COGNITIVE DISABILITY AND SOCIAL INEQUALITY

Linda Barclay, Monash

**Draft only. Please don’t cite without permission**

I Introduction

Individuals with what are usually referred to as ‘profound’ or ‘severe’ cognitive disabilities have notoriously been discussed in philosophy and bioethics to determine whether their moral status is higher than that of many nonhuman animals (McMahan 2002; Singer 2011).[[1]](#footnote-1) Disability advocates vehemently contest claims that such individuals don’t share the same moral status as other human beings, and moreover argue that suggestions to the contrary are harmful and dangerous (Kittay 2010). Although this debate about the moral status of individuals with cognitive disabilities is very well-rehearsed, nothing approaching a consensus view has emerged. Yet debates about moral status continue to dominate philosophical discussion of people with ‘severe’ or ‘profound’ cognitive disabilities, with all sides assuming that the outcomes of such debates are pivotal for determining how we ought to treat such people.

In this paper I will argue that theories of moral status have quite limited relevance to the unjust ways in which people with cognitive disabilities are routinely treated in the actual world. What I will show is that this routine unjust treatment threatens the social status of people with cognitive disabilities. After explaining the difference between moral status and social status, I will argue that fixing on moral status plays only a limited role in helping us to understand and respond to the injustice of pernicious social status hierarchies. As such, if we are concerned to address the injustices perpetrated against people with cognitive disabilities, we need to focus much more on neglected issues of social inequality.

My arguments in this paper are a clarion call for us to focus discussion of cognitive disability on issues of injustice. Other philosophers have persuasively argued that we can neither understand nor address racial and sexual injustice by focussing solely on the bad attitudes of individual actors, whether explicit or implicit (Anderson 2010; Haslanger 2015). The sources of injustice and the causal mechanisms that sustain it are far more complex than an individualistic focus on the beliefs or other attitudes of agents would suggest. This paper furthers this structural focus by applying some of its insights to the sphere of disability: the sources of injustice and the causal mechanisms that sustain it are far more complex than the almost exclusive focus on beliefs about moral status would lead us to suppose.

In sections II and III I will explain what is meant by moral status and social status respectively. In discussing the nature of moral status in section II, I will explain that the possession of moral status is *necessary* in order to be harmed by pernicious social hierarchy. As such, establishing that people with ‘profound’ cognitive disabilities have moral status is of first importance to any discussion of the injustice of social status hierarchies. If an individual has no moral status, they cannot be a victim of social injustice either. Beyond that important role, debates about moral status have very little further to add. In section IV I will reject the *conventional view* which holds that when people are treated as social inferiors it is because they are assumed to have lower moral status. I will argue that there can be a number of reasons for why social hierarchies emerge that have nothing to do with individuals’ beliefs about moral status, and this can certainly be the case with disability.

In section V I will argue that even if social status hierarchies are morally impermissible because they violate respect for people’s moral status, it is still the case that theories of moral status are very *uninformative* in terms of explaining the nature, function and ultimate impermissibility of social hierarchy. In this sense, fixing on the moral status of people with ‘profound’ cognitive disabilities does little explanatory work in determining how they ought to be treated.

In section VI I will suggest something that is perhaps more confronting: that we do not need to demonstrate that people with ‘profound’ cognitive disabilities possess *equal* moral status with other human beings in order to denounce the unjust ways they are treated in the actual world. The overwhelming majority of us will agree that much of treatment I discuss in this paper is wrong and must be rectified. Yet we can agree on that quite independently of whether we also agree that people with cognitive impairments share exactly the same moral status with more typical adult human beings. To a large extent, that particular issue is entirely orthogonal.

In sum, if we want to understand how people with cognitive disabilities are treated unjustly, understand why they are so treated, and what we must do better, then we must pay far more attention to the nature and function of pernicious social hierarchies.

II Moral Status and its Necessity

Our widespread practices and behaviour suggest that most of us believe that all human beings have a higher moral status than (almost all) animals. Philosophical justification for this belief has proven elusive. It is helpful to begin by distinguishing two broad approaches to the question of moral status.

*Threshold accounts*. Questions about the moral status of individuals with ‘severe’ or ‘profound’ cognitive disabilities are unavoidably vexing for any view that designates high level, typically human cognitive wherewithal – rationality, the capacity for moral agency - as a necessary condition for moral status. Moral status is a threshold concept for such views: individuals who fall below some minimal threshold have no moral status at all, and individuals who are at or above the minimal threshold enjoy equal moral status. Human and non-human individuals who lack rationality, the capacity for moral agency, etc, have no moral status at all. We are permitted to treat them as we will, as long as we do not violate any moral requirements towards those who do have moral status (including oneself).

*Interest accounts*. On these accounts, the concept of moral status, if it is relevant at all (Sachs 2011), refers to identifying the specific individual interests which must be considered in determining how we ought to treat others. In developing a version of this approach, Peter Singer notoriously compares human beings with very ‘severe’ or ‘profound’ cognitive disabilities to non-human animals (Singer 2011: 135-136). Non-human animals and severely cognitively disabled humans share many of the same interests, such as that of avoiding pain. Whether individual humans with severe cognitive disabilities have an interest in continued living has also been extensively discussed under this approach. Following Michael Tooley (Tooley 1972), Singer argues that only persons can claim such an interest, and most non-human animals, human infants, and some individuals with severe cognitive disabilities are not persons (Singer 2011: 160-167). The wrongness of (painlessly) killing such individuals, according to Singer, is to be entirely explained by its negative effects on overall utility, that is, on the interests of others, such as parents, would-be parents and so on. Hence interest accounts, like threshold accounts, assuage our shocked sensibilities by suggesting that we have indirect reasons for not wantonly killing (for fun, say) individuals who are not persons.

Despite the obvious differences between threshold and interest accounts of moral status, it is what they share in common that is of interest here: neither draws the boundaries of moral status to include all and only human beings. On the interest approach, there is no compelling reason to deny that most animals will share some of our most important interests, such as avoiding pain and suffering. Equally, not all humans will have the same interests: some humans who are persons will have more and perhaps weightier interests than those humans who are not persons. Most threshold accounts of moral status propose criteria for moral status that will exclude most animals, but also many human beings. In response to the concern of exclusion, one can propose a less demanding threshold: the capacity for sentience for example, rather than capacities for rationality or moral agency. A criterion like sentience would helpfully include virtually all human beings, but would include nearly all animals as well. Thus, neither approach to moral status defends our common intuitions about the equal moral status of all human beings, and lesser moral status (if any) for most animals. While those who advocate for the interests or rights of animals might embrace this conclusion, it is considered a wholly unacceptable outcome by those who advocate for people with disability: ‘reducing’ people with cognitive disabilities to the status of animals exemplifies everything we rail against.

More recently new theories about the criteria for moral status have been developed with the aim of defending the common belief that all human beings share a higher moral status than (most) non-human animals. The various theories are well-rehearsed, such as genetic species membership (Liao 2012), or the capacity to participate in person-rearing relationships (Jaworska and Tannenbaum 2014). All such proposals remain deeply controversial. As Agnieszka Jaworska and Julie Tannenbaum argue, “providing an adequate theory to account for the FMS [full moral status] of unimpaired infants and cognitively impaired human beings (whether infants or adults) without attributing the same status to most animals has proven very difficult…this challenge has not been fully met by any of the existing accounts of the grounds of moral status” (2018).

This challenge is particularly acute for theories of moral status that focus on the capacities or properties of individuals as grounds for moral status. I will not focus further on the details of such approaches to moral status, nor on whether they succeed in meeting the challenge described by Jaworska and Tannenbaum. Of somewhat more relevance to my argument are alternative approaches to moral status which shift the focus away from the capacities of individuals and on to more social features characteristic of the relations between human beings. There are a range of such views, including those identified as Wittgensteinian in nature (cf Diamond 1978); those which argue that moral status can be bestowed on human beings (but not animals) by virtue of being taken into the life of the human community (Vehmas and Curtis 2017); and those which argue that what we owe other human beings is related to their participation in characteristically human forms of social life (Vorhaus 2017). As I will argue in Section V, some of these theories do indeed identify something morally crucial, but mistakenly attribute it to the issue of moral status. Understanding the moral importance of participating in specifically human forms of social life does not lead us to conclusions about the bestowment of moral status, but about the need to identify and oppose social hierarchy. This latter conclusion can be reached whilst remaining largely silent on the vexed question about the precise nature of the moral status of people with ‘profound’ cognitive disabilities.

Before proceeding with this discussion, I acknowledge that it is certainly true that the arguments to follow presuppose that people with cognitive disabilities have some moral status. Put somewhat differently, the possession of moral status is *necessary* in order for a person to be wronged by social hierarchy: if a person has no moral status, nor can they be wronged by social status hierarchies either.

As we have seen, this is a vexing result for many threshold accounts of moral status centred on individual capacities, as many people with very ‘severe’ or ‘profound’ cognitive disabilities will not meet many nominated thresholds. If an individual does not meet whatever threshold is posited for possessing any moral status at all, then we can never have any direct reasons to avoid treating them as social inferiors. I can hardly take on the task here of showing why demanding threshold views are wrong. I hope my discussion of the *obvious* harms inflicted on people with cognitive disabilities when they are treated as social inferiors acts as a kind of *reductio* of demanding threshold views. If not, I concede that my audience is restricted to the vast majority of us who believe that people with ‘severe’ or ‘profound’ cognitive disabilities do indeed possess at least some moral status.

In contrast to threshold views, interest accounts of moral status have little difficulty in accepting that people with even the most ‘severe’ cognitive disabilities have interests and therefore moral status: on virtually all interest accounts any individual who is sentient has some interests. Most of my claims about the harms caused by social hierarchy will be accepted by those who hold interest accounts of moral status, including utilitarians, as I will indicate throughout: indeed, for most such accounts, it is precisely in identifying the harms of various forms of social hierarchy that we establish an individual’s interest against them.

On the other hand, as I have mentioned, it is certainly not clear that interest accounts would recognise that newborns have an interest in continued living. Singer has denied that newborns (disabled or not) have a direct interest in continued living (Singer 2011: 135-136). I acknowledge that it is precisely this position that motivates many people to develop alternative accounts of moral status - so that they can demonstrate that it is directly wrong to kill newborns, including disabled newborns. While I agree that it is, all of the harms that I identify in this paper apply only to those who are living among us as socially-engaged individuals. As such, my arguments about social hierarchy do not obviously apply to the case of newborns. I must confess, I am not overly concerned by this limitation. While I appreciate the motivation some have to address utilitarian views about the moral status of newborns, part of *my* motivation in this paper is to address what I take to be the comparative neglect of the way we engage with the millions of people with cognitive disability who live among us, and always will. We don’t talk nearly enough about the dirty business of residential facilities in moral philosophy.

III Social Status

According to distributive theories of justice, equality consists of people having an equal amount of something, such as resources, capabilities or opportunity for welfare (Arneson 1989; Cohen 1989; Dworkin 2000). Numerous and elaborate theories of distributive justice have been developed as answers to the ‘equality of what’ challenge since the 1980s.

Social egalitarianism has emerged partly in response to the dominance of distributive approaches to equality. Social egalitarians deny that equality exclusively concerns what one gets in the form of individual holdings. Equality also, or perhaps more fundamentally, concerns the quality of the relationships between individuals, including between individuals and those who govern them. It has been argued not only that distributive approaches have ignored these relational considerations, but that numerous distributive theories propose conceptions of equality that promote the kinds of relations that social egalitarians oppose. For example, both Elizabeth Anderson and Jonathan Wolff argue that the focus on individual responsibility in many distributive theories would endorse disrespectful and disparaging judgments which promote social hierarchies (Wolff 1998; Anderson 1999).

What exactly are the kinds of relations that exemplify social equality according to social egalitarians? To a large extent, social egalitarians develop their case by way of negative example, where we are encouraged to share their intuitions that a particular form of relationship is at odds with social equality. Moreover, social egalitarians have been slow to develop their own systematic accounts of equality with the detail and complexity characteristic of distributive approaches.[[2]](#footnote-2) As such, we’ll begin with some of the paradigmatic examples that social egalitarians offer as exemplifying problematic instances of social hierarchy. Examples of hierarchical social status relations typical in class and caste societies are commonly cited. Social inferiors might be expected to engage in explicit acts of *deference and submission*, such as tugging at the forelock, bowing and avoiding eye contact, whilst superiors might condescend, sneer and belittle and expect to receive various social privileges. Members of highly stratified societies also tend to lack easy, fraternal relations when their tastes, leisure pursuits, consumption patterns, assumptions, stereotypes and sources of information are strongly divided according to location in the social hierarchy. The vision expressed by recent social egalitarians “identifies a social ideal, the ideal of a society in which people regard and treat one another as equals, in other words a society that is not marked by status divisions such that one can place different people in hierarchically ranked categories, in different classes for instance” (Miller 1997: 224).

Social status hierarchies are also connected to *domination*. Some exercise considerable control over others, including decision-making authority at work and in the provision of public services, decisions over what is produced and consumed, what achievements are celebrated and how prizes are distributed. Social inferiors are often *marginalised* from society in various ways, either locked out of highly rewarded and esteemed productive activity, or isolated from valuable forms of social and cultural life. Individuals in highly stratified societies also experience radically different access and success with respect to *political power* (Young 1990). The effects of domination, marginalisation and unequal power can range from feelings of worthlessness and shame, lack of access to opportunities for esteem and personal autonomy, lack of opportunity for economic, social, political and cultural engagement and influence, to significantly poorer health outcomes (O’Neill 2010).

We can render some of this somewhat abstract discussion more concrete with an example. My focus is on the case of people with cognitive disabilities, but examples abound of groups stratified by gender, class, race or other markers of social hierarchy. People with cognitive disabilities often share many core experiences of social status inequality. Imagine one such group of people with a range of disabilities living in a supported residential environment. Some of the care workers speak to them with a tone of condescension and infantilization whereas others routinely express impatience and contempt. The privacy of the residents is often violated, when staff walk into their rooms without knocking, or assist them with personal care without ensuring others cannot interrupt or observe. The food and recreational activities offered to the residents are of poor quality, and inadequate staffing levels also contributes to residents often missing out on showers, assistance with eating and participation is social and cultural activities. To keep costs down, the facility is located on the outskirts of town and difficult to access via public transport. To meet their safety reporting targets, residents are not permitted to leave the facility on their own or even to wander the gardens unattended. Many of the residents therefore have little to no contact with close friends or family members, nor are they able to engage in the life of their community. Many of the residents are terribly lonely, bored and frustrated, are sometimes hungry, and suffer occasional medical problems associated with a lack of hygiene and prompt medical attention. No one takes initiative to ensure that residents have a genuine opportunity to vote in elections. While much of this story will resonate with those familiar with residential care for people with cognitive disabilities, it will also be familiar to many older people living in supported accommodation.

Does the treatment the residents are exposed to – the behaviours, the practices, the policies – ensure that they enjoy equal social status with those they routinely engage with? I don’t think so. Those who are charged with supporting them often act as social superiors, free to express scorn, and to infantilise. Given the vulnerability of the residents with respect to accessing the most basic of requirements such as food, personal care and social contact, it is unsurprising that some of them who are less disabled might tend towards deference and servility and a general desire to please. The residents are marginalised, or indeed segregated, from the broader life of the community, its cultural, social and political activities. They can be aptly described as dominated when they have no security in staying clean, or consuming nutritious meals, but are instead at the mercy of others’ decisions around staffing levels, staff qualifications and institutional priorities. The residents and those who have such extensive control over their lives do not “stand in front of each other as equals” (Bidadanure 2016: 236).

The kind of social status hierarchy I have described is very widespread in residential care settings (Gjermestad, Luteberget et al. 2017; Steele, Swaffer et al. 2019; Murphy and Bantry-White 2021). As Kieran Murphy and Eleanor Bantry-White state, their evaluation of over 620 inspection reports of care homes in Ireland demonstrates

that people with an intellectual disability were not regarded as citizens capable of inclusion in society. If they were, people would not have had to experience daily restrictions on their lives, be subjected to abuse and be segregated, isolated and neglected…. The findings depicted a system of residential care that disempowered, controlled and monitored people. The combined findings demonstrated that the system of residential care for people with an intellectual disability was one of total control as described by Altermark in his work *Citizenship Inclusion and Intellectual Disability*, namely a system designed to monitor behaviour; dependant on a hierarchy between staff and residents; constant control; with the control being individualised to micromanage every aspect of people’s lives (Murphy and Bantry-White 2021: 763-764)

Moreover, it is plausible that such extensive status differences render residents vulnerable to further forms of maltreatment and abuse. We know that vulnerable people in residential care suffer high levels of sexual and physical abuse (Baladerian 1991; Horner-Johnson and Drum 2006; Murphy and Bantry-White 2021). Condescension, neglect, powerlessness and infantilization, contribute to an environment where people relegated to an inferior position in a social hierarchy are prey to violence and egregious forms of harm. I will elaborate on this claim in more detail in the next section.

It emerges from this picture that one’s location in a social hierarchy is constituted by the nature of the relationships one has with others. One occupies a lower position in the social hierarchy because of the way one is regularly treated by others, and the decision-making power they yield. The ideas of regularity and scope are important here. Everyone can be occasionally subject to sneering and condescension by particular others. This is not sufficient to make one an inferior in a social status hierarchy. Such inferiors are regularly subject to a range of convention and norm-driven behaviours of this type. Similarly, each of us can occasionally find ourselves marginalised or excluded from a valuable opportunity through happenstance, bad luck, our own earlier decisions, etc. Social inferiors are marginalised and excluded from a wide range of economic, social, political and cultural opportunities which has a very significant impact on the course of their lives.[[3]](#footnote-3)

Having now outlined the basic contours of both moral status and social status, questions arise as to the nature of the relationship between them. Given that most philosophical debate about people with ‘profound’ cognitive disabilities concerns moral status, it would be natural to assume that questions about the nature and permissibility of social status hierarchies are subordinate to the question of moral status. In one respect, this is true: as I have explained in Section II, people with ‘profound’ cognitive disabilities must possess some moral status in order for these behaviours to be directly morally troubling. The possession of moral status is a *necessary* condition for the impermissibility of social hierarchy. Those who subscribe to demanding threshold views of moral status will find no direct reasons to morally condemn the harms and suffering inflicted on the residents. As I have stated, those who hold such views are not my audience here. On the other hand, most interest accounts of moral status will surely believe that significant interests are at stake in these examples. People with cognitive disabilities can be lonely, bored, frustrated, agitated, humiliated, hungry, and vulnerable to the harms of abuse and medical neglect. As such, some of their significant interests are at stake in pernicious social hierarchies. Utilitarians like Singer certainly agree that individuals with cognitive impairments can suffer in the ways I have described, and as such they have morally-considerably interests that must be taken into account. They have moral status.

Beyond recognising that people with ‘profound’ cognitive disabilities do possess moral status, theories of moral status have little further to add to questions about the nature, function and permissibility of social hierarchies, as I will argue in the next three sections.

IV The Conventional View

The most straightforward way to suggest a more significant role for theories of moral status in addressing the morality of social hierarchy is by adoption of what I will call the *conventional view*. According to the conventional view, it is the belief that some people have lower moral status that *causes* social hierarchy: in other words, the various attitudes and behaviours that constitute social status hierarchies express people’s beliefs that social inferiors have lower moral status.

The conventional view is perhaps the simplest way to understand some of the following claims by prominent social egalitarians. Anderson states that “Inegalitarianism asserted the justice or necessity of basing social order on a hierarchy of human beings, ranked according to intrinsic worth…. Egalitarian political movements oppose such hierarchies. They assert the equal moral worth of persons” (Anderson 1999: 312). Similarly, Christian Schemmel suggests that “[egalitarian] movements generally demand treatment that affirms their equal moral status. What they are after is the confirmation that the people they represent are not, by virtue of belonging to a group such as women or gays, of inferior moral worth, and, accordingly, they demand state action that makes this clear” (Schemmel 2011: 134). I suspect the conventional view underpins much of the objection to social status hierarchies, taken as they are as expressions of the belief that some people have lower moral status or worth. Indeed, so widespread is this view that most people do not typically distinguish between moral and social status when denouncing inequality and hierarchy.

I certainly have no wish to deny that some of the most egregious social status hierarchies have been built upon and sustained by widely shared beliefs that those at the bottom of such hierarchies have lower moral status. This is certainly the case for disability: people with disabilities have been treated intolerably because of widespread dehumanising stigma around disability. Nothing in what follows should be taken to deny this fact. Nevertheless, there are numerous factors that sustain hierarchical social relations which cannot be reduced to the existence of widespread beliefs about inferior moral status, and this is also the case for disability. I will argue that beliefs about low moral status are not necessary for social hierarchies to emerge; indeed, social hierarchy can emerge even when people sincerely disavow the view that some people are of lesser moral worth.

To begin with the relatively mundane, social hierarchy can sometimes emerge for reasons that are themselves morally acceptable. Decisions about the allocation of limited resources, planning decisions, health care priorities and the like can all have the unintended and often unforeseen effect of contributing to social status hierarchies. Consider a concrete example of children with cognitive disabilities who are taught separately from children without such disabilities. Segregated schooling might be a response to concerns from parents and educators about the failure of children with disabilities to thrive in mainstream schools. There may be some evidence to support this claim, and concern from parents about the bullying and social exclusion their children have been subjected to. Evidence might suggest that educating some children with cognitive disabilities in specialist schools improves their educational and social outcomes. Nonetheless, the evidence might also show that segregated education is a contributing factor to longer-term marginalisation, as people without disabilities remain ignorant of the capabilities of people with disabilities, as well as insecure and uncomfortable in interacting with them.

Consider also the case of residential aged or disability care located on the outskirts of major cities. Planners and policies makers have to allocate scarce resources, and residential homes in the inner city might be prohibitively expensive. Planners may also be rightly concerned that the high cost might put inner-city facilities out of reach of all but the wealthy. As explained above, locating residential facilitates far from city centres or from public transport can lead to marginalisation, but in this case being marginalised would not necessarily be caused by the belief that people in need of residential care have lower moral status. These examples – and there are many just like them - support the contention that social status hierarchy can sometimes arise from a combination of factors other than a widespread belief that some people have low moral status.

More generally, individuals’ beliefs often do not provide the best explanation for the persistence of social status hierarchies. Sally Haslanger has argued that ‘social meanings’ can create social injustice, where those meanings consist of more than beliefs (Haslanger 2015; Haslanger 2017a). She argues that the way we think and act is shaped by culturally-shared meanings - “cultural schemas” - beyond and sometimes prior to propositional attitudes. They can include things like culturally shared propositions, but also norms and concepts that when internalised by individuals become the basis of various behavioural and emotional dispositions. They highlight some parts of the world and obscure others, thus partly shaping our perception; they also link some things to others, conceptually, or through shared narratives and stories. “Thought, perception, emotion and other psychological states depend on a public ‘field of preexisting meanings’…this ‘field’ shapes and conditions our experience and agency, and provides a kind of palette of psychological content” (Haslanger 2017a: 154). Such cultural schemes function to provide us with the ‘tools’ for interpretation, interaction and coordination that enables social fluency with respect to our shared practices. Cultural schemas shape the way we respond to the world, how we organise ourselves, distribute resources, use implements and objects, relate to one another, formulate rules and policies. The effect is that our social arrangements and practices reinforce the social meanings that produced them, making it seem as though our cultural schemas interpret and value the world the way it really is. Culture is a source of beliefs, not just an effect of them (Haslanger 2017b).

One upshot of Haslanger’s view is that we underestimate the resilience of social injustice if we characterise it simply as an effect of pernicious or false beliefs. Injustice can be sustained by practices, and the social structures they constitute. Returning to the example of residential care, care staff immersed in shared practices of caring for the disabled and the very old often take themselves to be acting in the best interests of those they care for, fully dedicated to securing their well-being, avoiding risk, improving accessibility and showing kindness. The social meanings at play are internalised by carers to shape their shared understandings of what constitutes good caring, allowing a degree of fluency in their coordination. Challenging some of their beliefs (for example, about risk, privacy, dependency, appropriate tone of voice) is likely to be of limited benefit when the practices they engage in reinforce the internalised social meanings that inform them. To overemphasise the role of pernicious beliefs in producing or sustaining social hierarchy is to ignore the more complex structural story which can explain the way an unjust social system reinforces itself. It can do so even in cases where people disavow pernicious beliefs about the moral inferiority of others. As Haslanger argues, changing patterns of thought, both explicit and implicit, often requires changes to social structures and the schemas that inform them (Haslanger 2015).

Indeed, insofar as people may hold beliefs about the moral inferiority of disabled people using residential care, such beliefs might be an *effect* of widespread practices which perpetuate social status hierarchies, rather than their cause. It is plausible to suppose that the creation of social hierarchies between people with cognitive disabilities and those who interact with them is something that can contribute to shaping even more unjust practices. We cannot ignore not only the long history, but also contemporary evidence of the sheer extent of injustice to which people with cognitive disabilities are exposed, including violence, extreme physical, medical and emotional neglect, sexual abuse, institutionalisation in squalid and unsafe environments and involuntary medical experimentation, are just some examples. (Baladerian 1991; Horner-Johnson and Drum 2006; Troller, Srasuebkul et al. 2017). The construction of people with cognitive disabilities as social inferiors surely plays some explanatory role in such maltreatment (cf Carlson 2019). To routinely engage with people with cognitive disabilities as social inferiors can contribute to dehumanising social meanings around disability that in turn shape practices that all of us should recognize as profoundly unjust – those characterised by violence, sexual abuse, severe neglect, and distributive injustice.

I have argued in this section that beliefs about lower moral status do not necessarily explain the emergence or persistence of social inequality. Social hierarchies can emerge from and be sustained by a range of beliefs and broader social meanings, some of which may not themselves be morally troubling, or at least not obviously so. The emergence and persistence of social status inequality is often not aptly described as an expression of widespread beliefs about inferior moral status, although the existence of widespread social status hierarchies can itself play a causal role in producing and perpetuating views about the inferior moral status of people with cognitive disability. It is of course true that some of the most egregious social hierarchies have been undergirded by widespread beliefs about the inferior moral status of some groups of human beings. Nothing argued here should be taken to deny that fact. What is being argued is that the conventional view is too limited to fully explain the extent of the social hierarchy characteristic of the relationship between people with and without disabilities.

One implicit upshot of the argument so far is that we need to be far more attentive to the social facts before any conclusions can be drawn about the role of moral status claims in perpetuating social hierarchies. Only by paying attention to the actual history, cause, nature and justification of various social relations can we make judgements about what role, if any, beliefs about moral status are playing. This appeal to the importance of social facts is central to the methodology of much recent social egalitarian theorising, which I will elaborate upon in the next section.

V The Impermissibility View

I have rejected the view that social status inequality is always just an effect or expression of the belief that those at the bottom of the hierarchy have lower moral status. Another possible relationship between moral status and social status is what I will call the *impermissibility view*. According to the impermissibility view, social status hierarchies are morally impermissible because they fail to respect our moral status. When Anderson claims that egalitarian movements “assert the equal moral worth of persons” and Schemmel says that they “demand treatment that affirms their equal moral status” they might be interpreted as stating that social status hierarchies are morally wrong because incompatible with our equal moral status. This normative claim does not presuppose the conventional view, which I criticised in the previous section. One can accept that social status hierarchy might arise from factors other than beliefs that some have inferior moral status, but nevertheless argue that social hierarchy must be eliminated because it is in conflict with our moral status. In other words, the fact that all human beings have moral status is sufficient to denounce social status hierarchy, whatever its causal origins, and whatever the forces that sustain it.

I am largely sympathetic to this claim. I think many cases of social hierarchy *are* morally impermissible because they do not respect our moral status, even if they happen to have arisen from reasons or circumstances that are in themselves morally acceptable. However, I shall develop two arguments in what follows. Firstly, in this section I will show that facts about moral status do very little explanatory work in establishing this case against social status hierarchies. In terms of identifying morally unacceptable social hierarchies, and knowing how to rectify them, philosophical views about moral status are largely *uninformative*. To understand when social hierarchies are wrong because in conflict with moral status, we need to pay much more attention to the nature and function of social inequality. In this sense, further theorising about the grounds for moral status is rather irrelevant. Secondly, in section VI I will also argue that it is not necessary to establish that all participants in social relations must share *equal* or the same moral status in order to plausibly denounce social status hierarchies. Even if some people have different or even ‘lower’ moral status than others, social status inequality can still be morally impermissible. As such, we can reject much of the injustice inflicted on people with ‘profound’ cognitive disabilities in the actual world without establishing whether we all share the same moral status.

What would be required to determine whether social hierarchies are morally impermissible? Certainly not all social hierarchies strike us as impermissible. Social relations are replete with behaviour that expresses social hierarchy. When a judge enters a courtroom, we stand for her; we address her only by title, never by name; we respect her almost unlimited authority in the court to dictate when we may or may not speak, stand, and so on. Another example: in most countries, there are numerous ways in which children and the young are expected to behave deferentially toward (some) adults. They too might be required to use titles when addressing others, or to ask permission to speak or leave a room. Perhaps they have to stand when a teacher enters the room. Most of us consider it acceptable to talk about babies to others even when the baby is in the room, to ignore adult standards of privacy when bathing the baby, and to use a tone of voice that would be regarded as shockingly condescending if used in conversation with an adult.

Are these instances of morally unacceptable social hierarchy? We will not get far in answering this question by arguing that non-judges, young people and babies have full moral status, for example because they are members of the human species, or are sentient, or can participate in person-rearing relationships, or because they are rational (admittedly a stretch in the case of babies!). So what? What we need to know is whether non-judges, young people and babies have a significant interest in not being treated in the manner described, and it strikes me as fairly obvious that the answer to this question must be determined by careful attention to the social facts. Most obviously, we would need to be attentive to various facts about whether these modes of treatment cause harm to the recipients; whether broader social damage is wrought by allowing relations marked by such status differences to flourish; or whether these particular behaviours and norms interact with other aspects of social relations to generate harmful and damaging outcomes. For example, we might ask whether our norms in the courtroom hinder fair trials; whether such norms contribute to judges wielding disproportionate political power, or whether they create or reinforce expectations that others should defer and grovel to judges in a wide range of social settings outside of the court room. We might ask whether such norms induce feelings of shame and humiliation in other participants in court cases, and whether they contribute to widespread stigma against lawyers, jurors and defendants who are required to stand for the judge and refer to her as ‘Your Honour”. Even if the answers to some of these questions are affirmative (which I very much doubt), the case against our court room norms of status hierarchy is not established. For we would still have to ask whether there are compelling reasons for the norms, and whether it is possible to abolish or modify them without jeopardising respect for those reasons.

Similar questions arise in scrutinising the behaviour between adults and children. Does bathing babies naked in front of other people undermine morally valuable relations between babies and adults? Is it likely to induce shame and humiliation, or contribute to a broader pattern of social meaning and behaviour which render babies vulnerable to physical and psychological neglect and harm? Posing questions such as these takes us deep into an exploration of the nature of babies, how they flourish, and facts about how our social norms and patterns of behaviour might stunt or facilitate such flourishing. It requires attention to the construction of social meaning and how cultural schemas can sustain our participation in social injustice.

Theories of moral status are almost entirely irrelevant to this task. Take the threshold account of moral status. Let’s grant for the sake of argument that all non-judges and all young people and babies meet the threshold for moral status. That starting place affords no guidance as to whether the behaviours we are discussing are morally acceptable or not. Jaworska and Tannenbaum, address head on the question of what follows from any given threshold account of moral status in terms of how we should treat one another. They come up with the following suggestions, all of which they concede are contentious, some highly so: a moral presumption against certain types of interference, such as killing and medically experimenting on the being in question; a strong, but not necessarily stringent reason to aid; a strong reason to treat fairly, with the caveat that what counts as ‘fairly’ is highly contentious (Jaworska and Tannenbaum 2018). None of these questions figure directly in a serious exploration as to which of our social status examples are impermissible.

An interest approach to moral status will have a much more direct path to acknowledging that all nonjudges have an interest in avoiding stigma, humiliation, and harm. We *still* do not know whether the norms of the courtroom are morally bad or suspect: only close attention to the social facts can guide us. To repeat, we’d have to explore whether the hierarchical norms of the courtroom contribute to harm outside of it, by, for example, contributing to social meaning about the comparative worthlessness of nonjudges which ultimately harms their interests. With babies, the questions are more complex still: whether they even have an interest in avoiding powerlessness and marginalisation, what their actual interests might be, and what patterns of behaviour are consistent with promoting them. To reach any conclusions on these vexed questions requires that we pay attention to how social hierarchies actually function in real-world cases. Knowledge about how social hierarchies function is essential to reaching any normative conclusions about when we need to avoid them, which ones specifically we need to avoid, and how we might do so. In this sense, understanding that we have the moral status granted to us on an interest account is not sufficient to establish the moral impermissibility of social hierarchy, or even throw much light on why it is so.

Critics of social egalitarianism have accused it of being vague and imprecise in its approach to equality. The accusation is based in a number of reasons, including the tendency of social egalitarians to eschew ideal theories of justice of the type that have dominated distributive approaches to equality. Instead of engaging in endlessly complex specifications of an ideal conception of equality, social egalitarians often proceed by highlighting actual cases of manifest injustice: indeed, they are often very sceptical that ideal theories of justice shed much explanatory light on, or prescriptive guidance with respect to, actual cases of injustice (Anderson 2010; Anderson 2012; Wolff 2015). Their preferred methodological approach is to scrutinise the nature and function of actual instances of social inequality as an essential step in proposing effective solutions. As such, social egalitarians have typically been highly attentive to the actual ‘sociology of disadvantage’ (Axelsen and Bidadanure 2019). As David Axelsen and Juliana Bidadanure argue, the diagnostic precision attained by social egalitarians (their ability to identify ills within the actual world) “stems from constructing their account around, and *not* abstracting from, the most salient features of how inequalities and disadvantages *actually* appear and function” (2019: 344, emphasis in the original). Or as they put it, the normative significance of equality is tied to the sociology of actual disadvantages.

If we return to the cases which are the focus of this paper, we need to ask a range of questions about how inequalities function. Does speaking with condescension to adults with cognitive disabilities, or ignoring privacy norms, humiliate them? Even if some such people are impervious to feelings of humiliation and shame it is equally crucial to know whether such behaviours contribute to pernicious social meanings around disability that can render disabled people vulnerable to neglect and harm. Does housing people with cognitive disabilities away from the centre of communities lead to social isolation, loneliness and vulnerability to abuse? Do paternalistic policies in residential settings rob people of the opportunity to develop independence skills, and thus decrease their opportunities for self-esteem and the satisfaction of their preferences? Does the inability to contribute to the life of the community – through work, social, cultural and political engagement – render them prey to the preferences and choices of others in which their own needs are likely to be overlooked? I am confident that the answers to these questions are often affirmative, and that as such any interest approach to moral status will grant that important interests are at stake. But it is not my intention to prosecute this case here. What, instead, I have been arguing is that if philosophy is to contribute to detecting and addressing the actual injustices to which people with cognitive disabilities are most often exposed, we need to spend much more time thinking about the nature and function of social status rather than engaging in endless abstract debates about the grounds for moral status.

As we know, many philosophers who focus on theories of moral status trade heavily in comparing people with ‘profound’ cognitive disabilities to animals. As such, they are likely to do so here as well by asking: if it is often wrong to treat people with cognitive disabilities according to hierarchical social norms, doesn’t it follow that it must also be wrong to treat nonhuman animals in similar ways? One of the most significant advantages of paying attention to the actual facts of social inequality is that we can cut off any easy comparison between animals and people at the pass. If we want to question the moral acceptability of some of the standard ways we fail to treat animals as our social equals - commanding them to sit when they’d rather stand; failing to dress them; making them eat from a bowl on the floor – only attention to the social facts will help us. My own view is that the sociology of disadvantage and injustice is likely to reassure us that treating animals in these ways is compatible with respecting their interests: shame and humiliation are not likely at stake, and nor are the social meanings reenforced by such behaviour likely to lead to domestic pets being abused or neglected. But my aim here is not to prosecute the details of this particular case. What I am pressing is that attention to the nature and function of social relations is what will largely determine the matter, rather than appeal to a theory of moral status. I am assuming that my readers share some of my moral qualms about the cognitive disability cases. In these cases it is clear that theories of moral status have marginal informational importance in determining whether or not relations characterised by social hierarchy are morally unacceptable, and nor do we need to rely on the development of such a theory to tell us why we often have compelling reasons to treat other human beings differently to how we treat domestic pets.

I flagged in section II that there is a degree of overlap between my argument in this paper and more recent theories of moral status that shift focus away from the capacities of individuals toward the social relations between human beings. For example Simo Vehmas and Benjamin Curtis argue that moral status is bestowed on individuals with serious cognitive impairments by virtue of their relationship to other human beings, specifically by being taking in to the human community. Being taken into the human community means being treated *as* a human within the human community (Vehmas and Curtis 2017: 510), something usually not possible or desirable with animals. Clearly I agree with them that human beings quite appropriately relate to each other differently to how we relate to other animals. But while this aspect of their view is compelling, what they fail to do is offer a convincing reason as to why being taken into the human community in this way thereby *bestows* moral status on human individuals who would otherwise lack such status.[[4]](#footnote-4) On my view, the connection between moral status and human relationships is quite straightforward: as long as an individual can suffer harm or experience goods, then we have strong reasons to denounce some forms of social relations and promote other forms. For human beings, many goods or interests can only be promoted within specific non-hierarchical types of human relationships. Moral status comes first: because a human being (already) has various interests, we need to assess which modes of human social interaction promote those interests and which jeopardise them. Because animals also have interests, we need to do the same for them, although their interests are likely to be promoted by very different types of relationships with humans. This is the relevance of human relationships - their centrality to promoting or jeopardising interests - not their ability to mysteriously bestow moral status on individuals who would otherwise lack it.

Closer to my view is an argument developed by John Vorhaus (Vorhaus 2017). Vorhaus also connects moral status to participation in practices distinctive of specifically human forms of life. He too defends a very rich account of how our capacities – cognitive, social, emotional – are acquired within and developed through participation in specifically human culture, including the more specific norms and practices that distinguish one human culture from another. What we owe one to one another is connected to such participation, although exactly how participation grounds moral claims of this kind Vorhaus does not say. His primary focus is to bolster the case that human beings participate in characteristically enculturated human forms of life that animals do not and cannot participate in (for the main), and this despite the fact that some animals may have greater cognitive capacities (of some kinds) than some human beings.

Although he declines to develop a fulsome argument for how such participation is connected to moral status, I would argue that the reasons are already embedded in his account, but that, as with Vehmas and Curtis, stirring the idea of ‘moral status’ into the mix is needlessly obfuscating. In discussing the case of human individuals whose capacities for participation in human culture might be questioned, Vorhaus presents two compelling arguments for why we should treat such individuals as though they have the *potential* to participate, and thus engage them educationally, socially and in other ways characteristic of human life, as far as possible. Most importantly he says that “there is a large risk to people who are excluded or marginalised from the rest of their society that they will become vulnerable to abuse or neglect, or that they will be stigmatised, or that they may be denied their lawful rights. The effects of being treated as an outsider, or as sub-human, or as a non-citizen, are often disastrous and lifelong” (Vorhaus 2017: 73). Secondly, he also argues that if we treat people with cognitive disabilities as though they have the potential to participate, then they are more likely to develop the capacities to do so, and giving up on their potential means they will never develop such capacities.

I certainly agree with Vorhaus’ claims here, but what he doesn’t seem to appreciate is that these arguments *already explain* why we should draw all human beings, as far as possible, into morally worthy modes of social engagement, whether their capacities are actual or merely potential: namely, failing to do so will almost certainly jeopardise their most basic interests, in avoiding harm, cruelty, medical neglect, social isolation, squalor and malnutrition, and so on. Once again, moral status comes first: it is precisely because (nearly all) human beings have such basic interests that their involvement in certain social relations characteristic of human social life (and protection from other relations) is so important for them. There is no additional, extra argument required to explain how participation of this kind grounds moral status. Talk of moral status is obfuscating. We do better by thinking simply about what we owe such people, as Vorhaus suggests: what we owe them is protection against great harms and suffering, and it is by engaging in good social relations, and being protected from bad social relations, that we go a long way to securing such protection. Or so I have argued with respect to the ills of pernicious social hierarchies.

VI Equal moral status?

Much of the discussion so far has suggested a range of ways in which the interests of people with cognitive disabilities can be threatened by relations of social hierarchy. When such hierarchies can render them lonely, bored, distressed, agitated, hungry, vulnerable to abuse and medical neglect then proponents of interest accounts will accept my arguments that if social hierarchy causes or contributes to such harms, then social hierarchy is (ceteris paribus) wrong because it violates the interests and thus moral status of the individuals involved. Utilitarians will accept these conclusions too, as long as the interests at stake are not outweighed by the equally weighty interests of others.

However, such an interest-based argument against social hierarchy need not presuppose that all individuals have *equal* moral status in the sense that they have the *same* interests. As Singer has argued, equal interests must be weighted equally, but this is compatible with different individuals having very different interests and some having fewer than others.

Given that the interest account of moral status is not a strict equality view, it is also possible that not every individual has the same interests in always avoiding hierarchical social relations. Indeed, that has been explicit, for example, in the discussion of babies, where public naked bathing and a high-pitched tone of voice may promote their interests, whereas we may have good reason to suppose that the exact same behaviour may not promote the interests of adults with cognitive disabilities, depending, as I have argued, on the effects and function of such relations. I certainly wouldn’t rule out that in order to respect the interests of some individuals with cognitive disabilities we may have to engage with them in a way that might resemble the way social inferiors are treated. For example, it may be that a person with cognitive disabilities is comforted by a tone of voice that might sound condescending, that such a voice soothes and relieves agitation. A person with advanced dementia might be wholly incapable of choosing what she wears, consenting to social activities and so on, such that carers make all of these decisions without consulting with her. In cases like these, forms of interaction characteristic of that between social equals may not be in the interests of the individuals concerned. As such, whilst possessing moral status is a necessary condition for rejecting social hierarchy, it is not sufficient: everything will depend on the social facts.

If this is right, then it indicates another way in which we have exaggerated the importance of theories of moral status: it is not necessary to show that all human beings share the exact same moral status to compellingly denounce the morally unacceptable ways in which people with cognitive disabilities are routinely treated. If we have good reasons to suppose that treating such individuals as social inferiors contributes to their being significantly harmed, then any interest approach to moral status can recognise and morally reject such treatment, including those interest accounts that would argue that people with severe cognitive disabilities do not have all the same interests as more typical adult human beings.

VII Conclusion

I have suggested that many of the morally troubling ways we treat people with cognitive disabilities in the actual world involves treating them as social inferiors. I have argued that social status is distinct from moral status and that to determine when relations of social hierarchy are morally impermissible we need to scrutinise their function and effects rather than delve even deeper into familiar debates about the moral status of people with ‘profound’ cognitive disabilities. An appreciation of the fact that people with cognitive disabilities have moral status - as they do - does not provide much information about what causes and sustains social hierarchy, nor in what ways it damages, harms and oppresses people. That an individual has moral status is certainly a necessary condition for the direct impermissibility of social hierarchy, but determining whether or not such hierarchy is actually morally impermissible requires attention to the social facts. If philosophers want to contribute to addressing the myriad of unjust ways that people with cognitive disabilities are so often treated in the actual world, we should recognise that scrutiny of social status will often be more fruitful than further engagement in intractable debates about the best theory of moral status.

REFERENCES

Anderson, E. S. (1999). "What is the point of equality?" Ethics 109 (2): 287-337.

Anderson, E. S. (2010). The Imperative of Integration, Princeton University Press.

Anderson, E. S. (2012). Equality. The Oxford Handbook of Political Philosophy. D. Estlund. New York, Oxford University Press**:** 40-57.

Arneson, R. J. (1989). "Equality and equal opportunity for welfare." Philosophical Studies 56 (1): 77-93.

Axelsen, D. and J. Bidadanure (2019). "Unequally egalitarian? Defending the egalitarian credentials of social egalitarianism." Critical Review of International Social and Political Philosophy 22 (3): 335-351.

Baladerian, N. J. (1991). "Sexual abuse of people with developmental disabilities." Sexuality and Disability 9 (4): 323-335.

Barclay, L. (2020). A dignitarian approach to disability: from moral status to social status. The Oxford Handbook of Philosophy and Disability. D. T. Wasserman and A. Cureton. UK, Oxford University Press.

Bidadanure, J. (2016). "Making sense of age-group justice: A time for relational equality?" Politics, Philosophy & Economics 15 (3): 234-260.

Carlson, L. (2019). On moral status and intellectual disability: challenging and expanding the debates. The Oxford Handbook of Philosophy and Disability. A. Cureton and D. T.

Wasserman, Oxford University Press.

Cohen, G. A. (1989). "On the currency of egalitarian justice." Ethics 99 (4): 906-944.

Curtis, B. and S. Vehmas (2016). "A Moorean argument for the full moral status of those with profound intellectual disability." Journal of Medical Ethics 42 (1): 41-45.

Diamond, C. (1978). "Eating meat and eating people." Philosophy 53 (206): 465-479.

Dworkin, R. (2000). Sovereign Virtue: The Theory and Practice of Equality. Cambridge, MA, Harvard University Press.

Gjermestad, A., L. Luteberget, T. Midjo and A.-E. Witso (2017). "Everyday life of persons with intellectual disability living in residential settings: a systematic review of qualitative studies." Disability & Society 32 (2): 213-232.

Haslanger, S. (2015). "Social structure, narrative, and explanation." Canadian Journal of Philosophy 45 (1): 1-15.

Haslanger, S. (2017a). "Culture and critique." Aristotelian Society Supplementary Volume 91(4): 149-173.

Haslanger, S. (2017b). "Racism, ideology, and social movements." Res Philosophica 94 (1): 1-22.

Horner-Johnson, W. and C. E. Drum (2006). "Prevalence of maltreatment of people with intellectual disabilities: a review of recently published research." Developmental Disabilities Research Reviews 12 (1): 57-69.

Jaworska, A. and J. Tannenbaum (2014). "Person-rearing relationships as a key to higher moral status." Ethics 124 (2): 242-271.

Jaworska, A. and J. Tannenbaum (2018) "The Grounds of Moral Status." The Stanford Encyclopedia of Philosophy.

Kittay, E. F. (2010). The personal is philosophical is political: a philosopher and mother of a cognitively disabled person sends notes from the battlefield. Cognitive Disability and its Challenge to Moral Philosophy. E. F. Kittay and L. Carlson. New York, John Wiley & Sons**:** 393-413.

Liao, S. M. (2012). "The genetic account of moral status: a defense." Journal of Moral Philosophy 9 (2): 265-277.

McMahan, J. (2002). The Ethics of Killing: Problems at the Margins of Life. New York, Oxford University Press.

Miller, D. (1997). "Equality and justice." Ratio 10 (3): 222-237.

Murphy, K. and E. Bantry-White (2021). "Behind closed doors: human rights in residential care for people with an intellectual disability in Ireland." Disability & Society 36 (5): 750-771.

O’Neill, M. (2010). "The facts of inequality." Journal of Moral Philosophy 7 (3): 397-409.

Sachs, B. (2011). "The status of moral status." Pacific Philosophical Quarterly 92: 87-104.

Schemmel, C. (2011). "Distributive and relational equality." Politics, Philosophy & Economics 11 (2): 123-148.

Singer, P. (2011). Practical Ethics. Cambridge, Cambridge University Press.

Steele, L., K. Swaffer, L. Phillipson and R. Fleming (2019). "Questioning segregation of people living with dementia in Australia: an international human rights approach to care homes." Laws 8 (3).

Tooley, M. (1972). "Abortion and Infanticide." Philosophy and Public Affairs 2: 37-67.

Troller, J., P. Srasuebkul, H. Xu and S. Howlett (2017). "Cause of death and potentially avoidable deaths in Australian adults with intellectual disability using retrospective linked data." BMJ **7**(2).

Vehmas, S. and B. Curtis (2017). "Profound intellectual disability and the bestowment view of moral status." Cambridge Quarterly of Healthcare Ethics 26: 505-516.

Vorhaus, J. (2017). "Sharing in a common life: people with profound and multiple learning difficulties." Res Publica 23: 61-79.

Wolff, J. (1998). "Fairness, respect, and the egalitarian ethos." Philosophy & Public Affairs 27(2): 97-122.

Wolff, J. (2015). Social equality and social inequality. Social Equality: On What It Means to be Equals. C. Fourie, F. Schuppert and I. Wallimann-Helmer. Oxford, Oxford University Press**:** 209-226.

Young, I. (1990). Justice and the Politics of Difference, Princeton: Princeton University Press.

1. From here I will usually just refer to such individuals as ‘people with cognitive disabilities’. It should be understood that debates about the moral status of such people are only relevant to those individuals with the most ‘severe or ‘profound’ disabilities, who constitute only a very small proportion of people with cognitive disabilities. There is little consensus about the exact nature of the categories ‘severe’ and ‘profound’ cognitive disability, nor exactly which individuals fall into that category. At the very least it is to be understood that I am referring to people with reported very low IQ, who have little to no facility with language (they are unable to speak, read or write) and who need constant daily care with eating, personal hygiene, and avoiding basic threats to safety. For more detail about the broad and diverse group of people often identified as having ‘severe’ or ‘profound’ cognitive disability see (Vorhaus 2017, Carlson 2019). [↑](#footnote-ref-1)
2. In section V I will argue that these are not flaws of social egalitarianism, but indicate a purposeful methodological approach with superior capacity to address real world inequality. [↑](#footnote-ref-2)
3. It follows that there can be vagueness and disagreement in some cases as to where people are located in social hierarchies, or whether there are any hierarchies at play. I think this is just what we should expect. In marginal cases, there can be genuine disagreement as to whether social hierarchies exist and as to where people are located. I discuss some of this complexity in (Barclay 2020). [↑](#footnote-ref-3)
4. In another article, Curtis and Vehmas deny that we are required to develop a theory of moral status to defend out commonsense view that all human beings share a higher moral status than animals (Curtis and Vehmas 2016). [↑](#footnote-ref-4)