in a capacity for benefits and harms. But the interest principle by itself is not the whole of Feinberg's story. As Goodpaster notes, Feinberg almost immediately goes on to link interests to desires and aims. [33] In this, Feinberg foreshadows a requirement which later writers will state with certainty, and which has always been part of the utilitarian view: wide rights are grounded in interests which have a psychological component.

Of course, this last requirement promises to block moral expansion beyond the mattering gap as thoroughly as equating moral standing with the possession of narrow rights. [34] However,

Goodpaster rejects the psychological interpretation of interests in favour of one which would allow all living organisms to possess them. Consequently, Goodpaster is willing to equate moral standing with the possession of rights in the widest sense, thus subsuming wide rights within the language of consideration. He offers this as the additional justification needed for eschewing any discussion of rights.[35]

### *The Heart Of The Rapprochement*

Should this enquiry follow Goodpaster? Given that, in the literature on moral standing, 'interests' are almost universally understood and justified in psychological terms, it seems inadvisable to defy the tide. However, if we allow utilitarians like Feinberg to claim 'interest' as their own, then this enquiry cannot follow Goodpaster in assuring wide rights-theorists that rights bearers and considerable entities are one and the same.

We shall need an alternative policy. I propose that arguments about moral standing which use the vocabulary of wide rights be discussed *in that vocabulary*, but that the *conclusions* be translated into the language of consideration. This can be done according to the principle that a claim to (or a restriction on) moral standing which is based on the possession (or the absence) of a wide right is equivalent to a claim (or a restriction) based directly on the underlying reasons cited for granting (or denying) the right. This seems an equitable solution because all rights-ascriptions must have a rationale, and it is that rationale which is the final ground of any rights-based assertion about moral standing. In consequence, it is the rationale rather than the right which is of interest here.

The same policy can be extended to narrow rights, which means that all rights-based claims to moral standing can be evaluated according to the final reasons for ascribing the right. If the policy is coupled with a promise to give both kinds of rights-based arguments about moral scope a fair hearing, then it provides the *rapprochement* with rights theory which this enquiry needs.

### *What I Understand By A 'Right'*

So far, I have discussed the relationship between rights and consideration without saying explicitly what I think a 'right' is. Although I do not want to probe deeply into the nature of rights, a brief statement may prove helpful. Partly to achieve consistency across the different accounts of right, and partly because I find that doing so makes good sense, I understand 'right' as follows:[36]

A RIGHT is either a generally established and accepted (i.e. a 'valid' ) claim to certain goods or treatment, or it is a claim which those who assert the right believe should receive general acceptance. By a 'claim', I mean a demand supported by rational argument.

A 'narrow right' devolves upon a claim supported by the requirements for social living, and – contrary to Goodpaster – a 'wide right' devolves upon the possession of psychologically based interests. This finally and unequivocally locates rights as well as interests on the conservative side of the mattering gap.

## OBJECTIONS AND EXAMPLES

### *Attempting To Re-Assert The Primacy Of Rights*

Despite the proposed *rapprochement* with rights-theory, it might still be insisted that rights-theory's long tradition and history *does* make it a more perspicuous vehicle of enquiry than the little-known language of consideration. However, this is misguided. Whatever insights traditional rights-theory offers, they are equally accessible to this enquiry because rights-theory is *not* going to be ignored. Because it is the *reasons* for moral expansion or restriction which finally matter, not the language in which we couch those reasons, there is no reason to think that primarily using the language of consideration will obscure any relevant considerations.

An apologist for rights may also claim that 'right' is somehow a more *fundamental* notion than 'consideration'; therefore, talk of consideration must always eventually come down to rights. But this, too, is misguided. The language of consideration is merely a convenient, relatively neutral, and hopefully transparent means of referring to the reasons which support our choices to consider or not consider entities. Because it is those choices which are fundamental, neither *vocabulary* is the more fundamental.

### *The Objection From 'Thinness'*

A determined critic might also argue that this neutrality and transparency have been bought by sacrificing content. Moral standing is consistent with such a broad range of treatment that it may be thought to lack practical or philosophical significance. For example, although sentientists argue that it is wrong to eat cows, even vitalists think it acceptable to eat (considerable) carrots. But closer inspection reveals a different story. Whereas there must be adequate moral justification for any action affecting a considerable entity, an inconsiderable entity is precisely that: unless it has instrumental significance, an inconsiderable entity can be treated however one chooses.[37] It is precisely because the notions 'moral consideration' and 'moral standing' are so broadly applicable and 'thin' that they permit us to identify and discuss this important but elusive difference.

### *A Disagreement About Fetal Moral Status*

But despite all that has been said about the language of consideration, what must finally recommend it is proof of its capacity to facilitate critical enquiry. Because my own exploration of current accounts of moral scope may be thought too partisan a test, here, briefly, is more evidence of its utility.

Suppose that an abortion 'liberal' thinks it implausible that a first trimester fetus should have full-blooded rights in the same way as a human adult, but does think that the fetus deserves some moral protection. *For example*, says the liberal, *aborting the fetus is acceptable, but experimenting on it is not*. Utilising a distinction between rights and consideration the liberal can claim that although the fetus does not have rights (and hence has no right to life) the fetus is still morally considerable. The liberal's position needs explaining, and we may yet decide that the liberal is misguided. But the soundness of the position is not the issue here. What matters is that by employing both the terms 'right' and 'consideration', the liberal is enabled to recognise and explain that the argument is about consideration, not about full-blooded rights, and so avoid needless confusion.

Pursuing this example a little further, if the abortion liberal is seeking *rapprochement* with abortion conservatives, a notion like consideration could usefully bridge the gap between a position which says *no rights* (extremely liberal) and a position which says *full rights* (extremely conservative).

### *A Misunderstanding About 'Rights'*

Even disputants who would both prefer to use the language of rights when discussing moral standing may encounter confusion which will be alleviated by talking of consideration. If you generally think of rights in 'narrow', communitarian terms, while I think that rights involve psychologically grounded interests, we are set for misunderstanding. Despite our similar vocabulary, our sense of when it is appropriate to ascribe rights will ground in quite different moral traditions. If and when the problem becomes apparent, we may try to clarify matters by making our different theoretical backgrounds clear. However, I suspect that continuing to use the key notion 'rights', while disagreeing so deeply about what rights involve, will still hinder communication. We would be better served by the connotation-free language of consideration.

### *The Spirit Of Contention*

Finally, there is a reason for preferring the language of consideration over that of rights which will probably be thought controversial, but which will, hopefully, gain validity as the enquiry progresses. Among the accounts of moral scope that we will consider, several are part of a self-conscious attempt to develop environmental ethics which rest, in part, on empathy for other forms of life and a humbler sense of humankind's place in the scheme of things. Even if the language of rights could, somehow, be freed of the presuppositions which bind it to humanism and sentientism, it would still carry adversarial and combative connotations contrary to this goal. Simone Weil said of rights that:[38]

They evoke a latent war and awaken the spirit of contention. [They]...inhibit any possible impulse of charity...

And I want to ensure that *nothing* is done to inhibit this impulse of charity, even if, as yet, we are unsure of its relevance.

## Chapter Two

### GOODPASTER'S DISTINCTIONS

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As well as advocating the language of consideration in preference to rights-theory, Goodpaster's pioneering discussion of vitalism marks distinctions which are intended to guide our *use* of the language of consideration. Goodpaster describes four related distinctions he thinks we need to keep in mind when answering the initial question:[1]

1. The difference between granting moral consideration to an entity, E, and ascribing rights to E.
2. The difference between granting E moral consideration and granting E a specific degree of moral *significance*.
3. The difference between asking, *Is there overall reason to think that E is a considerable entity?*, and asking *Can E be intelligibly said to possess a particular quality, or set of qualities, which guarantee moral standing?*.
4. The difference between deciding, as a consequence of moral enquiry and debate, that E should be granted moral consideration, and being psychologically and physically able to grant E consideration.

Like Distinction 1, Distinctions 2, 3, and 4 each seek to focus our attention on matters which are central to the initial question while marginalising problems we can afford to ignore, and they all involve issues which interpenetrate to some degree. Elucidating those issues, and evaluating Goodpaster's advice regarding them, will help set the course for the rest of the enquiry.

#### DISTINCTION 2 (MORAL SIGNIFICANCE)

##### *A Necessary Separation*

Distinction 2 is the simplest distinction textually, and my restatement merely paraphrases Goodpaster; the distinction highlights the difference between being *a member* of the class of considerable things and being *more or less important* than other members. This enables us to grant that different things may well vary in their degree of 'moral significance' (thus, having greater or lesser claim on moral agents) while *still remaining* considerable. This is important because it means that enquiry may focus on the initial question, almost exclusively, and ignore questions about relative moral significance. As with most detailed questions of treatment, the minutiae involved in assigning degrees of moral significance to entities are more likely to hinder than promote broad insights into moral standing.[2]

##### *Moral Egalitarianism*

The problem could also be avoided by simply embracing 'moral egalitarianism' and assuming, from the outset of the enquiry, that all considerable things will be equally important. But that creates more problems than it solves. Although some expansionists do argue for forms of egalitarianism, others

think a moral hierarchy is needed; thus, neutrality requires conducting an enquiry which can do justice to both views. From a tactical standpoint, moral egalitarianism also threatens to be a serious embarrassment unless something is done to mitigate its consequences: egalitarian sentientism, for example, would threaten all sentient creatures — humans, cats, and slugs — with equal moral status, and who would endorse that?

### *An Imperfect Separation*

But, despite the obvious utility of this separation of issues, some discussion of moral ranking and moral egalitarianism will be unavoidable. For one thing, the acceptability of moral expansion depends partly upon the provisions made for preserving traditional moral hierarchies or upon showing them misguided. For another thing, moral conflict would appear unavoidable, particularly if the moral franchise is enlarged; therefore, those advocating expansion must convince us that they have a satisfactory way of dealing with it. An extended moral hierarchy is one solution, and — strange as it may seem now — moral egalitarianism could be another. Because evaluating either kind of solution will involve discussing relative moral significance, this is a further reason why the initial question cannot be entirely separated from the issue of moral ranking.

### *An Attempted Reductio*

With Distinction 2 in hand, an objection raised in the last chapter may be dealt with more fully now. In effect, it was claimed that ‘moral consideration’ and ‘moral standing’ are such ‘thin’ notions that no important difference exists between being considerable and being inconsiderable. This may be offered in itself as a reason for rejecting moral expansion, or used as the basis of an attempted *reductio ad absurdum*:<sup>[3]</sup>

Moral expansion followed by ranking an expanded moral hierarchy would be tantamount to making no changes at all, merely dressing up traditional distinctions and ways of doing business in a new rhetoric. Therefore, meaningful moral expansion must be egalitarian, and that gets increasingly ludicrous as the franchise increases.

The ‘no change’ assumption here can be answered as before: a considerable entity cannot be used to serve perceived human interests legitimately without a morally good reason; therefore, moral expansion *does* involve significant change. But I have heard *reductio* advocates reply that because the notion of consideration is so thin, moral standing is a merely technical impediment so long as humans continue to dominate the moral hierarchy. Here is an example which gives the lie to that charge; it shows how the notion of moral standing gains substance when allied to a specific criterion.

### *Considering Chickens*

Suppose we are persuaded by sentientism that chickens are considerable because they are capable of suffering. It follows that whenever human actions affect chickens, we must weigh chicken suffering against the probable advantages. Given the appalling conditions in which an intensively reared chicken lives, the low nutritional quality of intensively raised food, and the ease of substituting other kinds of food for chicken meat and eggs, battery farming becomes indefensible whatever hierarchical decisions we make.<sup>[4]</sup>

Now suppose that we think chickens are *not* considerable. It is hard to make a compelling moral case against intensive rearing. We can argue that cruelty to chickens will adversely affect humans, but history indicates that even if this is true, humans are generally undeterred, especially when cruelty occurs at a sanitised distance from the beneficiaries.[5] Thus, whatever its degree of moral significance, a considered chicken is likely to be much better off than an unconsidered chicken. In a sufficiently large moral franchise, being considerable might prove to have little practical significance for things at the margin. But, for the rest, being deemed considerable *does* change the manner of business.[6]

### DISTINCTION 3 (INTELLIGIBILITY)

#### *Goodpaster's Questions*

Distinction 3 begins with Goodpaster outlining two separate questions about moral status:[7]

- (1) The 'intelligibility question' asks, "What sort of beings can (logically) be *said* to deserve moral consideration?"
- (2) The 'normative question' asks, "What sorts of beings do, as a matter of "ethical fact" deserve moral consideration?"

Goodpaster suggests that this division of questions rests on a more general separation between "questions of intelligibility" and "questions of normative substance",[8] and he goes on to argue that this separation is not total: intelligibility issues give way to normative ones on close inspection. Even so, the difference between questions (1) and (2) is sufficient for Goodpaster's main point to be that the *initial* question must not be treated as simply equivalent to a matter of intelligibility and to the first question:[9]

...we must be wary of arguments that purport to answer [the normative question] *solely* on the basis of "ordinary language" style answers to [the intelligibility question].

Thus, Goodpaster is identifying a pair of interpenetrating questions – the intelligibility and the normative questions – then counselling us against trying to enquire into moral scope by asking only the intelligibility question.

#### *Intelligibility And Conceptual Analysis*

Assessing this advice requires a reading of the notions and questions involved. 'Intelligibility' is usually a matter of what one can understand, or conceive of, and public notions of intelligibility are loosely summed up by what linguistic and logical practice allow us to say sensibly.[10] Goodpaster suggests that *questions* of intelligibility are usually answered by 'conceptual analysis'; this involves ascertaining the accepted criterion for assigning a particular quality, then asking whether something can be said sensibly to meet that criterion.[11] For example, if we want to know whether my hat can be credited intelligibly with redness, we must ascertain the accepted pre-requisites for redness, then ask whether my hat can be said to meet them. In the case of moral standing, the intelligibility question will require deciding which things can be said to meet the generally agreed criterion of moral standing.

Less obvious is the strategy which answers the normative question. If we treat Goodpaster's reference to matters of 'ethical fact' as the key, then a first possibility emerges: the normative question presupposes 'moral realism' and requires us to exhibit firm *moral facts* in answer, rather than merely citing generally accepted criteria of moral scope and the accompanying logical and linguistic constraints. But this intrusion of moral realism into Goodpaster's story is unsupported by anything he says elsewhere in the paper. Moreover, it is incongruous with his use of quotation marks around the phrase 'ethical fact': the conventionalised reference suggests reservations atypical of a moral realist.

Better guides to the normative question are its name plus the way in which Goodpaster conducts his own enquiry. A *normative* question is one which must be answered by reference to a standard or a regulative principle, and Goodpaster tries to elucidate such a standard with a critical philosophical enquiry which attempts to look behind conventional and accepted wisdom. Thus — without any reference to moral realism — the normative question can be read as requiring an answer based on a clear criterion of moral standing and the reference to "ethical fact" as insisting that this criterion be philosophically well supported.

#### *The Difference Between The Questions*

Both the intelligibility and normative questions now involve reference to criteria of moral standing, but their criteria are chosen in significantly different ways. Whereas the intelligibility question tends to look to received notions and common usage for a criterion, the normative question requires us to be more critical, probing accepted thinking and seeking substantive moral argument.

This point is important, and it bears restating. The intelligibility and normative questions differ in that the intelligibility question relies heavily on conventional ideas about moral standing without going into the depth required by the normative question. In consequence, the intelligibility question is more likely to deliver merely the *status quo* than the normative question is, and, because this enquiry seeks a generous and critically well founded account of moral scope, there is good reason to focus primarily on the normative question.

#### *The Lesson Of History*

It might now be objected that, if we have any confidence in our current morality, the best way to answer the initial question *is* to probe received moral notions with a judicious, educated use of the intelligibility question. But this is too uncritical. We cannot afford such a degree of confidence in current beliefs and notions when received morality has, in the past, been guilty of all manner of wretchedness which we now condemn. Our current presuppositions may be yielding consequences which, with the aid of a little hindsight, or a more critical perspective, would appall us equally. As Goodpaster says:[12]

One might argue plausibly, for example, that there were times and societies in which the moral standing of blacks was, as a matter of *conceptual analysis*, deniable. Examples could be multiplied to include women, children, fetuses, and various other instances of what might be called "metamoral disenfranchisement".

If “metamoral disenfranchisement” is read as roughly *disenfranchisement because moral consideration would be unintelligible according to current notions*, then Goodpaster’s apparent point is as follows:

The beliefs and suppositions of other times and places offer what were then broadly accepted grounds for disenfranchising some humans. Given those beliefs and suppositions today, we would probably find the disenfranchisement justified if our only guide to enquiry was the intelligibility question.

Although it is a matter for historical debate whether and which societies have gone so far as to *totally* deny moral standing to blacks, women, etc., these groups have certainly suffered abuse as a consequence of being granted, at best, a low place in the moral hierarchy. And if that could have been supported by “conceptual analysis”, there is sufficient reason to probe our own suppositions with care.[13]

#### *A Policy Of Caution And Scepticism*

The problem is that the intelligibility question and conceptual analysis probe notions which are in flux but not usually subject to *rapid* change; thus, they have a patina of veracity and ‘objectivity’ which can easily elicit a too ready acceptance. This makes the intelligibility question well suited to lead enquiry astray, making us hostage to slowly shifting moral ideas and fashions; the antidote is to press the normative question hard. Because this point, too, is crucial, I shall repeat it using an analogy.

Suppose that we are bird-watchers who are looking for night-owls with binoculars. If we do not find many owls, that may be because there are few of them, or it may be because we are not using night-vision binoculars. If we rely on the intelligibility question as a guide to considerable entities, and we do not find many, that may be because our conventional ideas about moral standing support notions which blind us to the moral claims of some entities.

#### *There’s Really No Choice*

As if this was not already enough reason to pursue the normative question, this enquiry really has little choice given that it is an enquiry into moral *consideration*. Moral consideration and moral standing are newly coined terms of art, and there is little agreement about the criteria involved. In consequence, attempting to decide the moral status of an entity on the basis of what can intelligibly be said reverses the logical order of enquiry: it puts the conceptual cart before the standard-setting moral horse. By the same token, the mere intelligibility of an assertion of moral standing will be too weak to use as a *positive* guide to moral standing (because we can assert moral standing of just about anything), and it will be virtually impossible to use the *unintelligibility* of moral standing as grounds for exclusion (for the same reason).

#### DISTINCTION 4 (REGULATIVE CONSIDERATION)

##### *Two Kinds Of Moral Standing*

Distinction 4 is, perhaps, the most difficult of Goodpaster’s distinctions. It separates the question whether there is *reason* to consider an entity, from the question whether a particular moral agent

enjoys *circumstances which permit that consideration*. Goodpaster calls the former 'regulative' (i.e. agent-independent) moral standing and the latter 'operative' (i.e. agent-relative) moral standing. He argues that an enquiry into moral standing should seek a regulative rather than an operative account of moral scope.[14]

To clarify the difference between regulative and operative moral standing, I shall attempt to expand upon Goodpaster's own, brief exposition. There are three steps involved. First, Goodpaster introduces the notion of a 'threshold of moral sensitivity' in order to represent the psychological constraints on a moral agent. Second, he refers to this threshold in order to persuade us that it is useful to talk of 'operative consideration'. Third, he explains 'regulative consideration' by contrast with operative moral consideration.

### *Sensitivity Thresholds (Step One)*

Goodpaster introduces thresholds of moral sensitivity this way:[15]

There is clearly a sense in which we are subject to *thresholds* of moral sensitivity just as we are subject to thresholds of cognitive or perceptual sensitivity. Beyond such thresholds we are "morally blind" or suffer disintegrative consequences analogous to "information overload" in a computer.

To take an example, Peter is a traditional butcher whose work begins with an animal in a field and ends with a piece of meat in a shopping bag. We are watching lambs enter his abattoir. Separated from their ewes, and smelling blood, they are distressed, but Peter hardly notices; this is old hat to him. However, a young friend who is with me, and who is familiar with pets but unfamiliar with livestock farming, immediately recognises the lambs' distress and turns to me to intervene. I try to explain that I cannot help, not just because the lambs are irrevocably destined for slaughter, but because Peter would not understand our concern. He no longer perceives distress in lambs unless it is particularly severe and overt.

It is not merely that Peter is habituated to his work. If every time he killed and dressed lamb Peter had to view what he was doing through a child's eyes, he would either have to give up his job or endure constant distress. Peter's largely unconscious response to this dilemma has been to employ what might popularly be called a *defense mechanism* – or perhaps more accurately an *enabling mechanism* – which allows him to get on with the job. In other words, Peter has developed an insensitivity to lambs whereas the child and I remain sensitive. These differing susceptibilities are what I understand by "thresholds of moral sensitivity" or, more simply, *sensitivity thresholds*. [16]

Examples of sensitivity thresholds are easily multiplied. When we worry about the harmful effects of media violence on moral health, it is partly this tendency to protect ourselves by raising our sensitivity thresholds which concerns us. And when we encourage empathy in young children, we are fostering low sensitivity thresholds with respect to certain entities. By contrast, anyone who has been involved in a 'caring profession' knows the need to develop a *protective* sensitivity threshold by 'turning down their volume control'. [17] In general, there is good reason to agree with Goodpaster that sensitivity thresholds are a common feature of human psychology and an important part of the moral landscape.

## *Operative Moral Consideration (Step Two)*

The notion 'operative moral consideration' can now be explicated in terms of sensitivity thresholds. In Goodpaster's own words:[18]

...the moral considerability of [an entity, E,] is *operative* for an agent, A, if and only if the thorough acknowledgement of [E] by A is psychologically (and in general, causally) possible for A.

The psychological precondition is straightforward when understood in terms of sensitivity thresholds: it says that extending moral consideration to something must not conflict with a sensitivity threshold required for daily living. The causal condition is less obvious, but the following passage offers guidance:[19]

An agent may, for example, have an obligation to grant regulative considerability to all living things, but be able psychologically and in terms of his own nutrition to grant operative consideration to a much smaller class of things (though note that capacities in this regard differ among persons and change over time).

Leaving "regulative considerability" until the next step, the phrase "be able *psychologically and in terms of his own nutrition* to grant operative consideration" parallels Goodpaster's earlier use of the words "psychologically (and in general, causally)" when defining operative consideration. Therefore, the reference to nutritional restrictions can be read as a specific instance of a causal possibility. It may also be surmised that a causal possibility is not simply a physical possibility because it is physically possible for someone to ignore nutritional requirements. A causal possibility is better understood as something which can be done without undergoing significant physical harm, particularly since *psychological* possibility is already limited by sensitivity thresholds ensuring against psychological harm.

A people whose moral franchise *is* operatively limited for nutritional reasons are the traditional Inuit who live by hunting. Inuit cannot avoid causing nonhuman suffering without sacrificing their own lives. Thus, for the Inuit, there is no realistic alternative to the hunt, and this lack of options must also be part of the notion of operative consideration; otherwise, it would become too easy to wriggle off the moral hook. In general, *all reasonable alternatives must be blocked before it is legitimate to deny entities operative consideration.*[20] Given this proviso, 'operative consideration' may be understood as follows:

E warrants OPERATIVE CONSIDERATION by A precisely when A will not undergo significant and avoidable psychological or physical harm by extending consideration to E, and there is already sufficient moral reason to consider E.

Thus, operatively considerable entities are now (roughly) those considerable entities whose vital interests do not conflict with the vital interests of moral agents. And because the psychological and physical constraints on moral agents are equally important, it now makes sense to understand a 'sensitivity threshold' as a defense or enabling mechanism which helps protect individuals from both kinds of harm.

### *Regulative Moral Consideration (Step Three)*

The relationship between operative consideration and the original notion of consideration *simpliciter* becomes clear with Goodpaster's definition of *regulative* consideration:[21]

If the moral considerability of [an entity, E,] is defensible on all grounds independent of operativity, we shall say that it is *regulative*.

Judging by the way Goodpaster's enquiry develops, these "grounds independent of operativity" are roughly the sort of arguments and considerations adduced by the various accounts of moral scope. In other words:

E warrants REGULATIVE CONSIDERATION precisely when there is good reason to extend moral consideration to E independently of the particular needs of individual moral agents.

Goodpaster has now split the original notion of moral consideration in two. *Regulative consideration* is warranted when there is sufficient, non-instrumental reason to take an entity into account notwithstanding the needs of particular moral agents. *Operative consideration* is warranted when actively taking account of a regulatively considerable entity will not cause a moral agent significant, unavoidable harm. Thus, regulative consideration is a 'theoretical' notion of consideration whereas operative consideration is 'practical'. In consequence, assessments of regulative moral standing will be fairly consistent across moral agents, at least within a particular moral tradition, but operative moral standing may, in Goodpaster's words, "differ among persons and change over time".[22]

### *Good, But Difficult Advice*

Now we can assess Goodpaster's advice to focus exclusively on regulative consideration. It is sound advice, on the face of it, because we need an answer to the initial question which speaks for morality *per se* rather than particular moral agents. But there is a problem.

Goodpaster is telling Peter that if he wishes to understand the moral status of lambs, he must 'forget' he is a butcher and take a purely regulative view. This is hard advice to follow because sensitivity thresholds are usually well entrenched and, often, we are not even aware of them. But suppose that Peter succeeds in overcoming this obstacle. He must then seek reasons for and against granting lambs moral standing, and that will inevitably lead him to enquire what others have to say and to moral tradition and moral debate. Unfortunately, both of these sources offer judgements which are partly informed by the sensitivity thresholds of Peter's moral neighbours and their predecessors. This is unavoidable because moral thought depends upon the sensitivity of moral agents to reveal circumstances which may have moral significance. For example, if humans were completely insensitive to nonhuman suffering, it is highly unlikely that sentientism would have developed. Even if Peter can set aside his own threshold needs as a butcher, as soon as he appeals to moral tradition, a generalised sensitivity threshold will be informing his judgements about moral standing.

## *Considering Teddy Bears*

Peter might also try following Goodpaster's advice as an independent moral agent who, without reference to tradition, works to lower his own sensitivity threshold so that it permits sensitivity to lambs, then adjusts any moral traditions which are prejudiced against lambs, and finally ask whether lambs have moral standing.[23] But the process can have strange consequences.

Suppose that the moral status of teddy bears rather than lambs is in question. Following the above procedure, Peter lowers his sensitivity threshold respecting teddy bears and avoids or modifies moral traditions which evince anti-teddy prejudice. (No, it is not impossible to do. There are lots of children in the world acutely sensitive about teddy bears, and many adults will still flinch if they see you abuse one.) In consequence, Peter becomes persuaded that teddy bears are morally considerable. Those of us who are still unconvinced might construct counter-arguments, but it remains open to a teddy activist to reply that those arguments partly depend upon sensitivity thresholds which blind us to the 'true' moral nature of teddies.

## *The Steps Which Brought Us Here*

Something, surely, has gone wrong. Let us review the steps which brought us here:

- Distinction 4 separates an operative, agent-relative view of moral standing (which is coloured by individual psychological and physical needs) with a regulative, agent-independent view of moral standing (which is untainted by need).
- I have argued that moral thought is not entirely separable from moral sensitivity. It follows that a fully regulative, agent-independent view of moral standing, uninfluenced by psychological or physical needs, is not an option.
- I have also suggested that an agent-independent view can be approximated by sensitising ourselves to the entity whose moral status is currently in question. However, if we do that, it will be hard to show that there are entities which are *not* morally considerable.

## *A Third Option*

The sensible course now is compromise. Moral tradition and debate are needed to 'iron out' individual idiosyncracies and offer a kind of 'intersubjective sensitivity threshold' which will preclude 'teddy bear' morality. But this still leaves judgements about moral status hostage to sensitivity thresholds, which appears to be just what Goodpaster wants to avoid. And this is not an instance when achievable 'intersubjectivity' can replace the desired 'objectivity' at no cost. However, like any other aspect of morality, sensitivity thresholds may be, and should be, criticised in terms of their consistency, their consequences, and the depth of our need. Developing a more-than-usually sensitive, regulative, perspective will help those of us involved in moral enquiry to 'see' entities without regard to our own psychological or physical needs and furnish a basis for criticism and re-evaluation. It will then be a matter for debate whether morality generally should follow suit.[24]

But perhaps this is an over simplification of what lies ahead in that we are going to experience competing pulls towards both the operative and the regulative perspectives. On the one hand, the initial question is a *practical* question about how we should live, and we cannot determine an answer without situating ourselves as particular moral agents subject to psychological and physical needs. On the other hand, this is a *philosophical* enquiry into moral scope, and we require an answer which is sufficiently impartial and 'distanced' to be both recognisably moral and rationally persuasive.

What *is* certain is that we must guard against an uncritical acceptance of operative restrictions on moral standing. We should always keep Peter the butcher in mind and, when it seems clear that entities encountered in our everyday lives are inconsiderable, we should ask to what extent concern for our own psychological or physical welfare is responsible for that judgement and what conclusion a more detached perspective might yield. At the same time, we must recognise that a purely agent-independent, regulative account of moral scope is impossible because morality necessarily makes judgements about appropriate levels of sensitivity.

The importance of both these points was brought sharply home when I lived in Bhutan. Feral, cat-eating, often rabid dogs were part of everyday life, and they were treated harshly. My initial compassion soon gave way to the local practice of greeting strays with stones and curses, and I was a passive accomplice while my students hunted and stoned our local scavengers. In all, it took about a decade for my warmth towards dogs to return and for me to re-acquire a dog companion. In retrospect, it was a profoundly significant experience, teaching me the mutability of perceptions I had built my life around.

## PART TWO: THE MOVEMENT FROM INTEREST

### Chapter Three HUMANISM AND COMMUNITY

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Humanism is the point of departure for our exploration of current accounts of moral scope. It identifies the moral franchise roughly with all and only humans, thus giving a traditional answer to the initial question which the other accounts need to show in error. This last point needs stressing because critics sometimes give the impression that humanism is all but extinct. My own experience is that although humanism is poorly represented in current academic philosophy, it soon surfaces in debate about the issues described in Part One, and it is certainly alive and well outside philosophy.[1]

Altogether, there are a number of different forms of humanism prominent in history and in philosophical writing. The most notable are 'rational humanism' (which makes rationality the criterion of moral standing), 'moral humanism' (which demands reciprocating membership in a human community), and true 'speciesism' or 'genetic humanism' (which only requires the possession of human genes). It will also be useful to recognise a version of humanism, 'neighbourhood humanism', which was common in the classical world: the Greeks who began moral philosophy appear to have limited the moral franchise to *close human neighbours*, finding nothing wrong when a victor raped, plundered, and enslaved a conquered city. The main focus here will be *moral* humanism: it offers the most persuasive basis for imposing both necessary and sufficient humanist conditions on the moral franchise.

As will be my practice throughout this exploration of the accounts of moral scope – and in keeping with Part One – the language of consideration will be my primary vehicle of discussion. Aesthetic considerations will not be discussed, and rights ascriptions will be evaluated according to their grounds. (Which is roughly in accordance with Goodpaster's Distinction 1.) I shall avoid questions about *relative moral standing* in so far as that is possible (Goodpaster's Distinction 2), treat the *apparent intelligibility* of an assertion of moral standing as, at best, only an approximate guide to moral status (Goodpaster's Distinction 3), and I shall seek to make putative accounts as independent of the *everyday needs* of moral agents as is possible (Goodpaster's Distinction 4).

#### MELDEN'S MORAL HUMANISM

##### *A Criterion Grounded In Community*

The most careful and thorough treatment of humanism in the recent literature is offered by A. I. Melden. His *desideratum* is a complete ethics founded in the requirements for social living, but, despite this ambitious sweep, the essence of Melden's humanism can be briefly stated.[2] Melden is a 'narrow-rights' theorist who argues that rights arise in consequence of membership in a moral community within which common goods are pursued. To be a rights-bearer – and, therefore, on Melden's account, to have moral standing – is to be someone with whom others can coordinate plans and behaviour in the pursuit of shared ends. According to Melden, ascribing narrow-rights and correlative obligations is the chief way of achieving coordination within a moral community, and promising is, thus, the paradigm of a moral relation.

Melden uses his aetiology of rights to draw some initially strong conclusions about who can be rights bearers.[3] Rights bearers must be rational, in order to recognise and act on their rights and obligations, and they must also be predisposed to act morally. (For Melden, unlike Kant, acting rationally need not *entail* acting morally.[4]) Finally, Melden asserts that rights bearers must be genetically human in order to share the common interests which glue the moral community together.

### *The Objection From Current Practice*

This is a *very* limited account of moral scope, adding together as it does the restrictions imposed by rational and genetic humanism, then narrowing the franchise further by demanding moral agency. Melden is immediately open to the objection that his humanism is inconsistent with current practice because moral consideration is routinely granted to humans who are neither rational nor moral agents. The most powerful counter-example is children. Whatever theoretical reasons we might cite in support, we can hardly deny that received morality *does* enfranchise them.[5] Children may not have precisely *the same* degree of moral standing as adult moral agents, but they certainly have *significant* moral standing.

Furthermore, it is not only children whom Melden threatens to put beyond the moral pale. He also disenfranchises all *adults* who are intellectually or psychologically incapable of rational or moral agency. With respect to rational incapacity, there may be a question how *much* protection current morality affords those who are intellectually impaired, but it is, again, undeniable that they *are* accorded *some* consideration.[6] Even psychopaths seem to be included under the moral umbrella. Whereas product-testing on nonhumans is routine, received morality certainly does not sanction product-testing on the particularly wicked.

### *Seeking A Better Fit*

The only realistic response to this objection is to loosen the criteria of moral standing, and that is what Melden does. He is particularly concerned to enfranchise children, and he offers reasons for granting them rights at numerous points in his text, in the context of various topics. Two relatively clearly stated reasons appear for granting rights to humans incapable of agency. The first reason is that children and others who are dearly loved by community members are brought within its shelter by that love.[7] The second reason is that the rights of infants and others lacking agency can be adequately grounded in their interests.[8]

Before we object that being 'sheltered' is not the same as being a right-holder, or that having interests is not obviously restricted to community members, we should note that neither reason is apparently intended to stand alone. For Melden, children and others lacking agency are not morally special just because we love them, or because they have interests *per se*. They are morally special because their interests and ours cannot be properly separated or taken in isolation: a child is an integral part of at least one, hopefully several adult lives; an adult incapable of rational agency is a sibling, parent, or friend who remains a partner in a common enterprise. Thus, Melden views humans who are not full rational agents as integral to the pursuit of human goods even though their intentional contribution to those goods may be very limited. (Note that even sociopaths are not excluded from the community and barred from right-holding *by* the community. According to Melden, they exclude themselves by "choosing and deciding...in complete indifference to the moral interests of others." [9])

## *'Strict' And 'Generous' Moral Humanism*

In consequence of this relatively sane view of human relationships, Melden's 'moral community' consists of all those who are bound together by interlocking relationships, needs, and expectations. This is more generous than might be expected of moral humanism, and it is useful to mark that generosity by identifying two possible kinds within moral humanism:

STRICT moral humanism extends moral standing only to humans who are full, reciprocating members of a moral community.

Melden's GENEROUS moral humanism also includes children and other humans incapable of full reciprocity. Although the paradigm rights bearer remains a rational, moral agent, his or her interests are seen to be best served by granting moral standing to family and friends who do not meet the paradigm.

Because subsequent discussion focusses almost entirely on generous moral humanism, to the exclusion of strict moral humanism, I shall continue to refer simply to 'moral humanism' except where the context makes clarification necessary.

### *But Would It Work?*

Despite the greater generosity of Melden's moral humanism, one may still wonder if his moral community could ever entail rights for an unwanted infant or old person, or for those who are so mentally or emotionally impoverished as to be apparently incapable of any kind of partnership. My sense is that it could. If caring and compassion are among the goods which a moral community pursues, then the recipients of care and compassion could, in an extended sense, be considered partners in pursuit of that good. An example of this kind of reasoning is provided by the Himalayan Buddhists who view a less able relative as an opportunity for, and a partner in, moral development. And given this gloss on Melden, his criterion of moral standing may finally be summarised as follows:

Melden's CRITERION of moral standing: Human beings (and, it appears, *only* human beings) have moral standing when they are either reciprocating members of a moral community or tied to reciprocating members by the bonds of love or compassion.

## PUSHING AT THE BOUNDARIES

### *Definitively Rejecting Strict Moral Humanism*

Melden has arrived at this relatively generous criterion of moral standing because he is happy to accommodate received morality's concern for children and other non-agents; however, there is the theoretical alternative of trying to rehabilitate strict moral humanism. This possibility should be laid to rest, now, so that strict moral humanism cannot haunt future discussion. And the grounds for doing so are to hand: strict moral humanism fails to offer an adequate basis for communal living.

Human adults generally have a high regard for the safety and well-being of their loved ones, and they are unlikely to enter into an association which puts dependant friends or relatives at risk.

Therefore, just as a guarantee of relative *personal* safety is an important prerequisite of communal life, so this guarantee must extend to children and others who are incapable of moral agency. But strict moral humanism is unable to furnish this guarantee by the usual means of extending moral protection to them. The alternative is to hope that children and the intellectually impaired will be adequately protected because they will be treated well out of regard for other moral agents. This is analogous to the earlier example of my Cartesian neighbour treating my cat well out of regard for me: now it is my child and my idiot brother who are supposed to be adequately protected because they are my wards. But this protection-by-proxy is inadequate. Personal regard is variable and fickle, and it is poor surety for the safety of one's child. *What happens if one dies? Will my dependants be allowed to slip through the communal net because I am no longer there as guarantor?* Given the depth of the concern most parents have for the well-being of their children, only the protection of moral standing is going to be thought sufficient.

As a final reason for thinking that morality should fully enfranchise the dependants of moral agents – and all non-paradigm humans in general – note that an increased perception of security tends to improve human well-being and that granting moral standing to children and impaired adults is a relatively easy way of enhancing everyone's sense of security. This is because doing so not only assures moral agents that their relatives enjoy the same kind of protection as themselves, it also helps to make the possession of humanity a special attribute which automatically elicits consideration.

#### *A Momentum For Expansion*

Given that it is so important for morality to enfranchise *all* humans, whether they are paradigm moral agents or not, it may be wondered whether Melden's own criterion of moral standing is quite up to the job. After all, non-agents only have a 'second-hand' claim to consideration grounded in the interests of fully fledged moral agents. However, I see Melden's position differently. On a generous reading of the human capacity for love and compassion, Melden's notion of 'community' is rich enough to involve just about all humans – probably even the psychopaths whom he thinks exclude themselves – and it is strong enough to do so securely. As I see it, Melden's problem is resisting the momentum for further generosity which his criterion generates.

#### *Melden's Speciesism*

To take a first instance, why is Melden so sure that rational nonhumans – should there be any – fall outside the moral umbrella? In the terms of a standard response to so-called 'speciesism':[10]

Suppose that a being utterly unlike any form of life yet encountered flies in from space. We find evidence of intellect, something akin to emotion, and an ability to plan. Should we not grant the space-being moral status?

Rational humanists and critics opposed to humanism generally will concur in endorsing a positive answer. But Melden appears to challenge this alliance when he claims that unless the space-being is like us in "the considerations which move her to act", we would be unable to make her a member of our moral community or treat her like a human being.[11] To someone persuaded of the moral significance of either rationality or a capacity for suffering, this will appear beside the point: if it is within our power to affect the space-being, then morality must extend consideration to her whether

or not she can join our 'community'. Does Melden *really* wish to deny that the space-being is considerable?

### *Space Beings And Angels*

The answer seems to be that Melden does. He explicitly, if ill-advisedly, recognises that his own criterion of moral standing is more restrictive than that of rational humanism's paradigm exponent Immanuel Kant.[12] I am not sure that there *is* a lot of difference between Melden and Kant in this regard, but Melden's thinking there is helps locate his own position. Melden apparently distances himself from Kant on the ground that if a rational space being — or more likely an angel — had alighted at Königsberg, Kant would have had no difficulty accepting her moral status. Her rationality would have equipped her to, "act only according to the maxim whereby you can at the same time will that it should become a universal law." [13] And, for Kant, this makes something a member of the kingdom of ends and secures its moral standing. What Melden appears to be overlooking is that Kant viewed rational and moral agency as inseparable, and so Kant's rational angel *is* a reciprocating moral agent, just as Melden demands. Neither Kant nor Melden seem to conceive of a moral relationship with a rational being who does not have concerns in common with us.[14]

### *A Fundamental Difference*

Here, we come to the start of one of those fundamental disagreements I mentioned in Part One. Because the sole theoretical basis of Melden's humanism is promoting the welfare of a community of reciprocating moral agents and their wards, he finds no possible reason to enfranchise a rational being who stands outside that community. By contrast, critics who take a broader view will wish to argue that because compassion and, perhaps, a respect for the dignity of self-directing beings are already part and parcel of received morality, consistency demands enfranchising *all* rational creatures. This disagreement has a form which will shape much of the next chapter, where I shall present sentientism's case for enfranchising sentient, rather than rational, nonhumans. On the one hand, moral humanism insists that morality is strictly circumscribed by its concern for human welfare. On the other hand, expansionists argue that consistency must force the moral umbrella further open. For now, I will merely go on record as finding it odd, and seemingly arbitrary, to insist that another rational creature could have *no claim at all* on our moral concern. It seems to me received morality is more flexible and catholic than that, and I shall eventually offer reasons why that should be so.

### *Nonhuman Companions*

But, however the space-being issue is decided, Earth appears to house no creatures whose rational capacity approaches that of humans; therefore, the outcome is only of theoretical interest.[15] By contrast, Melden's view of *mundane* nonhumans is of real practical concern: why is Melden *so* sure that only humans have rights? If the answer is yet a further claim that humans have peculiarly interlocking interests, we need a fuller explanation of what those interests are. And if part of that explanation is the deep love and concern moral agents have for other humans then, on those grounds, many nonhuman companions qualify. Furthermore, if the explanation cites how humans are our 'partners in moral development' (as was discussed when the status of intellectually impaired humans was at issue), it is also reasonable to claim nonhuman companions as partners and

considerable beings. Even though nonhumans do not develop morally themselves, they enjoy a similar role to severely challenged humans who *are* judged to be our moral partners; for example, the cat whom I used to introduce the initial question was a partner in my own moral development, as were the nonhuman friends of childhood. Granting the need for consistency in distinguishing considerable from inconsiderable entities, these lines of thought suggest that generous moral humanism *should* enfranchise companion nonhumans, and shun a restriction which is beginning to appear an arbitrary preference for our own species.

### *And Sheepdogs*

There is a further reason still for thinking that Melden's 'community' should extend to (at least some) nonhuman companions. As mentioned above, Melden never specifies the precise interests promoted by a moral community; in the absence of a list, let us agree that morality serves to promote a communal way of life which is generally advantageous to members, enabling them to better satisfy their needs. I shall argue that this provides reason to enfranchise working sheepdogs (at the least).

Without his Border-Collie, a Scottish, Welsh, or Cumbrian shepherd cannot tend the flock. This is not just a matter of convenience: it would be almost impossible for unaided humans to herd sheep across those hills. And without his shepherd, the dog must either live a harder life as a stray, or a feral dog, or a less satisfying life as a pet. The benefits of partnership are mutual. What is more, human and dog integrate their behaviour so thoroughly, and their interests are so enmeshed, that it makes more sense to think of dogs as members of a hill-farming community than as a mere adjunct to it, a kind of tool. In which case, sheepdogs are morally considerable according to the basis of Melden's criterion.[16]

Humanists may want to block this argument. Can they do so by insisting that members of a moral community be able to recognise their rights and obligations? No, because that insistence would exclude those nonparadigm humans whom Melden has worked so hard to accommodate. In any case, if we take behavioural rather than linguistic competence as a guide to community membership, observation suggests that working dogs make a good showing.

Can the argument be blocked by insisting that there is no reason why the shepherd *cannot* view and use the dog as a tool? The sheep will still get herded, and the dog will still get fed and sheltered. But problems arise if we try to argue that the dog need only be of instrumental significance to the shepherd. In the first place, the dog does appear to satisfy (at least) those requirements for community membership which an intellectually impaired human satisfies. If the intellectually impaired human is to be made a community member, then the rule that we should not make distinctions where relevant differences do not exist indicates that the dog should be too. Second, it is arguable that both shepherd and dog will miss out on some of the benefits of partnership if the dog is treated instrumentally: the shepherd will lose a potential friendship which is rewarding in itself and waste an opportunity for moral growth, and the dog will lose the affection which domesticated dogs are so eager for. Third, and finally, perhaps the sheep will not be so well herded. Like humans, dogs seem to do their best for those who appreciate and care for them in themselves, rather than valuing them only as a means to an end.

If my reading of Melden and my argument are accepted so far, then there is a limited case to be made for extending the moral umbrella beyond moral humanism, to nonhuman companions and helpmeets, without denying moral humanism's premises. This is an important finding: it means there is reason for a consistent, generous, moral humanist to recognise the moral standing of at least some sentient nonhumans; it also means that such recognition can be achieved without rejecting the basic grounding of moral humanism. Given that there is also the beginnings of a case for moral humanism to enfranchise possible rational nonhumans, I propose recognising a separate version of humanism which I shall call 'new-model humanism'. New-model humanism endorses Melden's premise that morality grounds in the requirements of community, but it also recognises a case for extending the moral franchise to rational nonhumans and to nonhuman companions and colleagues. New-model humanism is the first potential bulge in the traditional humanist bulwark against moral expansion.

## IS MELDEN REALLY A HUMANIST?

### *The Initial Evidence*

Given the potential elasticity of Melden's own generous moral humanism, one is led to wonder whether Melden really *is* a humanist in the sense of someone totally unwilling to extend moral consideration to nonhumans. Let us consider the evidence. To begin with, the majority of Melden's discussion centres on attributions of narrow rights, and although I have offered reason for thinking that (for example) a sheepdog *may* warrant certain narrow rights, Melden would certainly disagree. Those arguments which deal with the genesis of rights clearly show that Melden thinks only humans fit subjects for rights.[17] However, when we seek Melden's explicit view of those who do not hold rights, we find a more generous story. For example, his opening page warns us that beside moral rights, we must recognise:[18]

...moral considerations to which the concept of a right does not seem to apply at all: the requirement that we help someone in need, the generosity or kindness we ought to extend to persons simply out of love and affection for them, and even the humane treatment we ought to give animals unable to fend for themselves.

Obviously, Melden does not think the narrow rights story tells all there is to know about morality, but he never explains the alternative theoretical basis of these "considerations". A possibility true to Melden's humanism is that they are justifiable independently of rights-theory because they contribute so much to communal life and human welfare. But if Melden thinks this, he has the problem of reconciling non-rights-based obligations with rights-based obligations when there is a conflict, and that is not an easy matter.[19] Another possibility is that, at least in the case of "animals unable to fend for themselves", there are grounds for moral standing which do not quite add up to grounds for a narrow rights-ascription. In the latter case, Melden may be edging towards a recognition of wider rights which are *not* grounded in the exigencies of community. But, in any case, he is taking the view that we owe certain treatment to certain sentient beings because of properties they exhibit, and that goes beyond standard moral humanism.

Unfortunately, Melden's text does not provide the basis for a definitive answer to the puzzle. For what it is worth, my *feeling* about his position, based on a prevailing tone of compassion and

generosity which is sometimes at odds with humanism's strictures, is that while his moral *theory* points Melden towards humanism, his moral *sense* leads in the opposite direction.

### *Sumner's Reading*

But not everyone agrees. L. W. Sumner depicts Melden as a humanist of the first water. This is because according to Sumner's own account of moral scope, moral standing is inseparable from the right to life: "having (some) moral standing is equivalent to having (some) right to life." [20] Thus, any considerable entity necessarily has a (or some) right to life. If Melden is limiting rights to humans, then he must be limiting the right to life to humans, and – on Sumner's view of what moral consideration involves – he is, thereby, denying moral standing to nonhumans.

Two questions now arise: *Is moral standing inseparable from the right to life?*, and, *Does Melden really wish to claim that nonhumans have no right to life at all?* With respect to the first question, as explained in Part One, anyone with hopes of carrying moral expansion across the mattering-gap must be prepared to separate moral standing from rights *per se*, if only because rights do not extend that far. Therefore, this enquiry cannot endorse Sumner's right to life claim without a substantive argument to show that being a living entity with a well-founded claim to life *is* a necessary condition of moral consideration. Because that issue's proper provenance is sentientism's attempt to halt moral expansion at the mattering gap, I shall not discuss it here.

What *is* relevant here is Melden's possible view of nonhuman claims to life. If he thinks that some nonhumans may have a claim to life, that suggests he thinks them considerable. However, Melden's text is again unequal to the query. Although Melden does say that the demise of a nonhuman may be *hastened* without compunction [21], this is *not* the same as saying that we can legitimately kill a perfectly healthy nonhuman without need to show just cause. If this seems to be splitting hairs, compare the clearly expressed view of John Passmore, who is a possibly stronger, but less subtle, candidate for the title of 'contemporary humanist'. He not only wants to deny animals rights, he offers the traditional explanation that cruelty to animals is wrong only because, "callousness, an insensibility to suffering, is a moral defect in a human being". [22]

### *A Humanist Who Wavers, But Still A Humanist*

I conclude that there *is* ambiguity in Melden's view of nonhumans, and his intention to disenfranchise them does sometimes waver, but this certainly does not make him a closet sentientist. Leaving aside his possible lapses in favour of sentient nonhumans, Melden is a typical, contemporary humanist. Just like Passmore, he grounds moral rights in a community of common interests, and he explicitly limits legitimate rights-bearers to human beings who have interlocking interests. [23] In any case, it is not a primary issue whether Melden should be read as a humanist or a would-be humanist who transcends himself. The reason why it is difficult to be sure of Melden's precise position are just what make his exposition of moral humanism so interesting: Melden's ambiguities arise because it is difficult to insist that the moral franchise should extend solely to humans while at the same time remaining open to the many sources of moral claims upon us. The tension between Melden's view that nonhumans lack the rights which entail moral standing and his equally explicit recognition that we *ought* to treat nonhumans humanely indicates the strain within generous moral humanism.

## *Two Senses Of 'Community'*

There is one further point of note arising from Sumner's discussion of Melden, and it leads to a deeper understanding of what moral humanism involves. Sumner suggests that the notion of a 'moral community' is itself inherently ambiguous: it may be a community of those agents who are capable of recognising obligations, or it may consist of all those to whom the agents have moral obligations. Melden begins by espousing the former view. However, as we have seen, he cannot get by for long with the narrow notion of community, and he slithers towards a broader definition as he grants rights to children and adults incapable of agency. But Melden never quite moves as far as the second conception of community. Instead, he havers: *Melden's* moral community finally consists of all whose lives are connected through shared projects, the demands of reciprocity, or affection. This is why I could claim earlier that consistency demands new model humanism.

## *Humanism's Limited Momentum*

In criticising Melden, Sumner effectively asks why Melden does not start out from the potentially more generous notion of community and canvas other possible bases of obligation. But this is not really fair to Melden. Although he never answers Sumner directly, Melden's position is clear and has already been touched on. Melden treats it as axiomatic that morality's mandate is limited to what is required in order to promote the welfare of reciprocating human moral agents and their wards.

Whether or not we agree with Melden, understanding this aspect of his reasoning is essential to understanding contemporary humanism. Not only does Melden's view of morality's purpose *generate* the moral franchise he endorses, it provides a principled way of *limiting* the moral franchise. If my attempt to move humanism towards greater generosity has seemed to prepare the way for a full-scale slide into sentientism, then this is important to recognise. Moral humanism may resist expansion beyond new model humanism by invoking morality's *unique* concern with the welfare of reciprocating moral agents, and those whose interests are bound up with the interests of moral agents; thus, denying admittance to all except the nonhuman companions and helpmeets discussed earlier.

A critic of humanism might interject here, claiming that if sheepdogs are to be granted moral standing then consistency requires enfranchising all other similarly sentient creatures. But a moral humanist who is willing to be sufficiently hard-nosed about the humanist position may reply that it is not sheepdogs *per se* who are being enfranchised, but rather *nonhuman companions and helpmeets*. *Consistency* only requires enfranchising *all other* companions and helpmeets.[24] Even if (as Sumner wants) the moral community is understood as consisting of all those *to whom moral agents have obligations*, moral humanism still has principled grounds for resisting expansion. Moral humanism holds obligations legitimate only if they ultimately contribute to the welfare of moral agents; therefore, it is hard to make a case for creatures which are neither nonhuman companions nor helpmeets. We may not like moral humanism, but it is a more coherent and secure account of moral scope than its critics sometimes allow.

## GENETIC HUMANISM

### *A Possibly Sufficient, But Not Necessary, Condition*

Moral humanism's separation of considerable from inconsiderable entities finally grounds in a *psychological* difference: sentient nonhumans are disenfranchised because their cognitive abilities fit them so poorly for inclusion in a human community. However, this focus on psychology is not the only possible approach to humanism.[25] An Aristotelian might seek separation based on some *essential* difference between humans and other creatures, and a more contemporary proponent can seek to claim that the *genetic* difference between humans and nonhumans is morally significant *in itself*. Leaving religious notions aside, it is unclear what might constitute the essential difference, and a bare preference for our own species is hard to square with impartiality. But some conservatives in the abortion debate have lowered their sights from a full-fledged account of moral scope in order to claim that mere genetic humanity is *sufficient to confer* moral standing (is a *sufficient condition* for moral standing) even if its absence does not *necessarily preclude* it (genetic humanity is not a *necessary condition* for moral standing). This claim is not only important for the morality of abortion, it offers an interesting possible codicil to the initial question.

### *Noonan's Argument*

Good current examples of this *limited* genetic humanism are provided by John T. Noonan Jr. and Joseph F. Donceel. Reading Noonan in light of Donceel's loyal criticism yields the following argument:[26]

- (1) Even the conceptus, once formed, carries the genetic plan of our species.
- (2) Given this genetic plan, the conceptus has a high (roughly 4/5) probability of developing into a full fledged member of our species so long as it remains safely *in utero*.
- (3) If the conceptus is so endowed and programmed, it is to all moral intents and purposes a human being with a right to life.

This argument has two strings. One string plays the theme of 'our species': even the conceptus is endowed with a human genetic code and so is one of us. The other string plays the theme of 'potentiality': the conceptus has a high probability of being carried through to birth and eventually becoming a fully fledged human being. It will be best to treat these themes as distinct, separate arguments, starting with potentiality.

### *Potentiality*

One influential criticism of the potentiality argument runs as follows:[27]

... if *A* has rights only because he satisfies some condition *P*, it doesn't follow that *B* has the same rights now because he *could* have property *P* at some time in the future. It only follows that he *will* have rights *when* he has *P*. He is a potential bearer of rights, as he is

a potential bearer of *P*. A potential president of the United States is not on that account Commander-in-Chief.

This objection involves crediting genetic humanism with an argument which can be summarised thus:

A conceptus is potentially human. A human has a right to life. Therefore a conceptus, which is potentially human, has a potential right to life. Therefore a conceptus has a right to life.

But this is logically obnoxious because the premise only supports the conclusion that the fetus has a *potential* right to life. To conclude that a fetus has an *actual* right to life we must conflate a potential right with an actual right.

#### *A More Charitable Reading*

Is this logical aberration really the argument genetic humanism seeks to offer? It seems unlikely. As Earl Winkler has pointed out, genetic humanism may be more favourably read as claiming that a conceptus's own present qualities – in particular, the quality of being potentially a rational being – are sufficient to secure its present right to life:[28]

A clear-headed [abortion] conservative does not say that potential future moral personhood confers such personhood now, but that present potential for future rationality and self-consciousness confers moral personhood now.

Or, as Noonan puts it, “the possibility of human wisdom” directly grounds a present right to life.[29]

But although this rescues genetic humanism from logical error, it must still be explained *how* the present right to life grounds in a “possibility”. Noonan does not do this; however, there is at least one possible explanation to hand. Noonan can be understood as holding the view that human wisdom is a *dispositional* property which may be judged present even when not currently manifested. It may then be argued that human wisdom secures “moral personhood” even prior to being evinced.[30] The weakness of this position is that – even if it is agreed that the dispositional property of human wisdom secures moral standing – we may question whether any organism should be *credited* with the property until there is initial evidence of it. Although dispositional properties are routinely granted sight unseen when there is little or no possibility of doubt, not all human fetuses eventually demonstrate wisdom. Compare fetuses and human wisdom with the example of standard window glass: window glass will always shatter when struck with a metal hammer; therefore, there is no problem attributing fragility to window glass. Fetuses do *not* always go on to evince human wisdom; therefore, their possession of the dispositional property is suspect. Given that the burden of proof rests with Noonan and with genetic humanism in general, it seems most reasonable to take the common sense view and conclude that because a fetus is currently unable to evidence human wisdom, rationality, or self-consciousness, it does not have a right to life grounded in any of those properties.[31]

Is the argument that mere genetic endowment grounds the fetal right to life more persuasive? At the beginning of his article, Noonan repeats the traditional assertion that whatever is born of human parents is human, and, therefore, has a human's moral status.[32] But it must still be explained *why* mere biological humanity is a sufficient ground for a right to life. Again, Noonan fails to do. Perhaps his view is that because a fetus is biologically human, it is already so *valuable* that it warrants a right to life.[33] However, if this *is* the basis of genetic humanism's case, much more needs to be said. Given the ease of production, and the super-abundance of the rational, self-conscious creatures into whom human fetuses grow, it is hard to understand why they should be so prized. Granted a fetus is a natural wonder, and an object of awe and protectiveness, it still does not follow that a fetus warrants a right to life.

But perhaps my view of genetic humanism is too secular. Although Noonan concentrates on arguments accessible to those who do not share his Christian faith, Donceel links the right to life to ensoulment, the uniting of a human fetus with a soul. This clearly theological context may be the only one within which genetic humanism works because Christianity *does* ground the claim that humans have uniquely high value in the scheme of things. However, it is not a basis which non-Christians need accept.

#### *Do Human Genes Warrant Some Moral Standing?*

It still remains possible that mere genetic humanity secures *some* consideration for a fetus, and that, in itself, would be interesting.[34] To make the case, it must be argued that genetic humanity provides reason to take a fetus into account for its own sake when decisions affect it. This must apply even to very early fetuses, and there are only two ways to affect an early fetus: one is to terminate its development; the other is to modify its genetic programme.

Suppose that an unwanted early fetus (a conceptus) is allowed to develop for a week or two, then destroyed without harm to its host. What wrong has been done? Despite the wealth of literature dealing with the abortion issue, there is no readily discernible wrong, and certainly none that is attributable to a conceptus's possession of human genes.[35] Now, suppose that ways are found to modify conceptuses so that they grow into 'designer' humans: factory workers receive scant curiosity and extra hands; policepersons have eyes about their heads like spiders. If this is morally wrong, and certainly such modifications are 'intuitively' disturbing, then the mere possession of human genes cannot be what makes it wrong. If a conceptus was modified for purely experimental reasons, then destroyed shortly afterwards, the act would be morally equivalent to early abortion and acceptable. Thus, any wrongness inherent in genetic manipulation must have to do with carrying the fetus to term and bearing a modified child. This suggests that modifying human genes *per se* is not wrong; the locus of offense is the resulting person, and, perhaps, the community they join. In sum, there is no apparent reason why the mere possession of human genes secures moral standing.

## Chapter Four

### SENTIENTISM IN THE UTILITARIAN TRADITION

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Historically, classical utilitarianism's emphasis on the moral significance of pleasure and pain offers the first account of moral scope to rival humanism. Right actions are identified with those promoting pleasure, wrong actions are identified with those promoting pain,[1] and, because the human capacity for pleasure and pain is shared by many nonhumans, it becomes possible to argue that consistency requires taking *nonhuman* pleasures and pains into account when choosing actions. As Jeremy Bentham says in an oft-quoted passage: "The question is not, Can they *reason*? nor Can they *talk*? but Can they *suffer*?"[2] However, although this charitable perception dates to the 19th century, Bentham's ambition that, "the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny",[3] sported few champions until the final quarter of the present century. It may be significant, or it may be simply ironic, but it is only now, just as vitalists and ecosophists are urging much *greater* expansion, that concern for nonhumans is becoming respectable.

The present chapter will ask how strong a case *can* currently be made for following Bentham's lead and enfranchising roughly all creatures capable of suffering, for broadly utilitarian reasons. In other words, we shall be asking: *Is sentience a sufficient condition of moral standing?* The question whether sentience is also *necessary* for moral standing, and, thus, whether sentientism is able to block expansion across the mattering gap, will be reserved for separate discussion later.

#### AN EVOLVING CRITERION

##### *The Capacity For Feeling Or Affect*

Although Bentham no longer lacks philosophical heirs, *their* talk now is more of 'sentience' than 'suffering'. That change warrants an explanation *plus* a recognition that academic philosophers do not use 'sentience' in quite the dictionary sense. Whereas the O. E. D. glosses sentience as, "the power of perception by the senses", philosophy use it to mean roughly 'the capacity for feeling, pleasure, and suffering'. For example, Peter Singer tells us that he is:[4]

...using the term [sentience] as a convenient, if not strictly accurate, shorthand for the capacity to suffer or experience enjoyment or happiness...

Singer wants one word to do the job of several, and 'sentience' is to hand.

In L. W. Sumner's later discussion of sentience, the acknowledgement that the word is a term of art has been dropped, and the definition is more extensive:[5]

Sentience is the capacity for feeling or affect. In its most primitive form it is the ability to experience sensations of pleasure and pain, and thus the ability to enjoy or suffer. Its more developed forms include wants, aims, and desires (and thus the ability to be satisfied and frustrated); attitudes, tastes, and values; and moods, emotions, sentiments and passions.

Later, we shall find Sumner using this extended definition to support his claim that sentience is *necessary* for moral standing, but even in advance of that, the broader definition offers clear advantages.

### *Two Forms Of Sentience*

For sentience to be a useful criterion of moral standing, it must be possible to decide *which* creatures are sentient. *Is a mouse sentient?* Singer's definition affords an unequivocal answer: because a mouse can suffer, it *is* sentient. But what about more simple organisms? Invertebrates, which are probably not capable of suffering in any conscious sense, still manufacture the natural opiates associated with pleasure and pain. *Are invertebrates sentient?*

It is more difficult to respond with confidence, this time, but Sumner's fuller definition of 'sentience' affords a partial answer. 'Primitive forms'; of sentience makes possible benefits and harms associated with agreeable or disagreeable sensations; and 'developed forms' of sentience make possible benefits and harms associated with satisfied or frustrated desires, wants, and (conscious) aims, and with the possession of attitudes, tastes etc. Psychologically simple life-forms can only receive benefits and harms of the first sort, but more complex life-forms can increasingly receive benefits and harms of the second sort. As Sumner says, invertebrates are sentient if they are capable of enjoying benefits or harms of at least the first sort: that makes invertebrates sentient if they have disagreeable sensations.[6]

### *A Very Similar Extension*

In practice, the dictionary's "power of perception by the senses" (or 'sensory awareness') seems to be unfailingly allied to at least *some* capacity for agreeable and disagreeable sensations. Thus, 'sentience' in the dictionary sense extends to the same organisms as 'sentience' in the analytic sense.[7] However, understanding contemporary sentientism *is* going to require us to recognise in what sense contemporary philosophers speak of 'sentience'.[8]

### *A Divided Movement*

Historically, sentientists differ in the way they ground their sentientism. Whereas Bentham wanted to make the simple capacity for suffering the basis of moral concern, contemporary sentientists are more likely to refer to the 'interests' sentient creatures have in virtue of the capacities noted by Sumner. This difference between what I call 'hedonic' and 'interest-based' sentientism can become blurred when interest theorists stress the moral importance of suffering, but the accounts *are* broadly distinct: hedonic sentientism is concerned *solely* with pleasures and pains while interest-based sentientism recognises various kinds of interests associated with different degrees and kinds of awareness. In addition, some contemporary sentientists also disagree deeply about both the theoretical basis and the precise extent of the moral franchise: there is an on-going debate between broadly utilitarian versions of sentientism (particularly as they are championed by Singer) and Tom Regan's rights-based account (which seeks to ground consideration in capacities roughly limited to the higher mammals).

Given these several differences within sentientism, I am going to treat hedonic sentientism, interest-based sentientism, and a third (relatively non-partisan, but still broadly) utilitarian version of

sentientism as related but distinct topics within the present chapter. Regan's quite separate form of sentientism will then be reserved as a chapter topic in itself.

## HEDONIC SENTIENTISM

### *Bentham's Legacy*

In a famous review for the *New York Review of Books*, Singer takes on Bentham's mantle and offers the following clear restatement of classical utilitarian doctrine:[9]

If a being suffers, there can be no moral justification for refusing to take that suffering into consideration, and indeed, to count it equally with the like suffering (if rough comparisons can be made) of any other being.

In his later writing, Singer embeds his compassionate heritage in the more sophisticated rhetoric of preference (or 'interests') utilitarianism. But, for now, it is the unadorned appeal to suffering I wish to consider.

### *The Argument From Suffering*

Stated briefly, this appeal to suffering provides an argument for moral expansion which runs as follows: If all human suffering is morally significant – regardless of the presence or absence of the full range of normal human capacities – then consistency requires treating all *comparable* nonhuman suffering as significant, too. This entails extending the moral franchise to *all* sentient creatures.[10]

It will be useful to 'unpack' this summary a little, and present it as an initial three-step 'argument from suffering':

- Received morality holds human suffering to be bad in itself, and it requires us to avoid causing avoidable human suffering. Moral agents are enjoined to take human suffering into account when deciding how to act.
  
- If unnecessary *human* suffering is morally repugnant, then consistency requires taking the same view of *nonhuman* suffering *unless* there is a demonstrable, morally significant difference between humans and nonhumans. This difference must involve characteristics shared by humans of *all ages and capacities*. (This is because the suffering of even the most emotionally and intellectually limited is deemed morally important.) The only possibly relevant characteristics are a capacity to suffer and genetic humanity. Nonhumans suffer, too; therefore, any morally significant difference between humans and nonhumans has to depend on the possession and absence of genetic humanity. But to distinguish between humans and nonhumans on this basis alone is arbitrary preference.[11]
  
- It is, therefore, irrational to treat *human* suffering as morally significant while ignoring *comparable nonhuman* suffering. Nonhuman suffering must be taken into account, too, and that makes sentient nonhumans morally considerable.

## *Resisting The Argument From Suffering*

A critic has three options for resisting this conclusion: she may claim that human and non-human suffering are not comparable, deny that received morality views the comparable suffering of *all* humans as significant, or attempt to display some morally relevant difference between humans and nonhumans which the argument from suffering has overlooked.

In discussion, I have heard the first option taken when it is said that because sentient nonhumans lack human levels of self-awareness, they cannot suffer as we do. However, received morality holds *all* human suffering important, *including* the suffering of those humans who *lack* normal self-awareness. Such suffering has more in common with nonhuman suffering than with the value-added pain of intensely self-aware, human suffering, and if it matters in humans, reason must be shown why it fails to be morally important in nonhumans. [12]

In support of the second option, a critic might claim (with Melden) that received morality assigns vanishingly small significance to the suffering of sociopaths and others outside the moral community because they do not reciprocate obligations or friendly treatment. But this is false. For example, torturing a psychopath for amusement would generally be held wrong, and at least part of the reason *why* it would be thought wrong is that it inflicts needless pain. What *is* probably correct is that received morality does not weigh the suffering of all humans equally. But, remember, the initial question is not about *relative degrees* of moral significance; it just asks which things warrant *some* consideration. Received morality does accord *some* consideration to *all* humans and *some* significance to *all* human suffering.

The third option requires a critic to display an overlooked difference between humans and nonhumans which justifies denying moral significance to nonhuman suffering. Given that *all* humans must be on the winning side of this distinction, what I earlier called *generous* moral humanism offers a criterion of moral standing which is an obvious choice: all humans are members of, or have interests which interpenetrate with humans who are members of, a reciprocating moral community. The question, now, is whether hedonic sentientism has the resources to reject this fundamental assertion.

### *Moral Humanism Digs Its Heels In*

On the humanist side, it will be argued (as described in the previous chapter) that morality's justifying purpose, as a social institution, is the protection and welfare of the community of moral agents. This mandate is said both to *generate* a moral franchise extending to all humans and *limit* that franchise to humans. I have argued that there is reason for humanism to go further and enfranchise many domestic, sentient nonhumans as well, but because that will be thought controversial by many humanists, let us limit discussion initially to the moral humanism which balks at a moral franchise any larger than humanity.

Hedonic sentientism may respond, initially, by urging humanists to follow the logic of their own *desideratum*. Just as it is advantageous for a moral community to view all avoidable *human* suffering as evil, so a community which extends this attitude to avoidable *nonhuman* suffering will tend to be generally more compassionate and afford its human members greater security. This accords well with moral humanism's informing concern for human welfare and offers reason why humanists should not resist the assertion that nonhuman suffering matters for its own sake.

But this argument is certainly not conclusive. Humanism may reply that it underestimates our capacity for marking moral distinctions and that adequate concern for human suffering is achievable without enfranchising nonhumans. At this stage, the issue becomes primarily empirical and hard to resolve. However, it is important to point out to humanists that moral humanism has already displayed a mistrust of such distinctions by extending consideration to humans who are neither moral agents nor close associates, on the grounds that doing so enhances the security and well-being of *all*. *If the distinction between considerable and inconsiderable humans is unsafe, why should we not mistrust the consequences of trying to distinguish between considerable and inconsiderable suffering?* Someone who can ignore a tormented cat is not a person I would entrust my welfare to: callousness to suffering is callousness to suffering *wherever* the suffering occurs.

### *A Possibility To Note*

Sentientists may also wish to appeal to more subtle benefits accruing from moral expansion, such as the effects of a broadly compassionate outlook on the person holding it. But this must be done carefully. Although the ill effects of cruelty on the person responsible for it have traditionally furnished reason to avoid unnecessary nonhuman suffering, citing this reason alone undercuts the case for moral expansion. This is because an entity with moral standing is one which must be taken into account for the entity's *own sake*, and if nonhuman suffering is deemed significant *only* because of the consequences for the agent, then nonhumans are *not* being taken into account for their own sakes.[13] What is necessary is to argue that because of the broad advantages of an expanded moral franchise, nonhumans should be granted consideration *in themselves*. This is a form of argument I wish to set aside for later exploration because standard apologia for hedonic sentientism do not offer it.

### *Two Different Conceptions Of Morality*

Everything now being said on behalf of sentientism cites the *benefits* of moral expansion, and that is significant. In Part One, it was noted that disagreement over the initial question soon resolves into a debate about different axiomatic conceptions of morality's informing purpose and aims, at which time expansionists resort to advertising the relative attractions of their wares. This is what I have just been attempting to do on behalf of hedonic sentientism, but, so far, the case is less than overwhelming.[14] On the one hand, moral humanism still views morality primarily as a foundation for human community, and concludes, on that basis, that nonhumans largely lack moral standing. On the other hand, hedonic sentientism views morality primarily as an institution concerned with pleasure and suffering however they are embodied.

Once this basic issue is recognised, sentientism may attempt to gain some leverage by making a concession. It can be admitted that classical utilitarianism probably offers too simplistic an account of the moral perspective *in its entirety* while still championing utilitarianism's insistence that suffering is morally significant wherever it occurs. For many of us, the moral significance of pain is as axiomatic as humanism's explanation of morality's mandate, and we can claim a fair degree of support from current moral practice. *But how shall we answer a convinced humanist who grudgingly sanctions moral expansion only so long as it unquestionably benefits humans, and views new model humanism as the maximum possible compromise?* Classical utilitarianism provides no further response beyond the simple

insistence that moral humanism misunderstands the nature of morality. Humanists will say the same of classical utilitarianism, and so dialogue reaches deadlock.

In order to continue the debate, sentientism can engage humanism directly over the question of morality's mandate, attempt to develop a version of the argument from suffering which *will* overcome humanist opposition, or, perhaps, do both. Let us begin with the second option and Singer's revision of the argument from suffering.

## INTEREST-BASED SENTIENTISM

### *Interests, Preferences, And Desires*

Singer's later, more developed, response to humanism utilises a version of what he calls 'preference utilitarianism', and we need an understanding of what this moral theory involves. Shunning the classical reference to pleasure and happiness, Singer's preference utilitarianism variously defines right actions as those which maximise *preference* or *interest* satisfaction.[15] Singer does not explicitly describe a relationship between preferences and interests (perhaps he finds it obvious), but he *does* treat preference as a *component* of interests and as a reliable *guide* to interests. Given the subsequent focus on granting equivalent interests equal moral importance, it seems that, despite its name, Singer's preference utilitarianism is primarily concerned with interests; preferences are significant because they are indicative of interests.

Singer also recognises *desire* as a component of interests,[16] and his usual practice is to ignore the one when writing of the other. This suggests that they are often interchangeable, and at least one critic, Regan, takes interchangeability a step further, describing Singer's utilitarianism as the theory that right actions are those whose consequences "further the interests (i.e., desires or preferences) of those affected".[17] Regan's paranthetical gloss suggests that desires and preferences are equivalent to interests for Singer's purposes, but this does Singer a disservice. Preference and desire do not *always* coincide with interests because a creature may have interests which are not being clearly evinced through preference or desire. For example, alcoholic humans frequently ignore food despite being malnourished. And, as the same example illustrates, an organism may also have interests contrary to preference or desire. In consequence, maximising *interest* satisfaction may sometimes require ignoring expressed preference and desire.[18]

### *'Interests' Utilitarianism*

For all these reasons, I shall adopt the following definitive reading of Singer's 'preference' utilitarianism which, on obvious grounds, might have been better called 'interests utilitarianism':

Singer's UTILITARIANISM requires a moral agent to maximise the interest satisfaction of all creatures affected by the agent's actions. Preference and desire are a guide to interests, but they are not totally reliable.

For completeness, a thorough explanation of what constitutes an 'interest' needs to accompany this definition, but let us rely, for now, on our ordinary ('intuitive') understanding of 'interests' as they are ascribed to sentient beings. Singer does not offer an explicit explanation, and I shall discuss the contribution of sentientists who do in a later chapter.

## *The Principle Of Impartiality*

In practice, the bare injunction to maximise interest satisfaction benefits from an additional principle. To see why, suppose that I am out on my bike, and I meet two fellow cyclists who have ridden over glass, ruining a tyre apiece. *To whom should I give my one spare tyre?* Clearly, I am required to donate my tyre so as to maximise interest satisfaction. But suppose that one of the cyclists is a friend and the other is unknown to me. My inclination would be to give the spare to my friend, but doing so may not maximise interest satisfaction if the other cyclist has urgent business.

In situations like this, Singer advocates a traditional principle of impartiality requiring, “that we give equal weight in our moral deliberations to the like interests of all those affected by our actions.”[19] He advises that a moral agent should imagine “living the lives of all affected” by a decision to act, determine what action “satisfies more preferences, adjusted according to the strength of the preferences”, and act accordingly.[20] Alternatively, a moral agent may imagine herself an impartial observer equally concerned for the interests of all affected.[21] None of this allows me to follow personal inclination in handing over my spare tyre: I must give it to whoever has the greatest interest in continuing their journey.

## *The Argument From Interest*

Supplemented by the principle of impartiality, Singer’s utilitarianism now supports a modified version of the earlier argument from suffering, which I call ‘the argument from interest’:[22]

- A moral agent should seek to maximise interest satisfaction in such a way as to satisfy an impartial observer. (It is helpful to imagine that the observer will partake equally – and simultaneously, if necessary – of the pleasures and pains, satisfactions and frustrations, of all individual interest holders.)
- In order to satisfy such an impartial observer, a moral agent must take into account *all* significant interests affected by an action and assign equal weight to comparable interests.
- A moral agent must, therefore, take account of any significant nonhuman interests affected by an action and weigh them equitably during decision making. Because all sentient creatures have, at a minimum, a significant interest in avoiding suffering, all sentient creatures have an interest to take account of and weigh. They are, therefore, quite clearly morally considerable.

## *Carrying The Debate Back To Humanism*

Granted the impartiality principle which this argument starts with, the conclusion is inescapable, and a humanist must deny that morality requires the impartial maximisation of interest satisfaction.[23] For support, moral humanism can again turn to its understanding of morality’s mandate which – consistent with the new focus on interests – may be described as promoting the interests of reciprocating members of the moral community and, by extension, the interests of all non-reciprocating members. Although satisfying this mandate will almost certainly entail some *degree* of impartiality on the part of moral agents, it is an open question how large a degree. Thus, the disagreement between moral humanism and interest-based sentientism seems to come down to the

question whether moral agents must act so as to satisfy an impartial observer, or need only satisfy some humbler criterion of impartiality.

### *Impartiality: A Problematic Ideal*

In practice, most of us regularly fail to take a fully impartial account of all the interests affected by our actions. As described earlier, if I met two cyclists who needed my spare tyre, my natural inclination would be to give it to the one who was my friend. And in a more serious situation, with more than a bike ride at stake, my inclination to prefer my friend would be stronger. Singer discusses this problem at length. His stance is similar to that of William Godwin, whom he offers as an example of a moral theorist committed to impartiality. Godwin asserted that impartiality is required of us in all circumstances, even if that should mean leaving one's father to die in a fire in order to rescue his (more socially useful) employer.[24] Godwin was bitterly condemned for this claim, but, although he eventually decided that rescuing one's father may not be blameworthy, he never retracted the logic of his position. Although Singer presents anthropological and 'rule-benefit' reasons to explain why everyday morality should accept that moral agents will be biased towards family and friends,[25] like Godwin, he continues to insist that referring moral decisions to an impartial observer is the way to set the *standard* for right action.[26] My understanding is that Singer thinks 'human nature', and the psychological difficulties which would ensue if moral agents attempted a totally impartial view of interests, entail that, in practice, interest satisfaction is maximised by allowing certain kinds of preferential treatment. However, he thinks that if we *could* rely on moral agents to be consistently impartial, then that would yield a better result.

### *The Depth Of The Problem*

I know of no way to decide whether the latter claim is true, but I do anticipate serious problems as a result of making total impartiality a moral *desideratum*. To begin with, note that the preferential treatment of close associates is likely to remain part of received moral practice whatever moral ideals we espouse. Thus, there will be a permanent discrepancy between received moral practice and the ideal of impartiality. This places conscientious moral agents in a difficult position: whereas common moral practice involves expectations of preferential treatment, ideal morality gainsays those expectations.

In effect, the conscientious moral agent faces a double standard. Even if the totally impartial view *is*, strictly speaking, the right one to adopt, recognising special obligations to close associates runs deep (as Singer acknowledges), and virtue's glow will hardly ease the conflict and pain consequent on trying to ignore them. In justice to Singer, I think it is precisely his awareness of this problem which makes him willing to lower his expectations, but lowered expectations do not solve the problem.

Suppose that, in an attempt to avoid impossible conflict without abandoning the impartiality requirement altogether, strict impartiality is downgraded from a moral ideal (something which we are enjoined to realise) to a theoretical moral starting point. Divergence from impartiality will always require justification — either in terms of interest satisfaction, or as a necessary concession to traditional practice and 'human nature' — but, once justified, divergence will carry no stigma.[27] No obvious double standard will be created; however, so long as complete impartiality remains even a theoretical point of departure, it will follow that, were we capable of living by the impartial view,

doing so would be best. In consequence, moral theory will convey the negative message that humans are too flawed to live by a fully rational morality. Although some religious traditions may seem to have been built around this belief, it is not a useful or productive one, conveying, as it does, a negative assessment of our own abilities. We need a moral outlook more concurrent with a positive understanding of whom and what we are.

### *Weakening The Principle*

The impartiality requirement can be weakened further, and a more positive view of our moral nature emphasised, by abandoning the ideal of an impartial observer in favour of an 'honest representative of usual moral practice'. Parts of Singer's discussion lend themselves to just this development. Using an evolutionary argument to explain why impartiality has become a feature of moral decision making, Singer suggests that morality traditionally involves justifying decisions and conduct to one's neighbours, and he argues that satisfying those neighbours will frequently require taking a disinterested view of interests. Singer then suggests that thoughtful moral neighbours will only be *fully* satisfied if decisions and conduct would satisfy an impartial observer.[28]

But why suppose this? It is at least equally reasonable to think our neighbours will be satisfied by a moral outlook which is disinterested enough to promote the general welfare while still permitting everyone to exercise traditional preferences for close associates. In this case, instead of impartial observer theory, morality only needs that standard of impartiality which is generally required within the moral community and which may be summed up in the ideal of a thoughtful, honest moral practitioner.[29]

### *Back To The Fundamental Issue*

If impartial observer theory *is* rejected, or even if it is reduced to a theoretical starting point, then what follows is a serious weakening of the argument from interest. Instead of appealing to an ideal of complete impartiality to explain the moral significance of nonhuman interests, sentientism must offer reasons for requiring that moral agents view *all* comparable interests with *enough* impartiality to justify moral expansion. Given that moral humanism's informing conception of morality implicitly *denies* that such a view is morally required, moral humanism and utilitarian sentientism are again faced with a need to address their differing conceptions of the moral enterprise. These conceptions underpin the disagreement about impartiality and cannot be subordinated to it for long.

Furthermore, even if we *do* personally endorse Singer's full impartiality requirement, there is *still* a major disagreement to address: a humanist like Melden remains free to assert that neither concern for nonhuman interests, nor an impartiality principle which extends to nonhumans, have *any* part in *humanism's* conception of morality. Settling the issue will then require us to determine just what 'the moral point of view' does demand of us in the way of impartiality. And, as the above discussion indicates, there is pretty fundamental disagreement about that. In other words, the root problem, here, is not going to go away. It bears summarising and restating: the disagreement about impartiality is unlikely to be settled without, in some way, settling a more general and fundamental disagreement over the nature of the moral enterprise.

Two important consequences now follow from this. First, pursuing the problem of impartiality *per se* is unlikely to shed light on the initial question. In order to develop a more solid case for sentientism,

we *must* discuss morality's mandate. Second, the argument from interest, which takes the principle of impartiality as its initial premise, risks begging the initial question by *assuming* an account of morality which entails a particular answer. This further reduces the credence we should place in the argument from interest.

## SOFT (NON-PARTISAN) SENTIENTISM

### *Singer's Rapprochement*

Although Singer never explicitly identifies his difference with humanism as being about the purpose of morality, his writing does contain a version of the argument from suffering which attempts to bridge the gap between the two different conceptions.[30] Singer begins by acknowledging that the *original* purpose of morality probably *was* limited to securing mutual benefits for human agents. But he urges that the habits of moral thought which a moral community encourages will, over time, make it increasingly difficult for rational agents to accept a moral franchise exclusive to humans. His argument to this effect forms what I call the 'argument from rational generosity':

- Moral agents are required to take a largely impartial view of comparable human interests except in certain special circumstances. (As discussed above, Singer thinks that a totally impartial moral perspective is the moral ideal, or point of departure, with allowable deviations. But the requirement could equally well be to satisfy the ideal of the honest moral practitioner.)
- Moral impartiality is, in part, guarded by a concern for rational consistency. Rational consistency requires taking equal account of like human and nonhuman interests unless there is good reason to disregard the nonhuman interests.
- Nonhumans have a clear interest in avoiding suffering. Given the absence of any possible morally relevant difference between suffering humans and nonhumans other than their genetic differences, impartiality and consistency provide reason to take account of the nonhuman interest in avoiding suffering. Therefore, sentient nonhumans are morally considerable. Furthermore, ignoring nonhuman suffering and moral standing will, with near inevitability, yield 'psychic dissonance' in anyone sensitive to the need for impartiality and consistency in moral judgements.

### *Singer's Strategy*

Singer's strategy is interesting. Although he employs the vocabulary of interests and makes classical utilitarianism's concern for suffering the final ground for moral expansion, there is nothing in the argument which requires us to be utilitarians. All we need accept is that suffering, impartiality, and rational consistency are important in moral reasoning. This absence of detailed theoretical support is a strength, not a weakness, in an argument which seeks widespread acceptance, and it will be convenient to identify a distinct version of sentientism founded in this approach. I shall call it 'soft sentientism'. Also note that Singer is returning the burden of proof to the critic by claiming that everyday morality already fosters habits of thought and practice which make it unreasonable to treat like suffering in different ways. Finally, Singer argues that ignoring nonhuman moral standing will result in *psychic dissonance*, in other words, a state of emotional and intellectual discomfort similar to the experience of trying to embrace a contradiction. Singer is saying that it is nigh impossible for a

conscientious moral agent, brought up in our traditions, to treat nonhuman suffering as inconsiderable.

### *Continuing Debate*

This strategy is effective. Clearly, sentient nonhumans suffer and have 'interests' in a manner similar to humans. Coupled with impartiality and consistency, and without too much of a theoretical burden, this seems enough to settle the issue: sentient nonhumans are considerable.[31] Furthermore, Singer appears to be right when he postulates an evolutionary expansion of received morality — at least in the English-speaking world — as part and parcel of a concern for greater consistency. My experience is that young people are noticeably more receptive to moral expansion than their elders, and they have an expanded sense of 'fairness' which suggests a recent broadening of the moral franchise.

However, moral evolution cuts two ways. My own moral outlook is arguably a consequence of a general expansion of moral sympathy which has occurred during the latter half of the 20th century. *Am I caught up in a moral trend flawed in ways I am not noticing?* Partly as an antidote to this possibility, and partly because it is important to secure humanist support for moral expansion,[32] I am going to play devil's advocate: *How might a moral humanist respond to Singer? What else is there to say in support of the argument from rational generosity?*

### *A False Doctrine, Or A Moral Inevitability?*

Humanism's best strategy is to argue that while it may, indeed, be hard for many of us to deny moral consideration to sentient nonhumans, that is because we are possessed of a false doctrine and morally confused. The demands for impartiality and consistency cited by the argument from generosity arise within the *human* community, and they do not logically require *any extension* beyond that community. Human morality is self contained, and any 'psychic dissonance' consequent on resisting moral expansion can be corrected by properly understanding this.

But Singer has a reply. He is saying that demands for impartiality and consistency have evolved because they serve the interests of the moral community by overcoming the arbitrariness of decisions based on preferences for personal welfare or the welfare of some group. Because of this role, impartiality and consistency have gradually become a central feature of morality until they are now powerful enough concerns to lead rational moral agents beyond their original preoccupation with human interests.[33] Just as I claimed, earlier, that a broadly compassionate moral attitude open to *all* suffering *benefits* humans, so Singer is now saying that impartiality and consistency broad enough to enfranchise nonhumans benefits us. This speaks directly to moral humanism's concern for human welfare; however, it is open to the humanist objection that it remains largely a speculative, empirical claim.

### *Experiments In Psychic Dissonance*

Singer also has 'psychic dissonance' to appeal to. Suppose that a moral humanist is willing to agree, initially, to the expansion I called 'new model humanism' and to enfranchising sheep dogs. *Can one really maintain that a sheep dog is considerable whereas the wild deer it finds caught in a barbed wire fence is*

not? [34] If anything promises psychic dissonance this does. But a humanist might take that as further evidence of the need to resist all expansion beyond humankind.

Perhaps a less partisan thought experiment will bring psychic dissonance closer to humanism's own concerns. Suppose that an inherently sadistic, but usually cautious and conventionally behaved person finds herself alone with a sentient creature who neither belongs to a moral community, nor has caring friends or relatives. It is possible to torture and kill this creature without anyone else ever being affected. Doing so will bring the sadist pleasure and release, but it will not increase her sadism, add to the emotional problems which have made her a sadist, or weaken any effect her moral education has had. Would the torture be morally wrong?

Imagine, first, that the creature is a senile old man with no living relatives or friends; second, that he is a psychopath; third, that he is a cat. Moral humanism had to struggle and compromise in order to explain why it is wrong to torture the old man, greater difficulty explaining why it is wrong to torture a psychopath who has never contributed to the community, and apparently nothing at all to say against torturing the cat. *Can an honest, conscientious moral agent raised in our moral traditions truly appreciate and live with these moral limits?* If so, the case against moral humanism remains incomplete. If not, humanists must become sentientists.[35]

#### *Sentientism In Practice*

Sometimes, it seems that once debate reaches this stage, fear of sentientism's adverse effect on human welfare is all that is left holding humanists back. But although Singer has made a considerable reputation defending vegetarianism and the need to curtail experiments on nonhumans, and although he argues cogently that an impartial appraisal of human and nonhuman interests make agribusiness practices and much research indefensible,[36] he is adamant that medical research is frequently a different issue:[37]

...would the opponent of experimentation be prepared to let thousands die from a terrible disease which could be cured by experimenting on one animal? This is a purely hypothetical question, since experiments do not have such dramatic results, but...I think the question should be answered affirmatively – in other words, if one, or even a dozen animals had to suffer experiments in order to save thousands, I would think it right...

Morally considerable entities are not beyond all sacrifice according to Singer's vision of sentientism.[38]

#### *An Inconclusive End To The Present Debate*

This completes the sentientist case which utilitarian philosophers have built around Bentham's concern for nonhuman suffering. *Has enough now been said to constitute a rationally satisfactory case for making sentience (in the analytic sense) a sufficient condition of moral standing?* The argument from rational generosity offers the best case by combining elements of hedonic and interest-based sentientism without the burden of utilitarian moral theory, and it goes a long way to explaining the pre-theoretical sense that a capacity for suffering *should* be sufficient to secure moral standing. But I still find that in debate moral humanists will retreat behind the logic of humanism's conception of

morality's mandate and resist any attempt to establish commonality. *Why do they not share the sense that all suffering is morally important?* After all, Singer claims that what I am calling 'soft sentientism' should be compelling *for anyone raised in our moral traditions*.

A ready explanation is that Singer overestimates our tradition's homogeneity. From a humanist perspective, sentientism's focus on suffering and interests *per se* is a radical and controversial change; it requires a new conception of morality's purpose which is more appropriately represented as a (literal) 'paradigm shift' than by Singer's chosen figure of a smoothly expanding circle. I, therefore, urge that if the movement for moral expansion is to be seen to do justice by humanism (and humanist support *matters*, given the *practical* importance of the initial question), proponents of greater moral generosity must address the differences between humanism and sentientism – *and* this matter of the paradigm shift – more directly than Singer does. It is not enough to gesture, even eloquently, at a probable process of moral evolution. But before we attempt any new insights, or try to make any new contributions to the disagreement between humanism and sentientism, we must explore what the other arguments for increased moral generosity have to say. In consequence, the humanist-sentientist debate is now set aside until we take it up again in Chapter Nine.

## Chapter Five

### SENTIENTISM WITHOUT AGGREGATION

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Beside the broadly utilitarian approach of the last chapter, we need to set Tom Regan's dispute with Singer. Regan argues that maximising aggregated interest satisfaction — which is how Singer's utilitarianism seeks impartiality — is incompatible with received morality, and it vitiates interest-based sentientism. This criticism offers an important perspective on the utilitarian approach to moral expansion, and Regan's 'rights-view' is a possible alternative to soft sentientism.

There are two aspects to Regan's rejection of interest-based sentientism which it is helpful to recognise from the outset. On one hand, Regan, like Singer, wants the higher mammals protected from human abuse. However, Regan is not satisfied that utilitarian sentientism affords them adequate protection. As discussed in the last chapter, human welfare sometimes appears to justify sacrificing nonhuman lives and interests, and Regan hopes to show that the higher mammals warrant a *degree* of moral standing which virtually precludes this.

On the other hand, Regan develops an account of moral scope which will secure his goal by taking issue with Singer's form of utilitarianism *per se*. In papers and a book published over about ten years,[1] Regan increasingly comes to offer the rights-view as a necessary antidote to Singer's moral theory *independently* of any need for moral expansion.[2] His tactic is, *first*, to exhibit a flaw in Singer's utilitarianism (maximising aggregated interest satisfaction sometimes entails sacrificing human life, contrary to received morality); *second*, to repair the difficulty (by ascribing a virtually inalienable right to life to individuals); *third*, to show us that, in consequence, many nonhumans are as morally well-protected as humans (they satisfy the criterion for a right to life).

There is nothing disingenuous about this combination of personal motive and philosophical tactic, and Regan is quite open about his search for a means to a very specific end.[3] However, the possibility for confusing Regan's *motives* with his *argument* remain, if only because he is so explicit about the former. In offering a critical appraisal of the rights view, I shall attempt to provide a brief guide to Regan's argument which separates these two aspects.

#### CAN HUMAN LIFE BE LEGITIMATELY SACRIFICED?

##### *Introducing Aunt Bea*

Regan thinks Singer's problems begin when (true to utilitarianism) he defines a right action as one which maximises preference or interest satisfaction. To make his point, Regan asks us to suppose that by secretly killing his rich and elderly Aunt Bea, he will inherit her fortune. In consequence, Regan will be able to satisfy many of his own interests and, through acts of generosity, many interests held by other people. *In such a case*, says Regan, *Singer must judge that killing Aunt Bea is justified: after all, the killing will maximise interest satisfaction*. But Regan insists that received morality holds such killing to be wrong. He concludes that Singer's utilitarianism is incompatible with received morality and is, therefore, an unsatisfactory moral theory.[4]

### *Possible Responses*

Before thrusting an alternative into the gap, Regan attributes a series of possible responses to Singer; he fears that Singer wants to ameliorate the incompatibility of utilitarianism and received morality.[5] Regan begins with Singer's distinction between beings which are merely *conscious* and beings which are *self-conscious*. Singer argues that although a conscious being is aware, it is not aware of itself, and does not know that it has a future. Therefore, a conscious being cannot have a preference for living or dying. By contrast, a self-conscious being *is* self aware, *knows* that it has a future, and in all likelihood *does* prefer living to dying. Thus, when it comes to comparing interests, a self-conscious being (like a human) has a preference for life to take into account. It follows that the interests which would be satisfied by killing Aunt Bea and spending her fortune must be set against her own interest in living.

On behalf of received morality, Regan now asks, *Will Aunt Bea's interest in life always entail that killing Aunt Bea would be wrong?* Singer recognises that it does not: "the wrong done to the person killed is merely one factor to be taken into account, and...could sometimes be outweighed by the preferences of others." [6] Singer's position is plain. The sacrifice of human life is morally acceptable when it maximises aggregated interest satisfaction.

### *Further Responses?*

Regan's other proffered loopholes do not offer positions I foresee Singer embracing. First, Singer is said to claim that whereas merely conscious beings are 'receptacles', whose moral significance is only the sum of their preferences, self-conscious beings have some moral worth *in themselves*, independently of their interests.

However, this appears to be a misreading. In the discussion Regan refers to, Singer is pointing out one advantage of contemporary utilitarianism over the classical form. Singer credits classical utilitarianism with valuing a person's pleasure, but not valuing the person herself.[7] This has a disturbing consequence: if it is only pleasure *per se* which is of value, then there is no moral difference between euthanising Aunt Bea and distributing her share of pleasure amongst others, and letting Aunt Bea live. According to Singer, his version of utilitarianism avoids this problem by recognising that Aunt Bea has a unique and powerful interest in continuing her life. However, this does *not* entail that Bea has moral significance *independently* of her interests. Furthermore, and perhaps more fundamentally, there is *nothing* in Singer's moral theory which would justify granting moral worth to self-conscious creatures independently of their interests.[8]

Second, Regan imagines Singer trying to enrich utilitarianism with a principle of equality which would require an even distribution of interest satisfaction.[9] I am not going to pursue this part of Regan's argument because it is so unlikely Singer would try to espouse distributive equality. For one thing, a principle of distributive equality is bound to be in tension with utilitarianism's aggregative goals, and, although current utilitarian theory is subtle, it is hard to imagine it defining right action *solely* in terms of aggregative preference satisfaction, then trying to avoid the conclusion that life may (sometimes) be legitimately sacrificed in order to maximise interest satisfaction elsewhere. Besides, Singer clearly tells us that he accepts the possibility of sacrifice.

## *Regan Is Unwilling To Compromise*

Does all this mean that Regan is right, and Singer's view of morality is seriously at odds with received moral thinking? Before we seek a definitive answer, it is important to recognise that the disparity is certainly less blatant than Regan perceives. Singer thinks that, *in practice*, utilitarian calculation rarely justifies sacrificing human life. He ascribes such a strong interest in living to self-conscious beings, based (as mentioned above) on their preference for continuing life, that he thinks other aggregated interests will not often outweigh it. Singer is sure that Aunt Bea's interest in continuing her life will preclude the kind of easy killing Regan contemplates when he eyes Aunt Bea's fortune.[10] The problem is that this seems not to be good enough for Regan: he is adamant that received morality rejects *any* possibility that human life can be legitimately sacrificed in order to maximise aggregated interest satisfaction, and he is sure that Singer's moral theory is a threat to Aunt Bea.

### TRIAL BY SHIPWRECK

#### *The Dog In The Lifeboat*

The question now is, *Whose position best resembles received morality?* In answering it, Regan takes up an example which proves to have unwelcome (and, for Regan, unanticipated) implications for the rights-view.

Regan asks us to suppose that there are four normal adults and a dog in a lifeboat big enough for four bodies.[11] *Who goes overboard?* The rights-view recognises that the adults and the dog have interests which are equally well protected from sacrifice. Therefore, the rights-view appears to offer no principled support for the common sense decision to throw out the dog and save the adults. But Regan argues that there is a factor to consider which *will* justify sacrificing the dog:[12]

...the harm that death is, is a function of the opportunities for satisfaction it forecloses, and no reasonable person would deny that the death of any of the four humans would be a greater *prima facie* loss, and thus a greater *prima facie* harm, than would be true in the case of the dog. Death for the dog...though a harm, is not comparable to the harm that death would be for any of the humans.

Regan is making a point which we will encounter again later: given the load on the lifeboat, at least one death is inevitable, and that makes it legitimate to act so as to maximise interest satisfaction. Note that, in a situation like this one, there is *no question* of having to *aggregate* interests.

#### *Supposing I Had To Choose*

But *will* a consequential calculation of relative individual loss necessarily harmonise with received morality in this case? Let us suppose that we are personally called on to decide who leaves the lifeboat; it behoves us to enquire closely into the prospects of each occupant, and what we find may contradict Regan's verdict because humans have more opportunities for *dissatisfaction* and suffering than a dog. On balance, the family pet may have a better chance of a satisfying life than, for example, an alcoholic, unemployed, unskilled, middle-aged human with scant sources of satisfaction beyond pleasures he can no longer purchase. In which case, according to a consequential calculation, the dog should stay in the boat. I doubt that received morality concurs, and I am sure Regan would not

welcome the outcome; however, it does appear a consequence of the decision procedure he recommends.

In support of Regan, it may be said that Singer's utilitarianism entails the same decision, but this overlooks an important difference between the positions. Singer explicitly *admits* to *some* discrepancy between the consequences of utilitarian theory and received morality, and he tries to deal with the problem.[13] By contrast, Regan advertises the rights-view as *compatible* with received morality; that is one reason we are supposed to prefer the rights-view.

It may also be said that although Regan portrays death as a harm because of the opportunities for satisfaction which it forecloses, the interruption of plans is a harm independently of lost satisfaction.[14] And if plans are morally relevant, that may be one reason why received morality is so much more inclined to preserve humans than dogs: dogs do not have long term plans. But this does not help Regan either. Plans are not distributed equally amongst all humans – some intellectually impaired humans will have 'plans' hardly more complex than a dog's – and if moral status is made to partly depend on the possession of plans, some humans are likely to be more morally significant than others. As we shall find shortly, this is contrary to Regan's insistence that all humans have exactly the same moral claim upon us. Furthermore, correlating relative moral standing with plans is contrary to Regan's desire to grant some nonhumans an equivalent claim. Thus, Regan *does* appear to be endorsing a satisfaction-based decision procedure which will *not* always accord with received morality.

#### *Another Travel Disaster*

Suppose, now, that the lifeboat is overloaded with an entirely human party. Regan would use a non-aggregative, consequential calculation of prospects in order to determine who is to be sacrificed. But suppose that four members of the party are sociopaths who still manage to get some enjoyment out of life, while the fifth is a gifted, but chronically depressed surgeon, who would have long ago committed suicide but for his sense of duty. Because Regan will not permit aggregation, he is going to have to let the surgeon take the swim.[15] However, my sense is that most people would wish to see one of the sociopaths leave the life raft; moreover, this decision can be justified by *aggregating* the interest satisfaction of the surgeon's future clients. Here is an instance when *permitting* aggregation apparently yields a decision *more* in accord with received morality.

#### *Shipwreck And Pestilence*

Finally, suppose the dog is returned to the lifeboat, which is now big enough, and well provisioned enough, to sustain its passengers until rescue. Unfortunately, the dog carries a disease which will blind the human passengers if they catch it. Common sense dictates that the dog be thrown overboard. What is more, a dog will arguably lose less by dying than a human will lose by going blind; therefore, Regan's rights-view can accommodate the decision to kill the dog *so long as the losses and harms which are recognised as justifying sacrifice are not limited to the loss of life*. But Regan would not accept this. Not only is he adamant that sacrifice is only justified when a life is already at stake, it would do him disservice to attribute the weaker position to him: if Regan sanctioned nonhuman sacrifice obviating loss less than life, then the door would be open to a host of possible consequential

grounds for killing. This would prevent Regan securing the high level of moral protection for nonhumans which he seeks.

### *Brothers Under The Skin?*

These examples — and they could easily be multiplied — indicate that, like Singer's utilitarianism, Regan's rights-view does not enjoy an untroubled relationship with received morality. For one thing, they both tend to sanction the sacrifice of human life when received morality would not (as in the extension of the first example). Furthermore, Regan's view will sometimes indicate the sacrifice of a human life other than that chosen by received morality (the second example), or it will reject sacrifice of a nonhuman when received morality endorses it (the third example).

In consequence, there is a need to review our reading of Regan. Although he has advertised compatibility with received morality as a major strength of the rights-view, there is notable *incompatibility*. It is, therefore, best to read Regan as offering a *reforming* doctrine, rather than one supported by *full compatibility* with received morality. This puts Regan on a more equal footing with Singer. Regan seeks compatibility between moral theory and the crucial sense that human life can rarely be legitimately sacrificed, and Singer, too, can put his name to this so long as it does read 'rarely' and not 'never'. The question, now, is whether Regan can convince us there is a case for preferring the rights-view, and rejecting all sacrifice based on aggregation, without casting Singer as the counter-intuitive villain and himself as the saving voice of common-sense.

## THE INHERENT VALUE OF HUMAN LIFE

### *Protecting Aunt Bea*

It is Singer's utilitarian, interest-based, value assignments which support the view of legitimate sacrifice Regan objects to: if a person's life is valued at the sum of her interests, its value can be outweighed by other people's interests.[16] Therefore, in order to provide a theoretical basis for resistance to sacrifice based on aggregation (and other important human interests would seem to be as much at stake, here, as continued life), Regan argues that moral theory must assign value to individuals in a non-utilitarian way. He proposes granting a person an 'inherent' value *independently* of her interests which will take precedence over almost all other considerations.[17] The following argument against sacrificing Aunt Bea is then possible:

- Sacrificing Aunt Bea in order to maximise interest satisfaction is using her merely as a means of achieving the best aggregate consequences. (Except when the loss of a life is already inevitable.)
- Moral agents are required to adopt a Kantian view of "individuals who have...inherent value" and ensure that they are not "treated *merely as means* to securing the best aggregate consequences".[18]
- Therefore, recognising that Aunt Bea has inherent value protects her against being sacrificed in order to maximise interest satisfaction. (Except when the loss of a life is already inevitable.)

## *The Exception*

The parenthetical exception to this argument is important to Regan's case. Without it, the conclusion would be highly questionable because — as already indicated by Regan's introductory lifeboat example — treating someone as an end in herself is not always *inconsistent* with sacrificing her life for consequential reasons. To take a more mundane example of this, suppose that Bea crashed her car in such a way that freeing either Bea or her passenger from the wreckage will necessarily and equally endanger the other's life. In this case, to treat Bea as an end in herself *amongst other ends* is arguably to weigh Bea's interest in living alongside her passenger's interest in living, then decide whose interest is greatest.[19] In other words — as mentioned above — when loss of life is already inevitable, Regan thinks it reasonable to decide who should die by asking who has the most to lose. Hence, Regan sanctions the parenthetical exception.[20]

## *A Practical Similarity And A Theoretical Difference*

What Regan perceives as the essential flaw in Singer's utilitarianism can now be placed alongside a definitive statement of his own view of legitimate sacrifice:

- Regan rejects preference utilitarianism because it sanctions consequential calculations which *aggregate* benefits and harms in such a way that a big harm (death) done to one person can be offset by a host of small benefits (interest satisfactions) enjoyed by many others.
- However, Regan does not reject *all* consequential calculations, only *aggregative* calculations, and calculations involving sacrifice which are made when death is not already inevitable. When death *is* inevitable, Regan explicitly recognises that it is legitimate to sacrifice one of the parties and to use a consequential calculation of their prospects in deciding who.

Given that Regan countenances sacrifice under *some* circumstances, that Singer is at pains to *restrict* legitimate sacrifice, and that *both* court incompatibility with received morality, there is now clear question whether Regan's position *is* that different from Singer's *in practice*. And when it comes time to decide how much credence to give the rights-view, this will be an important consideration. However, for now, it is the theoretical *difference* between Singer and Regan which demands our attention. Singer sanctions aggregating interests across individuals even when doing so legitimises otherwise avoidable sacrifice, and Regan absolutely opposes this in the name of the inherent value of the individual. *Who is right?*

## *Back In The Court Of Received Opinion*

Because Regan is so concerned about received morality, it is reasonable to approach this question by asking whose position best coincides with our pre-theoretical understanding. The second lifeboat example (when it carried four sociopaths and a depressed surgeon) already tells against Regan, and it is easily replicated. Suppose that in a prison camp one person must die so that five hundred do not catch a seriously disabling disease. My sense is that received morality would sanction killing the one sick person. In general, when a *lot* of people are going to suffer a *large* loss which *one* major sacrifice will avoid, the major sacrifice is probably legitimate. Certainly, Regan must shoulder the burden of proof if he wants to assert otherwise.

But the *opposite* may be true when *benefits* not *losses* are at issue, as in the case of killing Aunt Bea. *Would it be right for me to kill the heir to the Gucci fortune in order to endow university scholarships in philosophy?* Probably not. *How about killing enough rich people – and somehow acquiring their fortunes – to provide all capable candidates (world-wide) with a university education?* Again, I think that received morality would balk at this. What is more, there is good reason why morality should not readily countenance sacrificing a human life for reasons of aggregated benefits *however* large or widespread: few of us could be convinced to accept the sacrifice of our *own* life on such a basis; thus, consistency makes it hard to require that others would. However, we *might* make the noble choice if we were, for example, untreatable disease carriers.

I urge that sacrifice is a more complex matter than either Singer or Regan seem to acknowledge. In consequence, Singer is arguably more in harmony with received morality when he claims that aggregating otherwise inevitable *harms* (less than the loss of life) *can* justify sacrificing a life. By the same token, Regan may be better tuned to everyday thinking when he rejects aggregated *benefits* as grounds for sacrifice. But, on the basis of argument by example, one cannot say with confidence that either is right.

## SEEKING A BASIS FOR HUMAN VALUE

### *Two Questions Requiring Answers*

To complete our understanding of the rights-view, we need Regan's reasons for attributing adequate inherent value to individuals like Aunt Bea.[21] Regan introduces the additional notions of 'rights', 'justice', and 'respect' when discussing inherent value. Thus, there is also the question whether any, or all, of these notions should be read as the ground of Aunt Bea's inherent value, or if they are best taken as explaining and illustrating what granting inherent value to Bea involves. That is the matter to settle first.

### *Rights, Justice, and Respect*

Regan needs to secure a right to life for Aunt Bea which will protect her, and similar individuals, from being sacrificed to an aggregation of other interests. (This is the right which gives the 'rights-view' its name.) Underlying the right which Regan seeks he finds a 'basic' or 'natural right' to respect. By a 'natural right' Regan means one which is fully grounded in qualities possessed by the right holder.[22] Underlying the natural right to respect, Regan finds inherent value. Thus, the rights Regan is discussing are entirely dependent upon the possession of inherent value. The story regarding 'justice' is the same. 'Just treatment' is virtually defined as 'the respect due to a creature with inherent value'.[23]

What of respect itself? In one passage Regan discusses a "respect principle" which precludes using inherently valuable persons "as if their value depended upon their utility".[24] But the respect principle only says: "We are to treat those individuals who have inherent value in ways which respect their inherent value." This amounts to saying that inherently valuable individuals must be treated as inherently valuable individuals. And when we look further, we find that this involves never using inherently valuable individuals "*merely as means* to securing the best aggregate consequences." Thus, 'respect' makes no apparent contribution of its own;[25] respect, too, is based in inherent value.

## Why Ascribe Inherent Value to Individuals?[26]

We can return to the question why inherent value should be ascribed to individuals like Aunt Bea, knowing that this is central to understanding the rights-view. Regan states that the inherent value of individuals must be independent of any qualities which individuals share unequally; otherwise, inherent value could not afford the near absolute and equal protection offered by received morality.[27] Given human diversity, this leaves few possible bases for inherent value. Regan presents his choice thus:[28]

It is the *similarities* between those human beings who most clearly, most noncontroversially have [inherent] value — the people reading this, for example — it is our similarities...that matter most. And the really crucial, the basic similarity is simply this; *we are each of us the experiencing subject of a life, each of us a conscious creature having an individual welfare that has importance to us whatever our usefulness to others.*

In other words, each of us has our own inner life — our own unique window on affairs, with our accompanying thoughts and sensations — and we all prize *ourselves* independently of our usefulness and our individual qualities and characteristics.[29] But this still leaves the question, *Why does this preclude sacrificing experiencing subjects except when death is already inevitable?*

### Is That All?

In apparent answer, Regan offers a description of what it is like to be an experiencing subject:[30]

We want and prefer things; believe and feel things; recall and expect things. And all these dimensions of our life, including our pleasure and pain, our enjoyment and suffering, our satisfaction and frustration, our continued existence or our untimely death — all make a difference to the quality of our life as lived, as experienced by us as individuals.

However, this only appears to say that an experiencing subject has a capacity for pleasure and pain, and has preferences and interests. Granted, this is a commonality with sentient non-humans — especially the higher mammals Regan is so concerned about — and so here, at last, are clear grounds for extending moral consideration to other sentient beings. However, these are the same grounds cited by the interest-based sentientism which Regan rejects. What is more, they offer no apparent basis for a right to life. What are *Regan's reasons for claiming more than moral consideration for experiencing subjects.*

### AN UNFINISHED WORK?

#### *Singer's Theme*

I confess to feeling let down and puzzled by this supposed *denouement*; it seems unequal to the theory Regan has constructed and to the conclusions he advocates. Let us look further.

Singer offers an interpretation of the rights-view which does complete the account:[31]

An experiencing subject is capable of pleasures and satisfactions which have intrinsic value. Life is a prerequisite for pleasures and satisfactions. Therefore, the life of an experiencing subject has value. Viewed impartially, the value of the life of one experiencing subject is equivalent to the value of the life of any other. Therefore, there can be no good reason to sacrifice one experiencing subject in order to enhance the life of another.

Singer's emphasis on impartiality is, I think, a significant component of the rights-view given its final egalitarianism. But, in other respects, Singer's reading is an unsatisfactory representation of Regan's mature position.

### *A Utilitarian 'Rights-View'*

First, it is Singer, rather than Regan, who grounds the value of an experiencing life in pleasure and satisfaction. If life is only valuable because it makes pleasure and satisfaction possible, then life has *instrumental*, not inherent value. Furthermore, Regan criticises Singer for holding this view, arguing that it reduces experiencing life to the status of a 'receptacle', or 'cup', for pleasure, without value in itself.[32] Regan's own consistent theme is that an experiencing life has *inherent* value *independently* of the pleasure or satisfaction it affords.

Second, Singer's proposed argument does not support the conclusion that there can be no good reason for sacrificing one experiencing subject in order to advantage another. If lives are valuable because of the pleasure and satisfaction they afford, then there is a basis for discrimination: some lives offer better opportunities for pleasure and satisfaction than others, *even on an impartial view*, and they are, therefore, arguably more valuable. Regan must have his sights on a source of inherent value which is unaffected by differences in *quality* of life. In sum, Singer is presenting a utilitarian reading of the rights-view, rather than the rights-view itself.

### *Starting With Regan's Own Assumptions*

An alternative reading of Regan can be had by treating this ascription of inherent value, *and* a fundamental moral egalitarianism, as parts of an axiomatic first premise. Regan then has an argument against sacrificing Aunt Bea which naturally extends to many sentient nonhumans:[33]

- Human individuals all have equivalent inherent value. In order to respect this inherent value, we must hold the sacrifice of human life illegitimate except when a death is already inevitable. Human life certainly cannot be sacrificed in order to maximise aggregated interest satisfaction.
- Because *all* humans are so valued, the basis of their inherent value must be something which is common to humans whatever their gifts, qualities, or inclinations.
- *All* humans are equally experiencing subjects of a life to whom life matters. This is the basis of their inherent value.
- Not only humans, but also many sentient nonhumans (roughly the higher mammals) are experiencing subjects to whom life can be said to matter.

- Therefore, consistency dictates that those sentient nonhumans who are experiencing subjects of a life can claim the same protection from sacrifice as humans.

This argument secures everything Regan seeks, and, if we accept the initial premise, it makes a powerful case. However, if we *reject* the initial premise – and grounds for rejection have already been presented – then the argument collapses.

### *Positing A Fundamental Attitude*

*Surely there is more to Regan's position than an argument so easily dismissed? Why is he certain that experiencing lives have the inherent value he attributes to them, and that inherent value entails the consequences he describes?* Regan is a cogent philosopher, and it is unlikely that the rights-view finally rests on a premise which is supported by his personal moral sense and a misunderstanding of received morality. Here is a suggestion about how we *might* read the rights-view.

For Regan, the quality of an experiencing life is so precious that it can only be sacrificed when another experiencing life is at stake. That is why Regan describes what it is like to be an experiencing subject: he wants to remind us how precious life is to each of us. But there must be an intermediary step between this *description* of experiencing life – and our personal sense of its preciousness – and Regan's claim that certain treatment is *due* to an experiencing subject. Description and feelings alone neither entail nor justify any particular treatment.[34] I suggest that the link is a particular moral attitude. Like the art lover's attitude to beauty, this moral attitude motivates and makes sense of certain behaviours when experiencing life is encountered.[35]

### *Describing The Fundamental Attitude*

Supposing that Regan's position *does* involve a fundamental moral attitude, how should it be described? If we focus on Regan's description of experiencing subjects as sentient, self-aware creatures with interests, it may seem that the fundamental attitude involves only an acceptance that there are things which *matter* to an experiencing subject. But Regan wants to claim more. (Which is what ultimately distinguishes him from the utilitarians.) He asserts that there is something about an experiencing subject which secures her inherent value and largely rules out her sacrifice.

What is this 'something'? It is her concern for herself. (Or, perhaps, in the case of sentient nonhumans, it is her tendency to consciously preserve and defend her life. Most mammals appear to lack self-regard.) Once, again, this is why Regan describes what it is like to be an experiencing subject. He is reminding us that our personal welfare is *so* important to each of us that, *in extremis*, it over-rides almost all other considerations: we value ourselves so highly that sacrificing our lives is almost, but not entirely, out of the question. As noted earlier, we would certainly not sacrifice ourselves in order to maximise the aggregated, but individually small, satisfactions of others. On this reading, then, Regan's fundamental moral attitude involves valuing an experiencing subject much as we humans value *ourselves*, or, to be strictly correct, as we value ourselves when our self-esteem is high.

Another way of viewing this suggestion is to focus on Regan's concern for impartiality. His claim about equivalent inherent value amounts to saying that there is no legitimate basis for elevating one centre of consciousness and awareness over another.[36] And, in order to help bring us to an

appreciation of this, he is reminding us what it is *like* to be such a centre and how *reluctant* we are to relinquish life.

### *But Much Is Still Left Unsaid*

If I am right, and the rights-view is best read as finally grounding not just in Regan's moral sense, nor in his perception of received morality, but in a fundamental attitude, then there is a way for Regan to continue his argument when its initial premise is questioned. Regan can try to explain *why* the fundamental attitude *should* be part of our morality. However, I do not find Regan doing this. Perhaps he is confident that received morality *does* adequately support the rights-view and that more need not be said; perhaps I have *misunderstood* Regan, and this fundamental attitude is no part of his position. What *is* certain is the rights-view's presently inadequate foundation.

## MORALS AND CONCLUSIONS

### *An Exercise To Learn From*

But despite the rights-view's flaws, there is still much to learn from it. Its errors are instructive, and it has important implications for any form of sentientism broadly grounded in the utilitarian tradition. Let us begin with the flaws.

### *Closing Our Moral Options*

The right-views entails that two strictly ranked values take precedence over all other possible sources of moral significance. First place goes to the inherent value of an experiencing subject (whose life may not be sacrificed except when a death is already inevitable) and second place to the value of future satisfactions (which may be used as a 'tie-breaker' when a death is inevitable). Although Regan is proud that this axiology outlaws animal husbandry, blood sports, and scientific experiments on higher mammals (at least),[37] he arguably goes too far. For example, there are societies which still live by hunting, and Regan is offering these people a choice between contravening rational morality and constant near-starvation. This is not just ethnocentric; it is ludicrous. In the sense of Goodpaster's Distinction 4 ('operative' vs. 'regulative' moral standing), Regan is proposing an account of moral scope which has *no* chance of being 'operative' for people who must kill higher mammals for food. In short, the rights-view permits no way of justifying a life based on meat eating.[38]

Non-therapeutic, lethal experimentation on experiencing subjects is similarly legislated off the agenda.[39] And if Regan is concerned about received morality, then he is surely flying in the face of that concern. Imagine having to decide whether to permit or ban a series of experiments likely to end a crippling and painful disease; I doubt there are many who would ban them. That suggests the rights-view is too extreme for received morality. (By contrast, all broadly utilitarian sentientisms sanction non-therapeutic, lethal experiments when they are conducted as humanely as possible and will lessen notable suffering for other experiencing subjects.) Interestingly, another of Goodpaster's distinctions holds a solution to Regan's problem: Distinction 2 describes a system of moral ranking which permits *distinctions* to be drawn *between* considerable beings. Regan's is committed to the view that something is either *considerable*, in which case it enjoys the same *degree* of moral standing as all other considerable things, or *inconsiderable*.

### *And Prohibiting Further Expansion*

Regan's complete unwillingness to sanction the sacrifice of higher mammals (except when a death is inevitable) also contradicts common environmental practice. Park wardens, for example, routinely hunt and 'cull' experiencing subjects in order to protect other fauna and flora. But Regan denies all hope of legitimacy to their practice because he recognises no basis for the claim that humbler 'interests' may take precedence over those of experiencing subjects. This is disturbing not only as an outright rejection of an important environmental practice, but also as a blanket denial that philosophy might say anything cogent in support. The rights-view rules out any possibility of a more ecologically sensitive axiology which would grant significance to lowlier organisms and entities. This makes expansion beyond the mattering-gap nigh impossible.

### *An Uncertain, But Limited Franchise*

Further worrying consequences loom when we ask precisely *which* creatures the rights-view protects. Regan never spells it out, but we know they must be those nonhumans who are experiencing subjects of a life, and Singer's view is that means roughly conscious, i.e. sentient, subjects.[40] However, this is too generous. Regan offers a secondary argument with which to secure moral protection for conscious nonmammals, such as birds and fish, indicating that the rights-view itself excludes them. (I discuss the argument below.) My sense is that Regan intends experiencing subjects to satisfy a criterion somewhere *between* self-consciousness and consciousness. *Which creatures and kinds of creatures does that place on either side the boundary?* The answer is so far from being clear that I cannot envisage using this boundary in practice.

But *wherever* the line is drawn, if it falls short of sentience, the moral franchise is too restricted for someone concerned at the plight of abused nonhumans. In consequence, Regan offers a codicil to the rights-view:[41]

Even assuming birds and fish are not subjects-of-a-life, to allow their recreational or economic exploitation is to encourage the formation of habits and practices that lead to the violation of the rights of animals who are subjects-of-a-life.

This is cousin to the argument that cruelty to animals is wrong because it encourages habits injurious to humans. It always has been a weak argument, and Regan's version suffers the problem that most of us are well able to tell mammals from other creatures. Given moral grounds for discrimination, and given, for example, that ducks were put on supermarket shelves where the steaks used to be, I am sure we could treat mammals as highly considerable entities and the rest as 'fair game'. When it comes to lowlier forms of sentient life, Regan's account of moral scope is a poor substitute for the more generous and more consistent moral umbrella provided by the broadly utilitarian sentientisms.

### *Overexposed To Criticism*

The last of the rights-view's major flaws is its slim response to potential criticism. When moral humanism claims that Regan misunderstands morality, the absence of reasons *why* all experiencing subjects *should* be granted inherent value entails that he can only respond by claiming the same of humanism. The impasse reached by humanism and sentientism is quickly duplicated. In response to hedonic and interest-based sentientism's demand for a securely-founded larger franchise, Regan also

has little to say beyond his criticisms of utilitarian moral theory. Particularly in light of soft sentientism's lack of direct reliance on utilitarian theory, they offer scant reason not to broaden the franchise. Possible vitalist and ecosophist critics are not Regan's concern; however, it is fair to note that – as discussed above – the rights-view slams the door on further moral expansion without taking *any* account of the arguments advanced.

### *A Useful Criticism, But Not An Alternative Theory*

*How should we finally judge Regan's sometimes puzzling and difficult account of moral scope?* Regan certainly has a point when he objects to the sacrifice of human life in order to maximise aggregated interest satisfaction, particularly when what is at issue are increased *benefits* not ameliorated *harms*. What is more, his outright rejection of the possibility that experiencing lives may be sacrificed when a death is not inevitable may have more to recommend it than just moral grandeur. On the other hand, contemporary utilitarianism claims to largely answer Regan's worries by ascribing an interest in living to all experiencing subjects, and Singer does seem to share Regan's deep aversion to easy sacrifice and commitment to impartiality. Perhaps Regan is tilting at a windmill, and the positions are not so far apart. It would certainly be instructive to have the moral acceptability of aggregative, consequential calculations debated as a topic in itself, with Regan's reasons for rejecting them spelled out further.

For the rest, I urge that Regan's account entails too many problems to be considered an alternative to any of the broadly utilitarian sentientisms. It is certainly no more compatible with received morality; it fails to protect many sentient nonhumans while ascribing too high a degree of moral standing to those that it does protect; and it has little to say to critics. Where Regan's view may have an important role to play is in moving contemporary utilitarianism nearer to received moral thinking, and in helping to delineate what an acceptable sentientism must involve.[42]

### *'Intuition'*

One important moral remains to be drawn. Regan's moral touchstone is 'intuition' in the analytic philosopher's sense of a reflective but pre-theoretical judgement. Intuition is useful in ethics as a guide to received morality. But there are risks in appealing to it in argument, particularly in building on intuitively supported premises. For one thing, if everyday morality becomes our final arbiter, otherwise questionable judgements and practices tend to pass unnoticed.[43] For another thing, there is always the risk of relying more on personal, possibly idiosyncratic, moral notions, than on publicly accessible ones. Regan's rights-view comes close to both these sirens. Despite careful argument, and his own explicitly stated awareness of the danger inherent in appealing to intuition,[44] the rights-view still rests on a largely unexplained first premise and is tailored to fit Regan's deep compassion:[45]

The whole creation groans under the weight of the evil we humans visit upon these mute, powerless creatures. It *is* our heart, not just our head, that calls for an end, that demands of us that we overcome, for them, the habits and forces behind their systematic oppression.

I, for one, could not be more in sympathy. But Regan fails to show me why I *should* be, and that public, rational explanation is what this enquiry seeks.

## PART THREE: THE MOVEMENT FROM ECOLOGY

### Chapter Six LOOKING BEYOND AFFECT

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So far, the sentientist arguments we have been discussing have tried to show that sentience, or, in Regan's case, being an experiencing subject, is sufficient to secure moral standing. The possibility that moral expansion might go further has not been raised, nor has the possibility that sentientism includes arguments which block further expansion. The former possibility — that there *are* grounds for further expansion — is presented by what I call 'the movement from ecology'. The latter possibility — that sentientism can reject the movement *in advance* — is raised by some sentientist philosophers, and it needs to be dealt with *before* we consider the positive case. *Is sentience a clearly necessary condition for moral standing? If not, are there, perhaps, other a priori grounds for resisting further expansion?* These are the questions which the present chapter addresses.

#### THE MATTERING GAP

##### *Forewarned Is Prepared*

In discussing these issues — and particularly in trying to understand sentientism's haste to block further moral expansion — we must be aware of exactly what is proposed by the movement from ecology. Whereas sentientism in all its forms is predicated on a concern for experiencing lives, benefits and harms, and consistency,[1] the movement from ecology looks well beyond experience in order to identify considerable entities. (As noted earlier, the vitalism which the movement starts with seeks to extend consideration to *all* living individuals, including non-sentient organisms; ecosophism then embraces natural systems more usually treated as collections of distinct, living individuals, and some ecosophists even want to enfranchise non-living things.)

##### *A Source Of Puzzlement And Potential Misunderstanding*

To the sentientist, the most striking, and perhaps the most puzzling aspect of these attempts is the move to enfranchise entities to which events cannot *matter*. Most sentientists will willingly grant consideration to any creature capable of suffering, and even the most sceptical humanist should appreciate that sentientism's origins owe much to the humanist tradition. But both have difficulty understanding how anything can possibly matter morally, on its own account, when it has no experiences, and, thus, nothing at all can possibly matter *to* it. In consequence, humanists and sentientists tend to regard the movement from ecology as strange and possibly destructive of our moral traditions. While from the other side, humanists and sentientists may seem so preoccupied with experiencable consequences that they do not recognise they are making a fundamental, but perhaps not mandatory, assumption about the moral enterprise.[2]

This is why I say — without hyperbole — that further expansion, and the claim that some entities are considerable *even though nothing can 'matter' to them*, leads across a philosophical and moral chasm which I characterise as the 'mattering gap'. And because the mattering gap effects such a profound and controversial separation, so, too, does the question whether entities to which nothing matters —

entities lacking the ability to experience what happens to them and, hence, sentience – can *possibly* be original sources of moral concern.

### *Two New Spokesmen*

Two representations of the sentientist case will be discussed, here, alongside the beginnings of the movement from expansion. Both sentientist positions are interest-based, and because Singer has little to say about the issue of further expansion, I have turned, instead, to Joel Feinberg and L. W. Sumner. Note that although Feinberg and Sumner use the language of ‘rights’, they ground rights in the possession of interests, and they clearly use ‘rights’ in Goodpaster’s broadest sense: *rights-bearing is equated with being morally considerable*. [3]

### FEINBERG’S ARGUMENT

#### *A Five-Step Summary*

Feinberg’s reasons for requiring that considerable entities be sentient emerge during an argument which may be summarised as follows: [4]

- –In order for an entity to have a right, two conditions must be met. First, the entity must either be capable of claiming its right for itself, or it must be the sort of entity for whom a proxy can reasonably claim to speak. [5] Second, the entity must also be “capable of being a beneficiary”, and have a “good or ‘sake’ of its own.” [6]
- It is reasonable to grant an entity a proxy only if the entity has interests for the proxy to represent. This is because “representation, in the requisite sense, is always of interests”. [7] Furthermore, it is reasonable to credit an entity with a ‘good’ or ‘sake’ of its own only if it has interests. This is because “a being without interests...is incapable of being harmed or benefitted...” [8] Thus, both the conditions stated in step one collapse into the possession of interests.
- “Interests must be compounded somehow out of conations...” [9] Tentatively, Feinberg proposes that conations consist of any of the following: “...conscious wishes, desires and hopes;...urges and impulses; latent tendencies, directions of growth and natural fulfillments.” [10]
- Many sentient nonhumans have conations and are capable of being beneficiaries; therefore, these nonhumans have interests and are potential rights-bearers. [11] The status of plants is unclear at this stage. Plants lack conscious wishes, desires and hopes, but they do have “biological propensities” which appear to satisfy Feinberg’s working definition of ‘conation’. [12]
- Feinberg then further restricts the criteria for ascribing interests: [13]

...an interest, however the concept is finally to be analyzed, presupposes at least rudimentary cognitive equipment. Interests are compounded out of *desires* and *aims*, both of which presuppose something like *belief*, or cognitive awareness.

Thus, Feinberg finally aligns his understanding of 'conation' with the more restrictive sense offered by current usage. The O. E. D. tells us that 'conation' is a philosopher's word meaning the desire to perform an action, or a volition, or a voluntary action. Feinberg also argues:[14]

Plants are never plausibly understood to be the direct intended beneficiaries of rules designed to 'protect' them. ...Trees are not the sorts of beings who have their 'own' sakes, despite the fact that they have biological propensities.

On both counts 'plants' and 'trees' fail to have interests, according to Feinberg, and so cannot have rights. And because rights-bearing is equated with being morally considerable, we may conclude that non-sentient organisms, in general, lack moral standing.[15]

### *The Interest Principle*

Central to this argument is what Feinberg calls the 'interest principle':[16]

Feinberg's INTEREST PRINCIPLE states: "...the sorts of beings who *can* have rights are precisely those who have (or can have) interests."

Feinberg goes on to say:

I have come to this tentative conclusion for two reasons: (1) because a right holder must be capable of being represented and it is impossible to represent a being that has no interests, and (2) because a right holder must be capable of being a beneficiary in his own person, and a being without interests is a being that is incapable of being harmed or benefitted, having no good or "sake" of its own.

Two reasons are being offered, here, in support of the interest principle. They are spelled out more fully in the five-step summary by the two *sufficient* conditions attached to rights bearing (at step one) *plus* the subsequent *necessary* conditions (introduced at step two). The interest principle is, therefore, secured at the second step of Feinberg's argument; the rest may be viewed as working out the interest principle's consequences for sentient and nonsentient organisms.[17]

### *The Interest Principle Plus*

We should, certainly, grant Feinberg steps one and two of the five-step argument, and the interests principle, because it is so reasonable to correlate rights with interests. *But how persuasive is the rest of the argument?* Step three compounds interests out of conations in the *broad* sense that includes "directions of growth and natural fulfillments"; thus, agreeing with the generous, but common sense view, that all living things *do* have interests. But this threatens to extend interests and, hence, rights to those *nonliving things* which also have clear directions of growth (for example, stalactites), and that *would* be contrary to everyday thinking and usage. Feinberg avoids the problem, at step five, by tightening up the notion of conations in a way which — according to the O. E. D. and as noted above — accords with standard philosophical usage.[18]

The fourth, and penultimate, step of Feinberg's argument is more questionable. *Why is the status of plants unclear?* Prior to him *narrowing* the definition of conation, it seems more reasonable to conclude

that plants, too, have interests. Feinberg must be demurring at step four because he already has his sights on the narrowing of the notion of interests at step five. Thus, his presentation is developmental, and the first definition of 'conation' should be read as a working definition *only*. The modifications offered at step five are Feinberg's more considered position, and the full five-step argument – Feinberg's interest-principle-plus – is designed to show why *interests are limited to entities with enough psychological complexity to support, or at least approximate, desire and cognitive awareness*.

### *Overshoot*

But this is now so strict that, as well as ruling out any hope of an argument for vitalism, the interests-principle plus also threatens to deny consideration to psychologically simple creatures who are *still* capable of suffering.[19] In consequence, Feinberg later appears to *relax* his grounds for ascribing interests, writing of newborns:[20]

They do have a capacity, no doubt from the very beginning, to feel pain, and this alone may be sufficient ground for ascribing both an interest and a right to them.

Feinberg is returning to classical utilitarianism's unadorned concern for suffering because he fears that newborns may be morally disenfranchised by the cognitive criterion for having interests. However, it is seemingly inconsistent to hold that a newborn's bare capacity for *suffering* secures an interest and a right, while still requiring that interests, at a minimum, be grounded in *rudimentary desire and cognitive awareness*.

### *A Psychological Criterion*

Feinberg does not explicitly speak to this problem, but it is possible to read 'conation' in a way which supports *both* the assertion that babies have moral standing *and* the assertion that plants are not considerable. If 'conations' include "urges and impulses" associated with *some* degree of consciousness, but do *not* include unconscious "directions of growth and natural fulfillments", then babies have conations while plants do not. In consequence, babies *have* interests, and *are* considerable, while *non-sentient* organisms fail to measure up. However, if this is supposed to deny all possibility of moral expansion beyond sentientism, it must be clearly shown *why* morality should be concerned *solely* with *psychologically based interests*.

### *An Axiomatic Restriction Of Moral Concern*

Feinberg says little beyond what has been discussed, but such additional reasons as he does offer centre on 'benefits' and 'goods'. This is, no doubt, because where there is no possibility of benefit, or any good held, there is arguably no interest.

Feinberg has already pointed out that considerable entities must be capable of being beneficiaries *in their own right*, and he wants to claim – wrongly, I think – that this is *not* the case for plants.[21] Certainly, non-sentient organisms cannot *experience* benefits, and it may not even make sense to speak of a non-sentient organism having a 'sake' of its own, but that does *not* mean a non-sentient organism cannot *be* benefitted. A dry plant, for example, is benefitted by watering. Feinberg seems to be conflating the *experience* of benefit with benefit *per se*. Feinberg also notes that although some

moral rules and practices may *appear* designed to benefit non-sentient life, it is *human* interests which morality is seeking to protect.[22] The environmental movement and ecological philosophy notwithstanding, Feinberg is largely right so far as received morality is concerned: moral consideration is *not* usually extended to non-sentient organisms. However, the chief reason for posing the initial question was to find out whether received morality is *right*. Therefore, current practice cannot be our chief guide to an answer.

Finally, Feinberg claims that a non-sentient organism does not have a *good* of its own which morality can promote or protect. When goodness is ascribed to plants, he says, it is always because of the benefits they confer on human beings.[23] This last claim is false insofar as non-sentient organisms are *teleological* and *do* have a (teleological) good of their own, but is this a *morally significant* good?

The clear, *implicit* sense of Feinberg's discussion is that merely teleological goods are *not* morally telling. *But why is Feinberg so confident of this?* We have already seen that his view of conations requires us to credit Feinberg with thinking that *psychological capacity* is, finally, what matters morally. His view of benefits and goods also makes best sense given this reading. Even if non-sentient organisms *can* be considered beneficiaries in themselves, and even if they *do* have 'a good of their own', their lack of psychological infrastructure means that they cannot have *experientiable* benefits or goods. As I put it earlier, nothing we do to a tree can possibly *matter* to the tree itself. I suggest Feinberg is amongst those who think it *axiomatic* that morality is concerned only with benefits and goods which are *experienced*, and with organisms to which our actions *matter*. That also explains why Feinberg so confidently claims received morality in aid. But the question remains: *Is it right to disenfranchise organisms just because they cannot experience what happens to them?*

## SUMNER'S VIA MEDIA

### *An Account Which Serves Two Purposes*

The understanding which seems implicitly axiomatic in Feinberg's argument soon becomes a matter for *explicit* discussion in Sumner's. Sumner's goal is to establish a *via media* between the so-called liberal and conservative positions on abortion, but his approach is also intended to rebuff a vitalist attempt to bridge the mattering-gap using the notion of 'interests'. Sumner has Goodpaster's formative paper on vitalism in his rear-view mirror, which may be why he brings sentientism's concern with *experience* so clearly to the fore. I will take up Goodpaster's contribution to the debate after we discuss that portion of Sumner's argument which concerns us here. (It is not part of this enquiry's mandate to enquire into the abortion issue *per se*, or to attempt a broad criticism of Sumner's purported resolution.)

### *Sumner's Strategy*

Sumner hopes to offer a compromise position on abortion by securing an account of moral scope which links the morality of abortion to fetal development. If moral standing depends on sentience, and if *degrees* of moral standing depend on *degrees* of sentience, then Sumner has grounds for doing this because (once a certain level of physiological development is reached) a fetus grows increasingly sentient as pregnancy advances. Sumner is, thus, positioned to support the progressive view that abortion in early pregnancy is acceptable, but that as the fetus grows, so, too, does the case against abortion.[24] His argument will be strongest if he can rule out the possibility that factors other than

sentience affect moral status, which is one reason Sumner is determined to restrict moral concern to psychologically based interests and experientiable benefits and harms.

To this end, Sumner argues for an account of moral scope which makes sentience necessary and sufficient for moral standing. He chooses a paradigm entity whose moral status he expects all to agree on (an adult human being with normal faculties); seeks the quality which grounds the paradigm's moral status (out of four possibilities – intrinsic value, life, sentience, and rationality – he chooses sentience); then asks how widely that quality is shared.[25] Granting Sumner's choice of a moral paradigm for now, and reserving judgement on his initial list of qualities, let us review the steps by which Sumner selects sentience.

### *Intrinsic Value, Life, And Rationality*

Sumner rejects intrinsic value because:[26]

...if things have moral standing in virtue of having intrinsic value, and if they have intrinsic value in virtue of having some natural property, then it is that natural property which is serving as the real criterion of moral standing, and the middle term of intrinsic value is eliminable without loss.

But this is *too* hasty. Although Sumner is surely correct in claiming that intrinsic value attributions can always be questioned – and that the reasons offered will then form the final criterion of moral standing – it is unclear that all intrinsic value attributions rest on some single natural property. For one thing, the notion of 'intrinsic value' is sometimes best read as a convenient shorthand for subtle and complex reasons for moral standing which do not reduce to the possession of simple, or single properties. For another thing, it is possible that some entities are properly ascribed intrinsic value – and moral standing – for reasons which have as much to do with our *relationship* to them as with their natural properties.[27]

The criterion 'life' is rejected in the course of Sumner's criticism of Goodpaster, and I shall discuss that debate later in the chapter. For now, I will mark the dismissal 'tentative'. The criterion 'rationality' is rejected for the sound, and standard, reason that it excludes the very young, the senile, the intellectually limited, and sentient nonhumans.[28]

### *Sentience*

Only the criterion of sentience remains. Sumner calls it a "promising middle path" between the unacceptable extremes of "rationality" and "life".[29] On Sumner's reading, it is also a broad path: he argues that sentience is a continuum ranging from a bare capacity for suffering – which requires awareness but not self-awareness – to the transports and angst of those who are only too self-aware. Thus, 'entry level' sentience requires only "the ability to experience sensations of pleasure and pain", while 'high level' sentience requires the psychological complexity of humans.

Anywhere within this continuum, Sumner ascribes moral significance to benefits and harms. He discerns broadly two kinds of significant benefit or harm, corresponding to the division between 'entry' and 'high level' sentience. There are benefits and harms accruing from agreeable or disagreeable sensations; and benefits and harms which depend on the possession of wants, aims,

desires, attitudes, tastes, values, moods, emotions, sentiments and passions.[30] All are clearly *experiencable* benefits and harms. It follows that if sentience is the sole criterion of moral standing, as Sumner contends, then all entities capable of experiencable benefits and harms are morally considerable, and all entities which lack that capacity are inconsiderable. In consequence, sentientism's account of moral scope must enfranchise *all* sentient life while stopping irrevocably at the mattering gap.[31]

### *An Insufficient Case So Far*

This account arguably accords well with current, liberal moral thinking, and it certainly offers a theoretical basis for Sumner's abortion *via media*, but the case for restricting the moral franchise remains inadequate. Even continuing to grant that the paradigm moral entity is the normal adult human Sumner postulates, and retaining the question mark over Goodpaster's criterion 'life', Sumner has dismissed the possibility of axiological grounds for moral expansion too quickly. Axiological arguments *are* offered by the movement from ecology, and nothing Sumner has said proves them wrong. Furthermore, Sumner's apparent belief that moral standing must be justifiable in terms of some single natural property yields the startling assumption that all moral standing must finally ground in life, rationality, or sentience, and cannot possibly devolve upon a more subtle complex of reasons such as I mentioned earlier. No explanation is offered for this, which leaves Sumner's case incomplete. However, he does have additional objections to raise; they require us to consider Goodpaster's case for vitalism.

## GOODPASTER'S ARGUMENT

### *Two Approaches*

In order to make a positive case for further expansion, vitalism needs to show that despite their lack of psychological capacity (at least some) non-sentient entities *can* be meaningfully affected by human action, and that this entails they matter morally *in themselves*. Furthermore, given what was said in Part One about the need to offer broadly accessible arguments for moral expansion, the case must be made with an eye to humanist and sentientist scepticism and possible misunderstanding. There are broadly two ways of doing this. One is to seek common ground with sentientism, and use it as a basis for bridge building; the other is to assume that an insufficiency of common ground exists, and argue, instead, for a radical change in moral outlook.

Goodpaster chooses the first option, appealing to a shared notion of 'interests', then trying to use an impartial concern for *all* interests, sentient and non-sentient, to continue the momentum for expansion which has carried sentientism to the mattering gap. By contrast, other vitalists (and ecosophists) lean towards the second option. Whereas sentientists proclaim it a strength that their position grows outward from humanism by modest increments, the movement from ecology – with the exception of Goodpaster's vitalism – generally describes a radically different, informing outlook for morality. That outlook involves a more egalitarian, and less human centered, view of the entire biotic community than has been traditional, and the change it involves may be likened to the shift from a Ptolemaic to a Keplerian model of the solar system.[32]

Thus, Goodpaster's vitalism is distinct from other vitalist (and ecosophist) approaches. However, it is Goodpaster's pioneering attempt to build a *rapprochement* with sentientism which gives point to the

subsequent change of course, and Sumner's rejection of that attempt illuminates the sentientist assumptions which the movement from ecology most needs to speak to.

### *Goodpaster's Argument*

Goodpaster argues that non-sentient organisms share the general capacity for being benefitted and harmed with sentient creatures, and he infers that non-sentient organisms also have interests which secure their moral standing. He writes:[33]

There is no absurdity in imagining the representation of the needs of a tree for sun and water in the face of a proposal to cut it down or pave its immediate radius for a parking lot. ...In the face of their obvious tendencies to maintain and heal themselves, it is very difficult to reject the idea of interests on the part of trees (and plants generally) in remaining alive.

Clearly, non-sentient organisms *do* have these kinds of interests, and if it can be shown that *similar* interests ground the moral standing of sentient creatures, then Goodpaster is right: the sentientist programme of treating similar interests in a consistently similar manner should ensure the moral standing of non-sentient organisms.

### *Sumner's Response*

But sentientism has a response. Sumner carefully formulates its mandate in a way which denies moral relevance to non-sentient interests, and he makes sentientism's position so abundantly clear that I will quote him in full:[34]

Goodpaster does not shrink from attributing interests to nonsentient organisms since he assumes that if a being has needs, a good, and a capacity to be benefitted and harmed, then that being has interests. There is much support for this assumption in the dictionary definitions of both "interest" and "welfare" though talk of protecting the interests or welfare of plants seems contrived and strained. But philosophers and economists have evolved technical definitions of "interest" and "welfare" that clearly tie these notions to the psychological states of sentient beings. It is the existence of beings with interests or welfare *in this sense* that is a necessary condition of the existence of moral issues.

Thus, Sumner leaves no doubt that, in his view as a sentientist, morality's proper concern is only those benefits and harms, and hence those interests, which are linked "to the psychological states of sentient beings." *Why should this be so?*

### *Sentientism's Focus On Affect*

If moral expansion is to be achieved by working outward from the standard human paradigm — as both sentientists and Goodpaster aspire to do — then expansion must stop where the paradigm finally loses relevance. The paradigm human adult appealed to by sentientism arguably loses relevance once moral expansion reaches organisms which lack a psychology and, therefore, lack all possibility of experience, or, perhaps more precisely, 'affect' in the psychological sense of "feeling,

emotion, desire, especially as leading to action".[35] This is because organisms possessed of affect are like the paradigm human in that they have lives whose *quality* can be changed by human actions, but organisms lacking affect have no quality of life to change. In Nagel's phrase, again, there is *something it is like to be a cat*, but there is *nothing it is like to be a tree* (to the best of our knowledge).[36] Thus, a cat is similar to the paradigm normal adult human in that a cat can experience benefits and harms, and it can have the quality of its life changed. By contrast, a tree is unlike the paradigm in that it experiences nothing, and it has no quality of life.

In addition, it may be noted that sentientism's concern for benefits and harms which are *experienced* gives it a powerful intuitive appeal, plus motivational force, because it is relatively easy for humans to empathise with nonhuman suffering and pleasure. Any successful argument for moral expansion must persuade moral agents to accept greater responsibility and sacrifice, and if sentientism's prime goal is to better the lot of nonhumans – and that is certainly the goal for Regan and Singer – then it is wise for sentientism to halt the call for expansion once it can no longer rely on empathy's support. Unlike the interests of sentient creatures, the interests of merely living organisms offer seemingly little basis for identification and human concern.

None of this conclusively *proves* that morality should only be concerned with interests associated with good and bad experiences, but it does place a burden of proof on vitalists claiming otherwise. Vitalism's case *cannot* be made simply by pointing out that non-sentient organisms have 'interests' too: such 'affect-free interests' are clearly *different*, and if vitalism wants to claim morality should transcend the difference, then more argument is needed.

#### *A Limited, But Defensible, Axiology*

In fairness to Goodpaster, he does, in a limited way, speak to this need also. He notes that sentientism's concern for affect is informed by an essentially hedonic axiology: sentientism is the heir to Bentham's original, compassionate insight and to the hedonistic conception of the good which inspired Bentham.[37] Furthermore, Goodpaster questions the reasonableness of this:[38]

Biologically, it appears that sentience is an adaptive characteristic of living organisms that provides them with a better capacity to...avoid...threats to life. This...suggests, though of course it does not prove, that the capacities to suffer and to enjoy are ancillary to something more important rather than tickets to [moral standing] in their own right.

The "something more important" is, of course, *life*, and Goodpaster is now moving towards a position taken up by later vitalists: morality should value all self-replicating, evolutionarily shaped, teleological individuals, whether or not they have the adaptive characteristic of affect.

However, if Goodpaster took this step, his position relative to the movement from interest would be similar to sentientism's position relative to humanism. Sentientists can object that because morality is a human enterprise – founded originally in a concern for human well being, and extended up to the mattering gap on the basis of consistency and analogical reasoning – this new concern for life is simply no part of its mandate. And because Goodpaster offers no further argument, an impasse similar to that between sentientism and humanism would occur.

## CLEARING A PATH

### *Both Sides Have Underestimated The Issue*

With hindsight, I think it fair to say that Goodpaster underestimates the distance between sentientism and vitalism. Sentientism is *not* susceptible to a *rapprochement*, and (just as sentientism's own non-traditional focus on sentient interests *per se* stands in need further of justification) so vitalism must shoulder the need to offer original, and independent, reasons for ascribing moral significance to affect-free interests. This will require showing grounds for a radical change of moral outlook and a *literal* paradigm shift; thus, taking the more radical of the two options I discussed earlier.

But it is also true that sentientists like Feinberg and Sumner have underestimated *their* task. Nothing said so far shows that sentience is *necessary* for moral standing, and it seems unlikely that ever will be shown. What is more, the objections raised against moral expansion only reveal a burden of proof not dissimilar to sentientism's own.[39] However, Sumner still has some points to make, and I shall end this chapter by trying to show that, should adequate arguments for vitalism be forthcoming, there are no obvious *a priori* reasons to resist them.

### *If We Start, Can We Stop?*

Sumner argues that if moral concern is not restricted to psychologically based interests and the experientiable benefits and harms which support them, there will be no obvious end to considerable entities.[40] For example, I can benefit my computer by taking it apart and cleaning the oxidised connections; I can also harm the computer by over-watering the plants on top and getting the connections wet. *Is the computer, therefore, morally considerable?* Sumner thinks that we do not want *that* conclusion, and he may be right, even if science does eventually develop self-repairing, self-replicating computers which are teleological entities.[41]

But even if Sumner is right in thinking that the criterion 'E is considerable precisely when E is capable of benefits and harms' would be too generous, that only shows the criterion may be a bad one, not that we should abandon all hope of further moral expansion. Other possible criteria — like being a self-replicating, teleological entity which is part of the biotic community — offer hope of expansion without running amok. Sumner's argument is like claiming that we cannot begin driving down the road without finally crashing into the bogey man who lives at the end. *But who says we must ride in a car with no brakes?* Let us concentrate on possible reasons *for* expansion and trust that rational morality is able to embrace any good reasons for stopping.

### *Moral Conflict*

Sumner also wonders how we will manage to make moral decisions with so many entities and interests to take account of.[42] This is a worry often expressed by sentientists, and Goodpaster's Distinction 2 — which differentiates between granting moral consideration *per se* and awarding a particular *degree* of moral standing to an entity — is intended to speak to it. As explained in Part One, by recognising that there may be degrees of difference amongst considerable entities, we provide for the possibility of fine-grained status distinctions and a moral hierarchy which will simplify decision making. However, Sumner is right to point out that moral expansion complicates morality, and any

potential account of moral scope certainly needs to indicate how conflict will be dealt with. But, once again, that is no reason to resist moral expansion if adequate arguments are offered.

Another aspect of this concern about decision making is the worry that if *everything* in the world was considerable, then we would lose the contrast between considerable and non-considerable entities which gives meaning to the notion of moral standing: without night, there can be no understanding of day.[43] However, if an entity's moral standing is a matter of degree, and if there is a moral continuum of entities reaching from the very considerable to the almost inconsiderable, then there should be sufficient contrast to make being 'considerable' meaningful. Furthermore, there is, as yet, no suggestion that everything in the world should be deemed considerable except by sentientists seeking a *reductio* of the vitalist position.

### *The Increasing Burden*

In conversation, I have heard a further worry expressed regarding a possibly increased moral franchise. If morality is viewed as a device for getting moral agents to act in ways that they would rather not have to, then it is reasonable to object that the larger the moral franchise, the more oppressive the moral burden. Morality is seen as restrictive, so one wants no more of it than is absolutely necessary. However, there is another view, the tradition which claims that ethics provides a recipe for a particular way of life: morality is then omnipresent, but hopefully enabling rather than restricting. Philosophers who espouse a broad moral franchise, particularly the deep ecologists, tend towards this understanding of morality as *ethos*. Perhaps doing so does not answer all concerns, but it suggests a perspective to keep in mind as a possibly natural accompaniment to moral expansion. Furthermore, even if the movement from expansion *does* succeed in offering reasons to increase our moral burden, and even if that *is* more onerous, this is not adequate reason to reject expansion. If there are other, good reasons for extending consideration beyond sentient organisms, then that is what we should do. The practical implications of extension must then be worked out in light of competing claims and interests.

Another of Goodpaster's distinctions is relevant to this problem. Distinction 4 differentiated regulative moral status (i.e. as seen purely in light of 'theory') from operative moral status (i.e. as seen in light of 'what we can live with'). Although this enquiry must pay *some* attention to operative concerns, it is seeking that primarily *regulative* account of moral scope which makes best moral sense. Concern for our own moral burden is an operative worry which amounts to us not wanting to expand our moral regard for entities to the point that it becomes difficult to live with. And, for the purposes of this enquiry, it is a concern to set aside while we ask which entities are considerable on their own merits, or as nearly on their own merits as we can determine.

### *But Could Utilitarianism Cross The Mattering Gap?*

But what *does* seem certain is that expanding the moral franchise across the mattering gap would make utilitarian (i.e. optimal interest satisfaction) calculations unwieldy at best and impossible at worst. This is not just in consequence of the *multiplication* of considerable entities, but also because of the differing *bases* of their moral standing. As well as the two kinds of sentient interest recognised by Sumner, there would also be non-sentient, affect-free interests to fit into the equation. And utilitarian theory offers no hope of comparing all three.

This realisation may underlie much of the opposition to moral expansion which has been expressed by utilitarian sentientists. However, it is no reason for those of a more theoretically neutral disposition to resist. What is more, there is a good case for thinking that utilitarian calculations are *already* impossible by the time the mattering gap is reached: *How should I actually weigh all the sentient interests involved in a simple action like buying a steak or cutting down the old cherry tree in the back yard?* It is not clear that I can determine what all those interests are, never mind figuring out how to maximise them. (And rule-utilitarian solutions will just be flights of optimism if we cannot ever identify and weigh all the pertinent interests.) Given the problems already – and given that much of the utilitarian case against cruelty comes down to simple, visceral disgust and compassion, supported by rational consistency and morality’s concern for humans – the loss is arguably minor.

## Chapter Seven

### VITALISM: A DIFFERENT KIND OF STRATEGY

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Just as humanism is barely part of the movement from interest, but is its clear point of departure, so Goodpaster provides a point of departure for the movement from ecology. Sumner's rebuff writes *finis* to the impartial concern for similar interests, and the analogical reasoning, which takes sentientism to the mattering gap; henceforth, vitalism (and ecosophism) must attempt a radically different strategy. Thus (as mentioned at the beginning of the last chapter), it is after Goodpaster's *rapprochement* fails, rather than at the mattering gap itself, that the task of reshaping morality begins. And, for the time being, no further attempt is made to establish commonality with humanism and sentientism.

Thus, the arguments which comprise the movement from ecology (proper) eschew any attempt to extrapolate from humanism or make the mattering gap something which moral agents *must* eventually cross, on pain of irrationality. Instead, they describe a more generous moral outlook, and a more comprehensive understanding of morality's purpose, which may be read as a response to the sense (and the evidence) that the world which sustains us is collapsing, and *surely* morality has something to say about *that*. Vitalism and ecosophism largely make their case by setting out the *relative attractions* of a new, and ecologically *sensible*, position.[1]

The most 'conservative' of these new accounts of moral scope are proposed during the early stages of Holmes Rolston III's exploratory development of a possible ethic for 'wild nature', and in Paul W. Taylor's proposed foundation for an environmental ethic. Both philosophers present vitalism as a reasonable next step following sentientism without trying to extend *or* replace sentientism's compassionate concern for experienced benefits and harms; rather, they try to extend our outlook and broaden the scope of our moral sympathies. The latter point echoes what was said above, and it is important to remember. Neither Rolston nor Taylor attempt to make a finally conclusive case for vitalism by showing that their recommendations are 'logically' or 'rationally' incumbent on moral agents. Instead, they offer a perspective which seeks to be persuasive without being inescapable.

Because Rolston and Taylor offer arguments which are similar at important points (both appeal to teleology in lieu of affect, and both argue that all living organisms are of inherent value), I am going to travel relatively quickly through Rolston's exposition in order to reach his crucially important claim that the inherent value of organisms is a 'discoverable' feature of the natural world. This is so controversial as to deprive Rolston's vitalism of the broad support which other aspects of it deserve, and Taylor's argument will then be addressed as a possible solution to the problem.

#### ROLSTON'S VITALISM

##### *A Teleological Axiology*

Rolston begins with the claim that all living organisms — sentient and nonsentient — are "normative systems" yielding "values" of which moral agents may take account, and which are a part of the world *whether or not* humans recognise or act upon them.[2] Initially, this may seem a puzzling claim, but it is really quite straightforward. Rolston notes that all organisms come with a DNA encoded

'programme' specifying how they will grow and develop under certain conditions. The unfolding of this programme is helped by favourable environmental features and hindered by unfavourable ones. Thus, with regard to any particular organism, some environmental features have a positive 'value', and some have a negative 'value', according to how they affect the organism. In this sense, Rolston claims, living organisms are axiological, and the values which are generated by their teleological organisation and activity are independent of human perceptions and judgements.

Rolston's point may be illustrated using one of his favourite examples. Consider an oak sapling. The sapling's *telos*, as specified by its DNA, is to grow into a mature tree and reproduce. Rolston is claiming that:

- Environmental features, including the actions of other organisms, can either help or hinder the tree as its genetic programme unfolds.[3]
- The presence of what helps the tree, and the absence of what hinders it, are of value to the tree.
- The tree's natural, teleological functioning, therefore, establishes a set of values relative to its *telos* within its environment.
- Moral agents may take account of these values through their actions; thus, acting 'on the tree's behalf'.

Note a cautious disclaimer issued by Rolston: in calling organisms 'normative', he does *not* mean that organisms are in any sense 'moral' systems.[4] Organisms pass no judgements, and they cannot do what is morally wrong. Teleological organisation simply confers value on various environmental features relative to what benefits or harms an organism from the perspective of its genetic agenda.

#### *An Uncontroversial Start*

So far, Rolston has said nothing untoward, or even controversial. He is claiming that environmental features can be assigned a value depending on how they contribute to the genetically governed development of an organism, and that moral agents may then take practical account of those features. Even if it seems eccentric to use the term 'value' in this way, the eccentricity is harmless because we can accept Rolston's usage without committing ourselves to anything objectionable.[5] Furthermore, if it is thought tendentious, or otherwise contentious, of me to gloss Rolston by saying that it is possible to act 'on a tree's behalf', all I mean (for now) is that moral agents can choose to act in ways which will benefit rather than harm or hinder a tree. I am not suggesting, in any way, that the tree has consciously held goals or purposes, just that the tree has *teleological* goals for moral agents to take account of. I shall, in any case, say more about this towards the end of the chapter.

#### *Organisms Themselves Have Inherent Value*

The controversial step in Rolston's argument comes when he claims that there is reason why moral agents *should* take account of what is of value to other organisms when planning their actions. (And, thus, why all living organisms warrant moral consideration.) Rolston writes: "A moral agent deciding his or her behaviour ought to take account of the consequences for other evaluative systems." [6]

But *why*? Rolston's answer is that other evaluative systems have their own 'intrinsic' or 'inherent' value. And it is this latter claim, *rather* than the assertion that the teleological organisation of an organism generates values *relative to that organism*, which is the apparent ground of Rolston's vitalism. He is *not* just saying that an organism has goods consequent on its genetic programme; he is saying that the *realisation* of what is good for an organism is, in the nature of things, *inherently* good. In other words, other things being equal, it is *good* that an organism should thrive.

Rolston also asserts that the inherent value and goodness of organisms is 'in the world', waiting to be discovered, much like the *instrumental* values which the needs of organisms generate. He explicitly rejects a relational account of value (whereby value is something moral agents *ascribe* to entities for reasons which can be argued about), preferring to claim instead that "some values are already there, discovered, not generated, by the [human] valuer".[7] Consequently, Rolston must now convince us not only that environmental features and events have a 'value' relative to the genetically determined development of an organism they effect, but that we, too, can discover the *inherent value* of the organisms themselves.[8]

### *Rolston's Primary Strategy*

Because Rolston believes that inherent value *is* discovered in nature, he mainly attempts to do the job through evocative writing. He offers a fascinating, often poetic description of nature, and he takes us on a journey in which he points out the value which *he* finds there. What Rolston does *not* do (in the main) is attempt to give us reasons to *ascribe* inherent value to living organisms; instead, his 'argument' consists of inviting us to share his perceptions.

However, if Rolston wishes to persuade others to abjure the relational account of value and follow his lead, then it would be helpful if he said something about what is wrong with the common, and seemingly common sense, relational view. As J. L. Mackie has pointed out, value would be a strange thing if it *was* anything other than a *relation* between a valuer and something which is valued.[9] But Rolston offers no obvious reason to think the relational view incorrect. He simply rejects it, and offers an alternative.[10] This means that Rolston's own highly personal views of value and nature are the final ground of his position. And, although I (personally) find Rolston's advocacy deeply moving, there seems little point in attempting to discuss or replicate it here. Not only does its persuasive power lie in Rolston's own words, the presupposition that values are found, rather than ascribed, will be viewed as highly controversial by contemporary philosophers and moral theorists. Given that this enquiry seeks an account of moral scope with a broad claim to understanding and support, and given that humanists and sentientists are already highly sceptical about the movement from ecology, this enquiry *must* commit itself to seeking clear, firm reasons for *ascribing* inherent value to organisms.

In sum, then, Rolston's primary argument is that if we allow him to guide us, we will be able to replicate his discovery of value and see that moral expansion is eminently reasonable. But, for the reasons given, I am not going to attempt to follow that strategy further.

### *Second Strings*

If the foundation of Rolston's position *is* reached when he points to the value he finds in the world and says *Look!*, then he has what many will view as a profoundly unpersuasive argument for vitalism. However, my reading is that Rolston also offers more literal, direct arguments as a

*supplement* to evocation. Even if Rolston thinks that values *are* discovered rather than ascribed, his discussion is relevant to a movement from interest predicated on a different view of value.

In a chapter summarising his axiology, Rolston describes a “parental environment” within which organisms have evolved and now live.[11] He argues (in effect) that if, as moral agents, we wish to make value attributions within nature which are disinterested, non-partisan, and ‘rational’, then we should not rely on our own ways of relating to organisms as a guide to their value. Instead, value attributions should be based on what is known about living organisms in themselves, and on what is known about the ‘parental’ environment. In other words, if moral agents seek a disinterested and consistent appraisal of other entities, they must take their cues from nature, rather than from their own needs and preferences.

Rolston also explains that *all* living organisms are what he calls ‘natural projects’ of the parental environment. A ‘natural project’ may be thought of as an organism brought forth by nature at a cost in energy and time.[12] Rolston argues that the parental environment ‘values’ these projects inherently in that it appears to produce them simply for their own sakes. He urges that moral agents who wish to value organisms in accordance with what they find in nature must do likewise and ascribe inherent value to all living organisms.

#### *And Two Problems*

Two problems now await Rolston. First, even if he can convince us to view living organisms as ‘natural projects which are valued inherently by the parental environment’, it is still necessary to convince us that moral agents should guide their conduct by this vision.[13] It is insufficient to characterise the vision as disinterested or even rational. A sceptic remains free to object that such radical disinterest has no place in human morality, and that standards of rationality are ultimately linked to notions of what is good for humans (and, through the process of rational extension offered by the movement from interest, for other sentient organisms). In order for the statement that *all organisms have inherent value* to be more than a form of words, there must be clearly demonstrable reason for people to value nonhuman organisms for non-instrumental reasons. *But what has Rolston offered?* Discoverable inherent value aside, so far, he is offering only the appeal of acting on a completely disinterested, non-partisan view of the totality of nature. *But what if, like the sceptic, moral agents generally are unmoved by this attraction?* Rolston needs to explain why acting on his view of nature is incumbent on moral agents independently of personal inclination. To the best of my understanding, Rolston does not do that.

The second problem attends Rolston’s claim that the parental environment ‘values’ natural projects inherently. *How does the mindless, seemingly goal-free production of organisms exhibit valuing?* Granted that organisms are produced at a cost in energy and time, it does not follow that the system which produces them, therefore, values them. All terrestrial creatures convert oxygen to carbon dioxide at a cost in energy and time; does it follow that they value carbon dioxide? In claiming that the ‘parental environment’ values organisms, Rolston pushes metaphor too far and threatens to anthropomorphise nature. Nature (or the ‘parental environment’) *produces* organisms: humankind *values* them or fails to.

### *A Third Argument*

So far, Rolston's position needs the support of reasons which his axiology does not clearly provide. However, there is a further, and seemingly more direct, argument contained in the following passage:[14]

Within the community of moral agents one has not merely to ask whether x is a normative system, but, since the norms are at personal option, to judge the norm. But within the biotic community organisms are amoral normative systems, and there are no cases where an organism seeks a good of its own that is morally reprehensible. The distinction between having a good of its kind and being a good kind vanishes, so far as any faulting of the organism is concerned. To this extent, everything with a good of its kind is a good kind and thereby has intrinsic value.

But the last sentence of this passage is, apparently, a logical *non sequitur*: to say that cats have a feline 'good' (in other words, a good relative to cats) which they pursue does not entail that cats are good in themselves. *How should we read this argument?*

#### *Is The Aids Virus A Good Organism?*

I shall start with an example which illustrates the argument's problems, then move to a more general understanding of (what I think are) their logical roots. Rolston writes (Proposition 1): "...within the biotic community organisms are amoral normative systems, and there are no cases where an organism seeks a good of its own that is morally reprehensible." Certainly, the AIDS virus is amoral, and we cannot blame it for being destructive as it fulfills its *telos*; therefore, we can agree when Rolston says that it seeks a good of its own which is not morally reprehensible. Rolston continues (Proposition 2): "The distinction between having a good of its kind and being a good kind vanishes, so far as any faulting of the organism is concerned." For the AIDS virus, this good is presumably to prosper and replicate within its host, and so an AIDS virus which acts towards this end is a good (kind of) organism. This may seem odd, and the sense that something is awry grows when Rolston concludes (Proposition 3): "...everything with a good of its kind is a good kind and thereby has intrinsic value." Disease carrying viruses are, generally speaking, nasty things to have around, and, on an everyday assessment, the AIDS virus is more likely to be judged unequivocally bad.

However, Rolston seeks to overcome our reluctance to accept Proposition 3 by invoking a novel moral outlook, a broad 'ecological perspective', which is the view from the 'parental environment' mentioned above. It is essentially the view that nature itself might take of constituent organisms were it somehow possessed of a single mind. Rolston grants that organisms which cause disease may initially appear bad from an everyday moral perspective, or from the perspective of some particular organism, but he defends their inherent goodness by claiming that, "if we enlarge the perspective it typically becomes difficult to say that any species is a bad kind overall in the ecosystem." [15]

#### *Rolston Is Equivocating*

But this does not put Rolston's argument right. First, it is not inconceivable that an organism might be judged bad even from the ecological perspective. Imagine a giant killer cockroach which threatens

to destroy everything else on earth before dying itself from starvation. Is this not a 'bad' organism? If so, and if giant cockroaches still have a good of their kind, then Proposition 2 is false.

Second, Proposition 1 does not entail Proposition 3 whatever is claimed for the ecological perspective. Proposition 1 asserts that an organism like a giant cockroach is not morally reprehensible because it is amoral. But if it is, therefore, inappropriate to pass moral judgement on the cockroach, then it cannot be consistently claimed, in Proposition 3, that the cockroach belongs to a 'good kind'. All that can be said in conclusion is that the cockroach belongs to a *morally neutral kind*. Alternately, if the cockroach *can* be judged according to some (ecological?) perspective in Proposition 3, then the cockroach can also be found 'morally reprehensible' according to the same perspective in Proposition 1. Thus, Rolston's argument equivocates between different evaluative criteria in going from Proposition 1 to 3. This equivocation may be understood as requiring us to attribute two different senses of 'good' to Proposition 2. When we say that an organism is "a good of its kind", we are making a morally neutral judgment; when we say that an organism is of "a good kind", we are making a moral judgement.

Shorn of this error, Rolston's argument no longer supports the conclusion that organisms have intrinsic value. At best, it can be claimed that most organisms are morally neutral. It will then be up to subsequent human judgement to colour a particular organism good or bad, or simply to acknowledge that, for moral purposes, the organism is strictly neither. This is akin to the point made earlier when it was suggested that it is nature which produces organisms, but it is humans who accord them value.

Thus, in general (and the point bears repetition), although all living organisms may have goods of their own, and although we may agree that none of these goods are morally reprehensible, it does *not* follow that all living organisms are good in themselves (and have intrinsic value). Furthermore it seems unduly anthropocentric – and, therefore, incongruous with ecosophism's move *away* from human centredness – to paint the universe in bright moral colours when we could have an initially neutral view less obscured by human concerns and interests.[16]

### *A Vehicle Inadequate To Our Needs*

As matters stand now, Rolston's eschewal of the relational account of value, his failure to provide clear reasons for moral agents to value all living organisms, and the logical difficulties just described, make his vitalism hostage to sceptical criticism. His arguments are, therefore, unlikely vehicles for ferrying us across the mattering gap.

Even so, there is beauty and power in Rolston's search for a radically new kind of moral vision which should be acknowledged and which I cannot do justice to here. When Rolston argues that, as moral agents, we should attempt a less anthropocentric perspective, taking some of our moral cues from nature while paying less attention to our own immediate interests, Rolston is saying what ecosophists generally believe. Somehow – and as yet it is certainly not clear why – there is an intuitive rightness about the claim that human dealings with the nonhuman world should be informed by the sense that it has value in itself, not just as a means to human ends. Perhaps Taylor can build an argument which meets the need. He is more *explicit* than Rolston when handling the metaphysical and logical problems which seem to result from basing moral change in ecology.

## TAYLOR'S VITALISM

### *Parting Company With Rolston*

Like Rolston, Charles W. Taylor argues that because all living organisms are teleological, they all have inherent goals towards which they may be helped or hindered by events. Thus, all living organisms are things on whose behalf it is possible to act.[17] Also like Rolston, Taylor claims that living things, and their goals, have inherent value; however, Taylor's strategy separates from Rolston's when he insists that inherent value is ascribed and not discovered. Taylor asks us to "keep in mind that inherent worth is not some mysterious sort of objective property...that can be discovered by empirical observation". Rather, claiming inherent value for something requires giving "good reasons for ascribing that kind of value to it",[18] and the task Taylor sets himself is to enunciate reasons for ascribing equivalent inherent value to each living organism.

### *The Structure of Taylor's Argument*

Taylor's argument has three main components, a "biocentric outlook" which informs and encourages a "fundamental attitude" towards the nonhuman world and, in turn, provides reason to ascribe equal "inherent worth" to all organisms. Taylor describes the biocentric outlook as a "belief system" which is "internally coherent and well ordered" and "consistent with all known scientific truths".[19] He makes plain that this belief system is not intended to be mandatory for 'rational' agents, in the way that belief in the capabilities of my word processor might be: Taylor states that he cannot charge those who reject the belief system with either a failure to ignore evidence or with strict inconsistency. Taylor also notes that he cannot justify the fundamental attitude which the belief system supports by referring to "a more general attitude or a more basic normative principle." [20] Thus, the ascription of inherent value to organisms depends on a fundamental attitude which is entirely *supported*, but not *compelled*, by the belief system known as the 'biocentric outlook'. Corresponding to these three components, Taylor's argument moves towards moral expansion in three steps.

### *Step One: The Biocentric Outlook*

Step one presents the ecological belief system which Taylor calls the "biocentric outlook". It is the least controversial feature of his argument, and it is similar to (but more literally described than) the ecological perspective which Rolston recommends. It comprises the following perceptions:

- All living organisms are parts of an interconnected web of ecological relationships. Each and every organism depends for its well being on other parts of this web establishing a network of dependency.[21]
- Within the network, each organism is a teleological system pursuing 'goods' of its own.[22]
- From an ecological perspective, there are no discernible criteria according to which any particular organism is of more importance or 'value' than others. This fundamental ecological equality extends to humans: to emphasise the point, Taylor reminds us that humans are just one relatively new kind of organism amongst many, and could be removed from the biotic community without harming much else.[23]

In sum, the biocentric outlook posits that, just as all humans have equivalent importance from a disinterested moral perspective, so all living organisms have equivalent importance from a disinterested, biocentric perspective. One need not be an ecologist to find this view familiar; it is becoming a cliché of popular culture. *But is it a cliché we should accept?* Of the perceptions which comprise the biocentric outlook, the first two are hardly deniable. And any reservations concerning Taylor's final claim will be held over until his position is fully sketched.[24]

### *Step Two: The Fundamental Attitude*

The next step in Taylor's argument is to urge that, given the biocentric outlook, a certain normative, 'fundamental', attitude is a reasonable consequence. The attitude may be characterised as *profound ecological humility*, and it involves what Taylor calls the "denial of human superiority". In essence, the fundamental attitude is a willingness to be guided in our decisions and actions by the biocentric outlook. Although the outlook may initially appear to involve only a 'detached', 'scientific' assessment of the way the world is (an interesting intellectual construct, but of small consequence to our immediate concerns), Taylor has no intention of leaving matters there. He urges that we make the outlook a part of those everyday beliefs which inform our behaviour; thus, granting the biocentric outlook normative force. (The question, *Why should we do this?*, will be raised as soon as we have a complete outline of Taylor's argument.)

### *Step Three: Equality Of Value*

Step three argues that the fundamental attitude makes it reasonable to ascribe equal inherent value to the realisation of each living organism's particular good. Taylor begins by urging that if all living organisms are equally important, then no organism pursues a good which is more significant than that of any other. In consequence, it is reasonable to ascribe equivalent inherent value to the realisation of the goods of *all* living organisms.[25] Unless, of course, there are other considerations to take account of.

With such a possibility in view, Taylor notes that although the denial of human superiority and the fundamental attitude offer no basis for claiming that humans, or any other creature, have goods which are of greater inherent value than those of other living organisms, there remain well accepted criteria according to which humans *do* have special merit: human 'rationality' is an obvious example.[26] However, Taylor urges that criteria like rationality are inadmissible — at least at the level of initial value attributions — because they are already informed by a uniquely *human* concept of value. If and when invoked, such criteria automatically accord humans special significance; thus, they elevate human worth and beg the question what inherent value different entities have. As Taylor puts it:[27]

To use...standards based on human values is already to commit oneself to holding that humans are superior to nonhumans, which is the point in question.

### *A Large Burden Of Proof*

Thus, Taylor reaches the deeply controversial conclusion that the realisation of each organism's good should be ascribed the same inherent value. For moral purposes, you, and I, and a cockroach all start out equal. It seems fair to say that this egalitarianism is a radical departure from received moral

thinking and requires a major shift in moral emphasis, rather than developing or extrapolating tendencies or traditions already found there.[28] In consequence, Taylor has a considerable burden of proof to support, and there is reason to think his argument inadequate to the strain.

#### *A Deeper Similarity To Rolston's Position*

Note that one may accept the biocentric outlook while *refusing* steps two and three of Taylor's argument because the biocentric outlook is morally neutral and has no normative force. All the outlook claims is that every living thing 'pursues' its own good, and that ecology offers no basis for saying that the good of one thing is more significant than the good of another. But this is consistent with the conclusion that *nothing* has inherent value as well as with the conclusion that *everything* does. It is only when (and *if*) we embrace the normative attitude introduced at step two, and grant (some) moral significance to an ecological perspective, that Taylor's argument moves to its conclusion.

Thus, in at least one other important aspect, Taylor's argument is similar to Rolston's. Like Rolston, Taylor wants to invest a seemingly scientific and morally neutral description of the world with moral significance. *But why should we do that, rather than insisting that morality, which is a human artifact and has its own traditional sources of value in human (and, possibly, sentient welfare) is something distinct and separate?* In other words (and, again, the point bears repetition), 'nature' and ecology are morally neutral, and we need to be shown why human morality should, in any way, take its lead from them. Taylor's argument works by granting moral force to what is, initially, a morally neutral description of the world, and it is fair to seek reasons for allying morality to that description, particularly in view of the consequences Taylor pursues.[29]

#### *An Exercise In Attitude Adjustment*

To the best of my understanding, Taylor does not do this. Although he ably *describes* the kind of attitude he wants us to adopt, he does not provide clear reason why we *should* adopt it. Instead, Taylor simply advocates that we make the biocentric outlook "part of the conceptual framework through which we understand and perceive the world", and he claims that we will then "develop the disposition to view the world" from the standpoint of other organisms, to ascribe inherent value to them, and to take account of their good.[30]

This is akin to an exercise in meditation. Seemingly morally neutral, 'scientific', claims about the world are adopted, and the world is viewed in light of them. Attitudes and values then begin to change and to harmonise with the originally 'neutral' perceptions. The process may well work, *But why should we indulge it?* Humanists and sentientists who want to insert a wedge between the two ends of the process can fairly insist that Taylor provide reasons. And Taylor only says that the process will *become reasonable* once we begin it.

#### *Pragmatic Considerations*

Personally, it seems obvious that vitalism — like the movement from ecology in general — is motivated by the sense of environmental crisis hovering over late 20th century thought, and that this has much to do with why vitalism appears so reasonable to its proponents. Given the damage human action is causing, it *is* reasonable to reach for a new moral vision, and it *is* reasonable to think that if

we are guided more by what we find in nature, we will do less harm. However, neither Goodpaster, Rolston, nor Taylor make this pragmatic concern explicit, and it is not a possibility I want to explore until the survey of current accounts of moral scope is complete. There is more to learn from the current approach to vitalism, and there is ecosophism yet to consider.

## AN UNACKNOWLEDGED COHERENCE WITH TRADITION

### *Can One 'Act On Behalf Of' Nonsentient Organisms?*

So far, Rolston and Taylor have been credited with the view that moral agents can 'act on behalf of' nonsentient organisms, and I have presented this as an accurate view. (The problem, I have said, is furnishing good reasons to do so.) However, that may be disputed. As noted earlier, there is 'something it is like' to be a creature with a psychology which provides an alternative point of view for a moral agent to identify with. Thus, we can listen to a hungry cat and understand that there is a world from her perspective. We can then take that perspective into account when making decisions, and act in the cat's psychologically based interests. But (in Nagel's phrase) there is nothing *it is like* to be a tree. In consequence, it may be argued that whereas sentientism can invite us to use imagination and empathy to put ourselves in place of a cat, and ask us to act on her behalf, no amount of imagination can put us in place of a tree, or provide a 'behalf' to act upon. To counter this view, I shall close the present chapter by describing and discussing the similarity between all living organisms. Please bear in mind that what follows is *not* intended in *any way* as an argument for thinking that moral agents *should* act on behalf of nonsentient organisms: *it is not offered as an argument for moral expansion*. Rather, it is a further attempt to show that, were there adequate reason for moral expansion beyond sentientism, vitalism (at least) would not be so strange as sentientists imagine.

### *'Thinking Like A Tree'*

To start with the claim that we *can* act on a tree's behalf, a tree — as both Rolston and Taylor point out — is a dynamic, teleological organism, struggling to live and reproduce. In common with all living organisms, a tree's responses to its environment spring from a genetically determined *telos*, and the tree has clear needs. Thus, although the tree *experiences* nothing, events in the world can be *interpreted* in terms of their significance for a tree and its teleological development. In consequence, just as it is possible to act on a cat's behalf, because the cat has goals and can be helped or hindered in achieving them, so it *is* possible to act on a tree's behalf. Note, too, that this relatively unemotional calculation of what will benefit a tree is already the way in which a sensible, concerned sentientist often takes account of sentient nonhumans. Although imagination and empathy have their place, they can also be an unreliable guide to what actually benefits a nonhuman.

### *A Source of Commonality*

But there is more to the issue than this. Teleology entails that there is a generally unregarded similarity between humanist, sentientist, and vitalist concern for goal-oriented, living individuals, which contrasts markedly with ecosophism's concern for systems and non-living things. These similarities make crossing the mattering gap less strange, even if (as the Goodpaster-Sumner debate has shown) vitalists cannot appeal to a shared notion of 'interests'. Furthermore, although it may be thought eccentric or controversial to say so, I find that some degree of imaginative identification with

a tree's teleological struggle *is possible without anthropomorphising a tree, or resorting to metaphor, because of the similarities between all living organisms.*

### *The Similarity Between Organisms*

Suppose that, in the manner of a children's story, we tell a tale called 'The Life Of A Tree'. [31] The story is going to have many similarities to the story told of any other organism on earth precisely where there are dissimilarities from a story told of any nonliving entity we are yet familiar with. Trees, like cats, may either grow from parental seeds by sexual cellular combination and division, or, like more simple organisms, from offshoots produced by asexual cellular division. They do so according to a genetic blueprint contained within each cell, and by using fuel and materials actively sought from the environment. Conditions are favourable or unfavourable to their growth. Other organisms help or hinder them. Eventually, if conditions are sufficiently favourable, a tree, like all other organisms, reproduces in a manner which transfers all, or some of its genetic plan to a separate, similar entity. In time, and again like all other organisms, a tree's ability to replicate its own cells atrophies, and it dies.

Personally, I find this means not only can I take account of a tree's goals and tendencies of development, I can also empathise with the tree's struggle to live and flourish. As noted above, this may seem eccentric or controversial, but I think many gardeners, silviculturalists, and environmentalists will know exactly what I mean. Although a tree has no literal perspective on the world, and no 'sake' of its own in any psychological sense, it *is possible to 'feel' the sap flowing, the leaves budding, and the branches reaching to the light.* A tree or a plant is enough like us to permit some degree of identification and fellow feeling. Of course, in itself this is insufficient reason to grant moral standing to trees and plants (let alone enfranchise all nonsentient organisms), but it does make vitalism less odd. Were there good reason to embrace vitalism, this empathetic perspective would be a useful adjunct to the biocentric outlook.

### *The Objection From Choo-Choo Trains*

In response to all this, it may be said that it is possible to tell the same kind of anthropomorphising children's tale about almost any entity, even a 'choo choo train', as one critic has claimed. [32] But a tale about a train must lean heavily on metaphor, and it *does anthropomorphise*, whereas what I have said about the tree is literally true. Non-living entities do not grow by cellular division; they do not seek nutrients and energy from their environment and use them to build cells; they do not carry multiple copies of their own blueprints which are passed on to sexually, or asexually, created offspring; they do not die in the literal sense that their ability to replicate themselves, cell by cell, is lost. Thus, not only is it possible to act on behalf of any living organism, in the sense of acting in a manner congruent with its interests (in a broad enough sense) and its teleologically determined needs, there are similarities between living organisms, whatever their degree of complexity, where there are dissimilarities to non-living entities.

The extent of this similarity and dissimilarity can be illustrated by imagining that the train and the tree are both abandoned in your garden. You leave them there, and the train slowly rots; it is acted upon by its environment, but it never responds. The tree struggles to put roots into the ground and place leaves in a position where they catch the sun. The tree may succeed, thus growing, and

establishing a cluster of trees around and through the collapsing train. The tree is active and teleological. This is Rolston's point when he insists: "Nothing matters to a tree but much is vital." [33]

The critic may now point out that the train still rotting on my lawn could have been substantially benefitted by my actions. I could have kept the train painted, lubricated, and generally in good running order. *True*. There is no question that non-living entities can be benefitted or harmed by human actions. Just about anything in the realm of Austin's 'medium size dry goods' can be benefitted or harmed by human actions: all that is necessary is that we be able to affect them, and that we have some criterion for distinguishing positive from negative changes. This is the realisation informing Sumner's fear that a concern for affect-free interests is a potential juggernaut. However, just as the point was not really germane when Sumner raised it, so it is not the point in question here. I am trying to show that vitalist concerns are similar, in some ways, to sentientist ones. It is irrelevant that just about any entity can be benefitted and harmed, because what links all living entities is *more* than the mere capacity for benefit and harm.

### *How To Stop A Juggernaut*

What may make humanists and sentientists more comfortable about my claim is a way of spelling out the similarity between all living organisms which will also explain why trains are *not* likely candidates for moral consideration, at least on vitalist grounds.[34] In light of what has been said about teleology, this can now be readily done because, unlike a tree, *a train does not have goals and tendencies of development which spring from the train itself*. In so far as a train has a goal, it is the consequence of the purpose which humans manufactured the train to fulfill. Thus, a train offers only second hand human purposes to act on behalf of. By contrast, a tree's teleology is utterly independent of human activity.[35] In acting 'on behalf' of a train, we are, therefore, acting on behalf either of humankind in general or of certain particular humans. But in acting on behalf of a tree we are taking the part of an independent, teleological entity, which is in the world independently of humans and, aside from nuances of hybridisation and silviculture, is the way it is independently of humans.

In other words, a train is a human project. But a tree is a 'natural project' (to use Rolston's phrase) in just the same way as a tiger. The point of vitalism is to offer reason for enfranchising all living, natural projects. Human projects are another issue entirely.[36]

### *A Common Need For More Support*

Of course, the question still remains whether there are persuasive *reasons* for acting on behalf of nonsentient natural projects, and, for now, we lack them. As described earlier, Rolston's argument requires a seemingly fundamental account of inherent value which many will find puzzling and objectionable. Taylor grounds his account of inherent value in the biocentric outlook, but that, too, is fundamental to his position while being open to doubt. Both fundamental assumptions can be described, and recommended, but because they are at the ground level of vitalism (so to speak), they are unsupported by other principles or premises, and it is hard to know how they might be argued for without question-begging. At the same time, it does seem reasonable to require independent support for something which yields such serious consequences.

Thus, this chapter in the debate between vitalism and its critics ends in an impasse similar to the one we faced when all three utilitarian sentientisms were rejected by humanism. Vitalism and sentientism are in the same boat in being convincing only so long as we accept a particular, fundamental conception of normative significance. However, in the case of sentientism, it was argued that this need could be met by offering an account of morality's function supportive of sentientist goals. Vitalism, too, could reasonably hope to satisfy critics by offering an account of morality's function showing why morality should be allied with a broadly ecological perspective.[37] And, as noted earlier, the obvious source of support is the environmental concern which motivates vitalism. *But how should this be made part of a compelling account of morality's function which will justify moral expansion?* So far, the literature offers no suggestions, and (also as noted earlier) I want to explore ecosophism before attempting to sketch a possible answer.

## Chapter Eight ECOSOPHISM

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Even though the arguments for vitalism may seem radical and controversial enough in themselves, the contemporary thrust for moral expansion still has considerable energy. Beyond vitalism, lie those arguments classified as 'ecosophist', arguments designed to extend the moral franchise to species, ecosystems, and even non-living natural entities like mountains. Two different forms of ecosophism will be our primary concern. The first is based on Rolston's development of a position going well beyond the case for vitalism previously discussed. The second is commonly known as 'deep ecology', although Warwick Fox has recently argued that the position would be better designated 'transpersonal ecology'. [1]

Note that ecosophism will be not explored in enough depth to provide a complete or historical survey of its claims. My purpose is only to try to show that, like vitalist, and even sentientist, arguments, current ecosophism is open to criticisms which it only partially answers; consequently, debate between ecosophists and conservative critics quickly tends towards an impasse. Note, too, that as discussed earlier, developing a generous, but broadly acceptable, answer to the initial question involves showing reasons for expansion which speak to the more conservative views of morality. This concluding chapter of exploration will establish that a paucity of such reasons is a general weakness of the movements for expansion; it will then be timely (in Part Four) to review what the movements from interest and ecology *have* demonstrated, and to begin seeking an alternative strategy.

### ECOSOPHISM BY STAGES

#### *A Familiar Strategy*

Rolston's argument for ecosophism develops in stages reminiscent of Singer's expanding circle. The first stage is the argument for vitalism which has already been discussed. It featured two central claims: First, all living organisms are teleological entities with goods of their own which a moral agent can act to promote or hinder. Second, all living organisms have an inherent value. As discussed in the last chapter, Rolston writes as though these are relatively independent 'co-premises' of vitalism during the expository stages of his argument, but, elsewhere, he seems to wish to link them deductively. I shall not re-open the issue here.

With vitalism as his basis, Rolston now goes further, claiming moral standing for species, ecosystems, and, finally, non-living entities. He does not quite claim that these are also teleological, but he does make the analogous claim that they have "headings" which moral agents can promote or hinder. [2] Rolston also proposes a second kind of noninstrumental value, "systemic value", in order to provide reason for moral agents to act in support of naturally established headings. [3]

#### *Initial Reservations: 'Headings'*

The first thing to note about a 'heading' is that it is certainly not the genetically determined *telos* which figures in the argument for vitalism. Rolston describes it as what a non-teleological, but still

dynamic system tends to do over time. For example, he claims that *species* have a heading towards reproductive success within their environment, and that successful species have a heading towards stability.[4] Sharks, which have been evolutionarily stable for millions of years, provide a good example of both these headings. Ecosystems, according to Rolston, have a heading towards diversity and stability, and old growth forest would appear to provide an example of this heading.[5]

However, despite these examples there is reason to be sceptical about the 'headings' which Rolston identifies because alternatives are so readily available. Cosmology, for example, suggests that entire worlds and solar systems have a 'heading' towards final destruction, a collapse into inorganic simplicity and entropic stability which, apparently, pervades all aspects of nature. Another alternative heading is offered by the tendency of any one species to expand at the expense of other life-forms. Granted, outrunning the food supply usually acts as a check on numbers, but humankind – at least – has succeeded so far at colonising the ecosystem. Perhaps there is also a heading towards an ecosystem completely dominated by one highly successful species, with a reduced number of other life forms preserved by it for its own purposes. Thus, it would seem that, without a lot more being said, no particular heading can be offered as a guide to morally right action.[6]

#### *Initial Reservations: 'Systemic Value'*

The notion of 'systemic value' is also problematic. According to Rolston, 'systemic value' is the value possessed by a system, or process, which (1) generates entities with inherent value, (2) has other than merely instrumental value, and (3) does not have inherent value. For example, Rolston claims that an ecosystem has systemic value. An ecosystem meets the first two positive criteria because it generates entities which have inherent value, and it is not instrumental to any goal. It meets the third, negative criterion, because, on Rolston's definition, the system itself does not have inherent value. This is because the system has no value *for itself*. [7] By saying that an ecosystem does not have value *for itself*, Rolston means that an ecosystem is not a teleological entity with goals of its own which it acts to defend and further. (Remember that, for Rolston, inherently valuable entities are ones which actively 'seek' their own goods, and Rolston claims that ecosystems do not do this.) Rolston contrasts an ecosystem with a bird. A bird acts so as to ensure its survival; therefore, a bird has *value for itself*, and, thus, inherent value. An ecosystem, according to Rolston, does not do this, and does not have value for itself.

Those of us who take a relational view of value, and who do not subscribe to Rolston's claim that inherent value is a discoverable quality possessed by entities, will find little reason, here, to distinguish 'inherent' from 'systemic' value. Entities which we value for what they are *in themselves* will all be classed as 'inherently valuable' and, like Rolston's non-relational account of value, this new notion 'systemic value' will be found unhelpful.

#### *A Third Element: 'Projective Nature'*

There is a third element to Rolston's argument. He discusses something called 'projective nature' which he portrays as a scene of restlessness and change, construction and decay. Nature is "full of projects", he says.[8] As an example, Rolston describes the condensation of gases into planets, the subsequent geological and geomorphological forces which shape and re-shape them, and what we apparently know of eventual planetary destruction. Rolston points out that science discovers no

point or purpose in this kind of activity, no goals and no teleology. However, viewed across time, he says, we find not only change but increasing complexity and variety in nature. We know that inorganic projects have been joined by organic ones as once bare mountains and empty seas became a home for life. Life-forms then speciated, and individual organisms grew more physically and psychologically complex. Ecosystems stabilized. Awareness and self awareness evolved. With this panorama before us, Rolston suggests that we already have reason to take account of more than the individual living entities enfranchised by vitalism. "What is an appropriate attitude toward such a projective system?", he asks.[9]

#### *But Why Does Projective Nature Warrant Moral Concern?*

Thus, just as when arguing for vitalism, Rolston's primary justification for extending moral concern to the ecosystem is a rich, detailed description of 'projective nature'. Also as before, there is no apparent rational requirement to accept the *moral* attitudes which, for Rolston, accompany his vision. Although 'projective' nature certainly warrants awe, that does not obviously translate into moral concern. Conservative critics of moral expansion will want reason for crediting such awe with moral force. What is more, it can be argued that because we humans are integral to the panorama Rolston describes, it is sufficient for us to rely on the needs, drives, and instincts which projective nature has provided, rather than struggling to extend morality beyond the human society where it makes best sense. We are, of course, seemingly destructive creatures, but destruction itself is integral to the dynamic processes Rolston describes. In short, what still needs to be exhibited is the link between Rolston's description of projective nature and a moral concern for species and ecosystems.[10]

#### *Living-Systems Ecosophism*

As in the case of vitalism, Rolston's descriptions and evocations can be understood in two ways. We can think of them as accounts of values 'waiting to be discovered' in nature, or we can think of them as an attempt to promote a fundamental attitude which makes it reasonable to *ascribe* values in nature. The former reading is more in keeping with Rolston's overall tenor, but he himself sometimes talks of an 'appropriate attitude' and, given that this enquiry has adopted a relational view of value, the latter reading is more germane. In light of the latter reading (and assuming that clear, unambiguous 'headings' can be identified), Rolston's argument can be understood in terms of an expanded biocentric outlook which includes species and ecosystems, and a fundamental attitude which involves a willingness to ascribe inherent value in accordance with the expanded biocentric outlook.[11] An argument for what might be called 'living-systems ecosophism' (individuals, species, and ecosystems) may then be sketched as follows:

Living individuals, species, and ecosystems all have 'headings' which moral agents can take into account when acting; thus, they are candidates for moral consideration. They are also 'natural projects', and if we take a disinterested, ecological view — an expanded biocentric outlook — we will find that they are all important and worthy. As Rolston notes, they are all developed at a cost in energy and time, and, therefore, they 'matter' from the standpoint of projective nature.[12] In other words, shorn of claims about discoverable value, living systems ecosophism can be argued for by making the same kind of appeal to an ecological perspective as was made in support of vitalism. However, in that case, whatever other shortcomings or problems the argument suffers from, it is vitiated in exactly the same way as the argument for vitalism. The ecological perspective itself is

morally neutral, and we must grant it moral force before the argument can take hold. *But why should we do that?* Rolston does not explain, and conservative critics are going to insist that it would be contrary to our moral traditions to do so. Once again (and as forecast at the beginning of the chapter), an impasse between conservatives and expansionists has been reached.

### *Non-Organic, Natural Projects*

Although it should now be clear that living-systems ecosophism requires further argumentative support if it is to satisfy the needs of this enquiry, it is worth briefly tracing the final step to a complete, fully 'ecological', ecosophism. Like individual organisms, species, and ecosystems, non-living natural entities are also natural projects within 'projective nature'. Thus, if species and ecosystems warrant moral consideration because *they* are natural projects, then there is reason to think that non-living natural entities may be considerable too. As Rolston points out:[13]

Crystals, volcanoes, geysers, headlands, rivers, springs, moons, cirques, paternoster lakes, buttes, mesas, canyons – these are also among the natural kinds. ...They do not have wills or interests but rather headings, trajectories, traits, successions, beginnings, endings, cycles which give them a tectonic integrity. They can be projects (products) of quality.

And so, too, can pebbles, breccia, sand, stagnant puddles and anything else projective nature yields. If traditional criteria for assessing 'quality' are to be set aside so completely, there is little to stop us enfranchising all the world's 'natural' furniture. (And perhaps even some which is made by humans.) Thus, even pebbles *will* appear to have a moral claim upon us when viewed from a suitably biocentric perspective. After all, they are (as Rolston so beautifully puts it) reconstituted star dust, and they arguably have a 'heading' in the sense that they are part of a tectonic cycle.[14]

*Is this, then, a clear reductio of the attempt to extend the moral franchise so far beyond the traditional limits imposed by humanity and sentience?* Not necessarily: it is the experience of otherwise reasonable writers that, if a serious attempt is made to view the world from a sufficiently disinterested ecological perspective, a profound appreciation of non-living as well as living nature develops, and this proves a fertile ground for moral change. However, in that case, the question *why* we should adopt such a perspective and imbue it with moral force simply becomes more pressing.

### BRENNAN'S ARGUMENT

#### *'Functionlessness'*

Before turning to deep ecology, I am going to consider a much briefer, and conceptually simpler argument for moral expansion. It too, exhibits the need for additional support which is characteristic of ecosophist arguments. Andrew Brennan has proposed extending moral consideration "to all intrinsically functionless natural things".[15] His claim is that we can distinguish between naturally occurring entities and human artifacts in terms of 'function', and that the distinction between considerable and inconsiderable entities should coincide with this separation. In consequence, he recommends a fully ecological ecosophism (living systems plus non-living natural entities) just as Rolston does.

## *'Functionlessness' Has Moral Claim Upon Us*

To appreciate the distinction Brennan is describing, suppose that you are unfamiliar with an entity, E. Brennan claims that so long as E is naturally occurring, I can explain to you what it is like without any need to refer to E's function: you will gain a good understanding of E without me saying what E is *for*. However, in the case of a human artifact, my telling you what E is for is essential to your understanding. Thus, Brennan claims an as yet 'morally neutral' distinction between naturally occurring entities and human artifacts.

If the basis of Brennan's distinction seems questionable, let us grant it for now, for argument's sake, in order to pursue another problematic question. *Why*, we may ask, *should 'functionless', naturally occurring entities be granted consideration?* Apparently, Brennan's answer is that 'functionlessness' has a moral claim upon us although he leaves the precise nature of that claim unclear. Even so, a possible reading suggests itself. Brennan's appeal to 'function' can be understood as an attempt to separate entities created by humans in order to serve human purposes from naturally occurring entities which exhibit goals or 'headings' as part of their natural endowment. At least one philosopher has suggested that, in the case of living entities, the possession of an 'end of its own' entails that an entity *is an end in itself*, hence considerable.[16] Brennan, I think, is relying on a similar view, while going a stage further and seeking to enfranchise all naturally occurring entities. However, it is far from clear why, from the vantage point of rational morality, an entity should be deemed an end in itself just because it has an intrinsic *telos* or heading. If the matter were so simple, this enquiry could be begun and ended in a matter of pages.

### *Appealing To Chief Seattle*

As an apparent adjunct to this argument, Brennan also claims that, at other times and in other places, consideration *has* been extended to all naturally occurring entities. Brennan quotes at length from a speech supposedly given by Chief Seattle in 1854, whom he represents as a kind of naive ecosophist. For example:[17]

Our dead never forget this beautiful earth... We are part of the earth, and it is part of us. The perfumed flowers are our sisters; the deer, the horse, the great eagle; these are our brothers. The rocky crests, the juices of the meadow, the body heat of the pony, and man — all belong to the same family...

Unfortunately, it seems that although Seattle *did* give a speech in 1854, this passage is not from it.[18] However, even if these were Seattle's words, and even if it could be shown that Seattle *was* both an early ecosophist and a reliable representative of (certain aspects of) North American aboriginal culture, it still would not follow that there is reason for *us* to follow Seattle's lead. What Brennan needs to offer us is reason why *we* should become ecosophists, and this he does not do.

### *But What About Cats and Sheep Dogs?*

An additional, and serious, problem for Brennan is created by his original distinction between *functionless* and *function-defined* entities because it does *not* effect a clear, morally acceptable separation of entities. For example, my cat Trilby, with whom the enquiry began, was a 'domestic short hair', probably descended from north African wild-cats domesticated by the Egyptians. These

cats have been purpose bred over thousands of years in order to accentuate qualities like their compatibility with humans and their delight in killing rodents. *Is it really possible to explain what Trilby was like without reference to a domestic cat's function as human companion and rat-catcher?* I doubt it. *Does that mean my cat lacks moral standing? If so, then what of plough-horses, sheep-dogs, and the many other creatures bred by humans for specific characteristics?* Such creatures exhibit a blending of human and innate goals, and they inescapably straddle the line Brennan wants to draw. In a similar manner, nonsentient entities like planted forests and rivers are also 'natural' but 'functional'. Thus, it seems the division between considerable and inconsiderable entities cannot be tied to a distinction between intrinsically functionless and function-exhibiting entities.

## DEEP (AND TRANSPERSONAL) ECOLOGY

### *Naess's Egalitarian, Non-Axiological Legacy*

Deep ecology, which is the philosophical child of Arne Naess's fecund 'retirement', [19] is even less like a conventional moral argument than the proposals offered by Taylor and Rolston. Not only does deep ecology present a case for fully ecological ecosophism, that case is built around an ecosophist world-view which arguably has more in common with religion than contemporary philosophy. Even so, I shall attempt to offer a sympathetic reading of deep ecology based primarily on Warwick Fox's exposition of Naess and of Fox's own 'transpersonal' ecology. [20]

The first thing to note about deep ecology is that it is egalitarian — it refuses humanity privileged moral status and rejects any moral hierarchy of entities — and it is non-axiological. [21] The second thing to note is that deep ecology is presented as a *moral option* rather than as a position incumbent on rational agents: [22]

Specifically, the fact that transpersonal ecologists [i.e. deep ecologists] are not in the business of wanting to claim that their conclusions are *morally binding* on others means that they do not attempt to *prove* the correctness of their approach. They present their approach as a realistic, positive, option...

Thus, deep ecology may be thought of as an *ethos*, a recipe for an entire way of life in the Aristotelian mold, which, unlike the Aristotelian recipe, makes no claim to be uniquely right. [23] In light of this, it is unsurprising that deep ecology, too, will be found to lack the resources for providing conservative critics with broadly compelling *reasons* for moral expansion. However, I shall conclude this chapter by urging that deep ecology's focus on self-realisation is suggestive of a move towards such reasons.

### *The Foundational Claims*

The essence of deep ecology can be understood in terms of a now familiar structure. There is a world-view — roughly a version of the expanded biocentric outlook — which supports and justifies a fundamental attitude; the attitude then justifies ecosophism's radical expansion of the moral franchise. The world-view is itself ecosophist, and is summed up as follows by Fox: [24]

in metaphorical terms, 'separate things in the world' should be thought of as eddies, ripples and whirlpools in a stream ('unity in process') rather than as bricks that are totally self-contained and self-sufficient.

In other words, all separate individuals and entities are inter-dependent. For some purposes, what we usually think of as discrete individuals are best thought of as multiple aspects of a single larger entity. This is quite different from the 'world-view' usually adopted by analytic philosophy, which tends to describe a universe of irredeemably separate items. However, the ecosophistic perspective has its precedents. Fox calls modern physics, Spinoza, Hinduism, Buddhism, and elements of Christianity in aid.[25] But, although these references may lend ecosophism intellectual respectability, they do not, in themselves, explain what it involves. I shall briefly sketch an understanding of deep ecology's world-view.

### *'Field' And 'Knots'*

Deep ecology begins by asking us to recognise that everything in the world is interconnected in the ecological sense. This is pretty much what the science of ecology and 'environmentalism' already propound. Roughly, the idea is that all aspects of our world – the food chain, the climate, and even geomorphic features – are causally related. Change to one kind of entity, in one particular place, will inevitably have other effects elsewhere.

Going a step further, we are then asked to understand that the divisions defining separate entities are fluid and temporary. From other perspectives, they are even sometimes less important than the overall "field" within which discrete entities are "knots".[26] This step is potentially more puzzling than the first. It apparently involves thinking of our world as made up of dynamic processes – construction, decay, and the play of energy – rather than as a collection of relatively stable entities. As an analogy for the change of perspective deep ecology is now suggesting, consider our view of geological and geomorphic features. On a human time-scale, mountains, for example, are distinct, permanent entities. But over geological time they are constantly changing. In general, when viewed across geological time, geological and geomorphic features are fluid. They are like waves in a lake, which build, interact, and subside. What is more, from the standpoint of geology, this dynamic process is sometimes more significant than the individual features themselves.

So far, nothing has been said about the human individual. But the consequences of the above perspective for our view of ourselves is crucial to deep ecology. Just as certain religious outlooks and practices seek a diminishment of 'ego' and a broadening of the sense of self, so, too, does deep ecology. Deep ecology urges that we identify our 'self' not merely with our own particular body, needs, and interests (the knot which is 'I'), but with the entire dynamic process constituting the world and its individual entities (the field which is 'I').[27] Quoting Alan Drengson, Fox puts the matter this way:[28]

Ecology Way practices extended self-identification...[which] involves an extension of one's concerns, commitments, and political actions. This sense of extended caring was expressed well in Spinoza's observation that we are as large as our loves.

### *Egalitarianism Founds A Fundamental Attitude*

Deep ecology's ecosophist world-view and extended notion of the self is now used to justify its defining concept, one which will also sound familiar by now, "the notion of biocentric (or biospherical) egalitarianism".[29] Biocentric egalitarianism recognises that all individual organisms are equal members of the biotic community, and all nonorganic entities are equal elements of the

natural infrastructure which supports that community. Deep ecology claims that from an ecosophic, biocentric perspective there is no reason to prefer the flourishing of one kind of entity over another, or to deem one kind of nonorganic entity more 'worthy' than another.

Note that this perspective is markedly different from Taylor's biocentric outlook, which extends only to living individuals like humans, cats, and trees. It is also different from the expanded biocentric outlook which I credited to Rolston, because Rolston, who does include non-organic entities in his expanded biocentric outlook, ranks 'natural projects' according to an appraisal of their relative importance from a biocentric perspective. In order to do this, Rolston, of course, relies on an appraisal of *value*. It is important to keep in mind that deep ecology is explicitly *non-axiological*: it attempts to move from the biocentric perspective to the claim that entities are considerable without any significant reliance on ascriptions of value.

Deep ecology's egalitarianism, coupled with the extended sense of self, is now used to encourage what I have been calling a 'fundamental attitude'. In deep ecology's own terms, biocentric egalitarianism encourages "the development of a state of being referred to by Naess as 'self-realisation' and by Devall and Sessions as 'ecological consciousness'." [30] My understanding is that this 'state of being' involves the acceptance of our own inseparable rootedness in the biosphere and our broadened sense of self, coupled with a readiness to give practical expression to our broadened sense of self. Thus, we become concerned to husband the biosphere for its own sake, not merely for instrumental reasons, and we extend moral consideration to all naturally occurring entities; we begin to act as though we really are coextensive with the nonhuman world.

### *Sharing A Common Strategy*

Some will wish to dismiss both deep ecology's metaphysics, and its claims about self-realisation as mysticism and religion. It will be said that deep ecology has little bearing on philosophical ethics in the western (and particularly the analytic) tradition. And, certainly, Naess did not see himself as 'doing ethics' in the traditional sense. [31] However, deep ecology does pursue a basic strategy common to the movement from ecology, and its apparent strangeness may be lessened by focussing on the more familiar aspects. Thus, it is important to note that, as explained above, deep ecology is proposing a biocentric outlook which supports a fundamental attitude characterised by a willingness to husband the non-human world for non-instrumental reasons and grant moral standing to all naturally occurring entities. The difference between deep ecology and the other vitalist and ecosophist approaches is largely a result of deep ecology carrying through the programme to establish a fundamental attitude more thoroughly. It treats the fundamental attitude, and ethics in general, less as a conceptual issue and more as a matter of who we are and how we experience ourselves in the world. It is this thoroughness which moves deep ecology in the direction of metaphysics, religion, and the construction of an *ethos*.

### *'Showing How' Rather Than 'Arguing For'*

But whatever the similarities and differences between deep ecology and the rest of the movement from ecology, from the point of view of this enquiry, they share a common failing. Deep ecology does not address the question *why* we should adopt the biocentric outlook, or grant moral significance to it. Indeed, both Naess and Fox explicitly eschew any attempt to do so; they are offering us an option

which we are quite at liberty to set aside. It is apparently their view that if we begin the move towards biocentrism, it will gain a momentum of its own, and we will end up radically changed.

In defense of this strategy, it may be fairly said that deep ecology invokes *a different kind of argument* than we are used to. Naess and Fox are showing us how to *achieve* an expanded sense of moral significance rather than how to *argue for the reasonableness* of such an expansion. However, this enquiry *does* need to argue for the reasonableness of moral expansion (if it is to endorse moral expansion) because it is an enquiry committed to seeking reasons which speak to humanist and sentientist intransigence. In consequence, we will soon have to look elsewhere than to deep ecology for a means of answering the initial question.

### *Suppose We Forced The Issue*

Before we do conclude this discussion of deep ecology, let us suppose we *insisted* on deep ecology arguing in a way which *would* supply humanists and sentientists with reason to work towards an expanded sense of moral significance mentioned above. Two possible approaches suggest themselves: On the one hand, deep ecology might focus on making the case for its ecosophist world-view, then attempt to show that its account of moral scope is in some way *entailed* by that world-view. On the other hand, it might be argued that deep ecology is a particularly *reasonable and rewarding response* to the world-view.

My understanding is that these alternatives are not clearly distinguished by deep ecology, nor followed up. However, deep ecology's emphasis on 'self-realisation' and a truly rewarding way of life does suggest that it is oriented more towards the second strategy than the first. As Fox writes, self-realisation is the process by which "we realize a larger sense of self", [32] and quoting Naess: "My concern here is the human capability of identification, the human joy in the identification with [for example] the salmon on its way to its spawning ground". [33] Naess also writes that self-realisation "results in acting more consistently from oneself *as a whole*. This is experienced as more meaningful and desirable, even if sometimes rather painful." [34] In other words, deep ecology and moral expansion are being presented as *having positive consequences for humans*. This is a way of thinking about the initial question which we have not encountered since discussing humanism. Thus, the most conservative and the most generous accounts of moral scope share a common concern, even if it is more prominent in one account, and even if it is allied to profoundly different ideas about moral standing. The importance of this may not be immediately apparent, but I shall suggest, in Part Four, that much might be made of it.

PART FOUR: THE MOVEMENT FROM PRAGMATISM  
(Possibilities Of A New Direction)  
Chapter Nine  
TRANSCENDING INSTRUMENTALISM

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Parts Two (The Movement From Interest) and Three (The Movement From Ecology) support conclusions which mark an end to our journey of exploration, and, thus, an end to the enquiry's main task and primary *raison d'être*. Briefly stated, humanists are free to reject sentientism, humanists and sentientists are free to reject vitalism, and all three are free to reject ecosophism. Despite all that has been said in favour of the arguments from expansion, there is no rational compulsion to move beyond moral humanism.

An explanation of this situation is also now to hand: Each answer to the initial question, *Which entities are morally considerable?*, is grounded in a unique moral outlook which (at least in the case of humanism and sentientism) includes an explicit account of morality's purpose and (particularly in the case of vitalism and ecosophism) involves an axiology and an understanding of what constitutes meaningful moral argument which is quite different from that espoused by the other accounts. Each of these distinct moral outlooks is *rationally* sound; moreover, each of the major accounts of moral scope is informed, overall, by moral notions which are *foundational*, even *axiomatic* to that position. Thus, it is seemingly impossible to delve any deeper in search of justification, and argument about the initial question quickly reaches an impasse.[1] Such debate as there is must, apparently, either involve arguments which beg the question or consist of laying out the relative merits of a position. Or is there a third alternative? The purpose of the present chapter is to *suggest* another possible kind of approach. In the final chapter, I shall then attempt to sketch the kind of account of moral scope which that approach might yield. Thus, the present chapter will outline the *logic* of a possible new approach to the initial question, and the final chapter will draw out its likely *consequences*.

## TWO CHOICES

### *A Not Unfamiliar Problem*

The impasse which debate about the initial question has now generated is not unique in moral philosophy. The debate between utilitarian theorists like Singer, and those who advocate a nonconsequential approach to ethics, also requires each party to call the other's fundamental perceptions into question. As yet, there is no generally accepted way to proceed under such circumstances. And, in the case of the present enquiry, that means there are now two broad choices before us.

### *Choice One*

The first choice is to rely on time and continuing debate to focus and resolve the issues raised by the initial question; eventually, a clear and definitive answer will probably emerge. To take part in this debate we must further explore the relative strengths and weaknesses of positions and try to amplify the virtues of any which we prefer. And, for many of us, this will be an unsatisfactory option. Sentientists are motivated by the weight of continued nonhuman suffering, and vitalists and

ecosophists are motivated by the perception that the nonhuman world, or at least those aspects of it on which humans depend, is being irreparably damaged. In general, expansionists view moral philosophy as an essentially *practical* undertaking, and an enlarged moral franchise as a way to reduce abuses practiced in the service of perceived human interests. And, it is surely too soon to simply accept, as some deep ecologists seem inclined to, that rational debate about moral standing has already run its course.[2]

### *Choice Two*

The second choice is a more impatient strategy. We can try to reformulate debate so as to speed up the process of selecting a 'most reasonable' account of moral scope in light of present knowledge and understanding. Given that each account is the product of a different informing conception of what morality is all about, the attempt must start by bringing those conceptions into contention. And given that the conceptions themselves are pretty much *axiomatic*, we cannot hope to dig yet deeper and find some hidden common ground which will offer a new basis for comparison. The alternative — the only other *possible* course — is to show that there is an existing vantage point which *does* offer a view of morality's purpose which all rational moral agents have reason to accept. If this can be done, that conception of moral purpose may then provide a criterion of acceptability against which to judge the various claims regarding moral expansion.

### *Looking Beyond The Present Horizon*

Thus, my *tentative* contention here will be that such a view of morality's purpose is available to us, and that it does furnish a criterion of acceptability which is a rational response to the strengths and weaknesses of the arguments considered so far. But let me stress, at this, the outset of Part Four, that although what follows *is* (in some ways) preparatory to a new kind of moral theory, it *is* still only a sketch, and it *is* tentative. The major task set for this enquiry was the critical exploration of current accounts of moral scope, and that has been completed. This final part of the enquiry is by way of a speculative look beyond the present horizon.

## REVIEWING AND EXTENDING FINDINGS

### *Assembling A Job Description*

But before we do begin to ask what might lie ahead, it will be helpful to review and draw together the major findings of Parts Two and Three. Doing so will not only show that the conclusions offered above *are* well supported; it will also enable us to pursue some extensions to those findings. Putting together all that we know about previous accounts of moral scope — their strengths and their weaknesses — will then enable us to sketch what is needed in an argument seeking to overcome the impasse that has been reached, in an ethic suitable for bridging the mattering gap. As in the main body of the enquiry, our starting point will be moral humanism.

### *The Humanist Challenge*

Moral humanism still presents a notable challenge to moral expansion; humanism's simple, original insistence that morality's proper business is limited to promoting human welfare need succumb to nothing that has been said so far. Granted humanism is no longer a hot item in the philosophical

literature, those who actively debate the need for moral expansion and environmental issues can hardly fail to notice that received morality and political thought still tends towards humanism.[3] This situation *may* be gradually changing under the weight of sentientist argument, and even as a consequence of the movement from ecology, but a more complete response to humanism would still be a most useful asset.

The problem is not just that humanism's view of morality's purpose is finally proof against anything expansionists have said; all kinds of strange moral theories could claim that. (For example, one could consistently adhere to the principle that only white males over forty have moral standing, and reject all attempts at dissuasion.) The problem is, rather, that humanism speaks for a long-standing tradition which not only limits moral concern to humans, but offers a highly plausible explanation of that limit. According to moral humanism, morality is a human artifact which exists in order to promote the welfare (and protect the rights) of reciprocating moral agents, and, by extension, the welfare (and rights) of *all* humans. Moral requirements and restrictions on our behaviour are ultimately justified because they do promote that goal. Because humanism speaks for the dominant tradition, and because humanism has a complete and systematic explanation of its position to hand, there is a considerable burden of proof on those who wish to achieve moral expansion.

### *Sentientism*

Sentientism's simplest response to humanism is the bare claim that a concern for nonhuman suffering is the consistent and reasonable companion to a concern for *human* suffering. If the well-being of young children, imbeciles, sociopaths, and psychopaths is morally relevant, then it is hard to understand why the well-being of sentient nonhumans is not. (This is roughly what I have called 'soft sentientism'.) However, as discussed earlier, humanists who are intent on resisting sentientism can probably find logically irreproachable grounds for enfranchising intellectually, and even morally, limited humans while disenfranchising nonhumans. Thus, in order to make a more rigorous case for expansion, hedonic and (particularly) interest-based sentientists adopt a more theoretically sophisticated approach grounded, respectively, in classical and 'preference' utilitarianism. However, both are problematic positions.

For one thing, although utilitarian moral theory does lend rigor to sentientism, it is far from being universally accepted. And it seems foolish to tie the case for moral expansion – for which broad support is being sought – to the claim that morality is primarily concerned with maximising pleasure or interest satisfaction and, thus, to partisan theorising.[4] For another thing, as became clear when discussing Sumner's view of moral expansion, utilitarian moral theory entails an account of moral scope which stops dead at the mattering gap: as Sumner points out, utilitarianism is only concerned with interests which are accompanied by affect. Moreover, as argued earlier, utilitarian calculations become clearly unworkable beyond the mattering gap (if not sooner).[5]

### *An Unacceptable Anchor*

This restriction of utilitarian ethics to the conservative side of the mattering gap entails a problem which is more serious than may first appear for those of us hoping to extend the moral franchise further. Utilitarian sentientists who also have vitalist sympathies may plan to *begin* the movement for

expansion using utilitarian theory, then embrace another kind of approach once the mattering gap is reached. But that is not only inelegant; it is unworkable.

If, for example, vitalism is espoused in addition to sentientism, then there will routinely be both sentient and non-sentient considerable entities to take into account when evaluating actions. It will, therefore, be necessary to blend and balance the recommendations of utilitarian sentientism and the vitalist theory. That will involve appealing to a third set of principles or considerations, and they might as well be directly formulated as a single, over-arching account of moral scope.[6] In other words, the attempt to work with utilitarianism plus some other basis for ascribing moral standing will usher in a new synthesis and eventuate in a novel moral theory.

A possible utilitarian response to this situation is to create a more generous, unified account of moral scope by broadening the interests which are ascribed moral relevance. Thus, 'interests' which are not accompanied by affect (such as a plant's 'interest' in water) might be taken into account. However, the problem of trying to make utilitarian calculations across such broadly conceived 'interests' then re-emerges. *How are we to calculate what would best maximise 'interest satisfaction' when human, sentient nonhuman, and vegetative 'interests' are all morally relevant? How are we even to compare such different kinds of interest?* Furthermore, even if utilitarian vitalism *could* somehow be made to work, any expansion beyond vitalism would have to overcome the (seemingly reasonable) objection that only living individuals can be ascribed interests.

I think we must conclude that a utilitarian ethic is quite incompatible with crossing the mattering gap. In consequence, those who support both sentientism and (aspects of) the movement from ecology require a non-utilitarian argument for sentientism as well as grounds for going beyond sentientism. Thus, utilitarianism is not just a moral theory which originates on the humanist side of the mattering-gap, it is a moral theory which is *anchored to*, and *anchors its proponents to*, that side.

### *The Movement From Ecology*

Just as humanism is free to stand aloof from sentientist pleadings, so sentientism may reject the movement from ecology. Indeed, the movement from ecology makes it increasingly clear, as it becomes more generous, that an *alternative moral option*, rather than a *rationally incumbent moral necessity*, is being offered. In addition, the movement from ecology suffers two main weaknesses. First, arguments like those constructed by Rolston must rely heavily on the claim that inherent value is a discoverable feature of the natural world, and that is a metaphysically puzzling view of value at best. Second, arguments like those constructed by Taylor and the deep ecologists rely on an initially morally neutral description of the natural world which we are then urged to imbue with moral force, and use either as a basis for *ascriptions* of inherent value (Taylor), or as an immediate basis for ascriptions of moral standing (deep ecology). But we are never told *why* we should grant moral force to the outlook and to the consequent changes in the way we perceive and respond to the nonhuman world. However, this is precisely the question which conservative critics of greater moral generosity will require an answer to.

At least one deep ecologist, Fox, has suggested that conservatives are invoking Hume's 'is-ought fallacy', here, and missing the point entirely. However, I think it is Fox who misses the point.[7] As noted at the beginning of the chapter, Fox urges that proponents of the movement from ecology are

making an *axiomatic* assumption about the basis of moral standing. However, my sense is that an *argument*, not just an *assumption*, is being offered, and that conservatives invoke no 'fallacy' in questioning it: it is reasonable to ask *why* the 'is' which supports the 'ought' should be imbued with moral significance. Moreover, if Fox is correct, and there really is no argument here, then there is also no reason why conservative critics should give the time of day to the movement from ecology. From the standpoint of this enquiry – which views the initial question as a pressing, and essentially *practical*, issue we must try to reach agreement on – that is not acceptable. The movement from ecology must seek, and display, *reason* for granting moral force to its informing world view, and for initiating the personal and attitudinal changes which it advocates.

### *The Appeal To Human Interests*

*How might these reasons be provided?* I noted during the original discussion of sentientism that, ideally, sentientism needs an account of morality's purpose which will claim humanist loyalty. (The insistence that morality is about maximising pleasure, or interest satisfaction, simply does not persuade humanists, who have their own conception of morality's function.) It was also noted during the discussion of vitalism that a supportive conception of morality's purpose would be the best response to both humanism and sentientism. Similarly, a conception supportive of ecosophism would help meet ecosophism's need to answer conservative critics. Thus, moral expansion in general requires the support of sympathetic accounts of 'what morality is all about'.

It is also notable that, in order to minimise controversy and increase acceptability, these accounts of moral purpose had best be free of indebtedness to any particular moral theory. Furthermore, because humanists are going to continue to insist that morality is properly concerned only with matters pertaining to the welfare of human beings, concern for our own welfare is going to have to be at least part of any broadly acceptable statement of moral purpose. Such a concern may, initially, seem contrary to the goals of sentientism and the movement from ecology. However, all parties to this debate should be able to agree that morality – which is, as humanists point out, a human artifact – must promote a beneficial and rewarding way of life for those who are guided by it, whatever else it does or does not achieve. Any group of people which adopts a morality that does *not* promote a beneficial way of life for them is either going to be unusually short lived or quick to adopt a different point of view.

Thus, the need for further support which is shared by the accounts of moral scope converges on a clearly anthropocentric requirement: *morality must promote a generally beneficial way of life for those individuals whose lives are guided by it.*[8] In consequence, there is a significant commonality between the movements and positions discussed in this enquiry. What is more, it is a commonality which promises the new vantage point and criterion of acceptability discussed at the start of the chapter because it should be possible to evaluate each of the different accounts of moral scope against the need to promote a beneficial way of life for humans. Initially, this return to anthropocentrism may seem a total collapse of both the movement from interest and the movement from ecology in the face of humanist intransigence; however, I am going to argue that is *not* the case. The trick is to use this *initially* anthropocentric conception of morality's purpose to support a radically generous moral franchise; thus, offering a means of resolving the impasse which debate over moral standing has reached.

In sum, then, if it can be shown that humans will, generally speaking, be better off in consequence of moral expansion, then there will be a reason for increasing the moral franchise which even humanists can be asked to accept. Furthermore, we will have a criterion with which to decide the approximate final size of the franchise because it should be at least as large as the concern for human welfare will justify.

## THE ARGUMENT FROM PRAGMATISM

### *A Logical Difficulty*

However, grounding moral expansion in an appeal to rational concern for our own, human, well-being is logically problematic. This is because (as has been the case throughout this enquiry) enfranchising an entity means finding reason to consider it *in itself*, or for *non-instrumental reasons*. Thus, to claim that an entity should be enfranchised because doing so will ultimately benefit humans is to claim, in a seeming paradox, that the entity should be considered for *non-instrumental reasons* which have an ultimately *instrumental basis*.

### *Winkler's Suggestion*

Earl Winkler has recently proposed that this paradox *is* only apparent, and that an appeal to human welfare *can* be used to ground the moral standing of entities. In Winkler's own words:[9]

Current environmental crises create the possibility of another strategy for expanding what we recognise from the moral point of view as *valuable* and *deserving* of respect for what it is in itself, and not for instrumental reasons. Here one can offer an account of 'intrinsic value' in terms of their being reason for all or most people to value x intrinsically. Then one explains that there is no paradox in offering perfectly general, long term, elevated *instrumental* reasons to value things *intrinsically*. In other words, we can use instrumental reason to transcend instrumental reason. So *now*, in light of our current predicament, there may be sufficient reasons for all, or most of us, to value living things and nature in general *intrinsically*.

To use Winkler's own examples, he is saying that moral expansion can be justified by using the kind of instrumental reasoning which contractarian apologia for rational morality invoke and which, in aesthetics, is used to provide a basis for intrinsic valuations of art. Furthermore, it is reasonable to think that humans, themselves, are ascribed 'inherent value' because, overall, it serves our best interests to view and treat each other this way. Unpacked, a little, then, Winkler's point is that a process of instrumental reasoning analogous to one we are already familiar with can be used to argue as follows:

- Continuing human welfare depends upon the well-being of the nonhuman world, and of the flora and fauna which comprise and sustain it.
- Granting moral standing to those entities is a rational and efficient way of protecting them from abuse and destruction.

- Therefore, at a certain level of philosophical abstraction, a concern for human welfare justifies granting those entities moral standing.
- Thus, humanism's original concern for human welfare can be united with environmental concerns in order to provide reason to expand the moral franchise.

### *How The Trick Works*

It is crucial to this proposal that we use instrumental reasoning about what is good for humans to *transcend* the initial instrumental concern.[10] This can be done by using instrumental reasoning *about morality* to justify the adoption of a *particular kind* of morality, namely one which offers non-instrumental reasons for taking the necessary entities into account. It is this separation of reasoning *about* morality from actual moral *decision making* which obviates the paradox mentioned above.

This kind of instrumental reasoning about morality is discussed in detail in a recent book by Michael Philips.[11] Philips contrasts the more distanced (metaethical or metamoral) *What kind of morality would be good for people like us?* considerations with what is actually said and done by situated moral agents. He notes that during the *What kind of morality would be good for people like us?* discussion, instrumental and consequential reasons can be given for everyday, 'situated', moral practices. These practices themselves need not, in any way, involve instrumental or consequential reasoning: for example, an instrumental apologia for Aristotle's virtues might be offered. Thus, the moral notions and principles which guide moral agents' everyday, practical decision making may be supplied with rational justifications grounded in a concern for human well-being and conceptions of the good life.

### *A Pragmatic Emphasis*

This approach to the initial question is, to the best of my knowledge, a novel one, and it bears summarising and restating. Following Winkler and Philips, the initial question about moral standing can be placed within the context of a debate about the form rational morality should take. The attempt to answer the question may then begin with an initially anthropocentric conception of morality's purpose: morality is about acting in concert with other rational agents in order to promote our own good and the good of those we hold dear. Those who seek radical moral expansion must then show that replacing the original anthropocentric conception with a more *ecocentric* one is justifiable *in terms of morality's initial goal*. This more ecocentric perspective then becomes part of everyday moral thought, attitudes, and practice. I shall call this strategy the 'argument from pragmatism'. [12] Note that, like the accounts of moral scope generally, the argument from pragmatism is *not* intended to answer the question, *Why be moral at all?* It is a possible way of responding to those who are already committed to acting morally, but want to know why morality should enfranchise nonhumans, particularly nonsentient nonhumans.

### *The Division Of Duties And Strategies*

It is now essential to recognise that *in itself* the argument from pragmatism will not provide reasons for situated moral agents to enfranchise nonhuman entities. Those reasons must be supplied by situated moral principles, beliefs, or attitudes. The job of the argument from pragmatism is only to show that there is good reason *why* such principles, beliefs, or attitudes should be a part of human morality. This division of duties is not hair splitting. It is one thing to say, *A rational morality would*

*encompass the following principles, beliefs, or attitudes. It is quite another thing to say, You should enfranchise nonhuman entities because doing so is supported by the following principles, beliefs, or attitudes.* Whereas the latter is an introduction to direct reason for moral expansion, the former is not. But, the former *is* a possible introduction to a way of showing sceptics *why* everyday morality should embrace a more ecosophist outlook than is presently the case.

What is more, promoting a recognition that an ecologically more generous outlook should be part of everyday, rational morality, is going to encourage 'psychic' or 'cognitive' dissonance in any who accept the rationale while continuing to act according to contrary principles, beliefs, and attitudes. Remember that this is an adjunct to moral argument which Singer invokes, and it is, I think, a useful one.[13] Thus, the argument from pragmatism not only involves a division of duties, it also promotes moral change in two different ways. First, the argument seeks to harmonise moral expansion with a conception of morality's purpose which humanism should be able to accept, and which other parties to the debate should also recognise as a necessary part of any rational conception of human morality. Second, the argument will also tend to encourage intellectual and emotional discomfort in any who tend to accept its conclusions but still adhere to a more ecologically limited conception of everyday morality.

### *Recasting The Initial Question*

In utilising this pragmatic approach to moral expansion, I find it helpful to focus on a revised version of the initial question. Rather than simply asking which entities are morally considerable, we can distance ourselves from our own immediate beliefs and commitments as situated moral agents, and help bring pragmatic, instrumental concerns to the fore, with a change of emphasis. Henceforth, this enquiry will suppose an enhanced capacity to direct the moral education of future generations, and ask:

Suppose that we had absolute freedom to frame the morality which would be the point of departure for moral debate and subsequent development in our children's generation and would, if found acceptable to their adult selves, be the morality they lived by: What account of moral scope would we provide them with?

This formulation of the initial question has two significant virtues.[14] For one thing, it achieves the theoretical abstraction from situated morality which the pragmatic strategy requires. In doing so, the question also helps to distance us from our own immediate moral beliefs and commitments. This distance may prove useful if we want to know what rational morality would involve for people like us because our own prior moral education and experience can be distracting, and can cloud our judgement. For another thing, by invoking concern for our progeny, the question helps us to concentrate on sustainable human welfare. That is precisely what is most threatened by the environmental degradation which, I have suggested, is currently a large part of the motive for seeking an expanded ethic. As adults, many of us can hope to be dead before the worst of the environmental prognoses are tested; it is our children who will learn their truth or falsehood.[15]

## A COMPROMISE (IS ALWAYS) OPEN TO OBJECTIONS

### *A Renewed Objective*

At the risk of repetition (and the novelty of the approach I am proposing can lead to misunderstanding), let me stress that both the pragmatic strategy in general, and the reformulated initial question in particular, are designed to focus our attention on elucidating *that account of moral scope which best serves long-term, rationally understood, human needs*. This is in marked contrast to seeking an account of human morality which is already inherent in, or entailed by, any existing moral theory more complex than the simple claim that human morality must promote (among other things, perhaps, but not least among them) the individually conceived welfare of human beings. With this as our goal, we can go on in the next chapter to try to decide the approximate outlines of such an account of moral scope. But first, there are some objections to this way of viewing and approaching the initial question which should be noted, and, to a limited extent, answered, before continuing.

### *The Objection From Instability*

Proponents of the movement from ecology may object that they seek to establish the moral importance of the nonhuman world *per se*, and the argument from pragmatism will never really do that because of its origin in anthropocentrism. However, as I argued above, and as I shall try to demonstrate in the following chapter, anthropocentrism is *only* invoked in order to provide a broadly acceptable, rational justification for a potentially ecocentric morality. There is no reason why the final product need be anthropocentric at all. (Just how ecocentric a morality the argument from pragmatism supports is, of course, still an open question.)

Although this response may allay vitalist and ecosophist worries to *some* extent, I doubt that it can ever do so *entirely*. To see why, suppose that the argument from pragmatism could be shown to support an account of moral scope extending consideration well beyond the mattering gap. The chances are good that such a morality would then entail choosing between maintaining certain human communities and healing damaged ecosystems, and the verdict might well be that we should heal the damaged ecosystem at the expense of short-term human interests and at a cost to individuals.[16] However, because this kind of ecosophist morality would finally ground in a concern for human welfare, there would then be a powerful temptation to ditch our more immediate, ecologically focused principles, in favour of the original concern. Those who favour a more radical restructuring of morality than that envisaged by the argument from pragmatism will point to this as a serious problem. And they are right. The inherent temptation to unravel whatever pragmatism might construct should be a serious worry for *any* who seek to protect nonhuman entities by granting them moral standing. *It is reasonable to fear that an ethic which can be built up on a basis of anthropocentric concern can be undone when human interests are at stake.*

### *'Insulation' And A New Conception Of 'The Good Life'*

Part of the answer to the problem, I think, is to reduce both the temptation and the instability of what is constructed by 'insulating' the final ethic from its origins as thoroughly as possible. Following a general trend in the movement from ecology, the argument from pragmatism can be used to rationally justify a more 'biocentric outlook' and a 'fundamental attitude' of moral concern for nonhuman entities which will then be the immediate basis for their moral status in everyday,

'situated' moral thought. In consequence, I urge that any attempt to achieve moral expansion using the argument from pragmatism must make it a priority to establish that a more biocentric outlook, and an adequately protective fundamental attitude, are rational constituents of the basic stuff of everyday, situated moral thought. Furthermore, it must become part of the fundamental attitude to view 'undoing' morality for the sake of purely human – and particularly short-term and narrowly conceived – interests as morally repugnant.

It may also help alleviate vitalist and ecosophist worries to recognise that what is thought to constitute the 'good life for humans' is likely to change consequent on moral agents developing a more biocentric outlook and moral attitude. A healthy biosphere tends to become more crucial to one's personal sense of well being as the kind of perspective advocated by vitalists and ecosophists is adopted. Thus, moral expansion may entail that it will rarely make sense to trade off environmental well being even when other human interests must be sacrificed in order to maintain it.

### *Pleasing Neither Side*

Traditional humanists may now object that I am talking about setting aside the *raison d'être* of humanism, and the humanist view of moral purpose, in favour of ecosophy. True; I never promised that the movement from pragmatism would leave humanism untouched, quite the contrary. The movement from pragmatism is a way of trying to show that setting aside traditional forms of humanism might be a step which is *rationally most consistent* with humanism's own *raison d'être*.

Hence Winkler's talk of the movement from pragmatism 'transcending' its origins. But I am not so naive as to think that humanists will welcome my suggestion with open arms; there will be much left to argue about.

On the other side of the mattering gap, some radical expansionists are going to be equally unhappy with my proposal. They will want an ethic, and assignments of moral standing, which absolutely guarantee the nonhuman world against human depredation. Although I think that I understand (and often share) that desire, I see no way to realise it. Given the prevalence of the belief that morality's chief function is to promote human welfare, and in advance of the kind of moral change which current attempts to achieve moral expansion might bring, the argument from pragmatism seems to be the best that we can hope for.

### *The Objection From Prudence*

A second objection to the pragmatic strategy arises because it must claim that humans will be benefitted by moral expansion *and* that these benefits are unlikely to be achieved in any other way. The latter may be contested. *Granted we need to safeguard our environment, it will be said, but there is no need to change our morality in order to do that. Simple prudence and calculations of self-interest are sufficient.*

But are they? If we offer our children an essentially humanist (or sentientist) ethic, which teaches that nonhuman entities only have a strictly limited *instrumental* significance for human affairs (or insofar as they can suffer) and no (other) source of moral importance in themselves, then the chances are good that our children will act pretty much as we have. They will seek to maximise short-term human interest satisfaction in the face of overwhelming ignorance about the possible consequences of their actions, and they will invoke small, or even nonexistent, safety margins to protect the

environment. The consequences of this kind of approach are becoming increasingly apparent, and they are precisely what is motivating the search for a different kind of moral outlook: wilderness and species are vanishing at an alarming rate, pollution is endemic, and we may have initiated atmospheric and climatic changes we do not understand. It may be a devalued cliché, but earth *is* our only home, and it is the source of everything we need. In that case, the wiser course is to err on the side of safety and worry more about preserving our environment than maximising short-term interest satisfaction. An ethic which grants moral standing (and 'inherent value') to the entities we rely on is one way to encourage a safer approach.

#### *Of Hubris And Myopia*

Again, this point is so important that it is worth repeating. I am suggesting that humans appear to be so constituted that we will do best, in the long run, by adopting, and by creating in ourselves, the kind of attitude of 'respect' for things nonhuman which Rolston, Taylor, and the deep ecologists describe.[17] There is, in us, a notable tendency to hubris untouched by our enormous ignorance; a tendency to overvalue present needs and interests compared to future ones (particularly so far as our children's futures are concerned); and a tendency to underestimate risks under the influence of more immediate concerns and pressures. We need a framework to guide and inform our dealings with nature which will act to mitigate these characteristics now that population size and our powerful technology make us so dangerous. Thus, we need something more than a mere bare ascription of *instrumental* value to the environmental entities we so obviously depend upon.

#### *Of Unpredictability*

There is a further aspect to this need for caution in our dealings with the nonhuman world which we should note. So little is known about the long term consequences of human-instigated environmental change that we are highly unlikely to be able to discover precisely what it is safe to do and not to do. Granted that unreliable predictions are always a problem in human affairs, we are dealing here with ignorance of an unusual kind and magnitude. For one thing, the number and kind of variables involved in making environmental predictions renders them especially suspect. Just as we cannot, and may never be able to, predict weather and climatic changes with great confidence, it is reasonable to think that we may never be able to accurately predict the consequences of pollution, species extinction, or habitat destruction.[18] For another thing, if we do gamble on our predictions, we gamble for irrationally high stakes, and a little forethought will usually warn us that they *are* irrationally high. The accident at Chernobyl is a good illustration of this. Nuclear fission was always certain to eventuate in a serious accident somewhere at some time. Governments gambled, and Russia lost sooner than many expected. In consequence, the Ukraine now suffers a serious loss of land and water which have been made unfit for habitation and use well into the future. Thus, the nuclear power gamble stakes initially cheap energy against destruction and pollution on a scale, and for such a long time, that it is an irrational gamble.[19] One simply does not hazard one's food, water, and air supply. Similarly, it hardly makes sense to gamble with environmental damage in general. Thus, even if the environment is viewed purely as a resource *initially*, it is such a *crucial* resource, and it is such an *irreplaceable* resource, that there is adequate reason to modify our position and for morality to ascribe moral standing to environmental entities.

## *A Rational Ascription Of Inherent Value*

In sum, then (and using the language of 'value'), whereas critics sometimes urge that moral expansionists are motivated by an axiomatic, and rationally indefensible ascription of inherent value to environmental entities, my claim is that there are *sound anthropocentric reasons* for making those ascriptions. It is irrational to risk or gamble with what is essential to our lives and welfare, and the lives and welfare of our (already born) children.[20] A moral attitude and value ascriptions which offer a moral impediment to folly seem to be a sensible step.

### *Paternalism?*

The kind of justification for moral expansion which I am now proposing might be negatively characterised as involving a blatantly paternalistic approach to ethics.[21] However, the context of discussion is precisely one within which a *degree* of enlightened paternalism is a virtue rather than a vice: we are asking what rational morality should be demanding of us, and what our children need from us in the way of moral education. If it is agreed that whereas morality is a generally good thing, children do need a moral education in order to become moral agents (and we can hardly doubt either for long); and if it is also agreed that the environment needs protecting from an apparently deep seated human tendency to abuse it; then adopting and teaching an extended moral franchise makes good sense. Morality is, after all, a human artifact. I am simply proposing that we take its development self-consciously into our own hands — because the need for change is so pressing — rather than waiting for time and moral evolution to follow their more usual course. Furthermore, it should be noted that, as made clear in my earlier reformulation of the initial question (and in an accompanying footnote), I am in no way proposing an attempt to proscribe critical thought. Whatever is offered in the way of moral education, critical habits must also be encouraged, and our children must be taught to rationally debate and, when warranted, ultimately reject what we have given them.[22]

### *The Objection From Relativism*

A third objection to the pragmatic strategy now needs noting before we do turn to the question where it might lead. It may be urged that I make it sound as though the need for moral expansion has arisen only recently. *But*, it will be said, *a morality which is rationally sound now is surely one which was rationally sound a thousand years ago, or even five thousand years ago.*[23] However, I think this criticism is based in a misperception of the argument from pragmatism. It is arguable that, *at any place and time*, rational morality would grant moral standing in such a way as to safeguard and promote human welfare. And that would entail a much larger moral franchise than has been traditional. The pragmatic point is not that there is just *now* a need for moral expansion, and just *now* a rational justification for expansion. That need has always been there. However, it is *only now*, in light of serious environmental worries, that the need is receiving widespread recognition and the attention of academic philosophy. In short, it is important to recognise that this enquiry does not want to be perceived (and I am sure that Winkler does not want to be perceived), as supporting crude moral relativism. If sense can be made of the claim that moral principles have temporal and spatial universality, then it is entirely consistent with the pragmatic approach to claim that a large moral franchise is amongst those principles.[24]

*Just Another Materialism?*

All this talk of human well-being may now be starting to seem an exclusively and crassly materialist way of viewing our relationship to the environment, so I shall state plainly that I think human emotional and spiritual needs are also bound up with things nonhuman. *Why else would our homes be generously provided with indoor plants, nonhuman companions, and outdoor gardens? Why else would we take such trouble to visit parks, beaches, lakes, rivers, mountains, forests, and anywhere else affording closeness to 'nature'?* There can be little doubt that humans are psychologically (and emotionally and spiritually) better off for involvement with a flourishing nonhuman world. For now, though, I only want to make the minimum claims necessary for establishing the viability of the pragmatic approach. As we consider where that approach may lead, non-material needs will become more prominent.

## Chapter Ten

### DEEP HUMANISM

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This enquiry has now moved from asking, Which entities are morally considerable?, to asking, Which entities should a rational morality enfranchise? As explained in the last chapter, this is not a merely semantic change. The former question suggests an answer supported by reference to particular, situated moral principles, beliefs, and attitudes. The latter question clearly requires that we step back from our current principles, beliefs, and attitudes and, from a position of relative neutrality, ask what moral franchise would be most compatible with morality's informing orientation and purpose. In this way, it brings to the fore a perspective which offers some hope of a broadly acceptable answer. The shift in focus is summed up by a recast initial question which asks either, *What account of moral scope would it be best to provide our children with?*, or (if this reference to children is found unhelpful), *What account of moral scope would best serve our own rationally conceived, long-term interests?* Before I begin to outline a possible answer, there are some points to note about what this change of emphasis involves and entails.

#### A TENTATIVE AND CONSERVATIVE PROGRAMME

##### *Erring On The Side Of Caution*

It is important to recognise that, in part, the revised initial question is empirical: if a purely instrumental concern for things nonhuman would adequately safeguard the environment, then we and our children might do best with a humanist account of moral scope. Even given that some expansion is justified, the argument from pragmatism only entails the minimum requirement. However, as argued in the last chapter, we do not know what prudence alone can achieve, and there is reason to err on the side of caution. Thus, it is better for morality to be generous with the moral franchise, and ensure that the environment is sustained, than to be niggardly and risk continued environmental damage. In consequence, what we seek, now, is an account of moral standing which is environmentally conservative – erring, if necessary, on the side of environmental protection – but which can be justified in terms of human welfare.

##### *Looking To Two Traditions*

Because of these linked concerns for human well being and environmental protection, the account we seek will have a different kind of theoretical basis from the accounts considered so far – however limited or broad it proves to be – and it will be convenient to have a distinct name for it. Largely in view of the kind of rationale which will support the account, I am going to call it 'deep humanism'. The job of the present chapter may then be viewed as shading in some of deep humanism's features. Note that 'deep humanism' is a form of humanism on account of its initially anthropocentric, humanist, concern for human welfare. Moreover, it is 'deep' both in the sense that the account will be a consequence of looking to the environmental foundation of human welfare, and in the sense that human welfare, itself is arguably, the most basic of moral concerns, and the one in terms of which all else must eventually be explained.

Note, too, that the play on Naess's 'deep ecology' is (of course) intended. We shall find that despite their different origins (an axiomatic concern for things ecological, and an axiomatic concern for human welfare) deep ecology and deep humanism tend in a similar direction. And, because it is these separate origins which divide deep ecology from deep humanism, the shared epithet 'deep' also points to the level on which they disagree.

It may also be helpful to bear in mind that in looking to both humanism and environmentalism for its inspiration, deep humanism is a product of two conservative outlooks. Humanism is conservative in a theoretical and moral sense; environmentalism tends to be conservative in the literal sense of 'conservation'. Thus, deep humanism stands firmly within our moral traditions even while threatening to require radical moral change.

### *Limited Ambitions*

Finally, it is important to recognise that I shall not attempt to present a definitive, deep humanist, account of moral scope here. If only because of the empirical issues involved, deep humanism's moral franchise must remain tentative pending broad discussion and debate. (And that is another similarity to deep ecology.) But I shall sketch a programme of moral expansion grounded in the argument from pragmatism, and I shall point out some problems and issues deep humanism must deal with.

## A REORGANISED MOVEMENT FROM ECOLOGY

### *Following A Different Route*

If concern for human well-being is the most likely engine of expansion, it will be best to proceed by different stages than those we traced earlier. Rather than moving from moral humanism to sentientism and then attempting to cross the mattering gap, there is reason to expand directly from moral humanism to a deep humanist vitalism and a refurbished movement from ecology. With the case for the movement from ecology sketched, there will then be additional grounds for insisting (in the next section) on the rationality of a compassionate, sentientist concern for creatures capable of suffering.

### *From Humanism To Deep Humanist Vitalism (Direct)*

Pragmatic moral expansion begins, then, with an argument for vitalism based on the approach outlined in the last chapter. As discussed already,[1] vitalism enfranchises the individual flora and fauna which meet many of humankind's physical and psychological needs. What is more, the ecosystems which humans depend upon, and the biosphere in general, consist of arrangements of these discrete entities. Also as discussed already,[2] the argument from pragmatism provides reason to place all flora and fauna under moral protection because we cannot hope to confidently predict which organisms humankind, ecosystems, or the biosphere would thrive without; and because we cannot really trust ourselves to act prudently even if accurate predictions were available. Thus, there are grounds for thinking that, at a minimum, our children should possess a vitalist morality which will extend some degree of consideration to all of the biosphere's living components.

Such a vitalist morality must possess non-anthropocentric moral notions or principles which will support the extended moral franchise; otherwise, as explained previously, moral standing collapses into merely instrumental significance. A non-anthropocentric basis for vitalism has already been offered by vitalists; it is the fundamental 'biocentric' outlook and attitude which was discussed when vitalism was first at issue. Whether this outlook and attitude should be egalitarian (as Taylor recommends) or encompass differences in status (as Rolston recommends) is a question for later. I am only concerned, now, that biocentrism will ground an ascription of moral standing to all individual flora and fauna, and that the argument from pragmatism offers reason why our children's morality should make such an ascription.

### *The Importance Of The Biocentric Attitude*

In sum, the case for vitalism is as follows: if morality seeks to promote human welfare, ignorance and caution make it rational to replace our initially anthropocentric moral outlook with the more conservation oriented biocentric one and ascribe some degree of moral standing (or some degree of intrinsic moral worth) to all flora and fauna. Thus, as described in the last chapter, we use instrumental reason at one level, the philosophical, to transcend instrumental reason at another level, the practical.

Of course, it may be possible to argue for vitalism without appealing to biocentrism, but doing so offers at least two advantages. First, the argument from biocentrism offers an existing and well documented case for vitalist expansion. That case had an initial weakness because no apparent reason was given for adopting the biocentric outlook or granting it moral significance. But the argument from pragmatism obviates that problem. Second, as discussed in the last chapter, the biocentric outlook and attitude offer the kind of buffer between anthropocentrism and moral expansion which is needed to prevent an expanded morality being too readily set aside in favour of pressing human interests.

### *A Metaphysical Issue*

If vitalism alone will adequately safeguard human welfare, then the argument from pragmatism entails no further expansion. But given that deep humanism is predicated on 'playing it safe', and given that further expansion will arguably enhance human security, there is the makings of a case for taking deep humanism beyond vitalism. That means possibly enfranchising non-living, natural individuals (e.g. mountains), species, and ecosystems (e.g. forests). However, there are metaphysical problems inherent in enfranchising species and ecosystems because their ontological status is less than pellucid: Are they naturally occurring entities, or are they best thought of as collections of naturally occurring entities? In the latter case, it can be argued that morality should focus on their constituent individual parts.

Thus, in order to avoid embarrassing questions about what actually constitutes a naturally occurring entity rather than a collection of entities, it is helpful to think of species and ecosystems (and any other large, potential candidates for consideration) as naturally occurring 'units of organisation'. It is then a matter of art, rather than metaphysics, which things we identify as units of organisation; depending upon how fine or coarse our focus, units can be found at the subatomic level, the cosmic level, and anywhere in between.[3] In consequence, the question for deep humanism becomes: Which

units of organisation, other than individual flora and fauna, does deep humanism requires us to recognise and enfranchise?

### *Natural Infrastructure*

Clearly, humans — along with all other living organisms — depend upon the non-living, natural infrastructure of the earth to provide a habitat and satisfy needs: if waters are poisoned or depleted, the atmosphere changed, or geomorphic features altered, habitats will change and needs may not be met. Therefore, the earth's natural infrastructure must be treated with care by humans. It is possible that personal and species self-interest, coupled with a vitalist concern for flora and fauna, will adequately motivate moral agents to protect the natural infrastructure. But given the human proclivity to take chances and magnify our needs (as discussed in the last chapter), it seems wise to require that morality grant standing to the physical earth per se or to a sufficiency of its components parts. This, in turn, requires either that the biocentric outlook and attitude be enlarged (so that moral agents have reason to 'respect', 'reverence', and care for both living and nonliving natural things), or that other justifying notions and principles be sought. It seems simplest to enlarge biocentrism, extend our moral vision to 'nature' as a whole, and recognise that some non-living units of organisation are more than merely potential means to human ends; they are morally considerable. Can this be done?

### *The Ecocentric Attitude*

It is apparently the experience of ecosophist philosophers that such an outlook and attitude towards the nonhuman world can be developed, and does develop, out of an appreciation of the interconnectedness of things and, perhaps, from personal closeness to things nonhuman. (It is surely not coincidental that Rolston is an amateur bryologist and that Naess was a climber.[4] Given reason why morality should involve an expanded biocentrism, I find no reason to doubt that humans can readily acquire both outlook and attitude. But they are sufficiently different from the outlook and attitude discussed by Taylor to warrant their own name; let us call them 'ecocentrism'.

It may now be objected that nonliving things lack the inherent, teleological ends which moral agents may 'act on behalf of' and which (it was argued earlier) help to make vitalism more acceptable. But if there is a sound anthropocentric rationale for enfranchising the natural infrastructure, and if the ecocentric attitude is achievable, it is unclear why that should deter us. There can be no doubt that humans are capable of changing the natural infrastructure in ways which are injurious to the environment as a whole — just as we are capable of the ecocentric attitude — and that is deep humanism's main concern.

### *Species: A Contentious Issue*

Is there is also a case for extending the moral franchise to species? Following what was said above about 'units of organisation', the answer must depend upon whether doing so is necessary in order to protect the non-human world. This promises to become a contentious issue because some (like Rolston) think that 'species' is an indispensable category, while others (like Winkler) think that it will be adequate to recognise the moral significance of present and future individuals.[5] Without attempting a definitive answer, I am going to suggest some reasons for thinking that deep humanism

should recognise species in its moral ontology. But I stress and repeat that what follows is in no way meant to settle the issue.

### *The Case For*

When species extinction is discussed, it is not just the absence of, for example, individual tigers or grasses which is a cause for concern. The loss to the gene pool is important, too, because a species is a self-replicating genotype.[6] Furthermore, a species is not a static genotype: it changes over time, in response to environmental factors and through mutation. This is the way in which life-forms maintain their adaptation to their environment and, thus, their viability. So, a species is a self-replicating dynamic genotype. From an anthropocentric perspective, such genotypes are valuable because we want to be sure that the world continues to be populated by environmentally well-adapted life forms able to meet human physical and psychological needs. We also want to be sure that the gene pool continues to hold and develop useful genetic building blocks. Can we ensure that these conditions are met simply by protecting individual organisms?

I am doubtful primarily because the interests of individual members of species will sometimes conflict with what is required to ensure species viability. For example, Rolston cites the case of bighorn sheep in Yellowstone Park who were left to suffer pinkeye disease when medical help was at hand.[7] The disease blinds sheep who then die horrible deaths. The reason for letting the disease and its consequences run their course, and not even humanely killing diseased sheep, was that selection will then tend to produce a disease resistant species which is better adapted to its environment. Even a seemingly hopeless sheep might recover and contribute resistance to the gene pool.

It might now be argued that a concern for the well being of future individual sheep is sufficient to justify leaving the pinkeyed sheep to their fate; therefore, there is no need to invoke a concern for species. However, the argument is problematic, primarily because complex and questionable moral reasoning will be required to show that present sheep should be permitted to die horrible deaths for the sake of as yet unborn future sheep.[8] I suggest that, given the importance of a plenitude of viable species, and given deep humanism's emphasis on 'playing it safe', it is reasonable to grant that we have an approximate, and, for most purposes, adequate, understanding of the notion of 'species', then assign species moral significance in themselves. Grounding this status in situated morality requires further expansion of ecocentrism, but, if concern for the nonhuman world can be extended to the natural infrastructure, there is no reason to think it cannot be extended to species. Species (as Rolston points out), do, at least, exhibit developmental tendencies which are similar to the telii of individual life forms.

### *Preferring Species Over Individuals*

One other issue will require attention if deep humanism is to enfranchise species: providing a significant measure of moral protection for species will require assigning them a degree of moral significance which sometimes over-rides individual sentient nonhuman interests. As mentioned in the above footnote, my sense is that this can be justified by invoking deep humanism's concern for human welfare. It seems likely that human welfare will best be served by not risking interference with long-term species viability even at a high cost to sentient individuals. This, then, places a

question mark over the role of sentientist compassion in a deep humanist ethic, and that is an issue I shall turn to shortly.

### *Ecosystems*

Finally, there is the question whether deep humanism should also extend consideration to at least some ecosystems. Once again, the answer must depend upon whether human welfare would be adequately protected without doing so. There is no obvious reason to think that ecosystems, and, thus, human welfare, cannot be protected by concern for the individuals and species they contain, but there is reason to think that a concern for ecosystems per se would focus concern where it might do most good, and where it sometimes already rests.

As an example, consider the old growth rainforest in British Columbia's Clayquot Sound. Environmentalists want the forest preserved in its entirety, as a complete ecosystem. The case for preservation is arguably stronger when the forest is viewed as a whole because, as an ecosystem, it is indisputably unique and endangered. Although many of the individuals and species which comprise the forest are replicated elsewhere, that particular ecological arrangement is not replicated. Furthermore, if we do focus on the forest as an ecosystem, rather than only considering the living individuals and the species which comprise it, we quickly see that many individuals can be sacrificed to human need without harming the system. As proponents of ecoforestry point out, flora and fauna can be removed according to patterns which replicate natural attrition and allow full replacement.

There is also a third point to note when deliberating the moral status of ecosystems: How do we generally think of a forest? Most of us, I suggest, do not conceive of a forest as a collection of discrete individuals so much as a single, naturally bounded entity, or unit of organisation. It is reasonable that moral thinking should parallel this. Furthermore, because it is common to conceive of ecosystems like forests as something whole in themselves, and because it is common to ascribe inherent value to them, expanding ecocentrism to encompass such systems may well be found more 'intuitively' attractive than either of the two expansions discussed above.[9]

### *A Tentative Moral Franchise*

To conclude this sketch of deep humanism's revision of the movement from ecology, I urge that although there may be no one clear account of moral scope already inherent in received morality, moral expansion beyond the mattering gap is, apparently, well supported by morality's informing pursuit of human well being. In particular, deep humanism's intertwined concerns for human and environmental welfare have the potential to justify vitalism's previously unsupported biocentric attitude and show why a vitalist ethic is something our children will need and something which should generally be part of rational morality. Furthermore, deep humanism's twin concerns also offer possible reason for going further and enfranchising natural infrastructure, species, and at least some ecosystems.

## A PLACE, AND A ROLE, FOR COMPASSION

### *Where Does Compassion Come In?*

The above conclusions could stand for Part Four of this enquiry as a whole, but to end discussion here would be unsatisfactory. There are a number of issues which should, at least, be recognised as needing further attention if, and when, deep humanism is more fully developed. Probably chief amongst these is the question mark hanging over the relationship between deep humanism and sentientism. Although many expansionists – including myself – do wish to establish grounds for treating sentient nonhumans with considerably more compassion than is currently the case, deep humanism is seemingly at odds with that desire if wild sheep must be left to suffer the consequences of pinkeye. On the other hand, if morality is primarily concerned to ensure that nonhumans not only thrive, but continue to evolve and develop so as to best fit their environmental niches, it is not obvious where sentientist compassion might come in. It has even been argued that there is a fundamental incompatibility between sentientist compassion and environmentalism, and that those who are concerned with ‘animal rights’ cannot consistently be environmentalists as well.[10] However, there is reason to think that this is not the case, and that deep humanism should seek to balance its environmental emphasis with more traditional sentientist concerns.

### *A Tense, But Necessary Relationship*

To begin with, there is no reason why an environmentally focussed ethic cannot abjure causing nonhuman suffering while still teaching that compassionate intervention and the attempt to ameliorate suffering is sometimes misguided.[11] Thus, deep humanism can hold, with sentientism, that it is, for example, wrong to hunt whales, while agreeing with deep environmentalists that it is wrong to interfere when a whale is beached. Deep humanism also has reason to distinguish between wild and domesticated creatures because the case for nonintervention only applies to wild things subject to natural evolution.[12] Humans oversee the reproduction of domesticated creatures and manipulate their genotypes; therefore, little will generally be gained by withholding medical treatment or euthanasia. In consequence, deep humanism has no need to quarrel with sentientism’s desire to minimise the suffering inflicted on domesticated nonhumans.

### *A Broadly Compassionate Ecological Attitude*

In sum, then, an environmental ethic can coexist with sentientist compassion. Although there always will be some tension between environmental concerns and sentientist ones, there is no reason to think that the tension involves a contradiction, or that it is something morality cannot accommodate. However, this is still not really enough for those of us who want to ensure that sentient nonhumans are protected against human abuse. Ideally, we want to know that there is a deep humanist rationale for sentientism which will explain why ecosophism should actively embrace sentientist compassion and place value on nonhuman well-being and the satisfaction of nonhuman interests. In other words, reason needs to be shown why deep humanism’s ecological attitude should be a broadly compassionate and sentientist ecological attitude. I shall briefly try to suggest how this might be done.

The first thing to note is that deep humanism has no reason to reject soft sentientism's 'argument from generosity'. Remember that, following Singer, what I called 'soft sentientism' urges that because morality already enfranchises many humans who have no claim to consideration other than sentience and genetic humanity, impartiality and consistency require extending similar consideration to equally sentient nonhumans. This was never a totally conclusive argument because, as discussed earlier, humanists remain free to reject it, and deep humanism cannot avail itself of the additional support offered by utilitarianism.[13] However, this simple appeal remains a powerful one for many. What is more, deep humanism is able to strengthen it.

If the deep humanist case for vitalism is granted, then there is little left to gain by continued resistance to sentientism because moral expansion has already occurred. Furthermore, once ecocentrism (or, more conservatively, biocentrism) becomes part of morality, any moral significance granted to pleasures and pains must apply wherever they occur, unless some significant difference can be shown between them. As argued when sentientism was first at issue, it is hard to conceive of such a difference. In consequence, the ecocentrism (or biocentrism) endorsed by deep humanism makes it hard to deny the moral importance of all pleasures and pains, much as the utilitarian appeal to impartiality does.[14]

The second thing to note is that deep humanism also offers independent reasons of its own for making sentientist compassion part of morality. The ecocentrism (or biocentrism) which is integral to deep humanism must be learned and developed over time as an alternative to the seemingly more 'natural' anthropocentric outlook and attitude. Particularly in children, that development seems to involve becoming gradually aware of the interconnectedness of living things and learning empathy for other life forms and natural processes. Concern for, and empathy with, the pleasures, pains, and felt interests shared by humans and sentient nonhumans is an obvious, and possibly necessary, step in this process.[15] Furthermore, a compassionate desire to avoid bringing suffering to sentient nonhumans will often be added reason to eschew environmental damage. Thus, sentientist compassion will actively forward deep humanism's environmental agenda so long as the need to allow 'nature to take its course' is also recognised.

#### *A Note On Population (And Economic) Growth*

As well as implications for the way humans should treat sentient nonhumans, a compassionate deep humanism also has quiet specific implications regarding human population growth. As has been well publicised for many years now, the growth in human numbers has frightening environmental implications. Whatever may, or may not, be the truth of the charge that 'overconsumption' in the industrialised nations should be our primary worry, population growth, as well as economic growth,[16] can hardly fail to be on a course which intersects with imminent disaster. Common sense tells us that the environment only has a finite carrying capacity and that a species which keeps increasing the speed at which its population doubles is in desperate trouble.[17]

Obviously, something must be done, and it is becoming apparent that, as well as changing our patterns of economic activity, there are variables which can be manipulated to affect the birth rate. A basic primary education for girls appears to lower the birth rate, and giving young women a

secondary education appears to lower it even further. So, too, does making the means of birth control readily, but voluntarily, available to women.[18] The evidence from our own, affluent, society is that material prosperity also tends to drive down the birth rate. Of course, any ethic concerned with human welfare will offer reason to support the provision of education and family planning for women, and it will also entail that the lot of the world's poor should be improved. But it is important to recognise that such humanitarian efforts are also entailed by environmental concern, contrary to the perception that radical environmentalism must go hand in hand with misanthropy.[19] It must also be noted that if educating females, providing family planning, and reducing poverty proves not to be enough to check our numbers, then deep humanism's twin concerns for human and environmental well being offer reason to seek sensitive and compassionate means to determine the optimal human population size, followed by sensitive and compassionate measures to achieve it. Deep humanism, just like human welfare, is incompatible with continuous growth.

## CONFLICT AND OTHER CONSEQUENCES

### *A Problem Which Grows With The Moral Franchise*

The most pressing, outstanding issue after sentientism is the problem of moral conflict. As the moral franchise increases, so, too, does the potential for conflict between perceived human interests and other considerable entities. Although I cannot deal, here, with all the issues associated with conflict in a radically expanded moral franchise, I do want to sketch two different approaches to conflict and briefly consider their relative merits.

### *The Possibility Of Moral Ranking*

One approach is to accord relatively fixed degrees of moral standing to different kinds of entity, then use those degrees of standing as a guide when conflict occurs.[20] Criteria will be needed according to which to assign degrees of standing, and these might be provided, in part, by deep humanism's twin concerns for human and environmental well being. Thus, for example, the smallpox virus might be accorded very low standing on the grounds that it can cause considerable human suffering and its loss would make little overall difference to the biosphere. By contrast, a bacterium which makes a major contribution to the health of the soil might be accorded a high degree of standing, so might a major mammalian predator whose ecological niche cannot otherwise be easily filled. Furthermore, the guiding concern for human well being will arguably entail that humans generally, but perhaps not always, have a higher degree of standing than other kinds of entity.

### *A Problematic (And Therefore Partial) Solution*

But moral ranking is a problematic enterprise for a number of reasons. First, the contribution made to human and environmental well being is arguably not, in itself, a sufficient measure of moral significance, because deep humanism also recognises the moral importance of nonhuman, sentient interests. For completeness, some way is needed to place sentient interests on a scale with environmental significance. At present, it is unclear how this should be done, but deep humanism is likely to require that pressing environmental concerns generally come first. The problem of achieving an acceptable balance between environmental concerns and sentient interests should not be underestimated.

A second problem is that, as argued in the last chapter, our understanding of the consequences of environmental interference is necessarily limited, and we must be wary of assuming that any entity is dispensable. Moreover, a third problem is that there are going to be so many very different kinds of considerable entity that, given our limited understanding of their ecological role and significance, it will probably not be possible to rank some of them with any confidence at all. Fourth, and finally, there are going to be problems trying to assign a specific rank to entities independently of the context within which a conflict occurs. For example, if the survival of an entire species was at stake, it might well be judged better to sacrifice even highly rated human interests.

It might now seem that the egalitarianism recommended by some philosophers is a more attractive alternative than moral ranking.[21] However, not only does this leave the problem of conflict untouched, it is contrary to our usual thinking to claim that, for example, the smallpox virus is as morally important as a bacterium which promotes healthy soil. Furthermore, this hardly seems to make sense from an ecological view. Some ranking is surely both sensible and possible. What seems likely is that moral ranking alone cannot offer a sufficient solution to the conflict threatened by moral expansion beyond the mattering gap.

#### *A More Deeply Ecological Approach*

An alternative approach to conflict is to try to live and act in ways which will reduce the need to make difficult choices, at least in regard to the environment.[22] If humankind's 'environmental footprint' is lessened, and if we seek ways of satisfying our needs which harmonise with natural cycles of attrition and replacement, then there will be less conflict between perceived human interests and environmental imperatives.

But for this approach to be effective, we will probably need to make profound changes in the ways we think, view the world, and live. It would certainly help matters if morality not only moved towards a biocentric, and possibly ecocentric, attitude, but also towards the expanded sense of 'self' advocated by deep ecologists like Fox.[23] It will then become more a matter of personal inclination to preserve the environment and less a matter of moral obligation. There will be a 'natural' tendency to act with environmental caution without worrying too much about the immediately personal interests which are being sacrificed. And there will be greater personal motivation to live in a manner which reduces humankind's overall environmental impact.

In sum, rather than trying to deal with moral conflict by specifying the precise rules of engagement, morality can, once again, err on the side of caution. It can foster a basic attitude which will lead moral agents to try to avoid conflict whenever possible and, when conflict does occur, seek to resolve it in favour of the environment.

Because this is an important, but controversial point (and is, I recognise, open to charges of romanticism and utopianism), here is a more mundane analogy which may help to make the case.

#### *The Need To Teach Broad Attitudes*

A child's education might be entirely given over to teaching particular skills and knowledge, in the belief that we are teaching exactly what will be needed in adult life. Alternatively, we can teach a basic foundation of skills and knowledge while working to develop more general, and more

generally applicable, attitudes of practice and thought which should enable students to prosper under a variety of circumstances. Given that our children will always have imperfect knowledge whatever we teach them, and given the unpredictability of the future, the latter course is best. Similarly, if decisions about moral conflict must be made in circumstances of ignorance, it is better not to try to offer precise rules and guidelines for dealing with conflict. What will serve our children best are more general attitudes likely to reduce conflict and promote safe decisions under a wide variety of imperfectly understood circumstances.[24]

I suggest that if this more deeply ecological approach to conflict is coupled with an approximate and tentative system of moral ranking, then the problem of conflict may be surmountable. Much will remain to be decided and worked out, but it is reasonable to think that there is also much which cannot be determined in advance of a serious attempt to make deep humanism work.

### *A Limit On Hubris*

To conclude not only this present chapter, but my sketch of a possible movement from pragmatism, and this enquiry as a whole, I shall now briefly speculate on what deep humanism might entail, in practice, over and above the points already made. Note, first, that once morality acknowledges that (at a minimum) all living organisms are morally considerable, then the nonhuman world is clearly no longer merely a resource or a means to human satisfaction. Instead of being 'our' world in the anthropocentric sense, it will have become 'our' world in the biocentric (or ecocentric) sense: we will be sharing it with other living things (and other natural projects), not pretending to own it. Thus, human needs and interests will no longer be overwhelmingly important. All other living things will be important, too, and morality will require moral agents to live in such a way that organisms are not compromised without morally good reason.

This summation raises the question: What will constitute a morally good reason for compromising another considerable entity? Clearly, the answer partly depends upon how we decide to approach moral conflict, and so will remain somewhat shadowed for now. However, the second point to note is that some broad features of a deep humanist answer are discernable, and they say a lot about the way of life which deep humanism entails.

### *Deep Humanism's Twin Concerns*

Given deep humanism's guiding concern for individual and overall human well being, and that humans will arguably warrant the highest degree of moral standing, one might think, initially, that there will be few major changes. We will still be free to utilise whatever is necessary for rewarding individual lives consistent with permitting other humans to live rewarding individual lives and with sentientist compassion. In other words, and roughly, a morally good reason for compromising another living entity will be that doing so is a prerequisite for the good life. But conceptions of the good life vary, and those which are seemingly most prevalent in the industrialised nations today involve environmental degradation and destruction. That is incompatible with deep humanism.

A fuller understanding of the notion of 'morally good reason' requires taking account of deep humanism's environmental priority. As explained earlier, deep humanism's other guiding concern is to safeguard the integrity of the environment so that it will continue to provide a suitable habitat for humans. Thus, any actions which threaten environmental integrity are fundamentally incompatible

with deep humanism. In consequence of both its intertwined concerns, deep humanism must hold that it is morally acceptable to compromise other living entities when doing so is required by the exigencies of existence (according to some conception of the good life) and when doing so does not jeopardise the environment. Given the conservative, 'don't take chances', thrust of deep humanism, possible threats cannot be given the benefit of doubt. If compromising an entity may damage the environment, that has to be good reason to leave it alone.

### *Sustainable Living*

Although this answer is still very general, it does clearly entail sustainable living. (By which I do not intend the quaint term 'sustainable development'.) Thus, an important deep humanist goal must be to only compromise other living things according to a pattern which can be continued indefinitely. The ramifications of this are extensive, but they can be briefly summed up: humans must only remove living things from the environment, or otherwise compromise living things, according to a schedule which permits complete replacement. The schedule will sometimes have to be that of natural attrition and replacement, and sometimes it will be a speeded up schedule consequent on human artifice. But it must involve eventual replacement not permanent change. Thus, ecoforestry is morally acceptable, but clear-cutting followed by planting fast-growth fibre farms is not. The oceans cannot be stripped of fish. Species must not be extinguished. And so on.

Given that deep humanism may well extend to non-living natural projects, and given that human well-being requires utilising non-living natural resources, deep humanism must also speak to our utilisation of non-renewable resources. Here, the issue is more complex because we cannot possibly use these resources according to a schedule of replacement.[25] Obviously, we can refrain from polluting the water and the air, and extracting materials in a destructive manner; and we can recycle, conserve, and consume less. But we can still hardly avoid using up finite resources. The only course I foresee at present is to use our science and technology to develop renewable alternatives wherever possible, and, perhaps, to seriously look to the possibility of mining meteors.[26] For those who fear that ecosophism must lead to luddism, this might offer some solace. Sustainable living is not necessarily antithetical to science and a sophisticated technology.

### *Two Further Consequences*

Note that deep humanism is now seen to entail precisely the pattern of sustainable human activity which is recommended by deep ecologists and which was discussed earlier as a way of dealing with moral conflict. As discussed earlier in this chapter, deep humanism does tend in the same direction as deep ecology. Note, too, that given the environmental degradation which has already taken place, it is quite possible that the first generation to embrace deep humanism would not be able to follow such a sustainable pattern of use without attempting to put right prior damage. In consequence, deep humanism probably entails positive steps to encourage environmental healing, like cleaning up waters, replanting ravaged forests, and reintroducing species.

### *Enfranchising Gaia?*

Throughout the present chapter, I have sought to explain deep humanism by citing its informing concern for the environment as a whole, and this may be seen to have an important, final consequence. Even if we do eventually decide that deep humanism need not entail increasing the

moral franchise beyond vitalism (because its ends can, in theory, be achieved by an appropriate regard for individual organisms) simplicity might yet be served by making the moral franchise match the original concern. Given deep humanism's pursuit of overall environmental integrity and stability, it is arguably most natural to view the earth as an entity in itself, on the lines of Lovelock's 'Gaia', and to grant it moral standing as such.[27] However, that would involve a radically and suddenly expanded moral franchise, and perhaps it is best, overall, to move at a gentler pace.

# NOTES

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## Prolegomenon and Chapter One

1. Smart (1986).
2. The affect of consumer pressure on the use of nonhumans in product testing was of serious concern to business people at the "Globe 90" conference in Vancouver, March 19–23, 1990. The phasing out of live testing, and popular resistance to agribusiness is well documented in *The New Internationalist*, No. 203, January 1990, p 21.
3. For an excellent argument to this effect see Winner (1986).
4. J. J. Thomson (1971) claims that whatever the status of a fetus, the needs and wishes of the woman carrying it outweigh fetal claims.
5. Good examples of the continuing search for principled answers to the question of fetal moral status are provided by Feinberg (1974), Sumner (1984), and Tooley (1984).
6. The prevalence of this way of thinking was brought home to me at the "Globe 90" conference, where it seemed to be the accepted wisdom that things nonhuman matter only because of their importance to humans.
7. Aesthetic objects are most readily understood as a special kind of resource which are significant for instrumental, if not obviously practical, reasons. Perhaps love of an art object can furnish a sufficient *personal* reason to value it for itself, independently of whether it is ever enjoyed again or not, but this still does not give the object *moral* status. Such love is highly personal, and moral claims must be more broadly based.
8. Naess (1979), p. 232, describes the quoted proposition as a version of the conclusion which he would like his argument to achieve. Naess (1989), p. 36, introduces and explains his neologism 'ecosophy'.
9. As Sumner (1984) makes plain, traditional moral concern focusses on the "adult human being with normal capacities" who is "the paradigm bearer of moral standing", p. 74. But, for example, Fox (1990), p. 193, points out that ecosophists tend to "simply regard it as *axiomatic* that any entity that has 'a good of its own' is morally considerable."
10. The exceptions occur as follows. First, some humanists argue that the mere possession of human genes confers moral status. This enfranchises human conceptuses, zygotes, and even brain-damaged adults unlikely to regain consciousness. But sentientism, which immediately follows humanism, does not provide grounds for extending consideration to these entities because the entities are not sentient. (It is a nice question whether vitalism and holism do: both have apparent reason to extend consideration to all nonsentient life, although vitalists might object that an early fetus is not a distinct

individual.) Second, some humanists seek to extend consideration to specific human groups without justifying that status by aggregation. In North America and Australia, for example, it may be claimed that aboriginal nations, as collections, warrant moral protection in themselves, and not merely as a group of considerable individuals. This sort of view considers a nation a distinct 'cultural' entity worthy of recognition when moral decisions are made. Humanists who assert this are closer in one respect to ecosophism than to sentientism and vitalism. Sentientism and vitalism recognise no need to take morality beyond the level of individuals.

11. Other comprehensive taxonomies are offered in the literature, but they are mostly not what is needed here. Frankena (1979), pp. 5–6, lists eight possible types of ethical theory, each yielding a different possible answer to the initial question. The list is thorough, but if our interest is in viable answers then not all of Frankena's categories are needed. The redundant categories are 'ethical egoism', 'theism' and 'combinations of other positions'. VanDeVeer and Pierce (1986), p. 5, focus on possible criteria for moral standing and list seven of them. Five of these criteria involve psychological capacities and two do not. That may seem an initially reasonable emphasis, but as our understanding of possible accounts of moral scope grows we will find it inappropriate. Both taxonomies offer categories which will need supplementing if all the distinctions now being drawn are to be represented, and this need can be expected to grow as future debate sharpens distinctions. What is initially required is a brief list of categories suitable for later subdivision, and a list much like that which I use here is implicit in Johnson's (1984) discussion of the initial question.

12. In any case, 'speciesism' strictly limits concern to humans, whereas some versions of humanism will enfranchise moral or rational nonhumans. 'Humanism' has the advantage of accurately characterising the main shared concern of the accounts in the literature, namely human welfare, without ruling out creatures which share 'significant' human characteristics. The name is already loaded with connotations from other contexts, but those connotations are not entirely inappropriate. For a good account of the way in which traditional humanisms have been integral to the view of moral scope which I am also calling *humanism* see Ehrenfeld (1978), particularly Chapter 1, "False Assumptions", pp. 2–22.

13. Johnson (1984), p. 354 tells us that the term *sentientism* is due originally to Rodman (1977), p. 91.

14. Three points regarding ecosophism should be noted. First, what I call 'ecosophism' is sometimes called 'holism' because of its concern with *whole* systems. Fox (1990), p. 177, suggests that 'autopoietic ethics' would be a more perspicuous term than 'holism' because of the primary concern for autopoietic entities, i.e., "...living systems [which] strive to produce and sustain their own organizational activity and structure." (p. 169.) However, ecosophism is concerned with non-living things, too, and Naess's word captures the matter nicely. Second, there is also a question whether one should even attempt to separate vitalism and ecosophism given that some ecological philosophers present moral expansion beyond sentientism as based in a seamless concern for individuals, species, and ecosystems. However, to others, the concern for species and ecosystems appears to involve serious problems, and a taxonomy limiting vitalism to individuals allows these problems to be precisely located. Third, ecosophism raises the metaphysical question whether individual entities and ecosystems can be clearly differentiated given that all living organism are also systems. For the

present, I am going to rely on common usage to distinguish 'individuals' from 'systems' and worry again if and when the issue becomes relevant to the argument for expansion.

15. I am following Singer (1981), pp. 122–123, in describing the difference between sentientism and vitalism in terms of 'mattering'.

16. For brief but significant examples of the puzzlement and impatience with which commentators view positions other than their own, we can stay with literature already mentioned. For example, see Frankena's (1979) speedy rejections of humanism and vitalism on pp. 10 and 11, or Goodpaster's (1978) discussion of Feinberg's contribution to the debate on pp. 317–320. Johnson (1984) presents a summary of positions rather than honing his own theory, but on p. 338, he too joins in the impatience, describing the bulk of reasons offered to support humanism as "ridiculously inadequate". In general, as Fox (1990) notes in his opening chapter, there is impatience and bitterness between those who retain an essentially *anthropocentric* view of ethics and those who wish us to move beyond it.

17. Goodpaster (1978), pp. 309, 310 and 308, suggests that moral philosophy's over-riding concern with the former has resulted in "too little critical thought" being devoted to the latter. I hope, in a small way, to contribute to putting that right, and to bear out Goodpaster when he also says: "What follows is a preliminary inquiry into a question which needs more elaborate treatment..."

18. Ariel Kay Salleh's (1984) introduction of ecofeminist concerns into the debate sets the tone for future discussion. She is concerned to expose the patriarchal attitudes (and 'neuroses'?) which underlie the exploitative, abusive relationship which the industrialised nations (at least) have got into with the nonhuman world, and which she finds infecting ecosophy itself. She does not attempt to explain to humanists, sentientists, or even vitalists, why they should expand their moral horizons beyond criticising patriarchy. And to go into that would be a major enquiry in itself. In any case, so far as one can generalise, it seems fair to say that ecofeminism is part of an internal debate within what I am calling 'ecosophism', rather than an attempt to speak to the broader audience.

19. Warnock (1971), p. 148.

20. It is Goodpaster's (1978) focus which establishes the language of consideration as a vehicle of enquiry.

21. That there is a restriction on entities which may be credited with a 'sake' of their own is argued by, for example, Joel Feinberg, as I go on to discuss later in the chapter. The probable limits on rights-ascriptions will also be briefly explored there. Note that in seeking 'ordinary language' ways of saying that considerable entities matter morally 'in (and of) themselves', it is also quite natural to say that they matter for *non-instrumental reasons*. However, although this is a particularly convenient locution when discussing entities which do not clearly have sakes or warrant rights, I have intentionally avoided referring to instrumentality in the course of defining the language of consideration. Later, in Part Four, I shall be suggesting that higher-level instrumental reasons may finally underlie ascriptions of moral standing, and it could cause confusion to speak of instrumental reasons (at one level) for an ascription of moral status which is non-instrumental (at another level).

22. No significance attaches to my preference other than a sense that 'moral standing' is more euphonious than 'moral considerability'.
23. I am not saying that sense *cannot* be made of rights lower down the phylogenetic scale. Stone (1974) offers a famous argument to the effect that they both can and *should be*. However, despite Stone's book, the paradigm of the normal adult remains particularly well entrenched. Sentientists who ground moral standing in the possession of psychologically based interests favour it just as much as rights-theorists. For example, Sumner (1984), p. 74, writes: "The paradigm bearer of moral standing is an adult human being with normal capacities of intellect, emotion, perception, sensation, decisions, action and the like." Thus, any attempt to ascribe rights to entities which lack what I shall later describe as 'affect in the psychological sense' is prone to controversy and suspicion. In consequence, it is best to approach the initial question in a different way, and by means of a different terminology.
24. Which is precisely what talk of 'rights' and even 'interests' tends to do because of the connotations and theory attaching to those terms. More will be said about this problem in Chapter Three when discussing Goodpaster's distinction between the 'intelligibility' and 'normative' questions.
25. Although Goodpaster (1978), p. 311, writes of "narrower" and "wider" rights, I shall find it more convenient to use the terms 'narrow' and 'wide'.
26. Passmore (1974), p 116, is in the process of offering a standard humanist explanation of why cruelty to nonhumans is wrong.
27. Passmore (1974), pp. 116-117.
28. Goodpaster (1978), p. 311., is not saying that the notion of rights is without point, only that is best avoided in an enquiry into moral scope.
29. In defense of Goodpaster, it may be said that he is only rejecting humanism's own traditional *assumption* that the possession of narrow rights is a pre-requisite for moral standing in order to open up the initial question to debate. However, my reading is that while Goodpaster opens up the initial question to non-traditional answers, he closes off the possibility that humanism has a contribution to make. Thus, he, too, is making an assumption, namely that humanism is too misguided to be worthy of attention.
30. Goodpaster (1978) p. 317.
31. Feinberg, in Blackstone (1974), p 43.
32. Goodpaster (1978), p. 318, quoting from Blackstone (1974) p. 51.
33. Feinberg (1974), p. 52.

34. Later, we shall find Sumner using a version of this claim to rebut Goodpaster's argument for vitalism.

35. Goodpaster (1978) p. 320.

36. In identifying rights with claims, I am following Feinberg (1970) (particularly pp. 277–279 in the Rogerson (1991) reprint) in opposition to McCloskey (1965). For a detailed discussion of the nature of rights, see R. E. Robinson's (1983) argument that a right should finally be understood as a particular kind of three term logical relation between two persons and an action.

37. To use Kantian terminology, considerable entities are ends in themselves (albeit unKantianly sacrificable ends), whereas inconsiderable entities are (morally speaking) only means. I shall offer an example of the practical importance of this difference in the following chapter.

38. Simone Weil "Human Personality" reprinted in Miles (1986), pp. 69–86, p. 83.

## Chapter Two

1. Distinctions 1 and 2 are in Goodpaster (1978), p. 311, distinction 3 is on p. 312, and distinction 4 is on p. 314. Goodpaster's discussion is very brief, and my summaries are based on his declared aim of arguing for radical moral expansion as well as on his explicit statements about the distinctions. Where there is potential for confusion or alternate readings, I shall be explaining why I have chosen a particular interpretation.

2. It is also pertinent that relative moral significance may be context-dependent in the sense that, in practice, one entity will not always be more highly placed than another. The degree of moral significance generally ascribed to a kind of entity may be thought of as a summary of a complex history of decision making involving both its qualities and the circumstances which have surrounded decision making. In other words, analogously to the precedents of common law, moral significance is both a factor to take account of when making moral decisions and is itself created by those decisions. And, sometimes, the moral significance generally attributed to an entity may not seem applicable to particular circumstances. To take a bizarre example, if I was faced with the choice between saving a drowning domestic cat and saving my grandmother, the moral hierarchy would favour my grandmother, and it is her I would rescue. If the 'cat' was the last wild, breeding, female Siberian tiger, the accepted moral hierarchy would still favour my grandmother, I think. However, although I do not know, for sure, what I would do, I suspect I would save the tiger. This suggests that the relative moral significance of grandmothers and cats cannot be summarised simply by placing grandmothers higher on the moral scale.

3. I have not seen this argument in the literature, but it does come up sometimes in debate, particularly with those who are new to the issue of moral expansion.

4. For a painfully graphic account of why I make this claim with confidence, see Singer (1977), pp. 92–162.

5. An example of what can happen when nonhumans are morally disenfranchised is the notorious Cartesian practice of vivisectioning dogs thought to be mere stimulus-response machines. See, amongst others, VanDeVeer and Pierce (1986), p. 20.
6. If there are still misgivings about distinguishing moral standing *per se* from degrees of moral significance, note that L. W. Sumner, who is one of Goodpaster's strenuous critics, adopts and uses a criterion of moral standing which allows of degrees. True to his favourite touchstone, Sumner (1984), p.84, informs us that doing so "...seems to accord reasonably well with most people's intuitions...". If Distinction 2 is in error, it is a non-partisan one.
7. Goodpaster (1978), p. 312.
8. Goodpaster (1978), p. 312, calls this division a "metamoral" one, but that is a nuance which has little bearing on the distinction itself.
9. Goodpaster (1978), p. 312.
10. I say "loosely summed up" because something can strain common usage while remaining intelligible. As Earl Winkler has pointed out, the notions of unfelt pain, or even enjoyable pain, do not accord well with common usage, but both are intelligible. This is because notions of intelligibility, like language in general, are somewhat flexible. However, they do have their limits: the idea of a 'gravid door' makes no literal sense whatsoever.
11. Goodpaster cites Feinberg's (1974) attempt to determine which entities have rights in the wide sense as an example of approaching the initial question via the intelligibility question and using conceptual analysis. Goodpaster is critical of Feinberg, and it is fair to say that Feinberg's sentientist conclusion is primarily supported by the current liberal wisdom he finds in ideas of what makes sense.
12. Goodpaster (1978), p. 312. He is using the point to argue that the intelligibility question yields answers which have clear normative substance and is, therefore, not fully separable from the normative question.
13. If blacks, women, children, and even fetuses prove uncertain examples of total moral disenfranchisement, there are other things which do illustrate Goodpaster's point. As a child, I disavowed heaven because cats and dogs were banned for lack of a 'soul'. This *metaphysical* disenfranchisement quickly becomes *moral* disenfranchisement when sentient nonhumans are denied moral standing for the same conceptual reason, as is common in predominantly Roman Catholic countries. Utilitarianism's focus on psychologically based interests automatically excludes merely vital entities and offers another example.
14. Goodpaster (1978), p. 313.
15. Goodpaster (1978), p. 313.

16. Calling these thresholds *moral* may be deemed question begging because it has not yet been decided that, for example, lambs are considerable entities.
17. The need for this is illustrated by early deaths of two Anglican priests whom I knew as a boy. Both men died prematurely from what might be described as 'over-concern' for their parishioners because their sensitivity to the problems of others, and to their perceived duty, never allowed them rest: their sensitivity thresholds were too low.
18. Goodpaster (1978), p. 313. Goodpaster's use of 'considerability' is synonymous with 'moral standing'.
19. Goodpaster (1978), p. 313.
20. Although Goodpaster never makes this requirement explicit, it is consistent with his nutrition example and with the rest of his paper, and it is certainly essential. As Earl Winkler has pointed out, just about anyone could otherwise cite harm as reason not to extend consideration to exploited entities. Pimps, slave owners, exploitative industrialists, intensive farmers, et alia would have grounds for exemption. But, then, what about butchers? As I shall argue shortly, excusing operative consideration is a *substantive* moral issue.
21. Goodpaster (1978), p. 313.
22. Goodpaster (1978), p. 313.
23. Is such sensitisation possible? Spending time with other creatures, caring for them and learning to recognise and understand their needs, and, perhaps, meditative practice will all tend to promote greater sensitivity.
24. We may well have our sensitivity thresholds set unnecessarily high or be exaggerating our needs. Animal rights activists who think that 'man can live by beans alone' are fond of alleging both faults. (And as evidence mounts that Vegans live longer, healthier lives than meat eaters, it appears the activists are right.)

### Chapter Three

1. Political theory has always been, and continues to be, humanist in outlook; examples abound. (I thank Derek Cook, of Cariboo College, for making me so clearly aware of this.) A landmark contemporary enquiry which could easily have raised the question of nonhuman status but fails to even recognise it as an issue is Strauss's (1971) exposition of the theory of 'natural rights'. Strauss focusses exclusively on human rights-bearers. Current texts used in introductory politics courses display the same bias, for example Gray (1986), Lucash (1986), Plant (1991), and Honig (1993) were on display in the college bookstore when I checked; they display no cognisance of any possible concerns beyond humanist ones. Given that Lucash purports to be dealing explicitly with issues of justice and equality, that is ironic. Feminist texts are no better. Despite the work of ecofeminists, Tong's (1989)

introductory reader is unrepentantly humanist as is Block and James (1992). This is what young liberal arts students are being inducted into. To make matters worse, there is apparently a new academic movement calling itself 'contrarian' which offers an explicitly humanist reaction to the ethics of expansion. My awareness of this movement was prompted by John Vidal's review article "Apocalypse Never", *The Guardian Weekly*, March 26th, 1995. It seems 'contraryism' is a child of the political 'New Right' which is winning the affections of academic economists and scientists but not yet philosophers. Within academic circles, the primary aim is resistance to "an emerging post-humanist morality." Given the preponderance of expansionist arguments in the recent philosophical literature, and the dearth of humanist apologetics, a re-assertion of humanism's philosophical credentials may not be long in coming. In sum, humanism is a force to reckon with.

2. Melden (1977).

3. Melden (1977), p. 187.

4. The clear sense of Melden's discussion is that he holds an *instrumental* view of rationality according to which rational creatures are those who are able to discover and implement means to their particular ends.

5. For example see Warnock (1971), pp. 150-151, where he offers the traditional sentientist argument that children share their capacity for suffering with adults and, therefore, should share the adults' moral status as well. Warnock, of course, wishes to deny that children are yet moral or rational agents, and that is surely correct. Even if it is argued that children do have an as-yet unevincd *capacity* for rationality, they are certainly not *agents*. I thank Jack Stewart for pointing out that the argument from capacity might be made against Warnock.

6. Again, see Warnock (1971), pp. 150-151, where he comments on the disenfranchisement of "imbeciles".

7. Melden (1977), pp. 199-201.

8. Melden (1977), pp. 149-150.

9. Melden (1977), p. 187.

10. I do not know who holds the patent on this objection, but Warnock (1971), p. 13, offers the earliest version with which I am familiar.

11. Melden (1979), p. 187, does not explicitly write of a 'space being', but he discusses a rational being who is as unlike us as a space being might be.

12. Melden (1979), pp. 189-192.

13. Kant (1985), p. 30 [(1785), Ak. 421].

14. I wish to thank Earl Winkler for helping me to understand the relationship between Melden's position and Kant's.
15. Contemporary work with chimpanzees and other primates suggests that chimps are probably the next best endowed with reason, but they still come nowhere near humans. For example see Goodall (1990), Cheney and Seyfarth (1990), and deWaal(1982).
16. Given that without the practice of sheep-herding, Border-Collies would never have evolved as a breed, it may be thought I should be arguing that a Border-Collie's mere existence is of benefit to it. However, it is logically questionable whether mere existence, which is a necessary precondition of there being benefits, should be assessed as either a blessing or a curse. What seems important is that now there are Collies, they are benefitted by their relationship with shepherds. But, in case it is thought there is a question to answer, sheepdogs seem very glad to be alive, in so far as one can tell.
17. See, for example, Melden (1977) pp. 143-145, p. 173, and pp. 185-206.
18. Melden (1977) p. 1. A similar view is expressed on pp. 14, 44, and 214.
19. Melden would seem to need the services of a third and unifying moral theory which his text gives no hint of.
20. Sumner (1984), pp. 81-82.
21. Melden (1977), p. 219.
22. Passmore (1974), p. 117, is offering a historical discussion, rather than a direct presentation of his own views, but the clear impression he leaves is that he toes the party line.
23. Passmore's own position is made plain on (1974) p. 116.
24. Even so, my small bulge in the humanist dam does threaten to let through many and various nonhumans, from seeing-eye dogs to the pet budgie which gives an old person reason to get up in the morning. If all these creatures are enfranchised, it may then become hard to avoid the 'psychic dissonance' which Singer argues we face when we try to draw moral distinctions between similar creatures. I shall be discussing Singer's argument shortly.
25. We shall soon find that sentientism also invokes differences which finally ground in *psychology*, and this raises the question *why* debate on the conservative side of the mattering gap is so focused on psychologically-based differences. They seem to have replaced the religiously grounded differences (like 'having a soul', and being 'made in the image of God') which were thought so important previously. Is it that psychological concerns and explanations have partially replaced religious ones in 20th century industrial cultures? If so, the moral implications may be worth pursuing because psychology eschews the normative judgements associated with religion.
26. Noonan (1984) and Donceel (1984).

27. Benn (1984), p. 143. The argument is subsequently endorsed and used by Feinberg (1984).
28. Winkler (1984), p. 305.
29. Noonan (1984), p. 13.
30. This was pointed out to me by Jack Stewart of U. B. C. in personal correspondence. He suggests that the conservative may wish to claim human wisdom is a dispositional quality, like, for example, the fragility of window glass. Just as we do not need to see a window broken to judge it breakable, so, Stewart suggests, we may not need to have human wisdom demonstrated to judge it present.
31. As an alternative to the dispositional view, humanists may attribute a degree of value to rationality and 'human wisdom' such that even *potential* rationality becomes worthy of moral protection. But, if so, humanists are surely misguided. Although there is great value in members of the human community being rational rather than nonrational, that offers no reason to grant fetuses a right to life. It is not as though increasing the number of (rational) humans in the world somehow has merit, for example by improving the quality of life for other sentient creatures.
32. Noonan (1984), p. 9.
33. This would be in keeping both with the spirit of genetic humanism and with Noonan's (1984) article "An Almost Absolute Value in History".
34. Apart from the practical significance, it would entail that moral humanism does *not* offer necessary conditions for moral standing and is, therefore, not a complete account of moral scope.
35. The widespread public acceptance of early abortions, and the growing acceptance of experiments with human embryos indicates that the broad acceptability of this view. For example, note the Warnock commission's guarded acceptance of experiments with embryos up to fourteen days old, as reprinted in Beauchamp and Walters (1989), pp. 449-500.

## Chapter Four

1. Mill (1968), p.6 [*Utilitarianism* (1863) chap. 2, para. 2], writes: "...actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness. By happiness is intended pleasure, and the absence of pain; by unhappiness, pain, and the privation of pleasure."
2. Bentham (1970), p. 283 [(1843), ed. John Bowering, Ch. XVIII, Sec. 1.].
3. Bentham (1970), p. 283. Note that Bentham writes of the "the *rest* of the animal creation" anticipating the point that humans, too, are animals. This is why I distinguish between humans and *sentient nonhumans*.

4. Singer (1976), p. 154, quoted in Goodpaster (1978), p.316.
5. Sumner (1984), p. 83.
6. Sumner (1984), p. 84. Note that the borderline between sentience and non-sentience is now naturally hazy because sentience in both the dictionary and the analytic sense grades gradually into non-sentience as phylogeny descends. There is a boundary region where it is simply unclear whether or not we should credit organisms with sentience.
7. And, with one notable exception, all current sentientists want to enfranchise roughly all sentient creatures in the dictionary sense. The exception is Tom Regan, whose position will be discussed in the next chapter.
8. With hindsight, it may seem that clarity would have been better served if analytic philosophy had not refurbished a word in general use, but the deed is done and the technical meaning established.
9. Singer (1973), p. 25.
10. Because Singer deserves so much credit for *popularising* sentientism, it is possible to lose sight of those other philosophers who have developed this argument. Compare Warnock's (1971), p. 151, pithy statement:  
     ...the condition of being a proper 'beneficiary' of moral action is the capability of *suffering* the ills of the predicament...  
 And Frankena (1979), p. 10., concurs:  
     Like Warnock, I believe that there are right and wrong ways to treat infants, animals, imbeciles, and idiots even if or even though (as the case may be) they are not persons or human beings – just because they are capable of pleasure and suffering...
11. Singer (1979), pp. 51-53.
12. There is something quite odd about this attempt to tie the significance of suffering to degrees of self-awareness. Suppose that I trap the cat's tail in the door; there is no reason to think that she suffers less than I do when I trap my fingers. The cat screams; I scream, and I reflect no more than the cat on my predicament and perceptions; I simply hurt. Should my pain become intense enough, it will erode my self-awareness until I exist in a perceptual world almost entirely composed of pain. But my suffering will not then be less important because of my loss of self-awareness. Although it may be true that human self-awareness multiplies the *occasions* for suffering, that does not entail that nonhuman suffering is in some way fundamentally *different* from human suffering or morally insignificant.
13. For example, Gray (1921), p. 43, states that we must allow for, "the moral degradation which results from the practice of cruelty" but finds this insufficient to explain existing prohibitions on cruelty. He adds that "this seems artificial and unreal; the true reason of [prohibitions on cruelty] is to preserve dumb creatures from suffering."

14. My appreciation of the way in which these disputes come down to different conceptions of the moral enterprise owes much to my years of discussion and debate with Earl Winkler.
15. For example, Singer (1980), pp. 237–238, writes that a right action is one which is “in accord with the *preferences* of any beings who have preferences about the action or its consequences.” (My emphasis.) In Singer (1979), p. 12., it is the *interests* of those affected by a decision which are morally relevant: they should be taken into account and maximised. And in Singer (1981), pp. 100–111, both ‘preference’ and ‘interest’ are referenced.
16. Singer (1979), p. 12.
17. Regan (1983), p. 206, quoting from, and glossing Singer.
18. There is also good reason to distinguish preference from desire. When speaking of psychologically complex creatures, we usually intend ‘preference’ to be weaker than ‘desire’, and when speaking of psychologically simple creatures, it sometimes makes sense to attribute a preference, or interest, where desire cannot exist. For example, a nematode prefers damp soil, but I doubt that a nematode has desires. Treating preference and desire as equivalent may lead us to ignore weaker instances of preference-cum-desire; thus, overlooking possible obligations to complex creatures who are not evincing full-blooded desire, and obligations to creatures too simple to be credited with desires.
19. Singer (1979), p. 19. Note that Singer (1979) p. 10, and (1981), p. 101, writes of a principle of *universalisability*’ (most recently expounded by R. M. Hare) rather than *impartiality*. But in the present context, they amount to the same thing. In Singer’s utilitarian moral theory, equivalent interests are of equal moral importance no matter whose interests they are. I thank Earl Winkler for setting this matter straight for me.
20. Singer (1981), p. 101.
21. Singer (1979), p. 10.
22. I have based this on the argument advanced by Singer (1979), pp. 48–54, and – more briefly – (1981), p. 120.
23. Even if a humanist believes that, in practice, human interests always take precedence over nonhuman interests, this claim cannot be used to reject the argument from interest because the mere acknowledgement that nonhuman interests warrant *some* consideration grants the sentientist point.
24. Singer (1981), p. 151–152. William Godwin was an 18th century anarchist and the husband of Mary Wolstonecraft.
25. Singer (1981), chapters 5 and 6. I say ‘rule-benefit’ reasons rather than ‘rule-utilitarian’ reasons because, like Hare, Singer sees rules as rough guides to action for use when consequential calculations cannot be made or relied upon.

26. Singer (1981), pp. 150–151.

27. Singer, I think, comes close to advocating this.

28. Singer (1981), p. 111.

29. I am not suggesting that Singer would accept the weakening of his impartiality (or universalisability) principle. And Hare, who is the source of Singer's impartiality theory, would certainly dismiss modifications. As Singer (1979), p. 10, notes, Hare claims that universalisability is, almost by definition, an inescapable correlate of moral thought. What I *am* saying is that the impartiality requirement is far from being uncontroversial.

30. Singer's (1981) *The Expanding Circle* can be seen as a book-length effort to do this. What follows is based on my reading of the argument contained in the book, and because Singer's exposition is more flowing and 'holistic' than he usually offers, I have not attempted to include quotations or cite specific passages.

31. I am not saying there may not be other explanations and justifications for nonhuman moral status, but this is the best revealed by the enquiry so far, and I expect that any fuller account would need to include it.

32. As noted earlier (chapter three, note 1.), there is still widespread support for humanism. What is more, there is probably even greater *tacit* support for humanist ways of doing business. *How many of us consistently avoid foods and other goods which have been produced at an avoidable cost in nonhuman suffering?*

33. Hence the 'expanding circle' image which Singer takes for his book title.

34. I thank Earl Winkler for providing me with this graphic example.

35. Of some kind! There is no entailed need to become utilitarians or even to embrace the 'no theory' theory of non-partisan sentientism. For example, a sentientist virtue ethics would be equally well placed to denounce these actions.

36. Singer (1977), pp. 27–162. *The New Internationalist*, No. 215, January 1991, provides an excellent, brief introduction to the avoidable horrors of agribusiness and avoidable research.

37. Singer (1979), p. 58.

38. It is also important to know where the line will be drawn between entities which are clearly considerable (on a sentientist account) and entities whose status remains in question, but that distinction must remain approximate. Singer (1981), p. 123, speaks for utilitarian sentientists in general when he writes that sentientism's mandate runs until there is no ability "to feel, to suffer from anything or to enjoy anything", and this makes it largely a matter of science where the division

occurs, and probably a matter for debate. But there cannot be many living creatures who will be left completely outside the moral umbrella.

## Chapter Five

1. Regan (1975) presents a rights-based case for vegetarianism. Chapter 6 of Regan (1982) is a reprint of a paper published in *Inquiry* (22, 1-2, 1979) presenting Regan's thoughts to that date. Regan (1983) is a detailed book-length presentation accompanied by criticisms of alternative positions. Regan (1985), reprinted in VanDeVeer and Pierce (1986), summarises the rights view and offers a more warm-blooded treatment.

2. For example, see VanDeVeer and Pierce (1986), p. 36.

3. For example, Regan (1986), p. 37, writes:

...if it were possible to show that only human beings were included within [the rights view's] scope, then a person like myself, who believes in animal rights, would be obliged to look elsewhere than to the rights view.

In fact, the rights-view is tailored to coincide with Regan's pre-theoretical sense of what constitutes appropriate moral standing for the higher mammals. For an explanation of this strategy, see Regan (1986), pp. 36-38, and Regan (1983), pp. 235-250.

4. Regan (1983) 208 - 209 argues the case directly. Regan (1986), pp. 36 - 37 makes the case using the Aunt Bea example. Note that Regan writes of 'preference' rather than 'interest' satisfaction, and he calls Singer's form of utilitarianism 'preference utilitarianism'. In keeping with the last chapter, I am continuing to stress the focus on interests.

5. Regan (1983), p. 209. Singer (1979), particularly p. 153, and Singer (1980), pp. 235-238, and pp. 244-251.

6. Singer (1980), p. 238.

7. Singer (1980), pp. 248-249.

8. As Regan himself argues, (1983), p. 209, drawing on H. L. A. Hart.

9. Regan (1983) only, pp. 211-218.

10. Singer (1980), p. 238.

11. Regan (1983), p. 285, attributes this example to a critic. It shares a weakness common to contrived and unlikely scenarios in being so far beyond everyday experience that we are never really sure *what* received morality requires, or *how* we would act in those circumstances. However, it is important to show that, although Regan thinks he has answered his critic, the rights-view does not fully accord with received morality's view of 'lifeboat dilemmas'.

12. (1983), p. 324.

13. Singer (1981), chapter 6, explicitly accepts that *some* conflict between everyday morality and utilitarianism may be inescapable for the foreseeable future. Once again, he offers anthropological and rule-benefit arguments to attempt to make utilitarianism more palatable.

14. For example see Nagel (1979), "Death".

15. Regan (1983), p. 325, tells us yet again that, "aggregative considerations...cannot be sanctioned by those who accept the respect principle."

16. Regan only recognises interests *personally held* by the individual; however, a person should really count for *all* those interests requiring their continued well being. This may include interests held by someone else.

17. I am using Regan (1986), pp. 36-38, as a primary guide to his strategy. (1983), pp. 235-250, contains essentially the same approach.

18. Regan (1983), p. 249.

19. Although the example is mine, it is true (I hope) to Regan's position.

20. For example, see Regan (1983), p. 324. Note that if Regan *did* insist that treating Bea as an end in herself entailed *never* sacrificing Bea, he would need to claim *either* that there are never moral conflicts such that someone's death is the best available option, *or* that moral agents cannot legitimately make a choice which involves a death. Instead, he countenances using the potential for future satisfaction as a 'tie-breaker'. Note, too, that although this does involve a *consequential* calculation, it does *not* involve *aggregating* interests across different individuals, which is what Regan fears will justify killing Aunt Bea for her wealth.

21. Although an inherent value attribution may fix the flaw Regan finds in preference utilitarianism, we still need to know why, apart from this partisan advantage, individuals warrant inherent value.

22. Regan (1982), p. 117. Note that Regan is discussing rights in the 'wide' sense.

23. Regan (1983), p. 249. To the best of my knowledge, Regan only introduces 'justice' on this one occasion.

24. Regan (1983), p. 248-249.

25. This is what one would expect because the practical consequences of respecting an entity depend almost entirely on other beliefs we hold about it.

26. In seeking to answer this question, I shall focus on Regan (1986). It offers the briefest, but most revealing, presentation of the rights view.

27. Regan (1986), p. 37., notes that if one person can claim more worth than another, injustices like slavery and sex discrimination will proliferate. Therefore, "Mother Theresa and the most unscrupulous used car salesman", must have the same inherent value.

28. Regan (1986), p. 37., my emphasis.

29. Regan's appeal to the 'interiority' of existence echoes Nagel's (1979), "What Is It Like To Be A Bat?". Regan focusses exclusively on higher mammalian experience, but the invocation of the experiencing subject is quite similar.

30. Regan (1986), p. 37.

31. Singer (1980), p. 244-245, referring to Regan's (1975) earliest statement of the rights-view.

32. Regan (1983), p. 209, pp. 248-249, and (1986), p. 36.

33. I am indebted to Earl Winkler for stressing the importance of granting Regan such a first premise.

34. For example, if I tell you that the Mona Lisa is a great art work, that, in itself, says nothing about how the painting should be treated. If you are an art lover, you will want to be sure it is safe; if you are an ascetic, you may wish it destroyed.

35. *Is this 'moral attitude' already part of the notion of 'inherent value'?* If so, the act of valuing offers the intermediary step we need between Regan's description of experiencing life and the treatment he thinks appropriate. But the problem with this reading is that the notion 'value' is so loose it becomes unclear just what Regan is claiming: valuing an entity, even valuing it inherently, entails a wide range of treatment. What is required in this context is a *particular*, clearly defined, attitude. And there is some textual evidence to support placing a fundamental moral attitude at the heart of Regan's position. As noted above (note 3) Regan is more impressed by his pre-theoretical sense of the moral worth of all experiencing subjects than by moral theory. If a fundamental attitude sustains the rights-view, this becomes more understandable: Regan is like a mathematician who is 'intuitively' convinced of a theorem but needs a derivation which will persuade colleagues.

36. I thank Earl Winkler for pointing out that the fundamental attitude can be understood in terms of Regan's commitment to impartiality. Stated this way, it is notable how similar Regan's view of impartiality is to that of the vitalist Paul W. Taylor.

37. For example, see Regan (1986), p. 32.

38. Regan's position permits no way to even challenge this conclusion because it recognises no basis for the claim that other interests may sometimes take precedence over the life of an experiencing subject.

39. Again, no exceptions are possible, because all experiencing subjects of a life have inherent value, and they may not be sacrificed except when a death is already inevitable. Regan (1986), p. 32, is adamant. He is committed to “the total abolition of the use of animals in science”.

40. Singer (1980), p. 245.

41. Regan (1986), p 417., footnote.

42. In clearly extending moral protection only to the higher mammals, the rights view is much less generous than the other sentientism’s. Thus, there is some question whether the rights-view is properly described as a sentientist theory at all. However, placing Regan’s view between humanism and sentientism would downplay the fundamental concern to protect nonhumans which Regan shares with all other sentientists. His focus on the higher mammals comes of a desire to rectify what he sees as the most pressing wrongs, for the most persuasive reasons. For example, see Regan (1986), p. 39. Regan’s *collaborations* with Peter Singer indicate the tenor of Regan’s sympathies more accurately than their *disagreement*.

43. Philips, (1994) discusses this danger in detail in Chapter One.

44. Regan (1983), p. 138, discusses the risk of intuitively tested moral principles becoming “ineradicably subjective”. This is in the course of a thorough discussion of the role of intuition in moral philosophy.

45. Regan (1986), p. 39.

## Chapter Six

1. Although Goodpaster (1978) is writing before some of the developments in interest-based sentientism, this is the gist of a broad characterisation which opens his argument and is still essentially correct. Hedonic sentientists like Warnock (whom Goodpaster quotes) offer the relatively simple, classical account of benefits and harms which eschews reference to interests *per se*, but it is unproblematic to characterise their view in terms of psychologically grounded interests. Later, interest-based sentientists like Singer and Sumner explicitly focus on the possession of interests which may either be satisfied in order to yield an experientiable benefit, or contravened in order to yield an experientiable harm, and non-partisan sentientism follows their lead. Regan, too, fits Goodpaster’s generalisation although he focusses exclusively on the interest in remaining an experiencing subject. Thus, sentientism’s broad concern is the same in all cases.

2. The situation is summed up by comparing quotations from Goodpaster and Singer. Goodpaster (1978), p. 316, finds that:

...it is so clear that there *is* something to take into account...which surely does qualify [non-sentient] beings as beneficiaries and capable of harm – namely life...

Whereas Singer (1981), p. 124, writes:

We need not deliberately exclude nonsentient things from the scope of the principle of equal consideration of interests: it is just that including them within the scope of this

principle leads to results identical with excluding them, since they have no *preferences* – and therefore no interests, strictly speaking, to be considered. [My emphasis.]

Singer, (1981), p. 123, explicitly recognises that sentientism may be failing to understand something important – and proves that he is by far from being the most intransigent of the – sentientists when he also says this of the attempt to cross the mattering-gap:

Perhaps my incomprehension proves only that I, like earlier humans, am unable to break through the limited vision of my own time.

3. Feinberg's (1974), p. 43, candidates for 'moral rights' extend to almost any service which a moral agent might be found to render. Sumner (1984), p. 72, explicitly draws an equivalence between rights bearers and considerable entities. He writes that "having (some) moral standing is equivalent to having (some) right to life."

4. Feinberg (1974), pp. 43-68.

5. Feinberg (1974), pp. 44-48.

6. Feinberg (1974), p. 51.

7. Feinberg (1974), p. 49. Feinberg attributes this insight to McCloskey (1966), but they then part company because McCloskey goes on to claim that "animals" cannot have interests.

8. Feinberg (1974), p. 51.

9. Feinberg (1974), pp. 49-50.

10. Feinberg (1974), p. 49.

11. Feinberg (1974), p. 50-51.

12. Feinberg (1974), p. 52.

13. Feinberg (1974), p. 52.

14. Feinberg (1974), p. 52.

15. Feinberg (1974), p. 44, explicitly argues this way in respect of non-living things when he dismisses a possible claim to consideration made on behalf of rocks because "rocks belong to a category of entities of whom rights cannot be meaningfully predicated." The Oxford English Dictionary I am using is Fowler (1984).

16. Feinberg (1974), p. 51.

17. It is not altogether clear whether Feinberg's interest principle should be read as the mere statement quoted above, or as *including* the assertion that interests require conations. On the latter

reading, step three of the five-step argument is also part of Feinberg's formulation of the interest principle. However, nothing important depends on the different readings.

18. Perhaps the difficulty can also be obviated by linking interests to teleological activity, and to a capacity to be thwarted in some way; that would, certainly, be more helpful to those who seek further moral expansion. However, as I shall argue shortly, it is probably best to let sentientism claim the notion of 'interests' and avoid semantic squabbling.

19. Feinberg (1974) recognises how stringent his second definition of conation is on p. 53.

20. Feinberg (1974), p. 62.

21. Feinberg (1974), p. 51.

22. For example, Feinberg (1974), p. 52: "We wish to keep redwood groves in existence for the sake of human beings..."

23. Feinberg (1974), pp. 53-54.

24. Sumner (1984), pp. 85-93. Note that Sumner attempts to add to his case by claiming that the possession of (some) moral standing must also bring with it (some) right to life. This secondary claim will not be discussed, here, because the initial question only seeks an account of the conditions of moral standing *per se*. However, it should be noted that the claim is far from self-evident; for example, Tooley (1988) argues cogently that a creature's moral status could conceivably rule out torture but not untimely death.

25. Sumner (1984) pp. 74-75.

26. Sumner (1984), p. 76.

27. I thank Earl Winkler for pointing out the potential importance of this flaw in Sumner's reasoning. An example of the use of 'inherent value' as a shorthand for a lengthy complex of properties is provided by Holmes Rolston III, whose work we come to in the next chapter. The suggestion that inherent value, and moral standing, may sometimes have as much to do with a relation between the valuer and the valued entity will be taken up in Part Four. For now, I offer the dog who is sleeping beside me as a counter-example to Sumner's claim. I certainly attribute inherent value to him, but I cannot point to any one natural property which grounds that attribution. Even several natural properties would probably be inadequate to the job.

28. Sumner (1984), pp. 80-83, offers what may be the best brief discussion of the problems facing humanism.

29. Sumner (1984), p. 83.

30. The list is Sumner's (1984), p. 83.

31. Care is going to be needed, here, in order to avoid disenfranchising anyone in a coma or even under anaesthetic. But if the capacity for sentience is taken to include combinations of past sentience with reasonable expectations of future sentience, unfortunate disenfranchisements should be avoidable.
32. Obviously, this owes much to the science of ecology, which is why I call the arguments for expansion which it engenders a 'movement from ecology'.
33. Goodpaster (1978), p. 319.
34. Sumner (1984), p. 79, footnote.
35. Fowler (1984).
36. Nagel (1979), "What Is It Like To Be A Bat?"
37. As Goodpaster (1978), p. 321, notes, an hedonistic "conception of the good...quite naturally" leads to a sentientist account of moral standing.
38. Goodpaster (1978), p. 316.
39. Sentientists tend to overlook or, at least, downplay this point, but it remains a valid one. Despite what I have said in *favour* of sentientism, I have also stressed that, from a humanist perspective, *sentientism, too, involves a strange and novel shift in moral emphasis* which humanists can fairly characterise as a *paradigm* shift. The humanist paradigm is a reciprocating moral agent; the sentientist paradigm is a thinking, feeling, interests-bearing agent. Both are adult humans, but they are adult humans viewed in a significantly different light.
40. Sumner (1984), p. 79.
41. This worry is expressed more pointedly by Johnson (1984), p. 351., when he urges that vitalism appears to entail extending moral protection to self-mending computers (if and when we build them), and that is ridiculous. *Is it a real possibility that some machines might eventually be enfranchised by vitalism?* Although I want to reserve this question until towards the end of the next chapter (and an accompanying footnote) where the possible moral significance of teleology is discussed more fully, note that vitalism *does* offer possibilities for blocking this kind of expansion.
42. Sumner (1984), p. 77.
43. I wish to thank Joan Bryans (of Cariboo College) for pointing out this problem.

## Chapter Seven

1. Even so, the movement from ecology makes little *overt* appeal to our developing environmental problems, and I shall eventually argue that this is a mistake.
2. Rolston (1988), pp. 98–106 and pp. 186–187, and Rolston (personal communication) pp. 7–10.
3. This is essentially the same point Goodpaster (1978) makes when arguing that organisms like trees have ‘interests’. Both Goodpaster and Rolston start from the recognition that *all* living organisms can be benefitted and harmed – although not always in a psychological sense – by what happens to them. But Goodpaster, *unlike* Rolston, then tries to use the notion of interests to bridge the mattering gap and establish commonality with sentientism. As we shall soon find, Rolston has a more radical plan.
4. Rolston (1988), p. 99.
5. Rolston has not yet, in any way, suggested that organisms themselves might *be* good in some moral sense. He has only stated that they *have* goods.
6. Rolston (personal communication), p. 10.
7. Rolston (1988), pp. 112–117, quotation p. 117.
8. My understanding is that, in those parts of the exposition I am now citing, Rolston is not saying that *because* organisms have goods of their own *therefore* they are good organisms. Rather, he wants to claim that organisms have *discoverable, discernable* goods of their own *and discoverable, discernable inherent value*. Thus, he treats these claims more like twin premises than like a premise and a conclusion. Later, I shall consider a passage where Rolston *does* offer a premise–conclusion relationship between the claims.
9. Mackie (1977), pp. 38–42, offers his “argument from queerness” against the claim that value is, as Rolston contends, part of the world’s ‘natural furniture’.
10. Rolston’s view that an ‘objective’ appraisal of inherent value must be based on what we know about living organisms and nature does not entail that those values are ‘waiting to be discovered’. ‘Objectivity’ is equally consistent with the relational view that a proper understanding of nature will furnish reasons for moral agents to ascribe inherent value to all living organisms.
11. Rolston (1988), pp. 192–245, quotation p 198.
12. We shall find, later, that inanimate objects can be natural projects as well, but here we are only concerned with vitalism and living organisms.
13. There is also some question to what extent Rolston’s vision is best read as a metaphor for the kind of nonanthropocentric, disinterested outlook which Taylor subsequently describes, and to what extent it might involve something more. For now, I am going to work with Rolston’s literal version because I think that is both true to his text and adequately provides for discussion and criticism.

14. Rolston (personal communication), p. 10. The same argument is presented in Rolston (1988), pp. 101-104.

15. Rolston (personal communication), p. 11.

16. As noted above, two different senses of 'good' appear to be afoot in Rolston's argument. In the first sense, an organism *has* a good: i.e., it is a teleological entity with ends of its own. In the second sense, an organism *is* good in the moral sense which enables us to say things like, *Mother Theresa is good*. It is noteworthy that, for an Aristotelian, these two senses converge because a (morally) good woman is precisely one who realises her natural *telos*. However, for an Aristotelian, the moral realm begins and ends with humans. As Joan Bryans (of Cariboo College) has pointed out to me, it is an interesting question to what extent Rolston should be read as a kind of Aristotelian who wishes to found a much broader based morality in biology, but it is not one I need broach here.

17. Taylor (1981) pp. 177-178, provides a fine exposition of the claim that teleology offers potential moral guidance. Taylor's arguments for vitalism are presented briefly in Taylor (1981), and at length in Taylor (1986). Where possible I shall refer to the much briefer (1981) paper as it is reprinted in VanDeVeer's and Pierce's anthology.

18. Taylor (1981), p. 175.

19. Taylor (1981), p. 174.

20. Taylor (1981), p. 172.

21. Taylor (1981), p. 177.

22. Taylor (1981), pp. 171 and 177-178. If it is objected that talk of 'pursuit' is strictly metaphorical when nonsentient organisms are involved, the claim can be rephrased to say that all living organisms have goods which their responses to their environment evidence and usually further.

23. Taylor (1981) pp. 175-176.

24. For one thing, the third claim is as much a matter of science as of philosophy; for another thing, my eventual criticism of Taylor's argument will make the issue largely redundant.

25. Taylor (1981), pp. 171-172.

26. Taylor (1981), pp. 178-183.

27. Taylor (1981), p. 179.

28. Taylor (1986), pp. 3-53, does go some way to answering this charge by claiming important similarity between current human ethics and his environmental ethics. However, there is surely scant basis for an egalitarian, vitalist axiology in any version of current morality.

29. I wish to acknowledge Earl Winkler's contribution to this way of viewing matters. I also want to stress the importance of keeping in mind a point made to me by Jack Stewart. The science which underlies Taylor's biocentric outlook is itself a human creation, and it is far from being *axiologically* neutral. If Taylor wants morality to follow a lead set by ecology, then he owes it to us to explain the moral relevance of the values informing science and the reasons why we grant it importance.

30. Taylor (1981), p. 182.

31. Or to take a recent precedent from philosophy, suppose that we fit a 'narrative' to a tree in the manner described by MacIntyre (1984).

32. I thank Earl Winkler for repeatedly pointing this out and causing me to sharpen the detail in the above narrative.

33. Rolston (personal communication), section 2, paragraph 4.

34. The qualification is necessary because, beyond vitalism, there may be reason to enfranchise entities like trains.

35. This distinction owes much to Brennan's (1984) distinction between entities which can only be completely identified if their 'function' is specified, and entities which are 'intrinsically functionless'. As I shall explain in the next chapter, the latter turn out to be pretty much coextensive with living, teleological organisms. (But perhaps not entirely so, for I doubt that I could explain to you what a sheep-dog is without explaining what sheep-dogs are bred for.) The advantages offered by my way of marking the difference are three-fold: it is conceptually simpler than Brennan's distinction; it is not subject to the charge that some living entities might be excluded (like sheep-dogs); and it appears to underlie the difference Brennan has noted.

36. There is a possible exception to this, namely the teleological, self-replicating machines mentioned in the last chapter. Taylor (and probably) Rolston can disenfranchise such machines because they are not members of the biotic community; however, that proviso must then be justified. In Part Four, I shall offer my own, tentative, conditions for moral standing which could (probably) be used to disenfranchise intelligent, self-motivated machines if they were in any way inimical to human welfare. However, I am not averse to the prospect that intelligent machines would be considerable entities. They would surely have to be credited with 'mind', and, therefore, with the psychologically based interests in which broadly utilitarian sentientism grounds moral standing. In any case, I prefer to worry about their moral status when they loom a little closer, and we know more about what they may be like.

37. Whether securing vitalism requires that this perspective be egalitarian, as Taylor proposes, is an issue I shall discuss later.

## Chapter Eight

1. Fox (1990), p. 197.

2. Rolston (1988), p. 199.

3. Rolston (1988), p. 188.

4. Rolston's point is not that stability is the *criterion* of success; 'keeping up the numbers' provides that, and, in a changing environment, adaptation will obviously be required. However, Rolston is saying that species which *do* keep their numbers up will tend to achieve stability. Of course, species-stability seems to be a function of the environment as much as of the species, and one wonders why Rolston thinks of it as a *species* heading. But, for the sake of argument, let us take his example at face value.

5. In the case of species and ecosystems, a similar notion to that of Rolston's 'headings' is captured more scientifically by Fox (1990), p. 171, when he writes of "autopoietic" entities. This is a term drawn from biology to describe "entities that are primarily and continuously concerned with the regeneration of their own organizational activity and structure".

6. Fox's notion of 'autopoiesis' may now be proposed as offering a less problematic natural guide to right action than Rolston's multiplicitous 'headings'; however, the problems which will finally condemn Rolston's argument are equally applicable to anything which can be constructed in terms of autopoiesis.

7. Rolston (personal communication), p. 24.

8. Rolston (1988), p. 192 and (the quotation) p. 197. Although Rolston's use of the word 'project' threatens to anthropomorphise nature, I do not think anthropomorphisation benefits his overall argument, so let us note the tendency without making too much of it.

9. Rolston (1988), p. 197.

10. There is also a need to clearly explain what constitutes a species and an ecosystem, and why our moral ontology should recognise them as separate and distinct from living individuals, but these are not issues which I want to enter into here.

11. Thus, harnessing Rolston's expansionist ambitions to Taylor's overall strategy. Taylor himself, of course, holds no brief for expansion beyond vitalism.

12. Once again, this way of talking threatens to anthropomorphise nature.

13. Rolston (1988), p. 198.

14. Rolston (1988), p. 195. Rolston's point, of course, is not that non-living entities cannot be used for legitimate human purposes; he wishes to preclude interfering with them *without good reason*. Note that even smashing a pebble, simply as a wanton exercise in power, can come to appear wrong from the expanded biocentric perspective, much as gratuitously kicking the cat, or cutting down a tree for

no good reason, would be wrong. Note, too, that the wrongness is not simply a matter of human habits or dispositions; it lies in destroying or curtailing an entity which is seen to have worth, or importance, from an expanded, radically non-anthropocentric perspective.

15. Brennan (1984), p. 52.

16. Fox (1990), p. 172.

17. Brennan (1984), p. 39, quoting from a text of the 'speech' which appeared in *New Internationalist* 3, no. 31 (September 1975), pp. 16 - 17.

18. As reported in *Newsweek*, May 4th, 1992 (and as I learned from the computer in the Kamloops, B.C., main library), Brennan is inadvertently quoting from part of the script for the film *Home*, which was produced in Hollywood in 1972. Apparently Ted Perry, who wrote the speech, has tried to set the record straight, but with little success. "Why are we so willing to accept a text like this if it's attributed to a Native American?", he is quoted as saying. "It's another case of placing Native Americans up on a pedestal and not taking responsibility for our actions." Those seeking the speech will find a modified version of it turned into a beautifully illustrated (if culturally slanted) children's book by Susan Jeffers (1991). Jeffers, too, attributes the words (which she trims and modifies a little) to Seattle.

19. Fox (1990), p. 81, tells us that, "Naess's ecophilosophical work corresponds roughly to the period since his resignation [of the philosophy chair at Oslo] in 1969".

20. Fox's (1986) paper is probably the best summary and exposition of Naess's deep ecology to date, despite its less than literary style. Fox's subsequent (1990) book is much broader in scope, and it attempts to replace deep ecology with Fox's own 'transpersonal ecology'. The difference between deep ecology and transpersonal ecology is partly a matter of the name — Fox thinks that Naess's deep ecology cannot fairly claim to be 'deep' in the 'going back to inescapable first principles' sense which Naess intended — and partly a matter of Fox linking up with certain developments in psychology. For the purposes of this enquiry, they are pretty much interchangeable. Others beside Fox and Naess have, of course, contributed to the development and literature of deep ecology. For example, Devall and Sessions (1985) was, perhaps, the best known and most important introduction to deep ecology prior to the publication of Naess's book in English. However, for our purposes, Fox and Naess are sufficiently representative.

21. With respect to the former point (egalitarianism), see, for example, Fox (1986), where he quotes George Sessions's account of Naess's rejection of "conventional western ethics". With respect to the latter point (being non-axiological), the early pages of Fox's (1986) paper are a response to the misperception that deep ecology proposes an alternative axiology. In so far as Naess speaks of value, says Fox (1990), p. 222, he is only using it in a "metaphorical, nontechnical, everyday" sense. In marked contrast to Taylor and Rolston, Naess does not appeal to value in building his position.

22. Fox (1990), p. 243.

23. Deep ecology proposes “an experientially grounded *state of being* from which ecologically desirable actions and lifestyles follow”. Fox (1986), p. 41.
24. Fox (1986), p. 15.
25. For example, Fox (1986), p. 57.
26. Naess (1973) uses these terms in his introductory paper, and they are reused by Fox (1986), p. 15, in explicating Naess. Naess (1989), p. 56, writes of “relational fields” and the “relational junctions” within them which are entities. Personally, I prefer the simpler metaphor ‘knot’.
27. Thus, Fox’s interest in *transpersonal* psychology and his retitling of deep ecology as *transpersonal* ecology.
28. Fox (1990), p. 235.
29. Fox (1986), p. 32.
30. Fox (1986), p. 32.
31. As Fox (1990), p. 219, notes, Naess is really not interested in what philosophers usually term ‘ethics’. He intends deep ecology to render morality largely superfluous by changing our personalities and our deepest drives. For example, Fox quotes Naess as saying, “I’m not much interested in ethics or morals. I’m interested in how we experience the world.”
32. Fox (1990), p. 105.
33. Fox (1990), p. 231.
34. Naess (1989), p. 86.

## Chapter Nine

1. Later in the chapter, I shall review more fully the findings and arguments which support these conclusions.
2. For example, Fox (1990), p. 193, writes sympathetically of the view that it is simply “*axiomatic* that any entity that has ‘a good of its own’ is morally considerable. ... One either accepts this as obvious – or, at the very least, as a reasonable starting point for ethics – or one doesn’t.”
3. As mentioned and footnoted in chapter three.
4. As discussed in chapter four, it is these claims about morality’s purpose which eventuate in an impasse with humanism.

5. This point was made at the end of chapter six.
6. Joan Bryans (of Cariboo College) deserves much of the credit for making me aware of this.
7. Fox (1991), pp. 192-193. Almost a decade earlier, Callicott (1982) also went to lengths to argue that the “passage from descriptive scientific premises to prescriptive normative conclusions” (in Aldo Leopold’s famous ‘land ethic’) “is not in violation of any logical strictures which Hume would impose upon axiological reasoning.” (p. 163.) However, as I go on to suggest, this rejoinder misses a significant part of the conservative’s point.
8. It is important to stress that human *individuals*, rather than the human *species* must be of primary moral concern. Any attempt to argue in terms of the human species *per se* is sure to dismay many humanists and some sentientists by re-introducing the concern for *aggregated* benefits which so easily becomes objectionable in utilitarian moral theory. However, as we shall find later (and as the discussion in chapter five revealed), it is just not possible to set aside *all* thought of aggregation. There is, seemingly, a tension within our moral thinking due to there being (on the one hand) a tradition of concern for *individual* welfare and rights, and (on the other hand) a tradition which recognises the importance of *collective* well-being and legitimate claims *against* the individual. Any broadly based (and, I would add, realistic) extension of morality beyond humanism can hardly avoid this problem.
9. Personal correspondence.
10. As Winkler puts it.
11. Philips (1994).
12. Winkler speaks of ‘the instrumental approach’ or simply ‘instrumentalism’, but I want to distinguish this strategy from the more direct, but morally less interesting, form of argument which seeks to protect entities useful to humans simply because they have *instrumental* value and involves no concern for the entities *in themselves*.
13. Singer (1981) appeals to psychic dissonance as discussed in chapter four.
14. This way of looking at matters can be helpful, for the reasons I go on to describe. However, I have also found that the revised version of the initial question can prompt concern. One objection raised is that, as a rational moral agent, one naturally teaches children the morality one personally lives by because that is what one thinks best. However, this is too simplistic a view of human psychology and moral thinking. I might, by force of moral training, be constrained by conceptions of right and wrong which I recognise as rationally flawed, and which there is no good reason for me to propagate. A second objection arises when the new question is seen as wanting to make intellectual and moral slaves of the next generation. However, I think that this, too, involves a misperception. I am not denying the need to teach a generally critical attitude and skills. (*Else what would become of philosophy?*) But I do take it as axiomatic that morality is something which must be *taught*, and while we are doing the job, we had best do it consciously and according to a rational plan. Having said all this, revising

the initial question in the way I suggest is *not* essential to the pragmatic approach. If you prefer to think of the enquiry as now seeking that view of moral standing which it would be best *for us* to live by, that will not affect the overall argument. What matters is that we self-consciously set about choosing and developing a moral franchise coincident with a rational appraisal of our needs.

15. There is, however, a notable logical difficulty involved in claiming that moral agents have obligations to future generations, as spelled out by Kavka (1978) and (1982). Briefly put, it is hard to see how, for example, our grandparents could have lived much differently than they did without the result that most us alive today were never born. *In the absence of the internal combustion engine and motorised transport, how many of our grandparents, and particularly parents, would have met and had sex on just those occasions which resulted in our birth?* Kavka suggests this entails that one cannot look back and hold an ancestor or a previous generation culpable for its behaviour, which means there cannot be moral obligations to future generations. Despite a fine attempt by Baier (1984) to unravel this mess, it seems to be the consensus that a problem still exists. In consequence, I am going to assume that sense *can* be made of trying to act in such a way as to secure the future well-being of children living *now* (if only because so many people are convinced that they do it), and of a moral *obligation* to act in such a way (for at least the same reason). My understanding is that Kavka's objection only really bites when we try to accept obligations to *unborn* generations. I would also *like* to assume that sense can be made of *limited* obligations to *unborn* generations, because the argument from pragmatism leads in that direction. If, and when, I need to make that assumption I shall label it clearly as a potential source of controversy, and as a problem which I cannot deal with here.

16. Hence the probable need to sacrifice *individual* interests for broader based long-term gains raises its troublesome head, here, just as surely as it did when the lifeboat dilemmas were at issue in chapter five. As mentioned above (note 8), I think this is an unavoidable source of tension in our moral thought and practice.

17. My understanding of this point owes much to discussion and personal communications with Earl Winkler.

18. Weather and climate appear to be best analysed using chaos theory and, even with sophisticated computer modeling, they are hard to predict. Populations of organisms also exhibit chaotic dynamics and unpredictability. See Hall (1991), particularly Chapters Six and Seven. It may be said that this unpredictability is a problem for my approach, too, in that I am invoking environmental worries which may be groundless. However, I think there can hardly be doubt that environmental problems *are* developing, as the popular press is now routinely making plain. What we do not know is the exact *aetiology* of the problems, how *quickly* they will become 'serious', or to what *extent* natural cycles (like climactic fluctuations) are part of the effects now being observed. But this is all the more reason to urge a policy, and an ethic, of extreme caution in our dealings with the nonhuman world, as will be argued more fully the next chapter.

19. This really came home to me when Chernobyl exploded because I was out walking with friends in a weekend-long downpour of rain. The rain was so radioactive that sheep who were also out in it were found to be contaminated, and their meat could not be sold for food. Thus, my friends and I suffered a health-threatening dose of radiation in the English Pennines because of an 'accident' in

Ukraine. What is more, since I first drafted this chapter, one of those friends has contracted and quickly died from a virulent and seemingly inexplicable leukaemia. *Is there a connection?* It seems possible.

20. With the 'futurity problem' in my rear-view mirror, I am limiting myself to an explicitly stated concern for those humans alive today. However, most of us are surely concerned with a more distant future as well. *Why else do grandparents plant trees?*

21. Joan Bryans (of Cariboo College) and Jack Stewart (of U.B.C.) warned me of the possibility of this interpretation, and it has been voiced during presentations to various philosophical gatherings.

22. As Mark Battersby (of Capilano College) has pointed out to me, and as debate during presentations has also proven, those who object that the argument from pragmatism is unduly paternalistic are often concerned that it is, somehow 'the argument from the big lie'. That lie is supposedly offered when we tell our children (or ourselves), contrary to tradition, that the moral franchise is roughly vitalist or ecosophist in scope. However, this criticism seems to involve misunderstanding both morality and the pragmatic approach. For one thing, morality *is* a human artifact, and, short of rational inconsistency, we are free to adopt whatever moral franchise best suits our needs and outlook. For another thing, there is no lie involved in teaching our children to extend consideration to certain entities even if we, ourselves, have grown up in a different tradition and are finding it hard to set aside. The lie – or at least hypocrisy – only comes in if we try to hide the nature of our reasoning. And I am not advocating that.

23. Once again, I wish to thank Joan Bryans for pointing this out to me.

24. It is an interesting question why the need for an environmental ethic has gone unnoticed for so long. Part of the answer is surely that we are only now running out of places to escape to, and virgin territory to exploit. (The importance of this was pointed out to me by Valerie Langer, of the *Friends Of Clayquot Sound*.) Is it also part of the answer that the worst aspects of environmental degradation were previously very localised, and, like the inner cities today, suffered primarily by those who lacked the political, economic, and social power to either move away or effect change?

## Chapter Ten

1. See chapters six and seven.

2. See the previous chapter, chapter nine.

3. This is important to recognise because the notion 'an entity' is so imprecise. As Roi Daniels (of U.B.C.) has pointed out to me, even the adult human with normal capacities who is usually regarded as the paradigm considerable entity can be viewed either as an *individual* entity, or as a *system* of individual components. Nothing which might be called an 'entity' cannot also be called a 'system of entities', and how we view a given entity-cum-system seems to depend almost entirely on our current priorities.

4. For the record, I, too, have spent a large part of my life walking, climbing, and cycling in wild and semi-wild places, and I am also an amateur gardener. So much time spent in closeness with things nonhuman leaves me in no doubt, personally, that what I go on to call the 'ecocentric attitude' is a seemingly natural one for humans. But let me stress that I do not think one needs to experience literal wilderness in order to acquire it. What Rolston calls 'wild nature' is all around us. Growing geraniums in a window box and feeding squirrels in a city park brings closeness, too.
5. Rolston (1988) argues, in effect, that each organisationally higher natural unit warrants moral recognition. Winkler's views were offered in personal correspondence.
6. This may not be a sufficient condition for identifying a species, but it is certainly a necessary one.
7. Rolston (personal communication), p. 5.
8. Not only calculating aggregated benefits and harms is involved; the 'futuraity problem' will also apply to as yet unborn sheep, as surely as it applies to unborn humans. By focussing on species *per se*, deep humanism can circumvent the latter problem. What is more, by invoking *human* needs, reason can be offered for sometimes sacrificing individual sentient interests for the long-term viability of the species, as I go on to discuss. This will help obviate the former problem as well. Note that although it might seem that the kindest, and philosophically simplest, solution is to treat the pinkeye now, then treat it again the next time it occurs, this is deeply problematic. It raises a question I shall discuss shortly, namely: *Does a sentientist concern for nonhuman suffering entail that we should intervene to ease the suffering of otherwise wild creatures?*
9. Other systems which might have this broad intuitive appeal are seas and mountain ranges. For those who are accustomed to thinking ecologically, grasslands, marshes, watersheds, and many other systems will probably seem 'natural' organisational units, too, and reason will be apparent for granting consideration to them. However, I cannot discuss, here, all the individual instances of possibly considerable ecosystems.
10. Sagoff (1984), p. 8, quoted in VanDeVeer and Pierce (1986), p. 154.
11. Note that, even on sentientist grounds, it can be argued that compassionate intervention on behalf of a wild creature is usually misguided because it increases the replication of unsound characteristics and so multiplies suffering.
12. In making this distinction, I am drawing on Rolston's (1988) division of 'wild nature' and the more immediately human sphere of influence.
13. See chapters four, six, and the review in chapter nine.
14. If it is thought that deep humanism should only go so far as vitalism, the argument which follows can still be offered in terms of the biocentric attitude.

15. As Smart's (1986) line of poetry puts it when commending Geoffrey: "He is an instrument for the children to learn benevolence upon." (I am speaking here as a sometime elementary school teacher who has observed and tried to foster moral development in young children, and as a sometime high school teacher and college teacher who has watched, and participated in, similar changes in adolescents and young adults.)

16. The popular press and most politicians seem to treat the suggestion that we produce less, consume less, and find other ways to distribute wealth as 'left-wing' or 'green' naivety and folly, but it is surely obvious that economic change is necessary *however* we view the morality of our environmental problems. See, for example, Rees (1990) whom I also mention below.

17. It is hard to know just what to believe in the plethora of claims and counter-claims made about population growth. However, it was calculated in 1960 that the human population will grow so that it approaches infinity by about the year 2026, and recent calculations based on the same model push that date ahead to 2042. The original paper appeared in *Science*, and a timely, non-specialist review is offered by Gregory Benford, "A Scientist's Notebook", in *Fantasy And Science Fiction*, January 1995. Another recent article in the non-specialist press, *The Utne Reader*, March-April, 1995, calls into question China's long term ability to feed its population. Food shortage in China would have world-wide repercussions because of the massive quantity of imports which would be needed to alleviate it. William E. Rees (1990) offers a more academic, but still accessible, treatment of the problems of carrying capacity and population growth in his critique of the Brundtland Commission's oxymoronic *desideratum*, 'sustainable development'. Rees's central point is that humankind cannot take more from the earth than is made possible "by the availability of nutrients, photosynthetic efficiency, and ultimately the rate of energy input (the 'solar flux') itself." (p. 7.) If we try to — and Rees argues that increases in population and in economic activity are moving us in that direction — then we "may eventually undermine the autopoietic organization of the ecosphere and its ability to produce the type of 'environment' necessary to sustain human beings." (p. 7.)

18. Tamil Nadu appears to have effected a 25% reduction in the birth rate between 1985 and 1991 simply by increasing the number of girls who attended school prior to marriage. Between 1975 and 1990, Bangladesh reduced the number of births per woman from 7 to 4.5, apparently as a result of making family planning available to women. Jessica Mathews, "Population Control That Really Works", writing in *The Washington Post* and reprinted in *The Guardian Weekly*, April 10, 1994.

19. Deep *humanism* is, of course, already inconsistent with *misanthropy in principle* because of its humanist origins.

20. This is the approach which Rolston recommends and develops. However, Rolston does not assign relative moral significance in the way I go on to suggest.

21. Taylor is, perhaps, the most firmly and overtly egalitarian proponent of expansion.

22. This is the approach recommended by Arne Naess and by deep ecology in general.

23. Recommending this move is what I perceive as the *raison d'être* of Fox (1990).

24. Note that this analogy also offers additional reason for thinking that we must establish a fundamental and broad moral attitude at the ground floor (as it were) of any expanded morality.
25. As Joan Bryans (of Cariboo College) has been at pains to point out to me.
26. This is not a flight of personal fantasy. The idea has been mooted for years because meteors are so high in rare and precious metals. Note that meteors approaching earth are already destined to burn up in the atmosphere.
27. Lovelock (1979) and (1986) offers the famous 'Gaia Hypothesis' which claims, in essence, that living organisms act to modify the earth's surface and maintain conditions most suitable for life; therefore, the earth, as a whole, may be viewed as a single organism. Lovelock came under considerable criticism for this claim, but Rees (1990), p. 6, tells us that "the idea of a homeostatic Gaia has begun to attract more adherents from the mainstream for the strength of the testable hypotheses on global feedback mechanisms it has begun to produce." I would add that the simple inability of the earth to reproduce itself surely disqualifies it as an 'organism' on an everyday understanding of the notion. Lovelock's later, and some might say less fanciful, view is offered in Lovelock (1988).

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