



The Edge of “Animal Rights”

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Abstract

A central task of environmental ethics, which have been arising since 1960s, is to extend the objects of moral concern beyond the individuals of *Homo sapiens*. (Here, it involves the issue of the boundary of environmental ethics. In a narrow sense, an environmental ethic must grant moral concern to holistic environmental objects (such as ecosystems). On the other hand, if we broadly define the environmental ethic as an ethic that shows moral concern not limited to *Homo sapiens* and its individuals only, then, these “generalized” environmental ethics include Peter Singer’s “animal liberation” and Tom Regan’s “animal rights”. In this article, the term “environmental ethic” refers to an environmental ethic in a generalized sense.) All the objects deserving moral concern constitute the moral community. The trajectory and boundary of this extension are different among different schools. Compared to other schools, Tom Regan’s “animal rights” has a relatively smaller moral community, making it more “conservative” at first sight. Meanwhile, the rights view, like other schools, faces the question regarding the edge of moral concern. This question consists of two sub-questions: (1) where is the boundary of the moral community and (2) how ought we to treat the objects of moral concern near the boundary? Given the closeness of Regan’s theory to traditional ethics (regarding the boundary of the moral community), this study is mainly focused on analyzing the edge of moral concern within the framework of the theory of animal rights. Further, I investigate the similarities and differences in the boundary of moral concern among various schools of environmental ethics. The comparative analysis demonstrates a subtle relation between science and moral philosophy, and reveals a similar form of a metaphysical premise adopted by all environmental ethics. This research helps to clarify the moral concern of environmental ethics, which is an essential prerequisite for establishing a new ethic, and therefore helps to consolidate the reference of environmental ethics to environmental management.

Keywords Environmental ethics · Subject-of-a-life · Welfare · Harm · Suffering

Introduction

In the ethic system of Regan (2004, 272–273), “rights” refer to “moral rights” (not legal rights), and refer to due claims of individuals. In other words, an individual’s moral rights correspond to some moral concern the individual deserves. Meanwhile, whether an individual has moral rights is independent of whether the individual has the abilities to understand and preserve its rights. In the view of Regan (2004, 279, 329), all individuals who have the inherent value, regardless of moral agents or moral patients,¹ humans or nonhumans, have the same inherent value, therefore have the same moral right to be respectfully treated. According to this logic, the proposition that “the individual has the inherent value” is a sufficient condition, but may not be a necessary condition, for the proposition that “the individual has moral rights”. In particular, “animal rights” are moral rights, and rational beings, as moral agents, ought to defend some animals in the possession of moral rights. In the view of Regan (2004, 284),

The less cognizant individuals are of their rights, the less power they have to defend them, the more we who understand and recognize their rights must do for them in defense of their rights. ... respect for the basic rights of others involves prima facie duties of assistance.

In particular, not all animals have moral rights, but all subjects-of-a-life have the same inherent value (Regan 2004, 243). According to the logic of Regan (2004, 246, 264), the subject-of-a-life criterion is a sufficient condition, but not a necessary condition, for the inherent-value criterion; hence, it seems not impossible to attribute inherent value to these individuals who do not meet the subject-of-a-life criterion (such as an animal without consciousness, a plant, a river, or even an “collective thing” such as a species, or an ecosystem). But Regan (2004, 246, 362) mentions that the attribution of inherent value to these individuals (especially an object as a group, e.g. a species or an ecosystem, rather than an individual) is very difficult to be made “intelligible and nonarbitrary”. Therefore, in Regan’s constructed ethic framework, the subject-of-a-life criterion can also be regarded as a necessary condition for the inherent-value criterion. So far, it seems that, in Regan’s rights view, the possessor of moral rights that correspond to moral concern, the possessor of the inherent value that constitutes the axiological core of “animal rights”, and the subject-of-a-life as the ontological foundation of “animal rights”, all refer to the same group. But this interpretation is not profound. The analysis of the differences among the three types of entities is a focus of this article.

¹ In moral practice, Regan (2004, 151–152) distinguishes between moral agents and moral patients: moral agents (normal adult people) have the moral ability to apply moral principles to considering and acting; while moral patients have no ability to morally consider and act, but they, like moral agents, should receive moral concern.

Subjects-of-a-Life

To investigate the edge of the objects of moral concern in the rights view, we need to first examine Regan's (2004, 243) "subject-of-a-life criterion":

... individuals are subjects-of-a-life if they have beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preference- and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independently of their being the object of anyone else's interests.

Thus, to distinguish subjects-of-a-life, Regan (2004, 264) adopts multiple standards, including: (1) the ability to perceive, (2) the ability to remember, (3) to have beliefs, (4) to have desires, (5) to have preferences, (6) the ability to act intentionally for goals, (7) to have sentience, (8) to have emotions, (9) to have a sense of the future, (10) to have psychological identity, (11) to have an individual welfare independent of others' interests. In environmental ethics, compared to the object of moral concern in Peter Singer's animal liberation or that in Paul Taylor's biocentrism, Regan's "subject-of-a-life" has a much broader connotation, so a much narrower denotation. This reflects the rights view's "conservative" position on the boundary of the moral community.

Here come two questions: (1) where is the specific boundary of subjects-of-a-life and (2) whether an individual outside the boundary of subjects-of-a-life deserves some moral concern? With respect to the first question, Regan (2004, 77) thinks that to precisely demarcate the boundary of subjects-of-a-life seems impossible, but this does not affect his ethical goal, i.e. to justify moral rights of mammal individuals:

... for our purposes, the crucial question is not where we draw the line in every case; it is whether we have good reasons to draw the line in a way that implies that mammalian animals not only are conscious and sentient but also have beliefs, desires, memory, a sense of the future, self-awareness, and an emotional life, and can act intentionally. The reply ... may be summed up in two words: we do. (Regan, 2004, 77)

In Regan's (2004, xvi, 78) understanding, "mentally normal mammals of a year or more" must be subjects-of-a-life, but subjects-of-a-life may not be within the range of mammals only. Thus, this demarcation of the boundary of subjects-of-a-life is a "conservative" demarcation²: "mentally normal mammals of a year or more" are a

² Here, the implication of the "conservative position" c on the demarcation of the boundary of objects of moral concern is different from that of the "conservative position" C on the criterion of objects of moral concern. C merely means that the object of moral concern in the rights view has a narrower denotation than other schools. C does not necessarily have the "ought" implication. In other words, C does not mean that it should be abandoned in the ideal state, nor does it mean that the rights view "lags behind" other schools in moral concern. If rights view's justification for C is more convincing than any other schools' justifications for their "radical" positions, then, C would be admirable. The "conservative" demarcation

sufficient condition, but not a necessary condition, for subjects-of-a-life. Here, we should note that, the phrase “mentally normal”, given the definition of the “subject-of-a-life” and moral consideration in practice in the rights view (Regan 2004, 78, 243, 264, 314–315), must be understood as to have basic consciousness and psychological activities, rather than to have mental abilities above the average levels of the corresponding population/species. For example, a person with moderate mental retardation has lower intelligence than ordinary people, but he/she still has basic consciousness and psychological activities, so he/she is a subject-of-a-life.

So, whether a non-mammalian individual could be a subject-of-a-life? If Regan’s ethic is merely an applied ethic limited to mammals, then there is nothing wrong with this conservative demarcation of the boundary of the moral community; if not, however, this demarcation is soft. In particular, Regan (2004, xvi) mentioned that we have good reasons to believe that birds meet the subject-of-a-life criterion, and fish may also be subjects-of-a-life. Meanwhile, Regan (2004, 358) argues that mammalian cubs, who may not currently meet the subject-of-a-life criterion, have the potential to become subjects-of-a-life, so should be respectfully treated: “unless one would be willing to approve of harming human infants in pursuit of sport or profit, one cannot approve of the similar treatment of infant mammalian animals.” (Regan 2004, 358).

Now, according to the above analysis of the “explicit” logic of Regan’s rights view, we can make such inferences: the denotation of the mentally normal mammal is narrower than that of the subject-of-a-life, and the latter is narrower than the denotation of the possessor of the inherent value, and the latter is narrower than the denotation of the possessor of moral rights, and the latter is narrower than the denotation of the moral community. Therefore, whether at the cognitive or practical level, Regan’s demarcation of the boundary of “moral concern” (i.e. “mentally normal mammals of a year or more”) tends to be an expedient, which merely achieves temporary goals, but does not bear the ultimate significance to the rights view. A precise demarcation is difficult at the moment, but it does not mean unnecessary in the future. Here, by applying the “implicit” logic of “animal rights”, I try to analyze the content of moral concern that those individuals may deserve who do not necessarily meet the subject-of-a-life criterion. This refers to the second question.

Two Categories of Individuals

According to Regan’s logic, “a subject-of-a-life” is a sufficient condition, but not a necessary condition, for “an object deserving moral concern”. This means that some non-subject-of-a-life individuals may also deserve some moral concern. In particular, Regan (2004, 153) distinguishes between two categories of individuals, both of which deserve some moral concern, more or less:

Footnote 2 continued

c, however, is an “expedient”. This means that c in the ideal state should be abandoned, because as an expedient, c is defective and needs to be improved if possible.

Individuals who are moral patients differ from one another in morally relevant ways. Of particular importance is the distinction between (a) those individuals who are conscious and sentient (i.e., can experience pleasure and pain) but who lack other mental abilities, and (b) those individuals who are conscious, sentient, and possess the other cognitive and volitional abilities discussed in previous chapters (e.g., belief and memory). Some animals, for reasons already advanced, belong in category (b); other animals quite probably belong in category (a). ... Our primary interest, in this and in succeeding chapters, concerns the moral status of animals in category (b). When, therefore, the notion of a *moral patient* is appealed to in the discussions that follow, it should be understood as applying to *animals in category (b) and to those other moral patients like these animals in the relevant respects*—that is, those who have desires and beliefs, who perceive, remember, and can act intentionally, who have a sense of the future, including their own future (i.e., are self-aware or self-conscious), who have an emotional life, who have a psychophysical identity over time, who have a kind of autonomy (namely, preference-autonomy), and who have an experiential welfare ...

Hence, compared with the individuals who have consciousness and sentience only but lack other mental abilities, the individuals who have not only consciousness and sentience but also other cognitive and volitional abilities should receive more moral concern. With respect to Regan's subject-of-a-life criterion, category (b) refers to subjects-of-a-life, de facto mammals of a year or more who have basic consciousness and psychological activities. We can say that moral rights and obligations proposed by Regan (2004, 153–154) must be applicable to individuals in category (b), and not necessarily to individuals in category (a). Based on Regan's statement, we can categorize objects deserving moral concern into two types: "higher" objects deserving moral concern, namely individuals in category (b), and "moderate" objects deserving moral concern, namely individuals in category (a).³ The theory of "animal rights" is mainly focused on higher objects deserving moral concern. For convenience, we may as well call Regan's category (b) as category H, and call Regan's category (a) as category M.

Thus, since Regan (2004, 153) admits that individuals in category M should receive certain moral concern; in other words, an individual in category M can also be regarded as a "moral patient"; we need to answer such two questions: what is the moral treatment ought to be given to an individual in category M, and is there any difference between this kind of treatment and the kind of moral treatment ought to be given to an individual in category H? But Regan did not provide clear answers.

In Regan's view, moral agents have the obligation not to harm innocent subjects-of-a-life. Here, a subject-of-a-life could be harmed at the logic level; namely, that a subject-of-a-life is harmed is a possible situation that could happen, though this

³ In this article, an "animal" is called "higher", "moderate" or "lower" (see below) is somewhat linked to the degree of physiological complexity and phylogenetic development in biological taxonomy. But this link is neither strict nor direct. In particular, higher, moderate or lower is used to indicate the range and degree of psychological capabilities (which bear ethic significance) of an animal individual, e.g. whether it has consciousness or not. Nor does the order from lower to higher imply any sense of speciesism.

happening may be immoral. Meanwhile, a subject-of-a-life should not be harmed at the moral level, namely, that moral agents wish a subject-of-a-life not to be harmed. Then, ought we not to harm a non-subject-of-a-life individual? Here, we must first make sure that whether the non-subject-of-a-life individual could logically be harmed. According to Regan's (2004, 153–154) understanding, there exist non-subject-of-a-life individuals who can experience pleasure and pain, e.g. individuals in category M. And "prolonged pain of considerable intensity" certainly constitutes suffering and harm (Regan 2004, 94, 117). Thus, the understanding of Regan implies that individuals in category M could logically be harmed. Then, does a moral agent bear the duty not to harm these moderate objects of moral concern? We must admit that not to harm and not to be harmed, are the basic connotations of moral obligations and moral rights, and constitute the premise and foundation of other moral obligations and rights. Although Regan did not specify the moral concern for individuals in category M, all moral concerns are based upon an appeal for no harm. Therefore, it is consistent with the spirit of the rights view to say that a moral agent ought not to harm moderate objects of moral concern, i.e. individuals in category M. In particular, Regan (2004, 368, 396) opposes all kinds of animal experimentation, including anatomical experiments in educational contexts. Here, animals used as experimental objects include not only mammals of one year or more, but also other animals such as reptiles, e.g. frogs that are usually dissected in school biology classes. In particular, Regan (2004, 366–367) emphasizes that some non-mammals (e.g. frogs), as long as they "share relevant anatomical and physiological properties with mammalian animals (for example, a central nervous system)", should not be used as experimental objects. According to Regan's opposition against animal experimentation, it is reasonable to say that the rights view entails a moral obligation not to harm innocent individuals in category M.

Further, Regan's conservative stance on practice (better to treat a non-subject-of-a-life animal as a subject-of-a-life, rather than treat it as a mere thing without any moral concern), involves considerations not only of cognitive prudence (it is difficult to accurately demarcate the boundary of subjects-of-a-life), but also of social impacts; namely, it encourages practices that respect all subjects-of-a-life and helps to build a moral society where all moral rights are well defended. This consideration of social impacts is expressed in Regan's (2004, 319–320) opinion about infanticide and abortion, in Regan's (2004, 349, 416) appeal for vegetarianism (it is better not to eat poultry that may not meet the subject-of-a-life criterion), and also in Regan's (2004, 416–417) opposition against hunting animals, which may not meet the subject-of-a-life criterion, for the sake of recreation or economic interests. Hence, in order to increase positive impacts in a society, the rights view should also require moral agents not to harm innocent individuals in category M, "prima facie", though in this case the axiological basis for the moral practice refers to an "instrumental" value.

About Lower Organisms

Here comes a further question: whether moral agents bear the moral obligation not to harm the living beings that do not belong to categories M and H. We may call these living beings as lower organisms, which include lower animals L and plants P. First, we need to affirm the existence of lower animals. According to Regan's definition of category (a) (or category M as we call), i.e. "those individuals who are conscious and sentient (i.e., can experience pleasure and pain) but who lack other mental abilities", if sentience does not depend on consciousness, then, logically, we should affirm the existence of L, which can be sentient animals without consciousness, or can be animals without sentience (or it is difficult to prove the sentience of an individual by the simplicity of its nervous structure and stress reaction). Empirically, we should affirm the existence of L as well; for example, arthropods seem to belong to sentient animals without consciousness, while protozoa seem to belong to animals without sentience.

Further, is it possible to conceive the moral concern for lower organisms? We must admit that the proposition that "individual X belongs to the moral community" entails the proposition that "a moral agent A bears a duty towards X for the sake of X's own interests"; namely, this duty is a direct duty, rather than an indirect duty, towards X. Strictly speaking, indirect duties can never constitute moral concern. For example, if we say A has the duty D not to harm X because harming X is harmful to the development of compassion in A, then D is not for the sake of X's own interests. In other words, the direct object of D is not X; namely, D is not a direct duty to X. In this case, D does not constitute moral concern for X. Instead, if we say that A has the duty D not to harm X because X has the moral right not to be harmed, then D is for the sake of X's own interests. In other words, the direct object of D is X; namely, D is a direct duty to X. In this case, D does constitute moral concern for X. Hence, a necessary prerequisite of the proposition that "X belongs to the moral community" is that X has its own "interests" or its own "good". Unlike individuals in categories H and M, the meaning of one's own interests or good is vague with respect to lower organisms.

In environmental ethics, whether lower organisms have their own "good" is in dispute. The arbitration of this dispute is beyond the scope of this study. Here, my goal is to clarify the position of "animal rights". In Regan's understanding, all moral practices can be attributed to the respect principle, which points to "no harming" in practice at the basic level. Here, we may examine whether a lower organism could be a direct object of Regan's "harm principle", which as the cardinal practice expresses the spirit of the respect principle:

Prima facie, therefore, we fail to treat such individuals in ways that respect their value if we treat them in ways that detract from their welfare—that is, in ways that harm them. We have, in short, a prima facie direct duty not to harm those individuals who have an experiential welfare, which is precisely what the harm principle declares. (Regan, 2004, 262)

In this statement, “value” means “inherent value”. Meanwhile, in Regan’s (2004, 83, 116, 119–120) view, a premise of the proposition that an individual has experiential welfare is that the individual is able to retain their psychological identity over time. Obviously, lower organisms have no consciousness or psychological identity. Hence, we can see that Regan’s “harm principle” is focused on possessors of inherent value or subjects-of-a-life, and it is not applicable to lower organisms. In Regan’s theory then, it lacks ethical grounds for harming no lower organisms.

Further, according to the logic of Regan’s statements, “to be harmed possibly” is a property of “having inherent value” or “having one’s own welfare”. In other words, that “X has inherent value” or “X has welfare” is a sufficient condition, but not a necessary condition, for that “X could logically be harmed”. Hence, could a lower organism, despite its lack of inherent value and welfare, be harmed logically?

Generally, in Regan’s (2004, 116–117) view, “harm”, as the opposite of benefit, decreases one’s opportunities to accomplish a good life. Further, Regan (2004, 94, 117) divides harms into two types: “infections” (“acute or chronic physical or psychological suffering”) and “deprivations”. In Regan’s (2004, 94–95, 117) view, suffering is not pain merely: “pain must be intense enough, and last long enough, to reasonably be viewed as suffering or harm”, or “prima facie harm”. Here, the phrase “prima facie” corresponds to necessary conditions (that could be foreclosed more or less due to the harm) for one’s living well relative to its abilities (Regan 2004, 97). Thus, in Regan’s ethic (2004, 96), it is harm, not pain or hurt, that bears ethical meaning. In particular, Regan (2004, 97) argues that “not all harms hurt, just as not all hurts harm”.

Therefore, in the rights view, an individual that could logically be harmed must be able to experience suffering, which corresponds to pain that is intense enough and last long enough, rather than to any kind of pain. It seems inappropriate to say lower animals with basic sentience only were able to experience suffering, given the simplicity of their nervous structure and stress reaction. Certainly, it is absurd to say other lower animals without sentience and plants could experience pain, let alone experience suffering. Hence, Regan’s understanding implies that lower organisms have no abilities to experience intense pain or suffering, so they are logically impossible to be harmed. We can say that, in the framework of “animal rights”, that “do not harm lower animals” and “do not harm plants” are pseudo propositions. Meanwhile, since “no harming” constitutes the core of moral practice, it is illogic to say an object that can never be harmed could become a direct object of moral obligations. Therefore, plants and lower animals do not belong to the moral community in the rights view.

Comparisons Among Schools

Regan’s ethic is influenced by Joel Feinberg. In the view of Joel Feinberg (1974), a right holder, as an object of moral concern, must be an interest holder:

... the sorts of beings who can have rights are precisely those who have (or can have) interests. I have come to this tentative conclusion for two reasons: (1)

because a right holder must be capable of being represented and it is impossible to represent a being that has no interests, and (2) because a right holder must be capable of being a beneficiary in his own person, and a being without interests is a being that is incapable of being harmed or benefited, having no good or "sake" of its own.

Here, "rights" refer to "moral rights", rather than "legal rights" and Feinberg's statement means: the "right holder" and the "interest holder" have the same denotation. In Regan's theory, an interest holder possessing moral rights refers to a "subject-of-a-life", whose connotation is close to Feinberg's "conative being". In Feinberg's (1974) understanding, the boundary of the moral community lies between conative beings and "mere things":

A mere thing ... has no good of its own. The explanation of that fact, I suspect, consists in the fact that mere things have no conative life: no conscious wishes, desires, and hopes; or urges and impulses; or unconscious drives, aims, and goals; or latent tendencies, direction of growth, and natural fulfillments. Interests must be compounded somehow out of conations; hence mere things have no interests.

We can see that Regan's subject-of-a-life criterion is quite close to Feinberg's conative-being criterion. Both criteria adopt multiple standards; however, neither is clear enough. In either case, the connotation of an object of moral concern includes at least two aspects: (1) a higher level of conscious desires and (2) a lower level of unconscious needs. Logically, all individuals who have conscious desires must have unconscious needs, but not all individuals who have unconscious needs have conscious desires. Thus, if the threshold of being an object of moral concern refers to unconscious needs, then, the conscious desires stipulated in the criteria are inappropriate; on the other hand, if the threshold refers to conscious desires, then the unconscious needs stipulated in the criteria are redundant. This vagueness is unsatisfactory regarding the boundary of the moral community. Regan's (2004, xvi, 78) expedient judgment, i.e. "mentally normal mammals of a year or more", plays a complementary role in this issue. Meanwhile, given "mentally normal mammals of a year or more", we can easily send away the content about "unconscious needs" in Regan's subject-of-a-life criterion.

On the other hand, Kenneth Goodpaster focused on the lower level of unconscious needs, in his words, "the minimal conditions for something's deserving to be valued for its own sake" (Goodpaster 1978, 320), therefore, "being a living thing is both necessary and sufficient for moral considerability" (Goodpaster 1978, 313). This emphasis on "an individual's own good" in a minimal degree is substantiated by biological facts in Paul Taylor's biocentrism (2011, 122): "All organisms, whether conscious or not, are teleological centers of life in the sense that each is a unified, coherently ordered system of goal-oriented activities that has a constant tendency to protect and to maintain the organism's existence". Hence, each organism deserves equal consideration in the moral sense (Taylor 2011, 78–79). We can see that among environmental ethics, Paul Taylor's biocentrism

represents an extreme of “low threshold”, and Tom Regan’s rights view represents an extreme of “high threshold”.

All of the above schools are individualism, i.e. only an individual could be an object deserving moral concern. Besides individualistic schools, there exist holistic approaches in environmental ethics, such as J. Baird Callicott’s ecocentrism. In holistic environmental ethics, moral concern can be extended to a collective thing, or called “a group”, such as a population, a species, or an ecosystem, which contain multiple individuals. Further, how ought we to deal with these collective things constitute the core of a holistic ethic.

J. Baird Callicott’s ecocentrism represents a “hard” and “pure” holism, in which individuals are means to the ultimate end, to maintain the ecosystem health (Callicott 1999, 362). From the point of view of energy flow, the practical purpose of holism is not to preserve specific individuals and their interests, but to preserve unobstructed continual of energy flow in the system. To achieve this purpose, holistic practice is focused upon different “groups”, such as populations, species, and ecosystems. On the other hand, the stance of Rolston (1988) represents a “mild” and “eclectic” holism, which extends (different) moral concerns to individual “lower” organisms, individual “higher” animals, species, and ecosystems. In the following Table 1, I outline the general range of objects of moral concern implied by different scholars.

As environmental ethics, these different schools essentially represent different trajectories to extending objects of moral concern beyond human individuals, resulting in different boundaries of the moral community. We may like to ask

Table 1 Ranges of objects of moral concern in various environmental ethics

Category	Individuals				Groups ^b
	Plants	Lower animals ^a	Moderate animals ^a	Higher animals ^a	
	P	L	M	H	
Rolston (1988)	V ^c	V	V	V	V
Callicott (1989, 1999)	—	—	—	?	V
Feinberg (1974)	?	V	V	V	—
Goodpaster (1978)	V	V	V	V	—
Taylor (2011)	V	V	V	V	—
Singer (2009)	—	V	V	V	—
Regan (2004)	—	—	?	V	—

^aHere, “lower animals” refer to animal individuals who have no consciousness; “moderate animals” refer to animal individuals who have consciousness but have no self-consciousness, “higher animals”, which do not include humans, refer to animal individuals who have self-consciousness.

^bIn holistic environmental ethics, a group or collective thing may receive moral concern.

^cHere, symbol “V” means that the objects deserve some moral concern, more or less; symbol “—” means that the objects do not deserve any moral concern; and “?” means that a relevant scholar himself does not explicitly state whether the objects deserve moral concern, but according to the logic of his ethic framework, it is reasonable to infer he “would” agree that the objects deserve some moral concern, more or less.

whether exists a common logic behind these apparently different trajectories. Yes. Here is the common logical form shared by different schools: (1) a feature T is a common feature shared by all objects in category G, though there may exist some difference in the degree of T among different objects in G; (2) T indicates moral consideration; and (3) it is a moral obligation not to harm any innocent object in G. For example, in the view of Singer's (2009, 171) utilitarianism, all objects with sentience deserve moral concern; hence, in practice, Singer (2009, 174) calls for a nearly vegan diet. Thus, in Singer's theory, T refers to sentience and G refers to all objects possessing sentience. In the view of biocentrism by Goodpaster (1978) and Taylor (2011, 122–123), all living beings, as teleological centers of life, have their own good, so they deserve the same moral considerability. Thus, in biocentrism, T refers to ones' own good, and G refers to all objects possessing their own good, i.e. all living beings.

In particular, it is argument (1) ("a feature T is a common feature shared by all objects in category G") and that acts as the motive force of a moral-concern-extension trajectory. We must note that "a common feature" is not referred to any corporeal aspect. For example, it is referred to "sentience" in Singer's *Animal Liberation*, to all the capacities involved in the subject-of-a-life criterion in Regan's *Animal Rights*, to one's own interest or one's own good in biocentrism, and to the functional participation in a dynamic ecosystem in ecocentrism. Compared to a corporeal aspect, this kind of "intangible" features is intriguing. We can see that any of these intangible features is related to a psychological capacity or a physiological conation or a systematic tendency. This helps the corresponding ethic to refrain from the dangerous "naturalistic fallacy" that is related to Hume's is-ought dichotomy, e.g. descriptive statements do not entail an evaluative statement without an evaluative premise. Further, it helps to explain why these moral-concern-extension trajectories could only occur in modern times, not until Darwinian revolution has widely been accepted. In any of the environmental ethics, the theory of Darwinian revolution keeps as a requisite, explicit or implicit, for the whole edifice. How could we believe that object O_1 (say a human being) and object O_2 (say a dog) should share a common feature in a psychological capacity (say sentience or consciousness) or a physiological conation or a systematic tendency? Peter Singer (2009, 171) provided two indicators to support our belief: the similarity in behavior (stress reaction) between O_1 and O_2 , and the similarity in the nervous system between O_1 and O_2 . Meanwhile, Regan (2004, 28–29) provided five reasons to support our belief: it is consistent with our commonsense view; it is consistent with ordinary lingual use; it does not entail that O_1 or O_2 has an immortal or immaterial soul; it is consistent with similarity in behavior between O_1 and O_2 ; and the evolutionary understanding provides a common basis for the psychological similarity between O_1 and O_2 . But all the above two indicators and five reasons are feeble except the evolutionary basis. For example, under Descartes' paradigm of mind-body dualism, we may equally explain an observed phenomenon of similarity/consistence (say stress reaction) by interpreting O_2 as an "automaton". That we do not accept this interpretation not because this explanation itself is not successful; on the contrary, it is as successful as the explanation we could make under Darwinian paradigm of evolution. We do believe both objects share a

common feature because Descartes' paradigm is not as "parsimonious" as Darwinian paradigm, and by "Occam's razor", we choose the latter rather than the former (Regan 2004, 32). In other words, what we believe is based upon a reasonable comparison among scientific paradigms. It is the modern theories of revolution and ecology that give us reasonable belief in the "common" feature that any normal individual of *Homo sapiens* does share with any of objects that an environmental ethicist intends to fit into the moral community. In this sense, knowledge is necessary for a "good" human.

But knowledge only is not sufficient. This comes back to argument (2) "T indicates moral consideration". We must note that "to indicate" does not mean "to give birth to". Moral concern does not come from T directly, otherwise we would commit the naturalistic fallacy. Rather, "to indicate" here means "to illuminate". In other words, the thing that deserves moral concern already exists, and our "evolutionary" knowledge now makes it clear to ordinary people. We may call this kind of thing, which is intangible, as the metaphysical basis of an ethic. Now we can say that any environmental ethic is based upon a particular premise, i.e. a particular metaphysical basis, and the fundamental difference among schools are due to the difference in metaphysical basis. Since the metaphysical basis itself cannot be further determined anyway; rather, it determines the whole ethic edifice, most disputes on practice misfire among environmental ethics. For example, Callicott (1989, 45–46) argues that Regan's rights view is self-contradictory as it should have required moral agents to eliminate animal predation in nature so that the prey's rights not to be harmed could be defended. On the other hand, Regan (2004, 361–362, 396) dubbed the holistic environmental ethics as "environmental fascism" that would justify sacrificing the life of a human individual for the interests of the holistic community. Both critiques are biased with respect to the metaphysical basis of each criticized part. The subject-of-a-life criterion is not the only ticket for moral concern in Regan's rights view (see below) and the interests of human individuals do count for core and significant moral concern in Callicott's ecocentrism. In other words, they confuse "moral significance" with "moral considerability". Except to these kinds of confusion, there seems no convincing resolution to the divergence in what deserve "moral considerability", the fundamental difference among environmental ethics. Here we may as well compare what deserve moral considerability between utilitarianism and biocentrism. In the view of Singer (2009, 171):

To have interests, in a strict, nonmetaphorical sense, a being must be capable of suffering or experiencing pleasure. If a being suffers, there can be no moral justification for disregarding that suffering, or for refusing to count it equally with the like suffering of any other being. ... If a being is not capable of suffering, or of enjoyment, there is nothing to take into account. So the problem of drawing the line is the problem of deciding when we are justified in assuming that a being is incapable of suffering.

While in the view of Goodpaster (1978):

The truth seems to be that the 'interests' that nonsentient beings share with sentient beings (over and against 'mere things') are far more plausible as

criteria of *considerability* than the 'interests' that sentient beings share (over and against 'mindless creatures'). ... psychological or hedonic capacities seem unnecessarily sophisticated when it comes to locating the minimal conditions for something's deserving to be valued for its own sake.

We can see that in either Singer's *Animal Liberation* or in Goodpaster's biocentrism, the question whether an individual deserves moral concern comes down to the question whether an individual has its own "interests". This approach is also adopted in other environmental ethics. But the word "interests" that entails moral concern has different connotations among different ethics. Further, one moral agent cannot prove his choice of the "interests" that entail moral concern is morally "better" than another choice because this choice is the bedrock upon which all other moral justifications are possible while the bedrock itself cannot be justified. In other words, the "interest" that entails moral concern is not analytic. Actually that the "interests" that entail moral concern is a personal subjective choice is the common underlying premise taken by all environmental ethicists, who, however, are always reluctant to admit the subjectivity of the bedrock and often lose sight of this fact in criticizing others. So rather than calling this personal subjective choice as "the truth" as Goodpaster did, I would call it as "belief" or "intuition", upon which, and only upon which, lies the possibility of an ethic, which is not confined to environmental ethics.⁴ So, moral philosophy will never die in a society immersed in science.

Conclusion

Finally, I want to say that Regan's boundary of objects of moral concern is still open. This is not due to the difficulty of accurately distinguishing subjects-of-a-life, but because Regan's (2004, xlvi) elaboration of "the value of a life" still needs to be improved. In Regan's (2004, xxxiv) view, the value of a life increases with the number of possible sources of satisfaction of an individual, so it differs among subjects-of-a-life. In other words, different subjects-of-a-life have the same inherent value, but they may have different degrees of the value of a life (Regan 2004, xxxiii, xxxiv).

The value of a life is also embodied in the rights view's interpretation of death. Regan (2004, 100, 117) points out that death "forecloses all possibilities of finding satisfaction"; thus, "death is the ultimate, the irreversible harm". Further, different deaths may correspond to different harms:

The magnitude of the harm that death is ... is a function of the number and variety of opportunities for satisfaction it forecloses for a given individual, and it is not speciesist to claim that the death of any of these humans would be a *prima facie* greater harm in their case than the harm death would be in the case of the dog. Indeed, numbers make no difference in this case. (Regan, 2004, 351)

⁴ Here, we must note that to deny the "objective" truth does not mean that subjective choices are totally incompatible or incommensurable (see below).

Here, the measurement of harm is the lost amount of opportunities for satisfaction, and the total amount of one's opportunities for satisfaction also measures the value of a life. This view is intriguing. If an individual's physiological needs also constitute this individual's opportunities for satisfaction, and this assumption seems reasonable, then, why does the death of a plant or a lower animal not constitute the harm to this plant or animal? In particular, Regan's (2004, 271–272) emphasizes that moral rights are due claims on one's behalf. If an individual's physiological needs can be regarded as its due, and this assumption seems reasonable, then, why do moral agents admit a higher animal's due as its moral rights while ignore a lower animal's due? If we recognize the satisfactions and due of plants and lower animals at the physiological level, it seems inappropriate to deny that they deserve any moral concern. Accepting that plants and lower animals also deserve some moral concern, then, this kind of "generalized" moral community will be very close to that of biocentrism.

Here, we may cite Paul Taylor's words about the objects of moral concern:

We conceive of the organism as a teleological center of life, striving to preserve itself and realize its good in its own unique way. To say it is a teleological center of life is to say that its internal functioning as well as its external activities are all goal-oriented, having the constant tendency to maintain the organism's existence through time and to enable it successfully to perform those biological operations whereby it produces its kind and continually adapts to changing environmental events and conditions. It is the coherence and unity of these functions of an organism, all directed toward the realization of its good, that make it one teleological center of activity. (Paul Taylor, 2011, 121–122)

If we adopt a higher level of Feinberg's (1974) multiple standards of objects of moral concern, then, the denotation of Taylor's objects of moral concern covers that of Feinberg's, and the connotation of Taylor's "goal" is a proper subset of the connotation of Feinberg's "goals". Meanwhile, in Taylor's (2011, 62) understanding, an entity's well-being is synonym for its good, which, at the basic level, demands maintaining its own life. Here, "well-being" must also demands the satisfaction of basic needs at the physiological level. Thus, the connotation of Taylor's "well-being" is a proper subset of the connotation of Regan's (2004, 262) "welfare". Meanwhile, Regan (2004, 88) states that:

To say that what makes an individual's (A's) welfare possible is a benefit to A means that, unless certain conditions are met, A's chances of living well, relative to the kind of good life A can have, will be impaired, diminished, limited, or nullified.

Here, why "the kind of good life" cannot be regarded as one's own "good" and "goal"? We can see that in Regan's rights view, "goal" and "welfare" are understood to a "high" standard, which narrows the denotation of objects of moral

concern or “subjects-of-a-life”.⁵ But this understanding in a narrow sense is not the only possible option. Since an individual’s own interests or good stands as the bedrock of “moral concern”, then, the rights view and biocentrism share a common direction of the metaphysical basis. In particular, it is the approach of biocentrism that adopts an understanding of Feinberg’s (1974) “good” and “goals” in a broad sense, and thus extends moral concern to all living beings. At least in logic, the rights view and biocentrism are not contradictory in the metaphysical basis of moral concern, and the coordination between the two schools can be expected in moral practice. In this way, the compatibility between rights view, as a most “conservative” environmental ethic, and biocentrism, as a most “radical” environmental ethic,⁶ provides a critical step towards coordinating different environmental ethics.

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⁵ The “environmental ethics” Regan (2004, xl, 396) himself explicitly denies include holistic ecocentrism and individualistic biocentrism.

⁶ Here, a “conservative” and “radical” position is referred to the relative degree of the extension of the size of the moral community, compared to that in traditional ethics.

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