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# The Ever Conscious View: A Critique

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**ABSTRACT:** Elizabeth Harman has recently proposed a new theory of moral status, the Ever Conscious View. It is the view that “a being has moral status at a time just in case it is alive at that time and there is a time in its life at which it is conscious” (Harman, 2007, 220). In other words, all and only beings that (1) are alive and (2) either were, are, or will be conscious have moral status. In the following, I examine Harman’s defense of her Ever Conscious View, raise a number of objections to it, and conclude that the Ever Conscious View is, as it stands, implausible.

**I**T’S BEEN A LITTLE OVER TEN YEARS since Mary Anne Warren’s *Moral Status: Obligations to Persons and Other Living Things* was first published. In it, Warren provides an analysis of the concept of moral status—“to have moral status,” Warren writes, “is to be the kind of thing toward which moral agents have, or can have, moral obligations” (Warren, 3)—and critiques a number of theories of moral status, including:

- The Life Only View: the view that all and only biological organisms have moral status (which she attributes to Albert Schweitzer),
- The Sentience Only View: the view that all and only sentient beings have moral status (Peter Singer),
- The Personhood Only View: the view that all and only persons have moral status (Kant), and,
- The Relationships Only View: the view that all and only beings in morally relevant relationships have moral status (J. Baird Callicot).

Recently, a new theory of moral status has been defended, courtesy of Elizabeth Harman. The “Ever Conscious View,” as she refers to it, is the view that “a being has moral status at a time just in case it is alive at that time and there is a time in its

life at which it is conscious” (Harman, 2007, 220). In other words, it is the view that all and only things that (1) are alive and (2) either were, are, or will be conscious have moral status. Thus, if something is not alive, or is alive but is not conscious and never was or will be, it lacks moral status.

With the Ever Conscious View in mind, consider two pre-conscious human fetuses that are identical in every respect save one: the first fetus will be conscious at a time while the second will not. According to the Ever Conscious View, the first fetus has moral status while the second does not. Moreover, suppose the first fetus eventually becomes an adult—we’ll call her Saline—and, sometime after doing so, falls into an irreversible coma. According to the Ever Conscious View, because Saline is alive and there was a time in her life at which she was conscious, Saline retains moral status even while irreversibly comatose.

Harman’s Ever Conscious View is certainly novel. Indeed, the theory of moral status that most closely resembles it is the Sentience Only View, but the two theories are nevertheless significantly different, as the former entails that all pre-conscious fetuses lack moral status, while the latter entails that some pre-conscious fetuses possess moral status. Much of its novelty is due to the fact that it deems a particular temporally-indexed property to be moral-status-conferring: something has moral status at a time  $t_1$  if it was, is, or will be conscious at a time  $t_2$ .<sup>1</sup> And, as novel, it is a welcome addition to the debate on moral status. After all, each of the predominant theories—such as those listed above—has failed to generate a consensus among philosophers. Nevertheless, the Ever Conscious View is untenable. Indeed, the very thing that renders the Ever Conscious View so novel—its inclusion of a temporally-indexed property as moral-status-conferring—is one of the things that ultimately renders it implausible.

In the following, I present Harman’s defense of the Ever Conscious View, raise a number of objections to it, and then present what I believe to be some of the structural elements of a plausible theory of moral status.

### Harman’s Defense of the Ever Conscious View

Harman has defended her Ever Conscious View in print on at least three occasions (see Works Cited), and in each case she does so in more or less the same way: by argument from inference to the best explanation.<sup>2</sup>

Most recently, Harman has defended her Ever Conscious View in her “How is the Ethics of Stem Cell Research Different from the Ethics of Abortion?” There, Harman contends that the Ever Conscious View “accommodates all of a number of common and natural views” (Harman, 2007, 222).

First, there is the view that it is appropriate to love a pre-conscious fetus. Harman asks us to consider a woman who gets pregnant, and she and her partner decide to continue the pregnancy and raise the child. The couple then develops an attitude of love toward the pre-conscious fetus. Now, according to Harman, it is

<sup>1</sup> Thanks to an anonymous referee for bringing this to my attention.

<sup>2</sup> Though she does not explicitly claim that her explanation is the *best*, such is implied. After all, making a case for a theory of moral status by arguing that it is *an* explanation of certain views—but not the *best* explanation—is hardly persuasive.

inappropriate to love something that lacks moral status, yet a common and natural view is that the couple's love for their pre-conscious fetus is appropriate. And the Ever Conscious View can explain this. For, given the Ever Conscious View, this fetus has moral status since it is alive and will be conscious.

Second, there is the view that our reasons not to smoke and drink during a pregnancy that will be carried to term are a function of the moral status of the fetus. Harman asks us to consider a pregnant woman who plans to bring the fetus to term but drinks and smokes while the fetus is not yet conscious, knowing that doing so will negatively affect the fetus's development. According to Harman, a common and natural view is not only that the woman is doing something immoral but that the immorality is rooted in what it does to the fetus, as opposed to what it does to the conscious being into which the fetus will develop. That is, the immorality of smoking and drinking in this case is a function of the moral status of the fetus. Again, the Ever Conscious View can explain this. For, given the Ever Conscious View, this fetus has moral status since it is alive and will be conscious.

Finally, there is the view that the death of a pre-conscious fetus in an abortion, or of an embryo to extract cells, is morally insignificant. According to Harman, pre-conscious fetuses and embryos, though living beings, are "much more similar to plants than to persons or animals, considering the moral properties that seem relevant to having moral status" (Harman, 2007, 222). Hence the common and natural view that the death of a pre-conscious fetus in an abortion, or of an embryo to extract cells, is morally insignificant. And, once again, the Ever Conscious View can explain this. For, given the Ever Conscious View, such fetuses and embryos lack moral status since they will never be conscious.

## Objections

### *On the Common and Natural Views*

That a view is common and natural does not entail that it cannot be or is not mistaken. Even Harman recognizes this: after contending that fetuses that will develop into conscious beings have moral status while fetuses that will not don't, Harman attempts to assuage those who might be surprised by this conclusion by stating, "It's *natural* to think that these two fetuses must have the same moral status; that is, it's *natural* to overlook a view on which actual future determines current moral status" (Harman, 221, 2007, emphasis mine). And this is noteworthy, of course, since arguments from inference to the best explanation—as is Harman's argument for the Ever Conscious View—seek to explain views that are not simply common and natural but plausible if not facts. In other words, arguments from inference to the best explanation tend not (if not, ought not) to be invoked when the view in question is implausible from the outset. Thus, even if these views are indeed common and natural, they should also be plausible if they are to be suitable for an argument from inference to the best explanation.

So, are Harman's common and natural views plausible? There seem to be just two ways one could deem them to be: on the basis of *intuition* or on the basis of *reasons*. And, either way, there are problems with Harman's defense of the Ever

Conscious View. To begin with, the problem with deeming these common and natural views to be plausible on the basis of intuition is simply that not everyone will agree that they *are* intuitively plausible. This is most obviously the case with the view that the death of a pre-conscious fetus in an abortion, or of an embryo to extract cells, is morally insignificant. Accordingly, anyone who thinks that these views are *not* intuitively plausible will, in turn, find Harman's defense of the Ever Conscious View wanting.

The problem with deeming these common and natural views to be plausible on the basis of reasons, on the other hand, is that it's difficult to find reasons that do not, ultimately, beg the question. Consider, for example, the view that the death of a pre-conscious fetus in an abortion, or of an embryo to extract cells, is morally insignificant. Given that Harman is defending a theory of moral status which entails that some pre-conscious fetuses have no moral status whatsoever, it seems that what she has in mind when she says that the death of these things is morally insignificant is that it is of *no* moral significance whatsoever, as opposed to that it is of *little* moral significance. After all, the latter understanding would entail that the pre-conscious fetus that dies as a result of an abortion has *some* moral status, albeit to only a small degree. But Harman explicitly denies this. By "morally insignificant," then, I understand Harman to mean "of no moral significance whatsoever."

Now, both the pre-conscious fetus and the embryo lack the moral-status-conferring properties of consciousness, rationality, moral agency, and so on. However, it doesn't follow from this that they lack moral status altogether. Indeed, both the pre-conscious fetus and the embryo possess intrinsic properties that many philosophers deem morally relevant, such as biological life and the potential for personhood. To be clear: the claim here isn't that many philosophers deem such properties to be sufficient for *full* moral status, just *some* moral status. If these properties do indeed confer some moral status on the pre-conscious fetus and the embryo, then it's *not* the case that their deaths are of no moral significance whatsoever. But—and here's the rub—unless we first *assume* the Ever Conscious View to be correct (the very view that Harman is attempting to defend by appealing to this case) and thereby beg the question, it's not at all clear that these properties do *not* confer some moral status on the pre-conscious fetus and the embryo.

Consider, next, the view that the drinking, smoking pregnant woman is doing something immoral and that the immorality is a function of the moral status of the fetus and not the moral status of the conscious being into which the fetus will eventually develop. It's hard to see how one could deem this view to be plausible on the basis of reasons without, ultimately, begging the question. To see this, let us first ask what is so morally problematic with forcing alcohol and smoke onto something that, in Harman's words, is "much more similar to plants than to persons or animals, considering the moral properties that seem relevant to having moral status"? Harman's answer, of course, is that, unlike plants, this pre-conscious fetus will become conscious, and conscious beings have moral status. But therein lies the rub: unless we first assume the Ever Conscious View to be correct and thereby beg the question, it's not at all clear that the pregnant woman's immoral behavior is a function of the moral status of the fetus *rather than* of the moral status of the

conscious being into which the fetus will eventually develop. For, without assuming the Ever Conscious View to be correct from the outset, *that* this pre-conscious fetus will become conscious and *that* conscious beings have moral status do not jointly entail that the woman's immoral behavior is a function of the moral status of the pre-conscious fetus. At best, they jointly entail that the woman's immoral behavior is a function of *either* the moral status of the pre-conscious fetus *or* the moral status of the conscious being into which the fetus will eventually develop.<sup>3</sup>

### *On the Plausibility of the Ever Conscious View*

Even if one grants that the views above are common, natural, and plausible, it still does not follow that the Ever Conscious View is a plausible theory of moral status. For the plausibility of a theory of moral status turns on more than simply its explanatory power. Indeed, explanatory power is only one of numerous virtues of theories—other virtues include logical consistency, argumentative support, simplicity, and more (see DeGrazia 1996, 14-17). In the following, I examine the Ever Conscious View in light of some of these virtues.

To begin, it would help to state explicitly suppositions that tend to be constitutive of theories of moral status. Indeed, three of the four aforementioned theories of moral status critiqued by Warren—the Life Only View, the Sentience Only View, and the Personhood Only View—include all three of the following suppositions. The sole exception is the Relationships Only View, but even it includes two out of the three. They are as follows:

S1: Either something has moral status or it does not.

S2: Things that *currently* have moral status do so in virtue of *currently* possessing at least one moral-status-conferring property.

S3: Only *intrinsic* properties are moral-status-conferring.

Presumably, Harman embraces S1—it is, after all, a tautology. And, she explicitly embraces S3, stating “only a thing's *intrinsic* properties are relevant to whether it has moral status” (Harman, 2007, 223). What's unclear, however, is whether she embraces S2. For, as stated above, Harman claims that only a thing's intrinsic properties are relevant to whether it has moral status. Yet, elsewhere, after defining “early fetus” as “a fetus *before* it has *any* intrinsic properties that themselves confer moral status on the fetus,” Harman states that some early fetuses have moral status (Harman, 2006, 138). Thus, Harman seemingly holds that some early fetuses currently possess moral status despite not possessing at least one intrinsic moral-status-conferring property. At the very least, then, the Ever

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<sup>3</sup> Harman, of course, finds the view that the woman's immoral behavior is a function of the moral status of the fetus to be more plausible than the view that her immoral behavior is a function of the moral status of the conscious being into which the fetus will eventually develop; hence her decision to use the former in her argument from inference to the best explanation. But, again, on what grounds does she find the former to be more plausible? This she fails to indicate, leaving the impression that she finds it to be more plausible simply on the grounds that her Ever Conscious View can explain it.

Conscious View is paradoxical. With that said, establishing whether or not Harman accepts or rejects S2 is unnecessary for, either way, the Ever Conscious View is subject to serious criticism. In the following, then, I will evaluate the Ever Conscious View first with the understanding that it *does* include S2 and then with the understanding that it does *not*.

#### *The Ever Conscious View with S2*

If the Ever Conscious View includes S2—the supposition that things that currently have moral status do so in virtue of currently possessing at least one moral-status-conferring property—then it is subject to a number of criticisms.

To begin with, when combined with S2, the Ever Conscious View is properly understood as follows: things that currently have moral status do so in virtue of currently possessing the intrinsic properties of *being alive* and *being something that was, is, or will be conscious*. Now, most philosophers agree that *being alive* is an intrinsic property. But what about *being something that was, is, or will be conscious*? Is this an intrinsic property? This is far from clear. For *being something that was, is, or will be conscious* is a temporally-indexed property: something has moral status at a time  $t_1$  if it was, is, or will be conscious at a time  $t_2$ . And that temporally-indexed properties can be intrinsic is a matter of great controversy, as is evidenced by the relevant literature (see Haslanger, Wasserman, Lewis, and Parsons—in Works Cite). Settling this issue is beyond the scope of this paper. The following comments, then, will have to suffice.

First, let us suppose for the moment that temporally-indexed properties *can* be intrinsic in nature and, in turn, that *being something that was, is, or will be conscious* is an intrinsic property. A problem with the Ever Conscious View then arises: how is one to understand Harman's view on early fetuses, namely, that some early fetuses have moral status while others do not? Remember, Harman understands early fetuses to be fetuses *before* they have *any* intrinsic properties that themselves confer moral status on the fetuses. But if the temporally-indexed property of *being something that was, is, or will be conscious* is an *intrinsic* moral-status-conferring property, and if some early fetuses have this property, then how can such early fetuses, well, *be* early fetuses? Stated more precisely, how can fetuses *before* they have *any* intrinsic moral-status-conferring properties be, at once, fetuses that have the intrinsic moral-status-conferring property of *being something that was, is, or will be conscious*? In short: they cannot—such a being is logically impossible. So, even if temporally-indexed properties can be intrinsic in nature and, in turn, *being something that was, is, or will be conscious* is an intrinsic property, there nevertheless remains a significant problem with the Ever Conscious View when understood as including S2.

Second, there is reason to think that Harman's *being something that was, is, or will be conscious* is, in part if not fundamentally, an extrinsic property. Consider, once again, two pre-conscious fetuses that are identical in every respect save one: the first fetus will be brought to term and become conscious, while the second will be aborted and never become conscious. According to the Ever Conscious View, the first fetus has moral status while the second does not. And, given S2 and S3, for

the first fetus to have moral status it must currently possess at least one intrinsic moral-status-conferring property, and for the second fetus to lack moral status it must *not* currently possess at least one intrinsic moral-status-conferring property.

Now, according to the Ever Conscious View, things that (1) are alive and (2) either were, are, or will be conscious have moral status. Both fetuses meet the first condition, but only the first fetus meets the second condition as well. What ultimately distinguishes the first fetus from the second with respect to moral status, then, is that the first possesses the property of *being something that was, is, or will be conscious* while the second does not. But, the first fetus's possession of the property of *being something that was, is, or will be conscious* is not solely a function of intrinsic factors; rather, it is a function of *both* intrinsic *and* extrinsic factors. Regarding the intrinsic factors, the first fetus (paraphrasing Harman) has the plans to become conscious intrinsically within it.<sup>4</sup> However, the second fetus has the plans to become conscious intrinsically within it as well, so having the plans to become conscious intrinsically within it does not suffice for possessing the property of *being something that was, is, or will be conscious*. Rather, what seemingly suffices for possessing the property of *being something that was, is, or will be conscious* is having the plans to become conscious intrinsically within it *along with* being a fetus that is not aborted. Accordingly, that the first fetus has moral status and the second does not turns, in part if not fundamentally, on an *extrinsic* property, for being a fetus that is not aborted has nothing to do with its intrinsic plans to become conscious and everything to do with whether or not it is acted upon by outside (i.e., non-intrinsic) forces in a certain way. In the case of the first fetus, it is not aborted and, as a result, possesses the property of *being something that was, is, or will be conscious*. In the case of the second fetus, it is aborted and, as a result, does not possess the property of *being something that was, is, or will be conscious*.

And this produces a problem for the Ever Conscious View. For, according to it, these two fetuses have different moral status: the first has some while the second has none. But, as quoted previously, Harman states that only a thing's intrinsic properties are relevant to whether it has moral status. Yet, the difference in moral status between these two fetuses turns not simply on an intrinsic property but also, and perhaps ultimately, on an extrinsic property.

#### *The Ever Conscious View without S2*

Again, each of the aforementioned theories of moral status—the Life Only View, the Sentience Only View, the Personhood Only View, and the Relationships Only View—includes S2, so it's safe to say that, traditionally, it has been assumed that something couldn't currently possess moral status without currently possessing at least one moral-status-conferring property. If the Ever Conscious View does not include S2, then, it rejects this tradition. Of course, this may be a good thing, but I shall argue that it is not.

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<sup>4</sup> While discussing human infants, Harman states that to say that a human infant has the potential to become a particular kind of conscious being—a person—is to say that it has the plans to become a person intrinsically within it. See Harman 2003, 189.

The problem with rejecting this tradition may be elicited by asking the following question: how *could* something—such as Harman’s “early fetus”—currently possess moral status without also currently possessing at least one moral-status-conferring property? To be clear, the question is not how an early fetus could currently possess moral status without currently possessing a *particular* moral-status-conferring property, such as, say, consciousness. Rather, the question is how an early fetus could currently possess moral status without currently possessing *any moral-status-conferring properties whatsoever*. And there seem to be only two possibilities here. One is that an early fetus could currently possess moral status without also currently possessing at least one moral-status-conferring property by possessing moral status *barely*—that is, somehow independent of moral-status-conferring properties. The other possibility is that an early fetus could currently possess moral status without also currently possessing at least one moral-status-conferring property *vicariously*. Each possibility will be discussed in turn.

That moral status could be had barely strikes me as implausible. For, first, if moral status could be had barely, then much if not all theorizing about moral status would be rendered superfluous and, in turn, the debate on moral status would be reduced to simply declaring which things have moral status, with no discussion of why they do. After all, a primary function of theories of moral status is to defend a claim concerning the properties in virtue of which things have moral status. But if moral status could be had barely, then there is no *in-virtue-of-which* to the matter—things simply have moral status and that’s all there is to it. And this is implausible.

Second, as stated previously, to have moral status is to be the kind of thing toward which moral agents have, or can have, moral obligations. And, that one has, or can have, moral obligations to other things cries out for explanation: one wants to know in virtue of *what* one has such obligations. But, if the explanation for one’s moral obligations to other things with moral status is not a function of properties that confer moral status upon those things—that is, if the explanation is, simply, *that* they have moral status—then the explanation is vacuous. It amounts to saying that one has moral obligations to things that have moral status *because they have moral status*, full stop. But this explains nothing.

The other possibility is that an early fetus could currently possess moral status without also currently possessing at least one moral-status-conferring property *vicariously*—say, by somehow borrowing the moral status of the conscious being into which the early fetus will develop. But this will not do, since such borrowing would entail that the early fetus has the moral status it has in virtue of an extrinsic, rather than intrinsic, property: it would have the moral status it has in virtue of standing in a morally relevant relationship with the future conscious being into which it will develop. And this does not comport with Harman’s claim that only a thing’s intrinsic properties are relevant to whether it has moral status.

### **Beyond the Ever Conscious View: Structural Elements of a Plausible Theory of Moral Status**

As novel and welcome a contribution to the debate on moral status as it may be, the Ever Conscious View is, as it stands, untenable. Where, then, is one to go from here? Well, one could take up and defend one of theories of moral status critiqued by Warren. But, for those who are not satisfied with any of them, I'd like to briefly present what I believe to be among the more important structural elements of a plausible theory of moral status and, while doing so, motivate them by applying these structural elements to the Ever Conscious View. A plausible theory of moral status is not limited to the structural elements below, nor is it complete without filling in each of these structural elements with substantive claims. But, since addressing the substantive elements is a book-length endeavor (if it's to be done well, at any rate), I will limit myself to just some of the more important structural elements.

First, a plausible theory of moral status will include S1 and S2 but not S3. Reasons for including S1 and S2 have been discussed above. As for not including S3, I am not suggesting that one hold that intrinsic properties are *not* moral-status-conferring. Rather, I am suggesting that one reject the view that *only* intrinsic properties are moral-status-conferring. That is to say, a plausible theory of moral status will recognize *both* intrinsic and extrinsic properties as moral-status-conferring. For, it's simply unlikely that any intrinsic property or set of intrinsic properties—including temporally-indexed properties—will satisfy all of our intuitions regarding the moral status of entities. That said, two caveats are in order.

First, a plausible theory of moral status will give intrinsic properties lexical priority over extrinsic properties. The importance of giving lexical priority to intrinsic properties is that it allows one to avoid unsavory implications, such as, say, that a beloved inanimate object—a teddy bear, perhaps—can have stronger moral status than a standard adult human being who is not so beloved.

Second, and related to the preceding point, recognizing extrinsic properties as moral-status-conferring does not entail being required to accept any extrinsic property whatsoever as moral-status-conferring. As Warren writes, “We are entitled to reject attributions of moral status that are irrational, disrespectful of life, cruel, incompatible with the moral rights of human or non-human beings, or inimical to the health of social or biotic communities” (Warren, 170). The recognition of extrinsic properties as moral-status-conferring, then, is guided and limited by the recognition of intrinsic properties as moral-status-conferring.

Applying all of this to the Ever Conscious View, recognizing extrinsic properties as moral-status-conferring would allow one to account for each of Harman's common and natural views. Consider, for example, the extrinsic property of being the object of care. As moral status conferring, this extrinsic property can explain all three of the common and natural views. Take the case of the couple that develops an attitude of love toward the pre-conscious fetus. Again, according to Harman, it is inappropriate to love something that lacks moral status, yet a common and natural view is that the couple's love for their pre-conscious fetus is

appropriate. The extrinsic property of being the object of care can explain this, for this fetus is such an object and thereby has moral status.

Or, take the case of the drinking, smoking pregnant woman. Again, according to Harman, a common and natural view is not only that the woman is doing something immoral but that the immorality is a function of the moral status of the fetus. And, the extrinsic property of being the object of care can explain this, for this fetus is such an object—after all, the mother is intending to bring it to term, and this suggests she cares about it to some degree. Thus, the fetus has moral status.

Finally, take the common and natural view that the death of a pre-conscious fetus in an abortion, or of an embryo to extract cells, is morally insignificant. Once again, the extrinsic property of being the object of care can explain this, since neither this fetus nor this embryo is such an object and, assuming that they do not possess any *intrinsic* moral-status-conferring properties, they thereby lack moral status.

Second, a plausible theory of moral status will understand moral status as admitting of degrees. For, it's implausible that moral status is an all-or-nothing concept such that, if an entity has moral status, it has it to the same extent as every other entity that has moral status. This would entail that, all else being equal, we have the same degree of moral obligation to each and every thing that possesses moral status, and this is incredible. Arguably, both the standard adult human being and, say, the standard adult chimpanzee both possess moral status, but surely they do not possess it to the same degree: all else being equal, our moral obligations are stronger to the former than to the latter. (The difference in degree of moral status may be small, perhaps, but this is consistent with the claim that they do not possess moral status to the same degree.) What accounts for the difference in degree in moral status is an important substantive question, to be sure, but that moral status admits of such degrees is more likely than that it does not.

Applying this second point to the Ever Conscious View, Harman is surprisingly silent on this issue: we are not told whether the Ever Conscious View understands moral status as admitting of degrees or not. In turn, we are left wondering whether something that is alive and, say, *was* conscious has the same moral status as something that is alive and *is* conscious. Moreover, if the Ever Conscious View does not allow for degrees of moral status, then something that is alive and *was* conscious would be equal in moral status to something that is alive and *is* conscious. But not only is this implication counterintuitive, it is subject to counterexample. Suppose, for example, a hospital is burning to the ground and Jones has the opportunity to save either a fully conscious nurse who is on duty or an irreversibly comatose patient. How should (morally speaking) Jones decide whom to save? Well, if *being alive* and *being something that was conscious* confers moral status upon the unconscious patient to the same extent as *being alive* and *being something that is conscious* confers moral status upon the nurse, then, all else being equal, Jones should decide on the basis of an independent procedure, such as a coin flip. But that he should decide whom to save here on the basis of a coin flip is simply absurd.

Third, a plausible theory of moral status will state and defend the properties that are both necessary and sufficient for possessing moral status as well as the degree to

which each property confers it. I say “properties” (plural) deliberately, as I believe that a plausible theory of moral status will be *multi-criterial* (to employ Warren’s language) rather than *uni-criterial* in nature, the former allowing for multiple moral-status-conferring properties while the latter allowing for just one. (The views critiqued by Warren—mentioned above—are all examples of uni-criterial theories of moral status.) For, it’s hard to believe that there is just *one* moral-status-conferring property, as whatever property is deemed to be so either ends up proving to be too broad (e.g., biological life) or too narrow (e.g., personhood) (see Warren, Chapters 1-6).

Applying this third point to the Ever Conscious View, Harman is quite clear in this regard: *being alive and being something that was, is, or will be conscious* are necessary and, together, sufficient for possessing moral status. But this is implausible. Beyond these properties, philosophers have proposed a plethora of moral-status-conferring properties over the years, each of which—when combined with the view that moral status admits of degrees—is plausible as at least sufficient for possessing *some* moral status, such as the capacity for if not the possession of: beliefs, desires, self-consciousness, mental states that involve propositional attitudes, reason, memories, expectations with respect to future events, awareness of the passage of time, moral agency, and more (See Warren, chapters 1-6; Regan 1983, 243; and Tooley 1983, 90-1.).

These are among the more important structural elements of a plausible theory of moral status, I submit. And, it should be noted that very few of the theories of moral status that have been defended over the years meet all of the preceding structural criteria.<sup>5</sup> Most theories of moral status either reject one or more the structural elements proposed above, or they are narrowly tailored as a theory of “full” moral status—the highest degree of moral status which philosophers tend to associate with standard adult human beings.<sup>6</sup> Of course, as stated above, a plausible theory of moral status is not limited to these structural elements, nor is it complete without filling in each of these structural elements with substantive claims. But, such is the work for another paper.

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<sup>5</sup> Indeed, the only theory of moral status that I can think of that does meet all the preceding structural criteria is Warren’s own theory of moral status. See Warren, chapter 6.

<sup>6</sup> See, for example, Regan, Tooley, McMahan. For more on “full” moral status, see Lovering 2004.

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