

Are Mere Things Morally Considerable?

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Kenneth Goodpaster has criticized ethicists like Feinberg and Frankena for too narrowly circumscribing the range of moral considerability, urging instead that "nothing short of the condition of *being alive*" is a satisfactory criterion. Goodpaster overlooks at least one crucial objection: that his own "condition of being alive" may also be too narrow a criterion of moral considerability, since "being in existence" is *at least* as plausible and nonarbitrary a criterion as is Goodpaster's. I show that each of the arguments that Goodpaster musters in support of his criterion can be used equally well to bolster "being in existence" as a test of moral considerability. Moreover, I argue that "being in existence" appears to be a stronger criterion overall, since it is broader. Until or unless a fuller justification is forthcoming of "being alive" as a satisfactory criterion of moral considerability—a justification which must demonstrate that "mere things," included under the condition of "being in existence," do *not* deserve moral consideration—Goodpaster's thesis is confronted with a serious problem.

"Nothing short of the condition of *being alive* seems to me to be a plausible and nonarbitrary criterion" for being morally considerable, asserts Kenneth Goodpaster in his recent article, "On Being Morally Considerable."¹ *Moral considerability*, as conceived by Goodpaster, refers to "the scope of moral respect, the sorts of entities that can and should receive moral attention, and the nature of the 'good' which morality (since it at least *includes* beneficence) is supposed to promote."² Some ethicists have simply assumed that what is deserving of moral respect is obvious. When, as has often been the case in modern moral philosophy, the issue has been explicitly recognized, it has been both expressed and assessed quite diversely. G. J. Warnock, for example, in his *The Object of Morality*, after discussing the application of the principles of morality from the "patient's" standpoint rather than from that of the agent, has raised the question, "What is the condition of having a claim to be *considered*, by rational agents to whom moral principles apply?"³ Goodpaster notes some other formulations of the issue:

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¹ Kenneth Goodpaster, "On Being Morally Considerable," *Journal of Philosophy* 75 (1978): 308. Italics in original. Remaining references to this article will be made by page references in footnotes.

² Ibid., p 309; italics in original.

³ G. P. Warnock, *The Object of Morality* (New York: Methuen, 1971), p. 148. Goodpaster quotes this passage on p. 308.

In the terminology of R. M. Hare (or even Kant) the same question might be put thus: In universalizing our putative moral maxims, what is the scope of the variable over which universalization is to range? A more legalistic idiom, employed recently by Christopher D. Stone, might ask: What are the requirements for 'having standing' in the moral sphere?⁴

In the long run, however, Goodpaster maintains, the primary concern is the attempt to delineate the "necessary and sufficient conditions on X" in

(1) For all A, X deserves moral consideration from A, where A ranges over rational moral agents and moral 'consideration' is construed broadly to include the most basic forms of practical respect (and so is not restricted to 'possession of rights' by X).⁵

On Goodpaster's interpretation, moreover, moral considerability is to be kept distinct from four other notions with which it easily can be confused. First, it is to be regarded as a broader notion than that of *moral rights* (at least as these are often conceived). Second, it is to be distinguished from *moral significance*, which "aims at governing *comparative* judgments of moral 'weight' in cases of conflict."⁶ Third, moral considerability involves for the most part substantive moral questions rather than questions about the *conceptual analysis* of what can intelligibly be claimed to warrant moral consideration, even though the inquiry is basically one about "the *framework* of moral consideration" rather than one about "the *application* of that framework."⁷ Fourth, Goodpaster insists that the issue of what is morally considerable involves claims "which we acknowledge as in some sense ideally determinative if not practically determinative"⁸—which he terms, respectively, *regulative* and *operative*. That is, "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."⁹

Utilizing these four distinctions, Goodpaster maintains that what is at stake in stating (1)—i.e., "For all A, X deserves moral consideration from A"—is

a concern for a relatively substantive (vs. purely logical) criterion of moral considerability (vs. moral significance) of a regulative (vs. operative) sort. As far as I can see, X's being a living thing is both necessary and sufficient for moral considerability so understood, whatever may be the case for the moral *rights* that rational agents should acknowledge.¹⁰

⁴ Goodpaster, pp. 308–9; for the Stone reference, see note 24.

⁵ *Ibid.*, p. 309.

⁶ *Ibid.*, p. 311; italics in original.

⁷ *Ibid.*, p. 309; italics in original.

⁸ *Ibid.*, p. 313.

⁹ *Ibid.*

¹⁰ *Ibid.*; italics in original.

After arguing that several contemporary ethicists (namely, Warnock, Frankena, Singer, and Feinberg) make the limits of moral considerability too narrow, Goodpaster anticipates a number of potential objections to his thesis and replies to them. It is with an overlooked objection that this note is concerned. Goodpaster's article, with great penetration and creativity, has, indeed, focused attention on and helped "to clarify an important project for contemporary ethics."¹¹ But there is at least one potential objection to his setting the limits of moral considerability on "the condition of being alive" to which the reply may be neither so facily obtainable nor so dexterously applicable to bolstering his thesis as is the case with the six objections and replies which Goodpaster presents. That objection, intentionally expressed at first baldly and, perhaps, a bit flippantly, is: so why stop with "being alive"? That is, if, as Goodpaster argues, rationality, the capacity to suffer and to enjoy, and having interests, are all arbitrary stopping points for determining moral considerability, why is not stopping at "being alive" also an arbitrary stopping point? Why should not the condition of *being in existence* be the criterion of moral considerability? Parallel, perhaps, to Quine's famous answer, "Everything," to the question, "What is there?" "Whatever exists" could be given as the answer to the question, "What has a claim on moral considerability?"¹²

Now, before trying to explicate the claim made in this objection, and prior to attempting to show that the claim is not necessarily any more arbitrary (despite appearances) than the claims of rationality, interest, or "being alive," note the following points. First, if one questions the objection on the grounds that it is simply an application of "the slippery slope" fallacy, it can be replied that it is Goodpaster who has given the big push for the slide down the slippery slope. Neither rationality, nor the capacity to suffer and to enjoy, nor having interests, is a claim that involves "casting the moral net as widely as . . . [Goodpaster is] inclined to."¹³ Yet, each of these claims progressively broadens the conditions for moral considerability. And from the perspective of each narrower condition, the next more inclusive condition can be argued against on the grounds that it is a step down the slippery slope. The point is not who is more guilty of "the slippery slope" fallacy, for the fallacy need not be involved at all. The claim is not, "Well, if you are going to include this, then you might as well go ahead and include that, too (whether or not in doing so undesirable consequences are involved)." Rather, the suggestion in the objection is a straightforwardly positive one, proposing (as will be shown forthwith) that, just as Goodpaster asserts that certain contemporary ethicists have too narrowly limited the conditions of moral considerability, Goodpaster

¹¹ Ibid., p. 325.

¹² Willard Van Orman Quine, "On What There Is," reprinted in *From a Logical Point of View*, 2nd. ed. (New York: Harper and Row, 1961), p.1

¹³ Goodpaster, p. 311.

himself has also too narrowly limited these conditions. In addition, a second point to note before developing these positive aspects of the objection is that if merely "being alive" is "the condition of having a claim to be *considered*, by rational agents to whom moral principles apply,"¹⁴ why should not "being in existence" be such a condition as well? Here one is reminded of William James' well-known argument—though James' concern is limited to the "demands" (interests?) of "creatures"—"Take any demand, however slight, which any creature, however weak, may make. Ought it not, for its own sake, be satisfied? If not prove why not. . . . Any desire . . . *makes* itself valid by the fact that it exists at all."¹⁵ Given the broader condition of moral considerability posed by the criterion of "being in existence," the "if not prove why not" demand can equally appropriately be made, for it may also be that any existent thing has a claim to be morally considered "by the fact that it exists at all."

In his broadening of the conditions of moral considerability, Goodpaster has intentionally broken away from "what can fairly be called a *humanistic* perspective on value and obligation."¹⁶ To Goodpaster, such limiting conditions as rationality, the capacity to suffer and to enjoy, and having interests are all examples of the fallacy of provincialism. By remaining within a humanistic perspective, such positions fail to provide an "ethical vision . . . for modern society in the form of an environmental ethic."¹⁷ What is needed, Goodpaster argues, is a condition of moral considerability that goes "beyond humanism" which can "admit of application to entities and systems of entities heretofore unimagined as claimants on our moral attention (such as the biosystem itself)."¹⁸ Now, the thrust of the present objection is that, given this requirement set by Goodpaster, "being in existence" may be at least as plausible and nonarbitrary a criterion as is the condition of "being alive." That there are problems in extending the condition of moral considerability "beyond humanism" Goodpaster is well aware; and he is willing to accept them in "the hope of a more adequate action guide for the long-term future."¹⁹ To the objection that "being alive" is a concept that cannot be precisely specified, he gives the twofold reply that it is in the same boat with the narrower conditions on that score, and that there are reasonably precise sets of specifications for "being alive" that are "empirically respectable."²⁰ But the

¹⁴ Warnock, *Object of Morality*, p. 148.

¹⁵ William James *The Will to Believe and Other Essays in Popular Philosophy* (New York: Longmans Green and Co., 1897), p. 195. Italics in original.

¹⁶ Goodpaster, p. 310; italics in original.

¹⁷ *Ibid.*, p. 325.

¹⁸ *Ibid.*, p. 310.

¹⁹ *Ibid.*

point, in terms of the objection under consideration, is the advantage, superiority, plausibility, nonarbitrariness, or whatever, "being alive" has over "being in existence" once one has gone "beyond humanism." The reply, of course, cannot be along any such lines as "obviously" morality is limited to beings that are alive, as this is just the old ploy that has been used in connection with all other proposed conditions: i.e., *obviously* morality is limited to rational beings, to "sentient" beings, to beings with interests, etc., etc. Nor can the reply be that there is a clear (ethical?) line of demarcation between "being alive" and what Feinberg derogatorily refers to as "mere things."²¹ In the first place, there is one important respect in which the condition of "being alive" is narrower than that of having interests. Take, for example, the common problem of fulfilling the wishes of a person who has died. Surely for most ethicists moral consideration is due to those wishes. If the retort is given that the reason why this is so is that they represent the wishes of someone who was alive, then the condition of "being alive" has to be extended to become "being or having been alive." If that is the case, then moral considerability ought to be extended to "mere things" like coal, e.g., on the grounds that the deteriorated vegetable matter out of which it is composed was alive, however many eons ago. So, it would appear that either "being alive" is, in some cases at least, too narrow a condition of moral considerability, or it must be construed or extended so that, wittingly or not, by including "mere things" it is no more plausible than is the condition of "being in existence." Nor is it open to Goodpaster to suggest that any moral considerability due "mere things" is a result of human interest in those things, for twitting Feinberg a bit, he writes:

Nor will it do to suggest, as Feinberg does, that the needs (interests) of living things like trees are not really their own but implicitly *ours*: "Plants may need things in order to discharge their functions, but their functions are assigned by human interests, not their own." As if it were human interests that assigned to trees the tasks of growth or maintenance!²²

Furthermore, his own reply to the potential objection that there are insuperable epistemological difficulties in trying to show, e.g., what it is for trees to have needs appeals to the fact that "we make decisions in the interests of

²⁰ As an example, he cites (p. 323) one given by K. M. Sayre: "The typifying mark of a living system . . . appears to be its persistent state of low entropy, sustained by metabolic processes for accumulating energy, and maintained in equilibrium with its environment by homeostatic feedback processes" (*Cybernetics and the Philosophy of Mind* [New York: Humanities, 1976], p. 91).

²¹ See the references and quotations from Joel Feinberg, "The Rights of Animals and Unborn Generations," in Blackstone, *Philosophy and Environmental Crisis* (Athens: University of Georgia, 1974) used by Goodpaster, pp. 318–20.

²² Goodpaster, p. 319; italics in original. The internal quote is from Feinberg, "Rights," p. 54.

others or on behalf of others every day—'others' whose wants are far less verifiable than those of most living creatures.'²³ By the same token, then, it could be argued that nonliving existents may have some moral "standing" of their own. And if, as Goodpaster urges, it is meaningful, for instance, to assert that one can know when his lawn needs watering,²⁴ then it is no giant step to assuming that it is meaningful, also, to assert that one knows when his porch needs painting. After all, the boards in the porch came from a (once) living tree! But, by this time, cries of "Enough! Enough!" are likely to be heard, accompanied by the pronouncement that all this merely constitutes a *reductio* of the already dubious thesis that the condition of moral considerability is "being in existence." Perhaps this is the case; however, if it is, it also seems to be the case for the condition "being alive." Goodpaster is sensitive to this possibility regarding his thesis,²⁵ but responds with the question, "Why should the universe of moral considerability map neatly onto our medium-sized framework of organisms?"²⁶ Why, indeed? But if it need not, why is "being in existence" any more outré a candidate than is "being alive"?

Yet, one more aspect of the objection to Goodpaster's thesis needs to be considered. Whereas it may be true, as Goodpaster has insisted, that "there do seem to be empirically respectable accounts of the nature of living beings available,"²⁷ it is also true that, both scientifically and philosophically, there has been much emphasis in contemporary thought on the continuity between living and nonliving existents. Such "new sciences" as biochemistry and biophysics, to say nothing of the current controversies over recombinant DNA research, provide ample testimony for this from the scientific side. From the philosophical side, perhaps the most renowned example is supplied by the work of Alfred North Whitehead. "Connectedness is of the essence of all things of all types,"²⁸ Whitehead avers, and he argues that

the different modes of natural existence shade off into each other. There is the animal life with its central direction of a society of cells, there is the vegetable life with its organized republic of cells, there is the cell life with its organized society of molecules, there is the large-scale inorganic society of molecules with its passive acceptance of necessities derived from spatial relations, there is the infra-molecular activity which has lost all trace of the passivity of inorganic nature on a larger scale.²⁹

²³ Goodpaster, p. 324.

²⁴ The specific example Goodpaster uses (p. 324) is from Christopher D. Stone's *Should Trees Have Standing?* (Los Altos, Calif: William Kaufman, 1974). The pertinent sentence is: "I am sure I can judge with more certainty and meaningfulness whether and when my lawn wants (needs) water than the Attorney General can judge whether and when the United States wants (needs) to take an appeal from an adverse judgment by a lower court" (p. 24).

²⁵ See Goodpaster, p. 310 and p. 323.

²⁶ *Ibid.*, p. 324.

²⁷ *Ibid.*, p. 323.

²⁸ Alfred North Whitehead, *Modes of Thought* (New York: Capricorn Books, 1958), p. 13.

²⁹ *Ibid.*, p. 215.

There is no need to be Whiteheadian in order to accept the notion of continuity defended here, but if there is force in the notion of the continuity of all existence, then where is the justification for marking the ethical demarcation line between the living and the nonliving? The point of the objection here is not that there *can* be no such ethical demarcation line (between the living and the nonliving, or elsewhere); rather it is that if such a line is to be drawn, it needs a strong justification.

Goodpaster readily admits that his article affords merely "a preliminary inquiry into a question which needs more elaborate treatment than an essay can provide."³⁰ Agreed. Nor is it hard to agree that there is a need for "a quest for a richer moral framework to deal with a new awareness of the environment."³¹ Yet, the present objection questions whether Goodpaster's selection of "being alive" as the condition of moral considerability is, after all, plausible and nonarbitrary. More specifically, the objection challenges Goodpaster's thesis by suggesting "being in existence" as at least as plausible and nonarbitrary a condition of moral considerability. I do not claim that no reply gainsaying this suggestion can be supplied, but, at least until an adequate reply is forthcoming, it appears that questioning why "mere things" should be morally inconsiderable constitutes a fairly serious objection to Goodpaster's thesis.

³⁰ Goodpaster, p. 308.

³¹ *Ibid.*, p. 322.