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## Valuing animals, nature, and our own animal nature: A reply to Maclean, Schapiro, and Wallace

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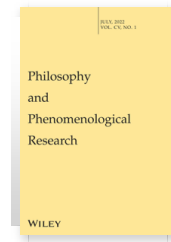
I am grateful to my commentators for raising important questions about my view. Since there is some overlap in their concerns, I have divided my responses up by topic rather than responding to each of them separately, but I have indicated who I am responding to in each section.

## 1 TWO APPROACHES TO MORAL PHILOSOPHY: A REPLY TO MACLEAN

After outlining some of the ways in which my approach to the question of moral standing differs from Peter Singer's, Douglas MacLean argues that Singer and I share an approach to moral philosophy that "it is rationally open to us to reject." He claims that Singer and I both take what he calls a "top-down" or "rationalistic" approach to ethics, "starting with questions about who has moral standing or what properties are morally status-conferring." He contrasts this with what he calls a "bottom-up" or sometimes "historicist" approach, which he describes this way:



A different approach understands morality, not in terms of the criteria for moral standing but as



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terms of the criteria for moral standing, but as grounded in our natural circumstances and the practices and historically conditioned attitudes that tell us what it means to lead a distinctively human life.

Christine M. Korsgaard

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MacLean tells us that,

- ☞ This perspective is anthropocentric, because it yields reasons for human agents, which are... not necessarily reasons for gods, intelligent aliens, or other possible rational agents.

I have to admit that I am quoting here in part because I do not have a very clear idea of how MacLean envisions this approach as working. I will come back to MacLean's specific examples in the sections below. Part of my unclarity is that I do not know what set of properties “a distinctively human life” is supposed to pick out. “Distinctively” usually means what makes the way we humans live different in some systematic way from the way some other set of living beings live. But which other set of beings?

In another context, I might take the comparison to be with the other animals. One might argue that we (already) know that human beings are the only animals—that is, the only agents we know of—whose actions are subject to moral standards. We could then ask what is distinctive about human action, as opposed to the actions of the other animals, that makes that true. That would be taking something for granted that not everyone is prepared to grant—that we know that human beings are the only moral agents on this planet—but it is something I myself am prepared to grant.<sup>1</sup> But that cannot be all that MacLean has

in mind, since we certainly cannot assume that we (already) know that gods, intelligent aliens, and other possible rational beings are not moral beings. Or rather, we cannot assume that unless we already know that rationality cannot explain morality, or what is distinctive about human life more generally. But it would be odd to call this an “approach” to moral philosophy, if that is supposed to be something *methodological*. Of course, admittedly, MacLean says that the reasons we will arrive at if we do things his way will not *necessarily* apply to other rational beings, so perhaps he means to leave it open that they will. But why should an assumption that morality is grounded in “our natural circumstances and practices and historically conditioned attitudes” *rather than* in our rational nature be part of the *starting point* of moral philosophy, or our *approach* to it? This seems already to be laden with a particular theory about what makes a human life a moral one, or anyway, with the rejection of a particular theory.

In any case, the kind of argument that I just described—one that asks what is distinctive about human *action* that makes it subject to moral standards—is one that, following Kant, I carry out in section 3.2 of the book. In the *Groundwork*, Kant starts from the question of what makes the good will unconditionally valuable, which amounts to the question what it is that gives a morally good action (a particular exercise of the good will) its moral value. His answer is that its value rests on the principle embodied in the action (in his language, the maxim), and in particular, on whether that principle has universal form or not. The idea is that every action embodies a principle—in circumstances C, do act A for the sake of end E—and a morally good action is one whose principle you can will to be followed by everyone. More specifically, you could rationally will that everyone in Circumstances C who has End E do act A to achieve it, while at the same time intending to follow that principle

yourself.<sup>2</sup> Kant takes this question as his starting point, because it asks about the objects that Kant thinks are, in the first instance, the bearers of moral value—namely rational actions, exercises of the rational will. By the end of the *Groundwork*, we have learned that what makes universal form the correct standard for our principles is the property of the will that Kant calls its “autonomy.” Autonomy—the capacity to make laws for ourselves for the government of our actions—enables human beings (and all rational beings) to choose the principles behind our actions, and at the same time is what makes the choice of the principle that is universal—that is, has the form of a law—the correct one.

Although Kant does not explicitly discuss the contrast with animal action, Kant thinks that only human beings choose actions in a way that involves the choice of the principle embodied in them, so he thinks this is a distinctive feature of human life and agency, at least relative to the other kinds of life and agency we find on this planet. Animal agency is different because the principles embodied in their actions are determined by their instincts, rather than chosen by themselves.<sup>3</sup> So we can read this as an account of what is distinctive about human life and why that feature gives rise to morality. So why isn't this an example of MacLean's method? You might think that Kant's claims about the nature of human action are false, or that they don't explain morality, or that they don't explain a bunch of other things that are distinctive of human life.<sup>4</sup> But I don't see any reason to rule it out on the basis of a *methodological* preference for explanations of what is distinctive about human life that appeal to “our natural circumstances and ... practices and ... historically conditioned attitudes,” or that start from the assumption that rationality could not be what makes human life and actions distinctive. That seems to me to be a different theory, not a different starting point or a different approach.

Here's a different way to look at what MacLean is proposing. The story I just told makes Kant's opening question in the *Groundwork* an answer to MacLean's question about what makes human life distinctive, and distinctively moral. When I reconstruct Kant's ideas with a focus on his Formula of Humanity, my starting point is a wider question: not just what it is about human actions that makes them the bearers of moral value, but what it is that gives human ends value in general. As I read Kant's argument for the Formula of Humanity, that is the question from which he starts when he argues for that Formula. In *Fellow Creatures*, I argue that everything that is good must be good-for someone—some person or animal—so that the concept “good-for” is in a sense prior to the concept “good.” The account of moral standing that I give in the book works by raising the question what we are presupposing about ourselves when we treat the things that are good-for us as if they are also what I call “good absolutely”—worthy of pursuit, from anyone's point of view. I answer that when we do that, we claim standing for ourselves as “ends in ourselves” in two senses: we take what is good-for ourselves to be good absolutely, and we take our rational choices to have the status of laws for ourselves and others. Having a final good and making rational choices are then two grounds of standing, the first of which we share with the other animals.

Utilitarians, by contrast, usually start from the idea that pleasure or the satisfaction of desire has value in itself, and argue that people and animals have moral standing because we/they can be in these valuable states. If we are looking for a “foundation” for morality, it seems to me that these basic views about the nature of value and where it comes from are better candidates than the question who has moral standing, since both the utilitarians and I derive our views about moral standing from our basic views about

our views about moral standing from our basic views about value. MacLean himself finds it natural to describe the contrast between me and Singer in these terms. So perhaps the *methodological* contrast MacLean has in mind is between philosophers whose account of morality begins with questions about the metaphysics of value and those who try to find its basis in our actual moral practices. But I am still unsure how exactly we can derive normative consequences from our actual moral practices. MacLean gives us three examples where the approach we take to moral philosophy might make a difference to how we handle practical questions. I turn to those examples now.

## 2 THE MORAL STANDING OF PLANTS: A REPLY TO MACLEAN AND WALLACE

MacLean's first example concerns plants. MacLean says that "Singer and Korsgaard both assume—plausibly, perhaps, but without further argument—that passive membership in the moral community should be extended to animals but not plants..." He protests:

Consciousness and sentience evolved with locomotion, because creatures that move need a point of view... Plants don't need locomotion to survive...but they certainly 'move'...Plants may not be conscious, but they have interests. Things can be good or bad for them, and close observation suggests that predicates like 'reach' and 'strive' apply to plants in a non-metaphorical sense. But if it makes sense to say plants have morally relevant interests or are ends in themselves, then the very idea of moral standing begins to totter. Morality encompasses many

attitudes, and what it requires is not always captured in a framework of rights and duties.

That last point appears to be McLean's reason for taking this as an example of something captured by the bottom-up approach but not the top-down approach. I believe he means that we cannot describe all of our actual moral attitudes in terms of rights and duties. I don't think this works very well as an example of the historicist approach, because although many would agree that plants have interests, the claim that their interests are "morally relevant" doesn't seem to me to find much expression in our actual practices.

But I have a more important objection (at least, more important to me) to these remarks. Anyone reading this passage who has not read *Fellow Creatures* would get the impression that I do not discuss these matters in the book, and that I dismiss the case of plants "without argument." But I discuss all of these points. In the book I lay out a concept of functional goodness. Something is in a functionally good state when it is able to perform its function, or to perform it well, and those things that enable a being to achieve a functionally good state are functionally good-for that being. I argue that final goods—the ends of action—came into the world when animals evolved, since animals achieve their functional goods by taking (some of) them as the ends of action. I discuss the fact that plants have a functional good in 2.1.5–2.1.6 and explain why I think only animals have final goods in 2.1.7. However, I do not regard that as completely settling the question. The argument is that to have a final good you must be an agent who perceives the world evaluatively—in what I call "valenced" ways—and plants, as far as we can tell, do not do that. I come back to the question of plants, in 2.2.3, and explain what we would have to show in order to say they have a final good. In self



have to show in order to say they have a final good. In self-defense, I'm afraid I'm going to quote myself here:

There are both empirical and philosophical questions at stake in the question whether plants have a final good in my sense. The tropic responses of plants...do involve mechanisms that are in some ways like perception and in some ways like action, and they do serve the plant's functional good. So there are questions about whether those similarities are sufficient to make plants count as agents who pursue their final good. Among other things, these include questions about whether a plant's form of responsiveness is something fundamentally different from locomotion guided by representation, or something that is on the low end of a scale or gradient whose high end is being a conscious agent. That is partly a philosophical question about the nature of consciousness itself, one I cannot attempt to answer here.<sup>5</sup>

In other words, I explain what I think we would need to know to make the argument that plants have a final good, and I suggest that it includes both empirical questions that we don't fully have the answer to and philosophical ones that I personally am not prepared to answer. I don't think that counts as dismissing the question without argument.

Finally, MacLean imagines someone challenging the very idea of moral standing on the basis of this example. I myself make exactly that sort of challenge in 5.4, taking the possibility of moral attitudes towards plants and machines as my examples. I do think there are good reasons to worry



about how useful the notion of moral standing is. But as I explain there, I still think there is something special about our relationship to beings who have conscious selves, and for that reason I frame my argument in terms of the idea of moral standing.

Jay Wallace is also concerned about the implications of my view for plants, although I think his worry is the opposite one—that I am committed to taking them too seriously. He says:

“I might submit to a painful medical procedure with a long period of convalescence not because I feel any inclination to do so, but because it will repair some defect to which one of my organs is subject. The specific value I see in this activity is that of facilitating my functional good; but the same good can be realized not only in the activities of animals, but also in procedures to which plants are sometimes subject. If facilitating an organism's functional good is important in my case, why not in the case of the plant as well? The result, of course, would be that the functional good of plants makes claims on us no less than the good of individual animals.”

But I do not think anyone would have the operation merely to correct a functional defect, if that defect had no impact on her final good. I know that that sounds like something I cannot say, since I have claimed that an animal's final good is her functional good taken as an end of action. But in section 2.2, I argue that strictly speaking, functional goods have to be identified from a point of view, since after all, “functional” is a normative, not exactly a biological notion.

The relevant point of view in this case is given by the ongoing *self* of the creature whose condition we are thinking of. So ultimately, to have a final good you must have a self. The point is general, but when I make it, I'm responding to a particular problem. Evolution selects for properties that favor the continuing existence of the species, and some of those properties, most notably the tendency to senescence, are not favorable to the continuing existence of the self of the creature in question. Yet when we consider the creature as a member of a species, they are part of the way the creature functions. If, as I mostly assume throughout the book, plants do not have a final good, then there would not be a reason to correct their "functional defects" for their own sake. In fact, even in regarding these things as *functional* defects we are being a little animistic, treating the plant as if it had a self, as I point out in 11.4.4. If plants don't have selves, they don't have selves for whose sake we would correct their functional defects. If they are agents with a final good, on the other hand, then Wallace's point holds, but then that would not be a problem for my theory, although it would present some rather serious practical problems for us.

### 3 GIVING EQUAL WEIGHT TO ANIMAL INTERESTS: A REPLY TO MACLEAN

MacLean's second example starts with a quotation from Stanley Benn in which he asserts that it would be a "monstrous sentimentality" to think a dog has interests that could be weighed in an equal balance with those of human beings. Benn does not give a reason in the passage quoted. One possible reason is that he thinks that human beings are obviously more important than the other animals. MacLean correctly notes that I explicitly reject that idea. *Fellow Creatures* begins with a discussion of that issue. I argue that

everything that is important is important to someone—from some point of view. I believe there is no point of view from which we can plausibly construct a hierarchy of importance among different kinds of creatures (among the subjects of those points of view) themselves. MacLean claims that historicist philosophers would agree with Benn, not because they think humans are objectively more important than animals, but because of the purposes that morality serves, which have to do with fostering trust and cooperation and imparting a kind of dignity to our lives.



I have two things to say about this. One is that I think it is deeply confused to talk about morality as something that serves a purpose. The question what purposes are worth serving (and at what cost) is one that must itself be asked and answered from the moral point of view. It is morality that tells us which ends to have. Morality is not something we have because it serves a purpose. It something that is built into the way in which we rational beings choose our actions, for reasons I described at the beginning of these remarks. As I argued in *Self-Constitution*, actions are the kinds of things that are by their very nature subject to normative standards. Pretty much everyone agrees that actions are by their nature subject at least to a standard of success and failure. In *Self-Constitution*, I argued that the standards for action are given by Kant's practical imperatives, because actions must be both autonomous—as required by the categorical imperative—and efficacious—as required by the hypothetical imperative—in order to be actions at all.<sup>6</sup> Moral standards are what we nowadays call “constitutive” standards of actions.

My other response is that I think this example reveals a way in which MacLean's “historicist” approach is especially poorly equipped to deal with moral questions about animals. As I explain in the book, I am not one of those who

tries to build a case that we should treat animals better than we do on the grounds that animals are not very different from people. I think human life is very different, in ways I spell out in Chapter 3, from the lives of the other animals. But I also think that the whole amazing human achievement—civilization, for want of a better word—is rooted in a history of unrelieved ruthlessness towards our fellow creatures. It is not just modern factory farming that uses animals in ways that are heedless of their welfare. Animal agriculture generally, and until very recently most of our ways of getting heavy work done, and large stretches of our scientific practice, all have depended on ignoring the interests of animals. All of these things, which have made it possible for large numbers of human beings to live in a kind of comfort and safety unknown to the other animals—all of these things are grounded in treating animals as if they were here for our use. We have a deep vested interest in believing that we matter more than animals, or that we are somehow justified in acting as if we did, a deep vested interest in *not* facing the fact that these are fellow creatures with lives of their own. It's no surprise that some people try to avoid this recognition by dismissing it as sentimental.<sup>7</sup> That's the trouble with a historicist approach. It's essentially conservative. Practical philosophy should enable us to examine and criticize our attitudes and practices, not just unpack them and enshrine the results in moral trappings.

## 4 APPRECIATING NATURE: A REPLY TO MACLEAN

MacLean's third example involves the way in which both the utilitarians and I criticize nature itself for its amoral structure. He seems to think that doing this is incompatible with appreciating the wonder and beauty, the awesomeness of nature. He writes:

 The county where I live has set up a video camera that live-streams a nearby osprey nest in which the parents are raising three chicks until they can fly and feed themselves. The parents bring fish to the nest and feed the chicks until they can peck at the fish themselves. Watching the ospreys is very popular in our neighborhood. The utilitarian or revised Kantian might focus on the suffering of the trout brought to the nest, but the reaction of those who daily view the nest seems to be simply wonder and awe at how the chicks so quickly grow and develop and learn to fly and catch fish.
 

Actually—I am not making this up—I regularly watched a pair of eagles raising their chicks on a live-streaming camera while I was writing *Fellow Creatures*, and I did not focus exclusively on the mealtime carnage. Appreciating the wonders of nature, and its beauty, is perfectly compatible with criticizing it morally. It is compatible with thinking that you would not have created a world in which most creatures are born only to die early of predation or starvation. Human beings are not such emotionally simple creatures that we have to approve of the arrangements of nature, or even refrain from disapproving of them, in order to marvel at them. On the contrary, allowing yourself to fully appreciate the fact that so many of the other creatures around us are sentient beings, with joys and sorrows of their own, increases our sense of wonder when we contemplate them, even if it makes us less comfortable with the facts about their lives and our own impact on those lives.

## 5 KANTIANISM AND THE DIRECTED OR RELATIONAL CHARACTER OF DUTY: A REPLY TO WAI I AC F

Jay Wallace raises the issue of the relational or directed character of duty. The idea of an *undirected* duty is something of a recent invention. I'm making that remark in a slightly qualified way ("something of") because I think there is a real question about ancient philosophy here. One might suppose that the nearest thing to the idea of a duty in ancient philosophy is the requirement that we avoid actions that are in some specific way fail to be what the Greeks called *Kalon*—actions that are ignoble, disproportioned, not in accordance with the what Aristotle calls "*orthos logos*" or right rule. There is not much sign of directedness in ethical requirements so conceived. The ancients emphasized the impact of bad action on our own souls more than its impact on other people, although this may have been because they thought that's where the philosophically interesting issues lie. But early modern philosophers tended to divide the moral territory into duties to God, Self, and Others, so that all duties are directed. Kant subtracted God from this picture, because he thought we cannot have a relation with a being whom we do not encounter in experience, but he thinks that all duties are owed to either self or others.<sup>8</sup> That, after all, is why, believing that we cannot have duties to animals or beautiful natural objects, he characterized the relevant requirements as duties to the self. I think the early modern philosophers were right about this: the idea of an undirected duty is absurd. Wallace thinks that we at least have *reasons* to respect beautiful artifacts or landscapes, but that "reasons to respect concrete values in this way do not obviously define obligations to other individuals in particular." I certainly agree that you cannot "define" obligations in terms of reasons, but I think that the reasons in this case are derived from our obligations to others. They are derived from our duties to others who might view and appreciate the beauty, and others who share in the national or ethnic or historic legacy of which these objects form a

part. Without such others, I think there are no such reasons.

Of course, it is another question whether any given philosopher can *explain* this feature of duties. Wallace challenges Kant's ability to explain the relational character of duty. What does a Kantian have to say about this question?

First, we must observe that there are two kinds of “targets” here. Many moral philosophers believe there is a sense in which each of us owes moral duties to all members of the moral community. I would prefer to say all *lawmaking* members of the moral community in describing this kind of target, since I think the moral community extends beyond lawmakers. In this sense, anyone (any person) is in a position to call on apparent wrongdoers for an account of their actions, and to resent and rebuke them if they are indeed wrong. Second, there is another sense in which we owe duties to specific persons or animals who would be wronged if we violated those duties. If you break a promise, or kill or injure someone unnecessarily, or violate someone's rights, then you have wronged that person or animal in particular. Both forms of directedness need to be explained. At least, they need to be explained if we believe in them. Utilitarians cannot acknowledge either. For them, what calls forth the sense of obligation in us is the good itself, the necessity of bringing it about if we can, not our fellow creatures.<sup>9</sup> That's why they think it makes sense to aggregate across the boundaries between creatures. That's a point I will come back to presently.

Kant's most explicit remarks about directedness come in *The Metaphysics of Morals*, when he says that one's “duty to any subject is moral constraint by that subject's will.”<sup>10</sup> I think we can read the Formula of Universal Law in a way that brings this idea to bear on the way our duties are



directed to the moral community. In the book, I argue that it is because we acknowledge the authority of every rational being as a lawmaker that we enact only laws that everyone could will.<sup>11</sup> Moral laws must be such that they could be the product of reciprocal legislation. Wallace points out that that does not necessarily follow from “their actually having been prescribed reciprocally by the rational agents whose activities they are to regulate.” I am not sure that that is true,<sup>12</sup> but in any case, it is not the less true that any violation of such laws defies the authority of others and therefore wrongs them. More generally, in Kant's theory, each of us makes laws for himself and all other rational beings. Laws have to be made by someone for someone. Legislation is by its very nature a relation between people, although sometimes the relation is between you and yourself. That is why the idea of an undirected duty makes no sense.

Wallace thinks that a problem for this account of directedness might arise from the fact that “According to a natural interpretation of Kant's ethics of autonomy, rational agents are subject only to laws they legislate for themselves.” This, however, despite some awkwardness in the wording, does not mean that agents are not subject to the laws willed by others, or to the authority of others, any more than it means that agents are not subject to the laws of the state, or the authority of the state. The point about being subject only to your own laws is a simple point about action. An agent's actions, if they are to be his own actions, for which he himself is responsible, must spring from his own views about what he ought to do, from his own normative thought, and so from the laws he gives to himself. If an agent acts in acknowledgement of someone else's authority, it must be because he concedes that authority and determines his actions in accordance with it. He directs himself, makes it a law for himself, to act in

accordance with the other's will. How else could it work? The other's authority cannot operate on him like a causal force, bypassing his thought processes and making him do something in spite of them. The result would not be an action, nor would it be a way of respecting the other's standing as a lawmaker. The laws embodied in your action must be a law you give to yourself if the action is to be yours in the way that the concept of action requires.

The kind of reasoning that the Formula of Universal Law invites us to do admittedly does not seem to help us to explain the more particular kind of directedness. For instance, Kant thinks you cannot will that everyone should make false promises to get loans when they need some money at the same time as you will to do that yourself. This is because in a world where everyone always made false promises to get loans whenever they needed money, no one would lend money on the strength of a promise, and so no one would lend money to you. We can see here a way we wrong all the lawmakers in the moral community if we make a false promise to get money, since everyone could not make this law. We can also see a way in which we wrong those who make their promises faithfully and keep them, for those people uphold a practice of which we are taking unfair advantage, and in that sense, we are using them as mere means. But these reflections say nothing about the particular wrong done to the person to whom we make the false promise.

In the *Metaphysics of Morals*, Kant explains the more particular kind of directedness involved in duties like promise-keeping as resulting from the fact that incurring the duty involves the granting of a right to the other, as in a gift or exchange of property. When I make you a promise, I transfer a right to you, namely the right to make a certain decision, which, since it concerns my actions, was originally mine. If the promise is, say, to meet you for lunch tomorrow

at 1:00, then it is no longer up to me to decide what I am going to do at 1:00 tomorrow. Normatively speaking, the decision is yours and not mine, which means that it is up to you, not me, to make the decision what I will do at that time. That is why only you can let me off the hook, and why I have wronged you if I violate the promise without your permission.<sup>13, 14</sup> I believe that this account can be extended to other duties that are owed to particular other people.

In *Fellow Creatures*, I distinguish two ways in which you can have an obligation to another. The one I've just been discussing occurs when you defy another's lawmaking authority, by violating his particular rights or his general standing as a legislator of the moral law. This is what I claim happens when we wrong our fellow autonomous beings. The other way is when we violate a law under whose protection someone falls, even though that someone is not a lawmaker—rather like when we violate the rights of an immigrant. Since animals cannot participate in moral lawmaking, I argue that the sense in which we owe due consideration for their good to them is like that—they fall under the protection of our moral laws. Wallace thinks that this does not give us duties we owe to the animals themselves, but only a duty to be responsive to reasons arising from the values that are realized in their lives. He says:

❧ If we owe duties to the animals, then complying with those duties should not merely show respect for the values embodied in their activity, but be a way of recognizing and respecting them, as ends in themselves. But the considerations that figure in Korsgaard's Kantian argument seem only to get us to the conclusion that

animals achieve concrete values we have reason to respect.



I think that this fails to take on board the full implications of the tethered conception of value, and the resulting conception of an end-in-itself, that I advance in the book.

The account I am about to give, which is based on the argument of section 8.3 of *Fellow Creatures*, will also give me a chance to correct a misimpression my past work has given, a version of which may be at work in Wallace's objection. In my long-ago paper "Kant's Formula of Humanity," I described our view of ourselves as ends-in-ourselves in terms of an ability to "confer value" on an end.<sup>15</sup> Some of my readers, I have learned since, read that as if value were like a substance you can add to an end, which would then just have value, independently of your relation to it. Conferring value on an end, according to this reading, is like adding sugar to your coffee—sweetness is a property the coffee then has in its own right. By emphasizing the idea that value is tethered, I mean to correct this misimpression. Tethered value stays tethered—all goodness is goodness-for someone, even when it has absolute value. And this has an important implication. As I say in *Fellow Creatures*, when I say you value an animal's good "for its own sake" what I mean is that you value it *for the sake of the animal whose good it is*.<sup>16</sup> In the book, the contrast is with utilitarianism. When a utilitarian says that pleasure is good for its own sake, he means it is good just because it is pleasure. The person or animal who happens to house the pleasure doesn't come into it. That's why the utilitarian thinks we are free to aggregate across the boundaries between creatures. For the Kantian, normative relations are always relations between creatures.

To make this clearer, I'd like to add something more about the concept of treating someone as an end-in-itself, and its contrast, treating someone as a mere means. It has often been observed that there is no natural way to derive all of our duties simply from the thought that I should avoid treating others as means, or even as mere means, to my own ends. There is no obvious sense in which my neglecting to promote someone else's happiness, or failing to be grateful to her for a service rendered, for example, is treating her as mere means. The victim of ingratitude might think that you value her only as a source of benefits, and therefore only as a means, but for that thought to be a *complaint* there must be some other way you should have valued her instead.

The *Groundwork* example that best fits the description of treating someone as a mere means is the false promise example, since when I make a false promise to someone in order to get a loan, what I say to him is determined wholly by what I hope to achieve for myself, and that gives us a vivid sense in which I treat him as *nothing but a means, merely a means*, to getting the money I need. The words that I address to him are so like many levers that I pull in order to get the results I want. In a sense I am not really addressing him, since my words are not intended to convey anything to him except insofar as that is necessary to getting him to cough up the cash. But it is still true that in order to explain what is wrong with that, we need some positive account of how I should have addressed him instead. Kant's breezy generalization of the conclusion of the false promising example to cover *any* violation of the rights of others<sup>17</sup> makes it even clearer that a ban on treating others as a means will not cover all of the cases we would expect it to. If, in my hurry to escape from the scene, I knowingly drive my car right over you, I clearly violate your right not to be injured or killed, but I cannot be said to be

treating you as a means to my ends. You do not make it easier for me to escape; you simply fail to present an obstacle.

My intention in making these remarks is not to dismiss Kant's formulation of the moral law in terms of means and ends. It is obvious that what we need to make that way of formulating the law work is a positive account of what it means to treat someone as an end-in-itself. I think we get an important clue to what the positive account is when Kant says:

“In the kingdom of ends everything has either a *price*, or a *dignity*. What has a price can be replaced by something else as its *equivalent*; what on the other hand is raised above all price and therefore admits of no equivalent, has a dignity.”<sup>18</sup>

He of course asserts that ends-in-themselves have “a dignity” in this sense.

People sometimes say that Kant thinks that everyone's humanity has *equal* value, but this passage makes it clear that Kant is saying something more radical than that. Strictly speaking, when two things are equal, they may be substituted for each other. But Kant is clear that the kind of value we assign to ends-in-themselves is not merely equal. It is *incomparable*—as Kant says, it admits of no equivalent. But what is incomparable value? First notice that one clear implication of incomparable value is the rejection of aggregation.<sup>19</sup> Take the standard example in which some course of action will save five lives rather than one (in a case where the one is not one of the five). To take that *all by itself* as a reason in favor of that course of action is to treat the

value of these lives as equivalents, not to treat their value as incomparable. Since the tethered conception of value also rules out aggregation, I read this passage as confirmation that Kant accepts the tethered conception of value. In fact, I think we can use the tethered conception to make sense both of the idea of incomparability and of the idea that wronging someone is using him as a mere means.

As I have said, I believe there are two senses in which we value ourselves as ends in ourselves. We value ourselves as ends in ourselves if we take ourselves to have a good that matters absolutely, and we value ourselves as ends in ourselves if we take our choices to have the status of laws. I take both of these concepts of an end-in-itself to imply that when we value a person, we take the value of her life—of what happens to her and of what she does—to be in the first instance its value *for her*, where, in the case of a person, that includes both its goodness for her, and her capacity to live according to her own choice. If we take that value to be incomparable, we should not be prepared to weigh the value that what happens *to her* or the value that what she chooses has *for her* against the value that these things have *for somebody else*. The fact that sacrificing her good or overriding her choice would be good for somebody else is *no* argument in its favor, not all by itself. That is why Kant's conception of our value as incomparable forbids aggregation.

The points I just made depend on the contrast between the value that your life and the events in it has for you, and the value that your life or the events in it might have for someone else. I think that when Kant talks about treating a person as a mere means, what he has in mind is acting on the basis of the value that that the events of that person's life and her choices have for someone else, rather than the value they have for her. This is not an unnatural way to



understand the idea of treating someone as merely as a means. Unlike the straight causal notion of using someone as a tool to promote your own projects, this way of thinking of the idea of being a mere means depends on a contrast with an idea of how to treat someone as an end. You treat someone as an end when you respect his incomparable value, and you do this when you remember that the value of the events of his life and actions is above all their value for him. You treat him as a means when you prioritize the effects that the events of his life and actions have on someone else's life *over* their value for him. Morality involves the recognition that each of us has an incomparable value because each of us stands in a unique relationship to his or her own fate.<sup>[20](#)</sup>

Obviously, the practical implications of this conception would need to be made much more precise than I can make them here. I've been writing as if we have some clear way to say in whose life some event occurs, and that's not obvious, so more needs to be said. My interest here is in how this conception of what it means to treat someone as end-in-itself might help us understand the relational nature of duty. Animals are ends-in-themselves in the sense of having a good that matters absolutely. What I mean by that is that it should matter to us because of the way it matters to them. To treat them as ends-in-themselves is to treat the value of their lives as its value for them. Violating that requirement is a way of wronging them, treating them as a mere means in the sense I have just described, not just failing to act in accordance with some free-floating value. On a tethered conception, values never float free of being values for-someone. Treating something as valuable in some way is always a way of relating to someone: all normative relations are relations between creatures.

## 6 TAKING YOUR GOOD TO BE GOOD

## ABSOLUTELY: A REPLY TO SCHAPIRO AND WALLACE

As I have now said several times, in the book I argue that we claim to be ends-in-ourselves in two senses. We claim to be ends-in-ourselves by taking what is good-for us to be good absolutely, and we claim to be ends-in-ourselves by taking our choices to have the force of law, both for ourselves and others. It is not that we make two separate choices, one in which we confer value on the end and another in which we make it a law to pursue it. Instead, both claims are implicit in the choice of any ordinary, permissible action that we take. I describe that choice as having two aspects or moments. Making a law is one act, but it has both a form and a content, and we can talk about the presuppositions of those two things separately. The first claim does have a certain priority, not in a temporal sense, but in the sense that—to put it rather flatly—we must have some content in view when we make a law, and the claim that our good matters absolutely is what determines the content of the law.

Tamar Schapiro doesn't see why we need to make the first claim. Why isn't it enough that we just respect ourselves as lawmakers? She characterizes me as claiming that it is *impossible* for us to respect ourselves as lawmakers in the first or original moment of choice, the moment that involves determining the content of legislation, and wonders why I say that. The fact that she characterizes this as a “negative” claim suggests a misreading. When I say, as she quotes, “I cannot respect my own choices or do what is necessary to carry them out until after I have made them,” I am not asserting some mysterious incapacity. I only mean that at that “moment” there is not yet any law on the table to respect. As I see it, my respect for myself as a legislator is a reason for me to conform to the laws that I make, and to

require others to do so as well. But insofar as I claim to be an autonomous lawmaker, and that's all, I could will any old thing. So respect for myself as an autonomous lawmaker cannot explain how I determine the content of my choice.

I also claim that while our view of ourselves as autonomous lawmakers reflects a relationship we have with all rational beings, our view of ourselves as having a good reflects a relationship in which we stand to ourselves. That is the small element of truth in Kant's view that our duties to animals are duties to ourselves: it is something about the way we regard ourselves that requires us to attend to their good. Schapiro thinks this is at odds with my defense elsewhere of the publicity of reason, according to which the reasons we address to ourselves have normative force for all rational beings. But I am not talking about a *reason* we address only to ourselves. In Kant's view, we create reasons when we legislate through our choices. I am talking about what we presuppose about ourselves when we take ourselves to be able to do that.

Jay Wallace wonders what mattering to oneself amounts to, and whether some attitude plausibly described this way can be ascribed to both people and animals. I claim that animals, like human beings, matter to themselves in the sense that they treat what is good-for them as good absolutely. Wallace ascribes to me the view that people and animals both “take” this attitude. I probably do talk that way sometimes, but “take” may be too active a word to describe the relation in which animals stand to their condition. Having this attitude is, in a way, just what animals are—animals are things that matter to themselves.

When I say that we regard something as good absolutely, I mean two things: that it is worth pursuing, and that it is good from everyone's point of view. Wallace objects that nothing can be good absolutely in this sense. I think this

actually depends on the level of generality at which we describe the things that have value. Every animal's good has absolute value; that lion's eating that antelope—well, that's another matter. I mean to suggest that once we admit the importance of the good of animals, there is instability in our attempts to apply the concept of the good. Nature resists the application of human moral concepts.

Wallace thinks that animals cannot matter to themselves in the sense of taking their good to be important to everyone, or from every point of view, because “animals are basically oblivious to the good of most other individuals, and pursue their good without any sense that their doing so might have broader normative significance.” On the other hand, he points out, we who are not in this way oblivious only pursue our own good as a conditionally valuable thing, not as an absolutely valuable thing, because it has to be made compatible with the claims of others.<sup>[21](#)</sup>

Tamar Schapiro raises similar worries. She characterizes animals as egocentric, a point I also make in 3.5 of the book. Animals, I claim there, are unable to get the kind of critical distance on their own interests that reason makes possible. They see the world in a way that makes it revolve around their interests, as consisting of their food, their offspring, their enemies, and so on. Our capacity to rise above this teleological (as I call it) conception of the world is what makes ethics and science—the two expressions of reason—possible. For ethics to be possible, we have to be able to detach ourselves from our own interests enough to realize that other creatures, both human and animal, are just as real as we are, with a good of their own that matters to them just as our does to us. For science to be possible, we have to be able to detach our conception of the world from creaturely interests altogether, to form a conception of it as the work of mechanical forces that are fundamentally

indifferent to those interests. Schnapiro wonders if I'm claiming that there is a "moment of animal self-assertion" involved in our choices, and she worries that this means that we are unable to tear ourselves away from a conception of the world as being there for us, organized around our interests.

That there is a moment of animal self-assertion involved in our choices is *exactly* what I'm claiming. But I'm not claiming that we are mired in some sort of egocentrism. I'm not denying any of the ways in which morality makes us different from the other animals. But I do think there is something about the way we relate to what is good-for us that we have in common with the other animals, and that is what I mean to identify when I say that we and the other animals both treat what is good-for us as good absolutely.

Part of the problem in explaining what I mean here, I think, is that when we call something "good" in the final sense of good, or even when we call it "good-for-someone" in the final sense of good, it feels like we've already settled the question, "why promote it? Why try to realize it?" Just the use of the word "good" seems to carry the implication that the thing in question is worth realizing. But I'm not taking that question as settled. I think we are, as it were, two steps away from it.

The first step requires overcoming a problem about Kant's own view, and that of the vast army of philosophers who have been tempted by the idea that the good or even just what is good-for us is the satisfaction of desire. The British sentimentalists, in whose work Kant took a great interest, held that "happiness" is essentially the non-moral good, and that what happiness consists in is some sort of maximum satisfaction of desire. Kant essentially follows their lead, assuming that when moral requirements are out of the question, what we will do is try to satisfy our desires, and

that this will make us happy. But why should we suppose that the fact that we are in that psychological state we call “inclination” or “desire” makes its object worthy of realization? How is that supposed to work?

Kant's own view makes this problem especially pressing, because Kant seems to regard the state in question simply as a motivational force caused in an agent by the operation of natural law. On this account of what an inclination is, it is particularly unclear why we pay any attention to our inclinations at all, except possibly to keep them from bothering us. They seem almost like itches—urges caused in us by the operation of natural forces. In the third section of *Groundwork*, Kant claims that we identify our “actual self” with our noumenal self, and do not even attribute our inclinations to that actual self, and in the second section Kant even says we should prefer to be without any inclinations, although later, in *Religion within the Limits of Mere Reason*, he takes that back.<sup>22</sup>

I think what we need to remedy this is a theory that ties inclination to a creature's good in a different way—not one in which our good is constructed *out of* inclination or its objects by some sort of maximization procedure, but one in which what is good-for us is *prior to* inclination and inclination is seen as *arising* from something like our perception or awareness that something is in some way good-for us. This is part of what the theory of the good in *Fellow Creatures*—that final good is functional good taken as the end of action—is meant to achieve.

Incidentally, I realize that there may be some resistance to the idea that this is what the human good is. People are prepared to grant that the good of an animal is essentially living a healthy life of his or her kind, but that may sound like something less exalted than we have in mind when we talk about the human good. I do not talk about this much in

*Fellow Creatures*, since my subject there is the other animals. But as I mention briefly in 3.3.4, part of what I think counts as well-functioning for a human being is the formation of what I have elsewhere called a “practical identity.”<sup>23</sup> I believe that the special features of the human good can be explained in terms of this fact, and hope to vindicate that thought elsewhere.

Even if you accept my account of the final good, though, there is still a question why we rational beings who act self-consciously take this particular thing—call it our functional well-being—to be something to promote or realize. That question isn't settled by the fact that we've slapped the word “good” onto this condition. It certainly isn't settled by imagining that we have a rational intuition enables us to peer right into the metaphysical nature of things and that tells us that our functional well-being (or indeed, whatever you take to be our good) is a thing that should be realized. Values do not exist from the point of view of the universe; they exist from the point of view of valuing creatures. This is the part of the story about where value comes from that is contributed by what we might well call, with Schapiro, “a moment of animal self-assertion.” We take our good to be worthy of promoting and realizing because *we are animals, and that's what animals do*. That is the nature of an animal. Our animal nature is what is operating in us when we take ourselves to be ends-in-ourselves in the sense of having a good that matters absolutely. That's why I claim, in 8.6, that morality is our way of being animals, an expression of the self-affirming nature of life itself. Morality is what you get when *life* speaks with the voice of reason.

Schapiro calls her commentary “Animal Nature within and Without,” and claims that our animal nature is not a separate entity with a life of its own to live. This way of talking is carried over from her own project in her book



*Feeling Like It (Feeling Like It)*. There she talks about the way we relate to the part of our motivational system that operates instinctively, and she calls that part of our motivational system “our animal nature.” The metaphor of an animal “within” may be appropriate for talking about how we relate to what is only a part of our motivational system. But it has no place in talking about my view, because I am not talking about our animal nature in that sense. As I understand the notion of an animal, an animal is a sentient being who pursues her functional good through action. That is not something incomplete that exists inside of us, it is something that we are, and it is because we are that kind of thing that we have a good, a good that we take to matter. The fact that we are rational animals makes a difference to the content of our good, and to how we pursue it. But that does not make a difference to why we pursue it. Our pursuit of it is an expression of our animal nature.

Oddly, Schapiro quotes my own earlier reflections on the principle of self-love as an expression of what she takes to be a different and better view. In a book symposium on *Creating the Kingdom of Ends (“Motivation, Metaphysics and the Value of the Self: A Reply to Ginsburg, Guyer, and Schneewind”)*, I said,

“The principle of self-love exists at a kind of parting of the ways. If you follow the tendency of self-love unreflectively, not asking yourself why it matters that you should get what you want, your state tends to degenerate into the state that Kant calls, ‘self-conceit,’ in which you act as if it mattered that you get what you want just because you are *you*. But if you identify yourself with your humanity or power of rational choice, the principle of treating humanity in your own

person and that of any other as an end in itself more or less directly follows.”



I find this odd because what I said then is almost the same as what I'm saying now. I don't say in that passage that we abandon self-love: I say that self-love becomes morality when brought under the government of reason. My view is that animal self-love, animal self-assertion, has a central role to play in the creation of value. It is what makes us care about the content on which we impose rational form. As I said in the *Sources of Normativity*, life and value are almost the same thing.<sup>24</sup>

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