

## Moral Animals

### Human Beings and the Other Animals

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Sympathy beyond the confines of man, that is, humanity to the lower animals, seems to be one of the latest moral acquisitions. It is apparently unfelt by savages, except towards their pets...

- Charles Darwin, *The Descent of Man*<sup>1</sup>

Human ethical practices and attitudes with respect to the other animals exhibit a curious instability. On the one hand, most people believe that it is wrong to inflict torment or death on a non-human animal for a trivial reason. Skinning a cat or setting it on fire by way of a juvenile prank is one of the standard examples of *obvious* wrongdoing in the philosophical literature. Like torturing infants, it is the kind of example that philosophers use when we are looking for something ethically uncontroversial, so that disputes about the example won't get in the way of the point we are trying to make.<sup>2</sup> On the other hand, human beings have traditionally counted nearly *any* reason we might have for hurting or killing animals, short of malicious enjoyment, as non-trivial and sufficient. We kill non-human animals, and sometimes inflict pain on them, because we want to eat them, because we can make useful products out of them, because we can learn from experimenting on them, and

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<sup>1</sup> Princeton edition, p. 101

<sup>2</sup> For just a few randomly chosen examples, see Simon Blackburn, *Essays in Quasi-Realism* (New York: Oxford University Press, 1993), p. 160; Gilbert Harman, *The Nature of Morality* (New York: Oxford University Press, 1977), p. 7; Peter Geach, "Assertion," *Philosophical Review* 74, 1965, p. 463.

because they interfere with agriculture or gardening or in other ways are pests. We also kill them, and sometimes inflict pain on them, for sport – in hunting, fishing, cockfighting, dogfighting, bullfighting, and so on. We may even kill them because, having done some sort of useful work for us, they have outlived their usefulness and are now costing us money. Uneasily balanced between these two apparent extremes of attitude is the conviction, common to so many people, that when we do use animals for our own purposes, we should treat them as humanely “as possible.” The eating should go on, but the animals should be kept in pleasant conditions and killed humanely; the experiments should go on, but the pain should be palliated as much as conditions allow; the hunting should go on, but the scrupulous hunter should aim for the swift kill that involves no extended terror or suffering. The *shape* of our moral concern for the other animals, if I may put it that way, is rather like that of our moral concern for prisoners of war. Just as we strike an uneasy balance between treating prisoners of war as enemies and treating them in a way that acknowledges our common humanity, so we strike an uneasy balance between treating the other animals as a usable resource – as Kant put it, as mere means - and treating them in a way that acknowledges our common nature as conscious and sensate beings.

So the other animals count, morally speaking, and yet they count for very little, or they count in a way that is easily overridden. At least, given our practices, that is what we seem to think. What, if anything, could justify this combination of attitudes? I believe that there are two primary types of claims that people have offered for what I

will refer to as *the moral asymmetry* between our duties to our fellow human beings and our duties to the other animals. These two primary types of claims are first, that the moral asymmetry is based on the distinctive character of the human good, and second, that it is based on our distinctive relationship to the right. Those who favor the first theory suppose, speaking a bit roughly, that what happens to human beings is more important than what happens to the other animals, because of the type of good of which we are capable. Those who favor the second theory suppose that we can only be strictly obligated towards those who can be obligated to us, because morality is something like a reciprocal agreement: you respect me and my interests, and I will respect you and yours. Since the other animals are not moral animals and cannot be obligated to us, our duties with regard to them are of a less stringent kind, or are not owed directly to them at all, or more likely both. In this lecture, I use the accounts of the good and of our moral nature that I have set forth in the previous lectures to explain why I think that these considerations do not justify the moral asymmetry. Both arguments, I believe, reflect important truths, but once we see more clearly what those truths are, we can see that they do not imply anything as strong as the moral asymmetry. Questions about what we owe to the other animals should not be set aside on the grounds that we probably owe them very little anyway. They need to be worked out in detail.

## I. The Distinctive Nature of the Human Good

Many people, I think, have the intuition that the human good somehow matters more than the good of the other animals, because human beings themselves matter more than the other animals. In fact I think that it is hard to separate these two theses – that the human good is more important and that human beings are more important – because what it *means* to value a living creature is to regard its good as something important, something that should be respected or promoted. We value different things in different ways – beauties of art and of nature by appreciating and preserving them, valuable activities by participating in them, valuable commodities by producing and consuming them – and the way we value living beings is by caring about their good for its own sake.<sup>3</sup> But in addition to that, it is normally also true that those who think human beings are more important than the other animals would explain that importance by pointing to some special feature of human beings – rationality, self-consciousness, the connectedness of experience and identity over time - some special feature that would also inform the special character of the human good. So I will treat the two hypotheses – that the human good is more objectively important than the good of animals and that human beings are more important than animals – as being essentially the same.

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<sup>3</sup> Of course we might also value them as commodities, foods, slaves, etc. But that isn't valuing *them* in the sense I am talking about here. If a slave protested that his master didn't think that *he* was of any importance, that *he* had any value, it would be a bad joke for the master to reply "What do you mean? I treasure you, for you have been my most productive worker, and I expect you to fetch a very high price."

The idea that the human good is more important than that of the other animals should not be confused with another idea – namely the idea that it might be *morally right*, for some other reason, for us to *treat* the good of other human beings as more important, just as we might sometimes have reasons to treat the good of our loved ones as more important.<sup>4</sup> In this section, I am considering the claim that there is something distinctive about the nature of the human good that makes it more important than the good of the other animals. I will take up questions about rightness later on.

The thought that the human good is objectively more important than the good of animals fits most easily into the objective realist theory of the good that I described in the first lecture. According to that theory, any creature's good consists in its participation in intrinsically valuable experiences and activities. Our intellectual and aesthetic faculties give us access to more intrinsically valuable activities and experiences, and so we are capable of a better life. Or one might hold that human beings themselves just *have* a greater objective value. Since on this theory value is a *property*, and I suppose comes in degrees, there is nothing incoherent in thoughts of this kind. It is not clear to me how anything as strong as the moral asymmetry could follow from this merely quantitative difference, however.

However that may be, if you accept the theory of value that I proposed in my first lecture, the idea that human beings are *more* important than the other animals

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<sup>4</sup> Or as uniquely important.

is not merely false, it is *incoherent*. A creature's final good, I claimed, is its well-functioning as the kind of thing that it is in circumstances conducive to that well-functioning, and the individual things that are good are good because they contribute to or are parts of that well-functioning. An important part of the reason I advocate that theory of value is that it preserves the essentially *relational* character of the good – that is, it preserves the intuition that everything that is good must be good for someone – good for some person or animal, and from some point of view. And I would say the same thing, for the same reasons, about the concept of “importance.” Everything that is important is important because it is important *to* or *for* some creature. But *for whom* is the human good more important than the good of another animal? Keep in mind here that I am separating the claim we are talking about now from the different claim that it is morally right for us to *treat* the human good as more important – the claim here is just that human beings and the human good just *are* more important, in themselves. In the theory of value I advocate, there is simply no way to make that claim, for nothing is important in itself, that is, detached from its importance for some person or animal.<sup>5</sup> So I'm not claiming that animals are just as important as human beings are. I am claiming, rather, that this kind of comparison makes no sense. Things are important *to* the kinds of beings to

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<sup>5</sup> Some of Nagel's arguments in *The View from Nowhere* turn on the idea that things that are good-for various people become detached goods in the way I am denying is possible here – as if they were important to the universe, as indeed his title suggests.

whom things can be important – sensate creatures. Things are not important to the universe, so to speak.<sup>6</sup>

Many philosophers have noticed, however, that these claims about the relativity of value seem to have radical and counter-intuitive implications. Surely sometimes when we are deciding between two courses of action, we choose the one whose consequences matter more to one of several different people. For instance, you might decide to leave a sum of money to a niece for whom it will mean the difference between being able to go to college or not, rather than to a nephew for whom it will only mean additional luxuries. And you might do this with some thought about doing more good – you might think it is better. But for whom is this better? It is better for your niece if she gets to go to college, but better for your nephew if he gets additional luxuries. Yet we may feel that the fact that it is more important to your niece to go to college than it is for your nephew to acquire more luxuries has some weight. The problem here is a variant of the general problem of aggregation – why should we save two lives rather than one, if there is no one *for whom* that is better? Of course it is possible to argue that we have no reason to do

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<sup>6</sup> Linda Zagzebski asked whether it would make a difference if human beings were more important to a deity. I don't think it would. That would only show that human beings were more important to that deity, not that we are more important absolutely. Suppose we took the deity to have the good of the entire universe in view? Then the problem would be like the problem of utilitarianism – if the good of an individual is the source of normative claims, it doesn't cease to be so once it is added to an aggregate. So even if aggregation gives us a reason to promote the good of the whole, it doesn't cancel our reason to promote the good of the individual, and therefore doesn't settle the question which we should promote when they come into conflict. The good of the universe is like that – it can't swallow up the good of individuals.

so,<sup>7</sup> but many people have a strong intuition that even those who concede the relativity of value should make a place in their theories for doing more good. I do not have a method of doing this to offer to you, but let us suppose – just for the sake of argument – that it can be done. Then we can still ask this question: Should we pursue human goods in preference to animal goods on the grounds that our goods are greater goods to us than theirs are to them? In his Tanner Lectures, written as a work of fiction called *The Lives of Animals*, J. M. Coetzee imagines a professional philosopher who makes precisely this claim. His philosopher says: “It is licit to kill animals because their lives are not as important to them as ours are to us.”<sup>8</sup> If our lives are more important to us than the lives of animals are to them, could that justify the killing animals for our own purposes?

There are various reasons why people might think that we are more important to ourselves than the animals are to themselves. Few people seriously hold the Cartesian view that animals are unconscious mechanisms, but I suspect that some people tell themselves that the consciousness of an animal must be something so dim and disconnected that his life cannot be very important to him at all. Because he lacks self-consciousness, the thought seems to be, a non-human animal cannot integrate his experiences with one another as the experiences of a single being, so his life is a flow of disconnected experience. But self-consciousness comes in various degrees and kinds: even if something like this is true of primitive animals, there seems no

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<sup>7</sup> Taurec, “Should the Numbers Count?”

<sup>8</sup> Coetzee, *The Lives of Animals*, p. 64.

reason to believe it is true of our nearer cousins, who can think about and remember things in various ways and to varying degrees.<sup>9</sup> The kind of self-consciousness that I believe distinctively characterizes human beings – an awareness of the grounds of our beliefs and actions – almost certainly enables us to integrate our beliefs and choices better than the other animals do, giving us more coherent views of the world and more coherent plans of action, but I see no offhand reason to suppose that it does so in a way that always renders our *experience* of life more vivid and real. In any case, intensity of experience is clearly not the sole prerogative of our species. I sometimes imagine philosophical non-human animals wondering if human beings could possibly have a life worth living, given how poor our senses of hearing and smell are, how ill at ease we seem to be in our own bodies, and how unable we seem to be simply enjoy the moment, without trying to connect it to everything else. I will come back to this thought.

But first let me sharpen up this somewhat amorphous discussion by considering a particular though less extreme view of this kind: the narrative unity view. Jeff McMahan gives a very good description of the view:

... the lives of persons typically have a narrative structure that may demand completion in a certain way. People autonomously establish purposes for their lives, form patterns of structured relations with

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<sup>9</sup> A long story lurks here. Kant's philosophy seems to make thinking impossible for animals in the same way it seems to make acting impossible for animals. In both cases, some accommodation has to be made for a way to integrate the mind somewhat on the basis of a lesser form of self-consciousness.

others, and thereby create expectations and dependencies that require fulfillment. The importance of later events in a typical human life may thus be greatly magnified by their relation to ambitions formed and activities engaged in earlier. The goods of a person's expected future life may assume a special significance within the life as a whole if they would bring longstanding projects to fruition, extend previous achievements, resolve conflicts, harmonize hitherto dissonant ambitions, redeem past mistakes, or in general round out or complete the narrative structures established earlier. ... In the lives of animals, however, this potential for complex narrative unity is entirely absent. There are no projects that require completion, mistakes that demand rectification, or personal relations that promise to ripen or mature. Rather, as Aldous Huxley once put it, "the dumb creation lives a life made up of discreet and mutually irrelevant episodes." Each day is merely more of the same.<sup>10</sup>

The argument is supposed to show that to deprive a human being of life is worse than to deprive another animal of its life: you are depriving the animal only of "more of the same," while you may be disrupting the narrative completeness of the human being's life.

I admit to having very mixed reactions to this kind of claim. On the one hand, animal lives are not the same every day – rather, at least for many of them, they have a

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<sup>10</sup> Jeff McMahan. *The Ethics of Killing: Problems at the Margins of Life*, p. 197.

rhythm that is set by the seasons of the year, and by the age of breeding, and may involve the raising of families, migrations, the building of homes, preparation for the winter, and so on. Many mother animals raise new young every year, and most of those young die and are forgotten, but in some social animals, the bonds that result from family ties are permanent and important. Relationships, families, and larger social groups last over time. There is even for some social animals a narrative structure to the course of an individual life that we can recognize and describe even if they do not. Among social animals, for instance, certain male individuals rise to positions of power and leadership in middle age, only to be deposed by younger members when they are older. And females move through a distinct set of roles in family life as daughters, then mothers, then grandmothers in much the same way that, in many cultures, human females do.

Which brings me to the other side of what bothers me about this - that human lives also have established rhythms, also set by the year, and the age of breeding, and many human lives, perhaps most when you look at the species historically, have been pretty much the same every day: you get up, eat breakfast, then go to work: you tend the children, or you feed the animals, or you hoe the fields, or you go to the factory, depending on when and where your life takes place, but you go to work, and it's the same every day - and then you have dinner, go to bed and start over. And each day is merely more of the same.

So in a certain mood I can find myself thinking that those who favor the narrative unity view are a little bit too impressed with a certain characteristically modern, characteristically middle-class, and for the most part characteristically male way of organizing a life – namely, having a *career*. I’m not knocking it – my own life is organized that way – but I don’t think that having a career is the essence of being human.

On the other hand, there is something obviously right about the picture, all the same. For a human life does have something in common with a career: more than an animal life, a human life has the structure of an individual project; your life is in a special way your own; and, in all kinds of ways, you can succeed or fail at it. And that is an important part of the way it is good or bad for you. I want to explain why I think this is so.

In my last lecture, I argued that human action exhibits a level of intentionality that goes beyond that expressed in the action of the other animals.<sup>11</sup> The distinctive form of human action makes us subject to normative self-government, and so to moral requirements. That means that we are free to accept or reject ends, depending on whether we think we ought to pursue them. Now the fact that human beings are capable of this kind of choice has two further consequences. First of all, the freedom that springs from our ability to choose or reject ends also gives us a freedom to design our own ways of life. In Aristotle’s view, as I mentioned in my first lecture

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<sup>11</sup> See also “Interacting with Animals, §6.

(“The Origin of the Good and Our Animal Nature”), a human being has a *life* in a sense that is both additional to, and changes the shape of, his organic life and animal life: a human being has a life that is governed by the free choice of his own ends. Kant offers us a story about why this might be so in his essay “Conjectures on the Beginnings of Human History.” Essentially Kant’s idea is that the same form of self-consciousness that makes moral judgment possible, together with the intellectual power of comparison, leads to a freedom to experiment with the pursuit of new ends to which we are not instinctually drawn. For example, suppose I am an animal who instinctively eats apples. As I evolve into a human being, I develop the form of self-consciousness that makes me aware *that* I enjoy eating apples and *that* my attitude is what moves me to eat them. And suppose I am also aware that apples resemble pears - that’s the intellectual power of comparison. Putting these two thoughts together, Kant argues, might lead me to a quite new thought: that I might like eating the pears. Kant speculates that this is the first origin in human self-consciousness of the creativity and flexibility in designing ways of life that is so characteristic of the human, of the power to pursue all kinds of ends to which we are not instinctively drawn. Kant says that the primitive human being who first discovered this capacity for exploring new ends “discovered in himself an ability to choose his own way of life without being tied to any single one like the other animals.”<sup>12</sup> The second difference is that the deeper form of intentionality that characterizes our actions – the fact that we

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<sup>12</sup> Kant, “Conjectures on the Beginnings of Human History,” p. 8: 112.

choose our ends, and can reject them if their pursuit cannot be justified – makes us the authors of our actions in a deeper way than the other animals are. We do not just respond to the ends that nature gives us. We therefore hold ourselves and one another responsible for what we choose and what we do. And just as this deeper level of intentionality creates a normative conception of our actions – as right or wrong, justified or not – so also it creates a normative conception of ourselves as their authors. There are not only things that we think we are supposed to do; there are also ideals that, as the authors of our actions, we are supposed to live up to. Human beings are the subjects of normative self-conceptions, or ideals of the self.

I do not mean merely that we conceive ourselves to be morally good or bad people, for I believe that the two factors I have just described work together. We choose among various possible ways of life and hold ourselves responsible both for which ones we choose and for how well we enact them. How do we do it? Human society makes available to us a range of roles, occupations, types of relationships, and allegiances, from out of which each of us carves her own identity and with it her own way of life. And we conceive ourselves to be worthy or unworthy insofar as we successfully or unsuccessfully live up to the demands of these roles, occupations, relationships and allegiances. We identify ourselves with certain roles and relationships - as mothers, fathers, teachers, or friends, citizens. We identify ourselves as practitioners of arts, sciences, and crafts - as philosophers or writers or physicists or carpenters. We identify ourselves as the members of groups who have

our allegiance – as Americans, or as Christians, or as environmentalists, or as soccer fans, perhaps – and in terms of other ideals as well – gender ideals, or ethnic or racial ones. Elsewhere I have called these normative self-conceptions conceptions of our *practical identity* – conceptions of ourselves under which we value ourselves and find our lives to be worth living and our actions to be worth undertaking.<sup>13</sup> So in place of the instincts that tell a non-human animal how to enact the life of a member of its kind, we live by enacting normative conceptions of our identities that, to some extent at least, we choose for ourselves.

This is the most general difference between human beings and the other animals. A form of life governed both by moral principles and by normative ideals of the self is a very different thing from a form of life governed by instinct, desire, and emotion – even a very intelligent and sociable form of life governed by instinct, desire, and emotion. In my last lecture I mentioned a story Kant tells, about a man deciding whether to face death rather than bear false witness. The point of the story, in Kant's argument, is to establish that human beings can be motivated to do what we think we ought to do. That story is the stuff of high moral drama, but it has its constant analogs in our everyday lives. We have ideas about what we ought to do and who we ought to be and we are constantly trying to live up to them. The other animals do not live in that way. We struggle, in difficult circumstances, to be honest and courteous and responsible and brave; to be good friends or good parents or good teachers.

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<sup>13</sup> *The Sources of Normativity*, p. 101

Even if the other animals are sometimes courteous, responsible, and brave, and even if they are often good friends and good parents and good teachers, it is not because they think they should be. Even as primitive a phenomenon as a teenager's efforts to be "cool" is a manifestation of the human tendency to live a life guided by ideals of the self rather than merely driven by instinct and impulse. The distinctive character of human action does not merely put us under the dominion of the moral obligation – it gives us a whole different way of being in the world. Our lives are governed by values.

My point here is not that human beings live lives of principle and value and so are very noble while the other animals don't and so are ignoble. The other animals are not moral animals and so these judgments simply do not apply to them. The distinctive form of intentionality that characterizes human action and the normative self-conceptions that result from it are as much the source of our capacity for moral evil as they are of our capacity for moral good. Many traditional moral philosophers, especially in the modern period, have identified *self-interest* as the main obstacle to human moral goodness and as the principle that rules in us when moral ideals fail. They conceived self-interest as selfishness, a sort of acquisitive motive, a desire to acquire good things for oneself. But Nazis, tyrants, terrorists, and serial killers - to take a few gaudy examples - are not, or need not be, especially *selfish* in this simple acquisitive sense – rather, they are governed by twisted normative self-conceptions, views of themselves which assign them a special role or destiny, a special value, that

places them above their fellow human beings.<sup>14</sup> When I say that human beings lead lives governed by values I do not mean to *congratulate* our species – I am just saying something about the form of our lives.

My interest here is in the effect of all this on what counts as a good life for us. Recall that Aristotelian theory, at least as I interpreted it, says that the final good for a conscious creature rests in its conscious well-functioning. What that means in the case of the other animals is essentially that their final good consists in the fact that they are enjoying a healthy life of their kind. It is partly because this seems to me to be a plausible thing to say about what the final good for a non-human animal is that I am attracted to the Aristotelian theory. But it may seem, at first glance, as if the Aristotelian theory delivers an inadequate account of the human good. Have you achieved the human good simply by virtue of the fact that you are leading a healthy life of your kind, or are a well-functioning human animal? There are two apparent problems with this claim, as I noted in “The Origin of the Good and Our Animal Nature.” One is just that it may seem a little too thin. Surely the human good is more than leading a healthy life, even if we include psychological health. The other has to do with one of Aristotle’s own ambitions in producing this account, an ambition that many philosophers have shared. Aristotle wanted to show that the human good includes and depends on the possession of moral virtue. And as I mentioned in lecture one, *if* Aristotle can show that moral virtue is essential to well-

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<sup>14</sup> Or above their fellow creatures – but I don’t get to say that until I’ve finished this argument.

functioning, this conclusion will fall out from his theory of the good as a necessary truth. But is it plausible to think, as Aristotle did, that being a well-functioning or healthy human animal requires moral virtue?

I think that these worries about the Aristotelian account can be addressed, and thinking about the role of normative self-conception in our lives shows us how. One obvious reason is that for creatures like ourselves, questions of psychological health and questions of normative self-conception cannot be torn apart. The phenomena that show this are familiar ones – we human beings need to think well of ourselves, to feel lovable and worthy, to respect ourselves and feel that we have the respect of others, in order to function well in our lives. People who lack positive normative self-conceptions don't do well, in all sorts of ways. Many of the other social animals, or at least their young, seem to need love, but they do not need to feel that they are worthy of love. Indeed, one of the reasons we find our pets so relaxing is that they don't seem to feel that we need to be worthy of *their* love. And it is, in my view, no accident that we get into moral conundrums when we try to prize apart the notions of moral evil and severe mental illness, for twisted normative self-conceptions play an essential in both. None of this proves that you need to be virtuous in order to function well as a human being and so to lead the good life, and I am certainly not going to try to prove that here, but these phenomena do suggest that for human beings normative attributes and issues of well-functioning or ill-functioning are not easily pulled apart.

The more important point for my purposes here has to do with the worry that the Aristotelian account is too thin. I think we will see that this is not so once we recognize the special form of complexity introduced into the human good by the role of normative self-conception. For as I argued above, the choice of a set of roles or identities or ends with which we identify ourselves introduces a whole new sense in which we can be said to “have a life” – a sense in which each of us has her own individual and personal way of life. Basically, even if they are intelligent and have some unique personality traits, a coyote follows the script for a coyote and a sparrow follows the script for a sparrow. But because of the freedom that opens up when self-consciousness gives us normative control over our attitudes, the script for a human being says: “write your own script – you take it from here.” And we do that by carving our own identities. And this means that a human being, in order to achieve the final good for herself, has to live a life in which she functions well on two levels. She has to function well in the roles and occupations with which she has chosen to identify herself, and she has to function well as a human being – a human animal. This in turn means that she has to choose roles and occupations that enable her to function well as a human being. And although functioning well in the roles and identities she has chosen for herself is certainly part of what goes into functioning well as a human being, I am supposing that it is not all – that we have needs and interests that arise from our general human nature and not just from the

particular nature that we have carved out for ourselves. So the good for a human being has two parts:

- i) to function well in the identity we have chosen for ourselves, and to be in circumstances that enable us to do that
- ii) to have an identity that enables us to function well as human beings, and to be in circumstances that enable us to do that

I also suppose that some of the special complexity of the questions we run into when we think about the human good comes from the fact that these different elements of our good can pull apart in intractable ways. Let me offer just one example: an obsessive human life. An accomplished artist or scientist might function brilliantly and find thorough satisfaction in a life in which many of his other human capacities are atrophied from lack of use. Perhaps he has few friends and no family, and has enjoyed little of humanity's achievements outside of his beloved field. Has he led a good human life? Your vulgar neighborhood psychologist may complain about his lack of well-roundedness – and for that matter, some vulgar Aristotelians may complain about his choice of a dominant rather than an inclusive end - but I think it's a real question. The idea of the human good doesn't obviously dictate some specific balance between your needs as a human being and your needs as the person you have chosen to be. The human good is a complex matter because we lead more than one sort of life.

I set out to investigate the question whether the human good is more important to the human being than another animal's good is to that animal. I now want to return to that question. The element of truth in this idea, I believe, is that we are important to ourselves in *a way* that the other animals are not. We are each carving out an identity for ourselves that for us is fraught with normative significance, an identity in terms of which we measure our lives as successes and failures. The other animals are not important to themselves in that *way* – their lives may be good or bad, but they are not projects at which they succeed or fail, or at least, they don't see them that way.

But to say that we are important to ourselves *in a way* that the other animals are not important to themselves is not the same thing as to say that we are *more* important to ourselves than the other animals are. If I am correct about the nature of human-animal differences, there is a sense in which the other animals, even though they have personality differences, may be less *individual* than human beings. We have a self of our own, a self of our own making, in a way that they don't. But we shouldn't think that animals are less important *to themselves* as individuals because *to us* they seem to be less individual than we are – for that is *nothing* from their own point of view: each of them has a subjectivity that is still uniquely her own, however similar its contents are to that of others.<sup>15</sup> And this point illustrates the larger

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<sup>15</sup> I am tempted to say that every non-human animal is about as important to herself as her nature allows, and that is something that, sadly, cannot be said of every human being. But that's just a reflection of the general point here – human life is something you can succeed or fail at.

conceptual problem that is at work here. If the argument did show that we are more important to ourselves than the other animals are to themselves, it would still only show it *by our own standards*. It is important *to us* to live as if life were a project that can succeed or fail and to try succeed at that project because it is our nature to do so. And so we tend to think that the lives of animals are somehow lesser because they do not do that. But the fact that they do not do this does not make the animals less important to themselves by *their* standards, if I may put it that way, because it is not part of their good to do so.<sup>16</sup> What's important to them, I suppose, is to lead keen lives of appetite and sensation, to eat and to mate and to play. Earlier I imagined philosophical non-human animals, who think human lives are somehow lesser because we don't do that. If they did that, they'd be making a mistake, because that is not our good. But if we think their lives are lesser because their lives are not narrative quests to live up to ideals, we would be making the exact same mistake. The relativity of value to a being's nature is a very deep matter.

I don't know whether it is reasonable or not, but I still think it possible that the kind of difference I have been describing plays a role in our sense that the death of a human being is more tragic, or perhaps just tragic in a different way, than the death of another animal. And it might have some moral consequences as well. If we have a life in a sense they don't, we lose something when we lose our lives that they

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<sup>16</sup> In other words, anyone who did think that human beings are more important to themselves than the other animals are would be guilty of a very deep kind of anthropomorphism: far more than those who champion the claims of animals, they would be failing to grasp the depth of the difference.

don't. On the other hand, though, even if a human being loses something that another animal does not when he loses his life, it is important to remember that a human being and a non-human animal who lose their lives both lose *everything* that they have – everything that is important to them.<sup>17</sup> There is something imponderable about the comparison.

I conclude from all this that there is indeed an important difference between the human good and the good of the other animals. But the difference is a difference of kind, not of degree, and it does not support the moral asymmetry. We are not more important than the other animals – again, not because we are equally important, but because such cosmic rankings make no sense. We are just very different.

### III. The Reciprocal and the Right

I now turn to the other argument, based on the right. We are the only moral animals – or so I have argued. Of course what most obviously follows from that is not that we have no or only very weak duties to the other animals, but that they have no duties to us, or to each other. Yet many people have believed that something like the moral asymmetry follows from this fact.<sup>18</sup> The general idea is that we can only really have obligations to those who have, or can have, obligations to us.

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<sup>17</sup> Or, if there is an asymmetry here, somewhat oddly, it goes the other way. Human beings regard many things as worth dying for. We see ourselves as part of the human story, and may be willing to risk death, or face it outright, in order to make a positive contribution to that story. Sometimes those who do painful experiments on animals urge that the medical knowledge that results benefits other animals as well as humans. But even social animals do not care about the general fate of their species, the way we do about ours. So this is no compensation from their point of view.

<sup>18</sup> Mary Anne Warren, Roger Scruton.

Strictly speaking, it may seem as if this argument does not support the moral asymmetry, since the moral asymmetry, as I originally described it, involves the thought that it *is* wrong to kill or hurt an animal for a trivial reason, even though only fairly frivolous reasons count as sufficiently trivial. And it may seem as if denying that we have obligations to the other animals involves denying that we can ever do wrong by killing or hurting them. But those who believe this kind of argument often believe that there are reasons – even recognizably moral reasons – not to hurt animals. However, those reasons do not involve the claim that we owe this to the animals themselves. The most notorious example of this in the philosophical tradition is of course Kant. Kant claimed that we do have duties to treat animals kindly, but that we do not owe these duties to the animals themselves – rather, we owe it to ourselves to treat the animals well, in order to express and cultivate dispositions that will help us to treat human beings well. I will come back to Kant, but first I want to give you another example of this sort of view.

The other example comes from Hume's *Enquiry Concerning the Principles of Morals*. Strictly speaking, in the passage I'm about to quote, Hume is talking about justice, not about morality in general, but his view provides a particularly stark statement of the idea I have in mind. In the *Enquiry*, Hume attempts to argue that justice is based on utility. As a part of that argument he wants to show that the obligations of justice do not hold in cases where entering into a system of justice would not be useful. And he says:

Were there a species of creatures intermingled with men, which... were possessed of such inferior strength, both of body and mind, that they were incapable of all resistance, and could never, upon the highest provocation, make us feel the effects of their resentment; the necessary consequence, I think, is that we should be bound by the laws of humanity to give gentle usage to these creatures, but should not, properly speaking, lie under any restraint of justice with regard to them... Our intercourse with them could not be called society, which supposes a degree of equality; but absolute command on the one side, and servile obedience on the other. Whatever we covet, they must instantly resign: Our permission is the only tenure, by which they hold their possessions: Our compassion and kindness the only check, by which they curb our lawless will: And as no inconvenience ever results from the exercise of a power, so firmly established in nature, the restraints of justice and property, being totally useless, would never have place in so unequal a confederacy.

And then Hume continues:

This is plainly the situation of men, with regard to animals...<sup>19</sup>

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<sup>19</sup> *Enquiry concerning the Principles of Morals*, p. 190-191. I have removed a bit where Hume claims the creatures are rational; at the end of the quotation he then lays aside the question whether animals are rational. In the *Treatise*, of course, he argues that they are.

On Hume's view, human beings agree to conform to the rules of justice and property because we can all benefit from doing so. But we need not enter into such a "confederacy" with creatures whom we can control by other means. So Hume argues that we do not have obligations to the other animals, although the virtue of "humanity" may restrain us from treating them too badly.

The thought that relations of justice have something of the character of an agreement or a contract is an old one in philosophy, found in thinkers as diverse as Plato and Rawls. And the early modern thinkers of the natural law tradition – Grotius, Pufendorf, and Hobbes – developed a conception of morality, in general, which they modeled on this conception of justice. But we find echoes of this general conception of morality – that morality is based on something like an agreement, or a pledge of reciprocal good treatment, or cooperation, or coordination – in many accounts of the subject. Think for instance of Gauthier's theory of "Morals by Agreement", or of Scanlon's emphasis on treating people in accordance with principles they could not reasonably reject, or of Gibbard's view that the biological function of morality is coordination. I believe that this familiar conception of morality, as something like a pact or an agreement, is behind many people's view that non-human animals are somehow outside the central realm of morality: for the other animals, not being rational, cannot enter into schemes of rational agreement with us.

Kant brought this way of thinking about morality to a new level when he argued that the laws of morality could be regarded as the laws of a moral Kingdom of

Ends, legislated together by all rational beings for themselves and one another. It is Kant's version of the argument that I am going to consider here.

But first we need to consider the question: what exactly does it mean to owe something *to* another? As Stephen Darwall has emphasized in his recent work on this topic, for me to owe a certain kind of treatment to you, it is not enough that I am under a moral law saying that I should treat you in a certain way. Perhaps I am under a moral law saying that I should not deface beautiful paintings, but I do not owe that to the paintings. Nor is it enough to add that you should be the kind of creature to whom things *can* be owed. As both Darwall and Michael Thompson have emphasized in their recent work, for me to owe something to you it seems as if we must be able to conceive ourselves as being under common laws. For if you owe something to me, I should be able to demand it of you – to claim from you it as a matter of right. For example, suppose that I am a Christian, and the Bible says I should be kind to all people; you are a Muslim, and the Koran says the same. Then I am duty-bound to treat you with kindness and you are duty-bound to treat me the same. But do we owe this *to* each other? I cannot sincerely claim kindness from you as my right in the name of the laws of the Koran, since I do not concede any authority to those laws; and your position with respect to me is the same. So it seems as if I owe it to my God and to myself that I should treat you with kindness, but I do not

owe it *to you*; and you are in the same position with respect to me.<sup>20</sup> In this way we arrive at the idea that for one person to owe something to another, in the sense that makes it claimable by that other as a matter of right, they must conceive themselves as being under common laws.

These ideas give us one way of understanding the role of the idea of Kingdom of Ends in Kant's philosophy. The fact that I autonomously will a law that says that human beings are valuable and should be treated in accordance with their value establishes that I owe it to *myself* to treat you that way. But it is the fact that I conceive us to will this law together, as laws for a Kingdom of Ends that we share, that establishes that I owe it *to you*, that you can claim it of me as a right. I believe that this conception of what it is to be obligated to another is Kant's reason for supposing that we do not have duties to the other animals. The other animals are not rational, are not co-legislators in the Kingdom of Ends, and therefore cannot give us obligations in the name of those laws. As Kant says in the *Metaphysics of Morals*:

...a human being has duties only to human beings (himself and others),  
since his duty to any subject is moral constraint by that subject's will.<sup>21</sup>

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<sup>20</sup> Hugh Benson pointed out to me that there's a problem with saying, in the context of this example, that I owe to my God to treat you kindly. I'm assuming, in the example, that the reason we owe each other kindness is not that we are under a common moral law, but that we are each under a separate divine command. But if the law is a divine command, God is presumably (?) not under it, so God and I are not under a common law – and the theory says that is necessary for us to owe things to each other.

<sup>21</sup> MM 6:442, p. 192; see also MM 6:241, pp.32-33.

Another morally constrains me to his will when he claims something as a right from me under the terms of laws that we jointly will. Only human beings, Kant argues, can do this, and so duties can be owed only to human beings.

You might be surprised to hear me attributing this argument to Kant, since Kant is famous for holding another view that came up in my last lecture – that human beings, and only human beings, are ends-in-themselves. But Kant does not argue that the reason that only human beings can be in the Kingdom of Ends is that only human beings are ends in themselves: rather, he argues that the reason only human beings are ends in themselves is that only human beings can be in the Kingdom of Ends. He says:

... morality is the condition under which alone a rational being can be an end in itself, since only through this is it possible to be a lawgiving member in the Kingdom of Ends.<sup>22</sup>

Last time I described the way, on Kant's view, the norm of the right arises. When we are considering whether to act on some desire or inclination, it is because we think that satisfying the inclination will be good for us. And if we decide to satisfy it, then we are deciding that something that is good for us – our own final good – is good in the normative sense. In deciding that, we assign ourselves a certain standing, the status of end-in-itself, under some description. Kant thinks that description is "human being." I think that we can now see why this is so. Kant thinks only human

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<sup>22</sup> G 4:435, p. 42.

beings can be citizens in the Kingdom of Ends. And he thinks only human beings can be citizens in the Kingdom of Ends, because only human beings can participate in the making of moral laws. And the reason that is important, is because only someone who can participate in the making of moral laws, can claim it as a right from us under a law we both acknowledge, that we treat him in a certain way.<sup>23</sup> So we can only owe things to other human beings. That is why Kant thinks the law of the right only covers human beings. Kant doesn't exclude animals from the Kingdom of Ends because he thinks they aren't ends-in-themselves; rather, he thinks they aren't ends in themselves because their inability to participate in moral lawmaking excludes them from the Kingdom of Ends.

Now an obvious point to notice about this is that even if all this is true, it could still be the case that we owed it to ourselves, under laws that we ourselves will autonomously, to treat the other animals with kindness, say, or to respect their lives. And there might be other reasons for this besides cultivating dispositions that will help us to act rightly towards people. But Kant himself provides us with the resources for doing even better than that. In his political philosophy, Kant explicitly recognized the category of "passive citizens" – citizens who do not vote, and therefore do not participate in legislation. This category had been used in the French

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<sup>23</sup> Kant claims that the principle that we are ends-in-ourselves is a subjective principle of human action. He then says that every rational being "represents his existence" this way on the same rational ground, and he attaches a footnote to that remark in which he says that he will give this ground in the third section of the *Groundwork*. In other words, our autonomy or legislative capacity is the ground of our regarding ourselves as ends in ourselves. See *Groundwork* 4:428-429.

Revolution to maintain the idea that all males were citizens, while still disenfranchising many on the basis of an economic qualification. In Kant's own political philosophy, women, children, apprentices, and house servants are categorized as passive citizens, for their rights are protected by the laws of the state even though they may not vote.<sup>24</sup> They may not vote, according to Kant, because they lack independence – they are under somebody else's thumb. And since they are under someone's thumb, they cannot be expected to use their own judgment. The concept of passive citizenship is now much maligned, and given its history that is not surprising.<sup>25</sup> We no longer believe in economic qualifications for voting, and if women and house servants are under people's thumbs, then clearly that is the condition to fix. But there is no outright contradiction in the concept of someone who cannot vote but whose rights are protected by the law. And this means that there are two senses in which you can owe a duty to me. First, as an active citizen, I am part of the legislative body that makes something a law for us both. In the name of the authority of this law, I claim it as a right from you that you treat me a certain way. Second, as a passive citizen, I fall under the protection of a certain law, whose authority you yourself acknowledge. In the name of the authority of this law, I can claim it as a right from you that you treat me in a certain way. I can do this because I have a

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<sup>24</sup>MM 6:314-315, pp. 91-92.

<sup>25</sup> Some people would say that children do belong in this category. I don't agree with that, because I think "child" does not name a type of person or citizen, but rather a stage in a person or citizen's life. I realize that sounds like a mere redescription, but I believe that it actually has moral force. This is not the place to make the case, but in general I think it is important not to confuse life-stages with types of beings.

property in virtue of which you yourself would claim it as a right from another. For instance, suppose only men can vote, and they make a law asserting that everyone is guaranteed a right of free speech. Can a woman obligate a man to desist from trying to silence her? In the sense of making a law, or participating in making a law, compelling him to desist, she cannot. In the sense of having a claim on him in the name of a law whose authority he acknowledges, she can. The fact that non-human animals cannot participate in moral legislation is insufficient to establish that they cannot obligate us in this later sense. The other animals may be able to impose obligations on us, in their role as passive citizens of the Kingdom of Ends.

Of course there is still a difference. Human passive citizens, if there were any, would still stand in relations of reciprocity with active citizens, for they would be obliged to conform to the laws of the communities of which they are citizens, to respect rights just as their own are respected. And animals cannot be required to do that – they can be forced, I suppose, but they cannot be *required*. For Hume, that would be a reason not to include animals in the moral community, for there would be no benefit to us in doing so. But Kant is not Hume – he does not think that the reason we enter into moral community with each other is that it is useful to us to do so. For him, the only question is whether we are rationally committed to laws whose protection naturally extends to the animals, because of features that they share with us. If we are, then they can be admitted to the Kingdom of Ends as passive citizens,

and they can obligate us in that capacity. The fact that they are not rational is neither here nor there.

Are we rationally committed to laws whose protection extends to the other animals? For anyone who already thinks we have *any* duties to animals, however weak and easily overridden, that question is already answered. But I think we can argue that we that we do. I will make the argument in stages.

First of all, when we pursue our own good, thus declaring ourselves to be ends in ourselves, we pursue our good as animals as well as our own good as human beings. And when we demand respect and recognition from one another, we demand that respect for our good as animals as well as our good as human beings. For we pursue, and demand respect for, parts of our good that spring from our animal nature. For instance, unless there is a reason, we spare ourselves needless pain and suffering, and we demand of others that we be spared needless pain and suffering. It is our rational nature that enables us to legislate that pain and suffering are bad, and to require it of one another, as a matter of moral law, that we not be subjected to needless pain and suffering. But it does not follow that all that we think is bad, and all that we make moral laws against, is the pain and suffering of rational beings. And I think it is simply untrue that that's what we think, for what we object to in our own case is not the needless suffering of a rational being; it is simply the needless suffering of a being who can suffer. That it is wrong to make an animal suffer is something you already believe, since there is an animal – yourself – whose suffering

you declare to be bad – by avoiding it – and morally objectionable – by demanding that others avoid it too. So while it is our rational nature that enables us to value ourselves and each other as ends in ourselves, *what* we value, what we declare to be an end in itself, includes our animal nature as well as our rational and human nature.<sup>26</sup>

We can take that thought to a higher level. Ultimately, the source of the value we legislate is our own final good – including, but not limited to, the good of autonomous choice that is specific to us as human beings. But the reason we have a final good in the first place is not that we are autonomous rational beings. The reason we have a final good in the first place is that we are animals. We are the kind of *thing* that has a final good, a thing that functions by caring about its own well-functioning. And I think when we declare ourselves to be ends in ourselves, we are in effect declaring that the good of a being that has a final good is, in and of itself, a thing that matters.

One reason I think this is that most people after all do think the good of animals is a source of reasons, even if they think it is only a weak one. But I also think we are rationally committed to the view, although the reason is somewhat difficult to articulate. I have claimed that just by pursuing our final good and demanding that others have some respect for it, we declare ourselves to be ends in ourselves. Since we know that the fact that something is good for an entity isn't in

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<sup>26</sup> This view is also defended in my “Fellow Creatures: Kantian Ethics and Our Duties to Animals” in *The Tanner Lectures on Human Values*, ed. Grethe B. Peterson. Volume 25/26 (2004). Salt Lake City: University of Utah Press; and on the Tanner Lecture website at [www.TannerLectures.utah.edu](http://www.TannerLectures.utah.edu).

and of itself a reason to pursue it, by pursuing our own good we declare it to be a normative good, and so we declare ourselves to be sources of reasons. But every animal can be said to pursue its own good, at whatever level of intentionality it is capable. Primitive animals pursue their good in the sense that they respond attractively or aversively to the conditions that affect them. They perform mind-directed intentional movements that are directed to their good. More intellectually sophisticated animals pursue their good in the sense that they consciously pursue and avoid objects that they naturally perceive or conceptualize in ways that are related to their own good – they seek food, or avoid danger, and in that way they pursue their own final good. Human beings, whose form of intentionality involves a grasp of the grounds or reasons for action, pursue our good in by declaring that our good is the source of reasons for action, and acting accordingly. Moral legislation seems so different from the springs of animal action, because it naturally carries us beyond ourselves to attention to the good of others. And yet, in moral legislation, we are just doing, at our own level of intentionality, what every animal does by its very nature: we are expressing and enacting our concern for ourselves. So viewed, morality is just the human way of being an animal. So in moral legislation we are, in a certain way, affirming the value of animal nature itself. We are committing ourselves to the view that the good of a being who has a final good is a normative good. That is why I think the laws of the Kingdom of Ends naturally extend their protection to the animals, and the moral asymmetry does not hold.

#### IV. Why There is Such a Thing as Value

Let me return to the question with which I began these lectures: Why is there such a thing in the world as value? As I said at the beginning, those who believe that intrinsic values simply exist – that some things just have the property of being valuable - don't need to answer that question. But those of us who believe in the relativity of all value to valuers give a different kind of answer, one that is more naturalistic. Any entity can be good or bad, in the evaluative sense, so long as it can be seen as having a function. Of course only a valuing being can see something as having a function, but, considered all by itself, well-functioning is not a value. Value begins to find its way into the world when the world comes to contain entities that function by means of actively seeking and promoting their own well-functioning. Such creatures function by developing valuing, end-setting, states: they desire things, care about things, are interested in things, mourn the loss of things, enjoy things and suffer from things, and they pursue or avoid them accordingly. Their evaluative good becomes, for them, a final good, and in that sense, they care about themselves. The final step takes place when some of these self-valuing creatures develop the form of self-consciousness that leads to explicit normative thinking and willing, to the legislation of laws of the right, and with to the construction of the Kingdom of Ends. It is left to us, the rational beings, to declare that the things that are good for creatures who have a final good are also the sources of normative laws: that a final

good is as far as possible something to be respected, preserved, and promoted. The world contains final goods because it contains animals, and it contains morality because self-conscious animals demand as a matter of right that that final goods should be promoted and respected. The world contains value, ultimately, because of us - because we are moral animals.