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Chapter 6
Defending a Relational Account of Moral Status

Thaddeus Metz

Abstract For the more than a decade, I have advanced an account of what makes persons, animals, and other beings entitled to moral treatment for their own sake that is informed by characteristically African ideas about dignity, a great chain of being, and community. Roughly according to this account, a being has a greater moral status, the more it is capable of communing (as a subject) or of us communing with it (as an object). I have mainly argued that this characteristically African and relational approach to moral status is a better account than salient Western approaches, especially individualist views associated with utilitarianism and Kantianism. Over the years, several commentators have raised criticisms of my approach, including that it objectionably: entails that we may rightly dominate mentally incapacitated human beings; prioritizes mentally incapacitated human beings over animals with similar cognitive abilities without sufficient justification; entails that intelligent aliens lack moral status; cannot make sense of our duties towards the dead; and is unable to account for the standing of species as distinct from their members. In this chapter I provide a comprehensive response to these and related objections, defending the initial account as an attractive way to understand what makes a being matter morally for non-instrumental reasons. For many animals to have a moral status would have important implications for the practice of agriculture, for instance farming animals for food and expanding crops.

Keywords Animal rights · Dignity · Direct duties · Indirect duties · Marginal cases · Moral status · Relationality · Species

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6.1 Introduction

For about 15 years I have been interpreting the African moral-philosophical tradition in an analytical manner, drawing on it to construct a basic moral principle that could clearly entail and powerfully explain a wide array of intuitions about which actions are right and which are wrong (culminating in Metz 2022a). My aim has been to advance a normative ethical theory with a characteristically African content that rivals standard Western views such as utilitarianism and Kantianism. As part of this project, I have also proposed and defended companion accounts of distributive justice (e.g., Metz 2015), criminal justice (e.g., Metz 2019), moral virtue (Metz 2022b), and moral status (initially Metz 2010, 2012a). In this chapter I focus strictly on moral status, which primarily concerns which beings on the Earth we owe duties for their own sake. We do not owe a pen a duty for the sake of the pen; if we have moral reason to treat it certain way, it is not ultimately because of facts about the pen, but more because of the human person who owns it or otherwise might be affected by our treatment of the pen. It is common to say that while the person is an object of a 'direct duty', meaning that it has a moral status, the pen is at best an object of an 'indirect duty' and lacks a moral status.

Which other things located on the land besides human persons have a moral status, and in virtue of what? Are rocks and rivers similar to pens in lacking moral status, even if we have many indirect duties towards them? Do we owe direct duties to human embryos and early foetuses? Which animals have a moral status, and how does it compare to that of human persons or human non-persons? Such questions are central to philosophical debates about moral status, and I have sought to develop a comprehensive principle that would provide plausible answers to them and similar kinds of queries. Roughly according to my account, a being has a greater moral status, the more it is capable of communing (as a subject) or of us communing with it (as an object). Such a view has been described as a 'modal relationalism' (first by me in Metz 2010 and subsequently by Horsthemke 2015: 85–92, 2017; Maj 2020; and Samuel and Fayemi 2020). On the one hand, my principle appeals to a being's *relational* properties, as opposed to intrinsic properties such as sentience, autonomy, or life, and, on the other, it does not appeal to a being's actual relational properties and instead focuses on its *possible* ones, i.e., ways in which it *could* interact in the relevant way.

Over the years, several commentators have raised criticisms of this modal relational approach to moral status, including in several essays that have been devoted to it (e.g., Horsthemke 2015: 85–92, 2017; Ikuenobe 2016; Molefe 2017; Samuel and Fayemi 2019, 2020; Maj 2020).[1] Amongst their criticisms are that my principle objectionably: entails that we may rightly dominate mentally incapacitated human beings; prioritizes mentally incapacitated human beings over animals with similar cognitive abilities without sufficient justification; entails that intelligent aliens lack

[1] That said, a number of commentators have also found this approach to moral status to be appealing and have applied it in variety ways, including Behrens (2017), Samuel and Fayemi (2019), and Cordeiro-Rodrigues and Ewuoso (2022).

moral status; cannot make sense of our duties towards the dead; and is unable to account for the standing of species as distinct from their members.[2] In this chapter I provide a comprehensive response to these and related objections, defending the initial account as an attractive way to understand what makes a being matter morally for non-instrumental reasons. I maintain that modal relationalism would be plausible to employ when addressing agricultural ethical controversies, including whether and, if so, how to farm animals for food and when it is permissible to expand crops at the expense of wildlife and biodiversity.

In the following I begin by recounting the essentials of my approach to moral status (Sect. 6.2), so as to facilitate the debates between myself and my interlocutors. I then dispatch what I take to be some of the weaker objections to my view, for instance that suggest that my approach involves human beings choosing which other beings have moral status or entails that all value is contingent on humanity (Sect. 6.3). After pointing out that these and other criticisms rest on mischaracterizations, conflations, and the like, I use more space to address criticisms that are prima facie stronger. Specifically, I address objections according to which my account of moral status is *incomplete* (or exclusionary), failing to include certain beings that purportedly have a moral status, such as alien persons or dead human bodies (Sect. 6.4). After that I take up objections that my view is *elitist* (or anthropocentric) in that, while it includes the right sorts of beings, it does not accord them the proper degree of status compared to other beings, where the key topic concerns 'marginal cases' of human beings with severe mental incapacitation (Sect. 6.5). I conclude by indicating some other issues that need to be addressed elsewhere in order to provide a full defence of modal relationalism (Sect. 6.6).

6.2 An Overview of Modal Relationalism

The account of moral status that I have developed counts as African insofar as it is informed by three moral ideas that have been salient in the literate sub-Saharan philosophical tradition, viz., those of human dignity, community, and a great chain of being. I have reinterpreted these ideas and integrated them in a way that is meant to be attractive, not merely to contemporary African philosophers, but also to many philosophers and related enquirers around the world. In this section, I briefly recount the traditional understandings of these three notions, after which I indicate how I have reconstructed them into a principled understanding of moral status and what some of the key philosophical motivation for the resultant principle is.

[2] In this chapter I set aside criticisms that my view grounds an implausible account of the dignity of human persons, on which see Ikuenobe (2016). Instead, I address issues pertaining to the moral status of mainly non-human persons, human non-persons, and non-human animals. In addition, I have already responded to Horsthemke (2015: 85–92) in Metz (2017a), and so do not repeat facets of our debate here.

First off, it has been common for African philosophers to hold that human beings have a dignity, that is, a superlative non-instrumental value that is inherent to us. Common has been the view that, while groups such as peoples or nations might well matter morally, individuals also matter in their own right, a perspective enshrined in the African ('Banjul') Charter on Human and Peoples' Rights (Organization of African Unity 1981). Standard views amongst African philosophers about what confers a dignity on a human individual include the ideas that we have a particularly strong or complex vital force that has come from God (a clear statement of which is in Wiredu 1990: 244), that we are members of a clan or other relationship (Bujo 2001: 88), and that we have treated others in certain morally correct ways (Ikuenobe 2016).

A second salient theme in African philosophy concerns the importance of community. Probably the most frequent invocation of this value is the idea that a good life involves relating to others in certain communal ways (with salient examples including being part of an extended family that includes the not-yet-born, human beings, and the living-dead), participating in collective harvesting and other kinds of labour, upholding long-standing traditions and rituals, and seeking unanimous agreement to resolve disputes about how to resolve conflict.[3] In all four of these examples, people come together in certain cohesive ways or can be said to 'enter into' community with one another.

A third view frequently espoused by African philosophers is that the world forms a great chain of being or hierarchical ordering of entities (e.g., Magesa 1997: 39–51; Imafidon 2014: 40–42). Traditionally the thought is that all concrete objects are infused with a divine energy, but that some have a stronger or more sophisticated form of it than others. 'Life-force varies quantitatively (in terms of growth and strength) and qualitatively (in terms of intelligence and will)' (Anyanwu 1984: 90). The mineral kingdom is at the bottom of the ranking for having the least quantity or poorest quality of life-force. Plants are thought to have a greater life-force than rocks, say, for being capable of reproduction and movement. Animals have a greater one than plants, e.g., for being capable of self-motion and some pattern-making (consider a bird's nest or beaver's dam). Finally, '(o)ver all visible beings, in terms of intensity of vital force, stands humanity' (Magesa 1997: 51), particularly for having self-awareness and genuine creativity, while ancestors, who are imperceptible persons living on Earth, are deemed to have an even greater vital force than human beings. Beyond the metaphysical claim that beings can be ranked according to their life-force is the axiological claim that moral status tracks this ranking, such that plants matter morally more than rocks, animals matter more than plants, and humans matter most (of perceptible beings) (see, e.g., Etieyibo 2017).

Now, I have sought to develop a theory of moral status that is recognizably African but that could appeal to those from a wide array of philosophical backgrounds. I have drawn on sub-Saharan perspectives to construct moral principles that could be

[3] Much more controversial (and in my view implausible) claims are that the community, understood as a group, is ontologically prior to the individual in some way that gives it a moral priority or that one's foremost obligation is to abide by a community's extant norms, whatever they happen to be.

justified to a global audience. That has meant setting aside metaphysical claims that are difficult to back up with evidence or at least that lack receptors in other major traditions around the world. Specifically, this approach has prescribed developing an account of moral status that does not invoke claims about imperceptible agents and forces such as God, the not-yet-born, the living-dead, ancestors, and vital force. My view is instead strictly secular or focused on the perceptible.[4]

Despite being shorn of contested metaphysical views, certain strains of African axiology retain an attractive logic and can ground a plausible account of moral status. One prima facie appealing strategy would be to develop a naturalist account of vitality,[5] but in my work I have instead mainly articulated and defended a naturalist account of relationality. Specifically, I have drawn together the three strands of dignity, community, and hierarchy this way: a being has a greater moral status, the more it is markedly capable of being party to communal relationships with us. In the rest of this section, I briefly analyze the central concepts of this principle and indicate some of why I believe it is philosophically promising.

By 'communal relationship' I mean a way of interacting characterized by identifying with others and exhibiting solidarity with them. Identifying with others means enjoying a sense of togetherness with them and participating with them on a voluntary, trustworthy basis to support their goals. Exhibiting solidarity with others means going out of one's way to meet their needs and otherwise improve their quality of life and doing so out of sympathy and for their own sake. The combination of identity and solidarity does a good job of capturing what is morally appealing about extended family, collective harvesting, sustaining customs, and seeking consensus. What is desirable about these kinds of interaction is plausibly the sharing of a sense of self, the cooperation, the aid, and the altruistic motivation. All together, those constitute communal relating.

An individual might be 'capable' of being party to a communal relationship in two different ways. On the one hand, it might be able to be a subject of it, that is, could by its nature identify with others and exhibit solidarity with them. On the other hand, it might be able by its nature to be an object of communal relationship, i.e., we could identify and exhibit solidarity with it.

According to my account, a being that in principle can be a subject and object of communal relationship has the highest moral status, which entails that it has a dignity. Its urgent interests, e.g., in remaining alive and living well, must be satisfied before those of any other being in cases of conflict. A being that can be merely an object of a communal relationship with us has a partial moral status; it does matter morally for its own sake, but lacks a dignity. Its urgent interests must be satisfied

[4] I am therefore seeking neither to represent African philosophical beliefs in anthropological or ethnophilosophical fashion nor to provide an 'authentic' African ethic. I am instead interested in determining which beliefs merit acceptance, at least given a certain audience of philosophers. I also maintain that authenticity is much more of a European value (on which see Taylor 1992) than an African one. Those who want a 'pure' African philosophy are often (ironically) appealing to a value is that not characteristically African, where the latter prescribes interdependence and relationality, not independence and isolation.

[5] Which I have pursued a bit elsewhere, e.g., in Metz (2012b).

before attending to anything without a moral status, but not if doing so would prevent one from satisfying the urgent interests of a being with dignity. Finally, a being that can be neither a subject nor an object of communal relationship lacks a moral status, such that any moral reason to treat it a certain way is indirect, ultimately grounded on facts about some other being.

Although there are more nuances to the principle, particularly about there being degrees of the ability to be an object of communal relationship and how to balance the interests of entities with differential moral status (which I discuss below), what I have spelled out so far is enough to grasp the core of the view and to see some of its appeal. Nearly all human persons are capable of being a subject and object of communal relationship and hence have a dignity. That is, just about all of us human persons can enjoy a sense of togetherness with others, participate with them on a cooperative basis, help meet others' needs, and do so altruistically, and, furthermore, other persons can do these things with just about all of us.

A very large majority of animals are capable of being an object of communal relationship with us and hence have a partial moral status. Animals such as apes, dolphins, elephants, cows, dogs, cats, and mice all matter morally for their own sake such that we have direct duties towards them. Although they cannot exhibit identity and solidarity with us (even if apes might have the rudimentary ability to do so), we can clearly do so with them, meaning they are able to be objects of communal relationship with us. We can enjoy a sense of togetherness with these creatures, interact with them in trustworthy ways that foster their ends, do what meets their needs, and do so out of sympathy and not merely for our own long-term self-interest.

Finally, beings such as rocks, shrubs, and mosquitos can be neither the subject nor the object of communal relationship with us and hence lack a moral status altogether. There of course could well be moral reasons to treat them in a certain ways, but, by my account, not because of facts about these beings and instead because of facts about other beings such as humans or animals. So, for example, if there is reason not to destroy an ecosystem that includes rocks, shrubs, and mosquitos, it is not directly because these beings would be negatively affected, but rather indirectly because negatively affecting them would wrong other kinds of beings, roughly those with intentions and a quality of life.

In all these respects, I submit that the modal relational account of moral status accounts for widely held intuitions about which beings matter morally for their own sake and to what degree.[6] In particular, it is quite common for professional philosophers in the African, Western, and many other traditions to think that human persons matter more than animals, which, in turn, matter more than plants. If you had to choose between running over a person or an animal with one's car (there being no third alternative), surely you should avoid the person and instead strike the animal. And if you had to choose between running over an animal or a shrub (again, there being no third alternative), surely you should mow down the shrub. The modal

[6] I also think the theory does a good job of providing accounts of how to rank the moral importance of various kinds of animals, on which see Metz (2012a: 400), and of how to judge the status of embryos, foetuses, and newborns (Metz 2022a: 182–186).

relational account easily accommodates these intuitive judgements, since the various entities have differential abilities to relate communally with us and since the urgent (but not trivial) interests of those with a higher standing must be satisfied before the urgent interests of those with a lower standing (in cases when not all interests can be satisfied).

Note that rival approaches in the Western tradition cannot easily capture the above intuitions. Kantian views have difficulty ascribing moral status to animals at all since they lack rationality or autonomy. Utilitarian or welfarist views naturally ascribe moral status to animals, insofar as they feel pain and have preferences, but these views have difficulty explaining why human beings have a greater standing and they also eschew the concept of dignity. Biocentric and subject of a life views have the same problem, entailing that the lives of persons and animals are of equal standing, and hence unable to entail that the urgent interests of the former must be satisfied before those of the latter in cases of conflict.

Although the urgent interests of human persons should be satisifed if at the necessary expense of the urgent interests of animals, modal relationalism does ground some strong duties towards animals. Consider the principle that the urgent interests of beings with partial moral status should not be sacrificed for the *trivial* interests of those with full moral status. It follows that we should not greatly subordinate or harm animals for the sake of, say, the mere pleasure of taste. While factory farming chickens for meat, for example, would be justified in the absence of other sources of protein for human persons, it would not be if adequate plant-based sources were available. In addition, while expanding crops and thereby destroying the habitats of many animals would be justified if necessary to feed human persons, it would not be if it were done merely to give consumers a version of maize differing only slightly from current ones.

My primary aim in articulating modal relationalism has been to draw on resources from the African tradition pertaining to dignity, community, and a great chain of being to construct an account of moral status that could be found attractive without relying on contested metaphysical claims and that improves on salient Western approaches. However, many of those in the literature have tended to criticize it, not so much in favour of one of the Western rivals, but instead more absolutely, as providing an inaccurate account from a more comprehensive philosophical perspective. These kinds of criticisms, addressed in the Sects. 6.4 and 6.5, are fair and welcome. However, I first address some criticisms that are based on what I deem to be misinterpretations or conflations.

6.3 Weaker Objections

In this section I take up concerns about modal relationalism expressed in the literature that I think clearly miss their mark. They can be readily seen not to apply, once terms are carefully defined and certain distinctions are drawn. I address them because responding to them might help to avoid misunderstanding on the part of readers.

To start, Filip Maj (2020) suggests at times in his essay that I am to be read as suggesting that actual relationships are necessary for moral status, a view that he (aptly) finds counterintuitive.

> (Metz) mentions that animals that are objects of our care 'matter in their own right'….This seems like an inconsistency as how are animals considered to 'matter in their own right' if their moral status comes down to us choosing them as being so….It is confusing when Metz says 'we have direct duties toward many animals with which we can by nature commune'….Does this mean that we do not have a direct duty to all the animals that we choose to identify with and care for, just those that we can in principle? Can the 'many' be changed to 'all'?....Metz's theory could also cause a problem for the diversity of animals existing in the world, e.g., wild animals, as there is no apparent direct obligation to secure species, if they do not have a considerable input as being objects of human interest, that is, communion (Maj 2020: 344, 345).

This analysis neglects the essentially modal dimension of my approach, according to which it is a being's natural *capacity* to be communed with by characteristic human beings that confers a (partial) moral status on it, not its actually having been communed with by a given one of us. The question is whether it is a kind of being with which we *could in principle* identify (i.e., enjoy a sense of togetherness and foster its ends) and exhibit solidarity (i.e., enhance its quality of life and do so out of sympathy and for its own sake).

Once the modal approach is kept in view, several of the above queries and claims are seen to fall away. So, it is not beings that *are* objects of our care that matter for their own sake, but rather beings that by their nature and ours *could be* objects of our care, for instance beings such as pigs, rabbits, and whales. (Of course, actually being an object of care is sufficient for it to be able to be such an object, but actually being an object of care is hardly a necessary condition for that.) It is not a matter of us 'choosing' which beings have a moral status, as moral status for me does not depend on any humans electing to interact with anything. It is not my view that we have a direct duty to all and only the animals we *choose* to identify with and care for, but rather to all and only (not merely many of) those animals we *could* identify with and care for. Finally, my view indeed accords many wild animals a moral status insofar as we could in principle commune with them (note that we could not with, say, bacteria or fruit flies); it is not the case that by my account we must take an interest in animals and commune with them first, in order for direct duties to them to arise. It is really the other way round, such that, roughly, one ought to commune with a being because one can.

The remaining objections addressed in this section more firmly grasp the modal dimension of my account, but are claims that it has counterintuitive implications that I think it clearly does not have. For some, it appears that if for an animal to have moral status it must be the kind of thing with which we could commune, then all its value is dependent on us. However, so their objection goes, the value of an animal does not entirely depend on us; it has some value in its own right. Motsamai Molefe remarks,

> Metz imagines human beings as an essential furniture of the world, so much as to make them a basis upon which the value of other things like animals depends. In this light, this theory implies that human beings are an essential furniture of the world to the effect that without them there would be no concerns of value at all (Molefe 2017: 199–200).

Maj approves of Molefe's reasoning: 'Metz would have to commit to the fact that there is no value in the world without a human valuer' (Maj 2020: 344).

Modal relationalism neither expresses such a viewpoint nor is otherwise committed to it, which can be readily seen upon distinguishing the two concepts of moral status and final value. For something to have final (or non-instrumental) value is for it to be good for its own sake in some respect; it is valuable not merely as a means. In contrast, for something to have moral status (at least in respect of human agents) is for us to owe it moral treatment for its own sake; it is owed moral treatment not merely for indirect reasons. Having moral status is not necessary in order for something to have final value; something might lack a moral status and yet have a non-instrumental value. If so, then, even if moral status is logically dependent on us, final value need not be.

To appreciate how it is possible for something to have final value without having moral status, consider a species of intelligent and sentient beings who live in another galaxy. Supposing that, living so far away, we could not affect them in any way whatsoever, they lack a moral status in relation to us. We have no direct duties to them since we cannot influence them at all. We do not owe them anything since we simply cannot do anything for them, whether negative or positive. Despite lacking a moral status in relation to human agents, such beings would nonetheless plausibly have a final value.

For another way to recognize how it is possible for something to have final value without having moral status, think about certain scientific laws or musical compositions. Scientific laws that are true and do much to unify a wide array of phenomena are plausibly good for their own sake, or at the very least the state of understanding them is. Musical compositions that are original and beautiful are also plausibly good for their own sake, or, again, at least the states of creating and apprehending them are. Even so, it would be quite unusual to ascribe moral status to scientific laws or musical compositions, or even to the states of us interacting with them in various ways. We do not owe principles or songs (or our interactions with them) direct duties for their own sake, and yet they have some non-instrumental value.

So, one must distinguish sharply between a thing being owed a duty for its own sake by a human agent and a thing being good for its own sake. Upon doing so, one can see that, even if a thing's being a owed a duty on our part were to depend on its capacity to relate to us, it need not follow that a thing's being good would have to depend on that.

It is true that I have in my work suggested that if a being has a full moral status then it has a dignity, i.e., a superlative non-instrumental value that does not depend on contingencies such as what a society thinks of the being or which choices it makes. However, I do not recall ever having suggested that a being has a dignity only if it has a full moral status, and I do not see that I have to hold such a view. Those creatures

in a far away galaxy mentioned above might well have a dignity, even if, because we cannot interact with them at all, they do not have a moral status in respect of us.

That is part of the explanation of why I do not believe that modal relationalism is vulnerable to a third criticism that I rebut in this section, viz., the 'last man objection' that Molefe has also advanced against my approach (Molefe 2017: 200). According to this objection, a theory of moral status is counterintuitive if it cannot entail and plausibly explain why it would be wrong for the very last human person to do what would destroy the natural world after his demise. 'If one would find it horrendous for the last man to destroy all of nature, this points to the direction that probably nature matters for its own sake' (Molefe 2017: 200).

One thing to say in reply is that it is perfectly coherent for me to hold that parts of the natural world have a non-instrumental value and that, even if human beings died out, they would retain it. They would not have a moral status from the perspective of humanity if no human agents existed, but they would still be good for their own sake, as per the reply to the previous objection.

Another thing to say is it is precisely my view that a large part of nature 'matters for its own sake' when it comes to morality; that is what is involved in claiming that it has a moral status or we owe it direct duties. I do not think that a large part of nature matters morally in itself in the sense of merely in virtue of intrinsic properties that it has. However, it is a mistake to suppose that something can matter *for its own sake*, morally or otherwise, only in virtue of what it is *in itself* or its intrinsic properties, as I believe many philosophers in the analytic tradition have demonstrated (for just two examples, see Korsgaard 1983; and Kagan 1998). The means/end and intrinsic/relational distinctions are orthogonal, such that a being can be valuable as an end in itself (or have moral standing for non-instrumental reasons), and not be a mere means, in virtue of non-intrinsic properties. A work of art is plausibly good for its own sake, and not for merely instrumental purposes, but only when it is in relation to a perceiver. Something can have more non-instrumental value when it is rare, but rarity is a relational property. These and a myriad of other examples that philosophers have advanced over the years are strong evidence that relational properties can make something good for its own sake or enhance its final value; founding value on a thing's relational properties need not mean that the thing is good solely as a means or indirectly.

A final reply to the last man objection is that the last remaining human agent, by my theory, should view a large part of nature as having a moral status and so would be wrong to do what would lead to its destruction. My theory implies that something has a moral status for a human agent if characteristic human beings are capable of relating communally to it. Roughly speaking, if a being has intentional states and a quality of life, and if we are in a position to affect it, then it has a moral status, even if only a partial one (entailing that its urgent interests must be protected at the cost of trivial interests of beings with a full moral status). The last man should apprehend the fact that many animals meet these criteria, such that it would wrong them if he were to do what would greatly subordinate or harm them. There might be *other* parts of nature that also would be wronged, but that kind of objection is different, and is addressed in the next section.

6.4 Charges of Incompleteness

In this section I address claims that the modal relational account of moral status I have developed entails that certain beings lack a moral status that in fact intuitively have it. I first address the claim that it cannot account for the moral status of aliens, then that of dead humans, and finally that of species as distinct from their individual members. On all three counts, I maintain that there are reasonable responses to be made on behalf of modal relationalism.

In respect of aliens, Molefe imagines that a race of Martians exists who are very much like us for being capable of exhibiting identity and solidarity with others. The Martians are similar to humans in that they are persons capable of relating communally. Now, Molefe urges us to suppose

> that these two entities, for some strange biological reason, I *stipulate*, cannot enter into any kind of interaction with each other. If Metz is truly committed to the view that moral status is accounted for by an essential reference to some *human* feature (ability to commune with human beings), then it should follow that Martians have no moral status (Molefe 2017: 200).

However, the objection continues, such aliens would indeed have a moral status. Perhaps that would be because they are capable of relating communally with one another, even if not with human beings (Molefe 2017: 200), or it might be because of certain intrinsic properties they exhibit such as intelligence and sentience (Molefe 2017: 198–199). In any event, for Molefe, the mere fact that it is impossible both for us to commune with the Martians and for them to commune with us does not disqualify these aliens, whom we imagine to have relational capacities, from having moral status.

In reply, it is, in fact, enormously plausible to deny that these aliens would have a moral status, if indeed we 'cannot enter into any kind of interaction with each other'. If we simply could not affect the pursuit of their ends or their quality of life for better or worse, no matter what we did, then why should we think that we would have any direct duties towards these beings? What would we owe them, if we could neither interfere with them nor support their goals and if we could neither harm them nor help them?

That is not to say that these Martians would be valueless. Recall from the previous section that it is perfectly coherent to suppose that a being can have a final value, even a dignity, but not have a moral status. The Martians case is similar to the aliens case from the previous section, in which I imagined a race of intelligent and sentient beings living in a different galaxy. In both cases, since we cannot affect these alien persons in any manner whatsoever, they lack a moral status as it concerns the direct duties of human agents. We would owe them nothing, if there really would be nothing that we could do for them. I believe this is a compelling reply.

Molefe offers another version of the case, however, that does require me to clarify and acknowledge a limit to the scope of my claims. In the second version of the case, Molefe imagines that human beings have died out but that Martians have remained on Earth, and he maintains that not only Martians, but also many animals, could have

a moral status in that world (Molefe 2017: 201). Martians could have direct duties towards other Martians and also towards beings such as goats, turtles, and pigeons.

In reply, I accept the point. In my work, I have been strictly interested in the moral duties of human agents and hence moral status from within a human linguistic and conceptual scheme. I have not been aiming to provide an account of moral obligations for any agent whatsoever, whether it is a Martian or God. I believe that this restriction has been fair, for two reasons, one pragmatic and the other more theoretical.

Pragmatically, it is sensible for philosophers to develop accounts of what merely *we* owe to others since, for all we know, we are the only agents with whom we are in contact. Concerns of the day for philosophers are what human agents owe to each other and what else they can affect, particularly in regards to the land on which we live. Concerns of the day for philosophers do not include what a multitude of different hypothetical agents (or agents believed to be actual on mere faith) might owe to others for their own sake.

Theoretically, and more deeply, I accept that the causal theory of reference applies to many moral terms (cf. Metz 2013a: 91–93). According to that view, part of the meaning of moral language is determined by the objective nature of behaviour that a certain group of language users have dubbed with words such as 'right', 'unjust', 'base', or the like. Similar to 'Moral Twin Earth' thought experiments (e.g., Horgan and Timmons 1991), a group of language users with different biological, social, and environmental backgrounds from ours could dub with moral terms features that differ substantially from those that we have dubbed with such terms. In that case, what counts as 'wrong', for instance, would differ between human agents and these others agents. If the causal theory of reference is true, then we have no alternative but to leave open the nature of moral status from the standpoint of other kinds of agents, in the absence of any information about how they deploy moral terms. Since I do not believe that we can address moral status for non-human agents, I have not done so, and have instead addressed only the question of what has moral status given our linguistic and conceptual frameworks.

The second charge of incompleteness on the part of modal relationism that I address here is that it cannot account for the moral status of a certain class of human beings. Specifically, Molefe (2017: 203–204) points out that my account of moral status entails that dead human beings lack a moral status, where 'dead' means the permanent termination of a person's existence (and hence we do not suppose that what are often called the 'living-dead' continue to exist). After all, the dead do not have the ability to be subjects of communion, that is, they cannot identify with others or exhibit solidarity with them. These require mental states involving an awareness of others, amongst other features lacking in a dead body. In addition, the dead do not have the ability to be objects of communion with us, for they lack goals or a good that we could affect. It does seem to follow that the dead lack a moral status on my account, having the same standing as a rock, viz., none, which Molefe finds counterintuitive. Furthermore, Molefe makes the dialectical point that I myself have at times claimed that there are regarding duties prescribing certain ways of treating the dead (e.g., Metz 2012a: 389).

One thing to note up front is that, as the literature stands, there is no comprehensive theory of moral status that accounts for the idea that we have direct duties towards dead bodies. Welfarism does not since the dead are incapable of a high or low quality of life. Rationalism does not since the dead cannot reason, exhibit intelligence, have autonomy, or the like. Subject of a life theories do not since there is no life. The same remark applies to biocentric theories, according to which all living beings have a moral status; the dead are not alive. If, therefore, modal relationalism cannot account for the moral status of the dead, it is not a strike against the theory relative to competitors. There is no reason to reject it in favour of any extant rival.

However, do dead human bodies have a moral status? At present, I am not sure.[7] I do believe that we have duties *in respect of* dead human bodies, but, *contra* what Molefe suggests (Molefe 2017: 203), that need not mean that we have duties *to* them, for the duties might be indirect instead of direct. For instance, it is plausible to hold that the moral reason not to eat or have sex with the dead is not that it would wrong the dead body, but rather that it would wrong the *living relatives and other associates* of the person who used to inhabit the body. It might also be that if we were to mistreat a dead body we would wrong, not the dead body, but rather *the person who used to inhabit it*, i.e., agent who once had the ability to exhibit identity and solidarity. If we would wrong a person who once lived by disregarding her will posthumously, it is analogously plausible to hold that we would wrong a person who once lived by failing to treat her dead body in certain ways. I find these indirect accounts of our duties in respect of the dead pretty convincing. Molefe does not consider them when mounting criticisms of my approach, but they are prima facie strong.

However, I want to note two ways to reinterpret modal relationalism to account for direct duties to the dead, if one is firm in holding that they exist. One would be to hold that moral status inheres in any being capable of being party to a communal relationship with us *or* a being that recently had that capacity but no longer does. Something like 'recently' must be part of the formulation in order to avoid strong counterexamples; for there is a moral difference of some kind between the body of a human being that died a week ago and the disintegrated carbon, i.e., more or less oil or soil, of one that died many thousands of years ago. In addition, even when it comes to a human body that has recently died, it would be implausible to ascribe it a full moral status, one comparable to that of a living person able to commune with others. Surely, if you had to choose between saving the life of a such a person and maintaining the integrity of a dead body, one should opt for the former, the best explanation of which is that the former has a higher standing (supposing the latter has a standing at all).

Another strategy, and one more inherent to modal relationalism as I have normally expounded it, would be to maintain that perhaps there is in fact a sense in which we can commune with a dead human body. It can be the object of communal relationship, not by virtue of us being able to advance its ends, improve its quality of life, or sympathize with it, as Molefe rightly points out. However, perhaps we can think of it as part of a 'we'. One part of a communal relationship, as I have most thoroughly analyzed it

[7] For a firm 'No', and on grounds of modal relationalism, see Matisonn and Muade (2023).

(e.g., Metz 2013b), includes a sense of togetherness or thinking of oneself as bound up with another. Such a thin sense of the ability to identify with a dead human body might be invoked to ground a partial moral status on its part (cf. discussion of the moral status of human embryos in Metz 2022a). It would, however, follow from this approach that a living animal has a greater (albeit still partial) moral status than a dead human body, since the former would be much more able to be the object of a communal relationship with us than the latter.

Let me turn now to a third way in which modal relationalism has been accused of failing to include certain things with a moral status. Samuel and Fayemi (2020) together have argued that, despite its relationality, my theory is ultimately still individualistic in a certain way. It ascribes direct duties only to individuals and not also to groups or wholes. Although modal relationalism is not individualistic in the sense of basing moral status on the properties intrinsic to an individual, it does base moral status on an individual's relational properties. That renders it unable to ascribe a moral status to 'species populations of non-humans' (Samuel and Fayemi 2020: 36), where a species is a collection or group as something distinct from its individual members (Samuel and Fayemi 2020: 42). Furthermore, since modal relationalism does not accord moral status to species, Samuel and Fayemi maintain that it cannot account adequately for the moral importance of biodiversity.

On this score I believe that indirect duties are a quite plausible way to account for the moral significance of both species and biodiversity. If one acted in a way that foreseeably caused the death of an entire species of beetle and did so for a trivial benefit, one would likely feel guilty most clearly about these two things: what one did to individual members of that species, and what the loss of the species means for other individual animals and human beings (perhaps including future generations), say, because of damage to an ecosystem. It is not so clear, I submit, that there would be a third instance of guilt in respect of what one did to the group as something distinct from the members that had composed it. If not, then it is implausible to think that the species is itself owed duties for its own sake, as opposed to what that group can do for individual members of other groups, animals and humans included.[8]

Unfortunately, Samuel and Fayemi fail to acknowledge the distinction between direct and indirect duties, making their key argument for ascribing moral status to species a *non sequitur*. They say this:

> The holistic view posits that a species population (say, of humans, animals, trees, plants) has standing. The holistic framing is a promising approach because it is morally implausible to confer moral standing on every individual animal as we currently do across the globe regarding individual humans, at least for prudential reasons – *we eat and feed on animals, and humans also use animal skins for clothing and leather,* and animals are a reason why we flourish (Samuel and Fayemi 2020: 38).

[8] One might well feel shame for having obliterated a species; such an action plausibly suggests that one is lacking good character in certain respects. However, shame is not nearly as reliable a marker of moral wrongness and of moral status than guilt, for shame is often sensibly triggered by non-moral considerations, such as one's poor appearance or financial poverty (Metz 2012a: 401).

This reasoning does nothing to suggest that a species or other group has a moral status, understood as being the sort of thing that is owed duties for its own sake. Pointing out that we have prudential reasons to protect species hardly means that species are owed duties for their own sake! Instead, Samuel and Fayemi themselves are in effect suggesting that merely indirect duties apply to species, meaning that there is no objection to my view whatsoever.

And what goes for species applies with the same force to biodiversity: it, too, is morally important to protect, not because it has a moral status, but rather because individual animals and humans have a moral status and we need to protect biodiversity for their sake. Samuel and Fayemi remark, 'There are situations when intervening in the ecosystems to sustain biodiversity is morally defensible. For example, we may protect certain species populations such as the beluga whales if human actions threaten their diversity' (2020: 37). I believe that too, and it follows straightaway from modal relationalism! There would be two-fold reason to protect the whales on my view: one, the individual whales matter for their own sake, and it would be wrong to frustrate their urgent interests for our trivial ones, and, two, reducing species diversity is likely to cause harm to individual humans and other animals, who also matter of their own sake. Pointing out the need to protect biodiversity does not, for all Samuel and Fayemi have said, provide reason to doubt modal relationalism.

Now, there are occasions in their essay when Samuel and Fayemi suggest that animal interests provide greater reason to act than my theory can recognize (an objection that I address in the following section). However, that is quite different from the sort of claim, considered in this section, that modal relationalism excludes a certain kind of thing, viz., an animal species from having moral status at all.

6.5 Charges of Elitism

In this last major section I address criticisms that modal relationalism, while not excluding certain beings from the domain of direct moral consideration altogether (as per those in the previous section), fails to accord them the degree of standing that they in fact have. In particular, critics have suggested that my theory objectionably prizes the interests of human beings over those of non-human animals and so counts as 'anthropocentric'.

One version of this criticism is based on an inaccurate representation of my theory, and so I begin with it. Samuel and Fayemi recognize that I ascribe moral status to animals, but they believe that I hold, or am committed to holding, 'that human interests must always come before the interests of nonhumans' (Samuel and Fayemi 2019: 91).

However, that is simply not true. Yes, I believe that beings capable of exhibiting identity and solidarity have a full moral status, while those that are merely capable of us identifying and exhibiting solidarity with them have a partial moral status. Beings who can commune with others, such as typical human persons, have the highest standing, while beings with which we can commune (but that cannot themselves

commune), e.g., giraffes, sharks, and otters have a standing but a lower one. What follows from this ranking is not that 'human interests must always come first when doing so might lead to the destruction of the environment' (Samuel and Fayemi 2020: 39). Instead, in my work I have maintained that two other corollaries follow (already appealed to in previous sections). First, it would be wrong to sacrifice the urgent interests of a being with a partial moral status for the trivial interests of a being with a full moral status (Metz 2017a: 167, 169, 2017b: 275, 285–286, 2022a: 160, 162–163). Second, it would be wrong to sacrifice the urgent interests of a being with a full moral status for the urgent interests of a being with a partial moral status (Metz 2017a: 169, 172, 2017b: 274–275, 286, 2022a: 161).

Samuel and Fayemi do not acknowledge these corollaries regarding wrongness, but they make an enormous difference to understanding the implications of modal relationalism. I have suggested in various places that the first corollary entails that hunting merely for sport, killing just for the taste of meat, and inflicting pain for cosmetic testing are seriously immoral. Since the urgent interests of animals, beings with a partial moral status, may not be sacrificed for the trivial interests of humans, despite having a full moral status, we are obligated to refrain from subordinating and harming animals in these ways.

It is true that when the urgent interests of animals and humans come into conflict, the second corollary entails that those of the latter must be prioritized. However, that is quite intuitive. To invoke a case I have often appealed to, surely the reader would not think it right to shoot a person if necessary to feed a pig, but would think it right to shoot a pig if necessary to feed a person. The best explanation of the case is that persons have a higher moral status than pigs, such that, in cases where there is unavoidable conflict between the urgent interests of human persons and those of non-human animals, normally the former should be satisfied if at the necessary expense of the latter.

Having clarified some of the implications of modal relationalism, I now turn to objections that do not rest on incomplete descriptions of it. They concern the standing of human beings who lack the capacity to be subjects of communal relationship, i.e., who have mental deficiencies that prevent them from exhibiting other-regarding mental states of the sort requisite for identifying and exhibiting solidarity with others. On the one hand, some object that I do not accord them the same status as human persons, while, on the other hand, some object that I do not accord animals the same status as these human beings.

I have argued that human beings who can be merely objects of communal relationship with us have a partial moral status, albeit one greater than the moral status of animals (Metz 2012a: 397–398, 2022a: 163–165). According to my account, their standing is in between that of persons and animals. Since they lack the ability to be a subject of communal relationship, they do not have a full moral status. However, I have contended that their ability to be an object of communal relationship with characteristic human beings is markedly greater than that of animals, which means that their moral status is greater. One piece of evidence that we have a greater ability to commune with human non-persons than with animals is that we in fact commune more frequently and more intensely with them.

Given the two corollaries above, here is what follows when it comes to decision-making: the urgent interests of a human non-person should come before the trivial interests of a human person; the urgent interests of a human person should come before those of a human non-person in cases where there is an unavoidable conflict between them; and the urgent interests of a human non-person should come before those of an animal in cases of conflict. I submit that these implications are plausible, although not, I accept, downright uncontroversial.

Now, Molefe questions some of the evidence I present in favour of the claim that we are more able to commune with human non-persons than with animals. Molefe points out that '*doing more* for some being does not necessarily and always imply that she has greater moral status' (2017: 202), sensibly pointing out that doing more for one's child does not mean that she has a greater standing than other people's children.

In reply, first note my claim is not that *a particular agent* doing more for *a specific being*, such as me doing more for my child or my cat, is direct evidence that *its moral status is greater*. It is rather that *characteristic human beings* doing a lot more for *a certain kind of being* compared to another is evidence that we are *markedly more able to do something for that sort of being* relative to the other (which, in turn, entails that the former's moral status is higher, by modal relationalism). Molefe's point does not directly target my view.

Secondly, there is additional evidence that I can appeal to in order to show that we can commune to a greater degree with human non-persons than with animals, beyond the fact that generally we in fact do commune with them more often and more intensely. It is that the biological, psychological, and social nature of human non-persons is more like ours than is any animal's nature. Maj and Molefe both find this point 'speciesist', but I doubt that, since, if there were a non-human being with a nature like ours, such that we could commune with it as well as we characteristically can with human non-persons, it would follow from my view that they would have the same moral status.

Let me turn away from those suggesting that animals should be on a par with human non-persons and towards those who are naturally read as holding that human non-persons should be on a par with human persons. In particular, Samuel and Fayemi object that my approach would 'support the domination of humans who are incapacitated' (2020: 35, see also 40).

Samuel and Fayemi unfortunately do not spell out what 'domination' means. However, notice that in the case of animals my theory entails that hunting for sport, eating meat for the taste, and harming animals for cosmetic testing are all wrong. If we may not 'dominate' animals in these ways, it would be even more wrong to do similar kinds of things to human non-persons. Their urgent interests must be satisfied at the expense of at least our trivial ones, and human persons can be particularly responsible to satisfy the interests of human non-persons since the former have created the latter and the latter are unable to meet their own needs. A being does not have to have a full moral status in order to deserve real moral consideration.

It is true that if a public hospital had to make the unfortunate choice between saving the life of a human person who is able to commune as a subject and a human

non-person who utterly lacks the awareness of other people altogether, I believe it should choose the former. Now, would the reader truly flip a coin in this case? If not, the best explanation is probably that there is differential moral status between these kinds of beings.

6.6 Concluding Statements on Remaining Concerns

In this chapter I have not here addressed literally all the criticisms of modal relationalism that have been made in the literature, not even by those whose essays I have discussed. I bring it to a close by mentioning some of the ones that remain and that I believe deserve a reply at some point.

One suggestion, from Maj (2020: 342, 344), is that some animals might display the ability to commune as a subject more than I acknowledge in my work. Chimpanzees and gorillas loom especially large. If they indeed can robustly act for the sake of others' ends and good, then they have a full moral status, and not human persons alone. Note that this point undercuts Maj's repeated description of my view as 'speciesist'; my view is capacity-based, and if some non-human being displays the relevant capacity, then it has the corresponding moral status. There is nothing in my view according to which human beings *as such* matter the most. That said, although from what I know of the literature there are rudimentary displays of other-regard amongst primates and some other animals, typical human persons have a markedly richer capacity for it. So, while I am currently inclined to retain the title of 'dignity' for human persons alone of Earthly beings, I accept, as I have said in my work (e.g., Metz 2012a: 400), that these animals should count as the 'highest' members of the animal kingdom (as they are often called), precisely because they approximate the ability to relate communally as subjects. Perhaps more scientific research (or awareness of it) will reveal all the greater ability in this respect and hence require a change in how to understand the implications of modal relationalism.

Other objections, or at least queries, concern how to make kinds of trade-offs that at present I find difficult to appraise—at least because of the variety of moral considerations at stake and sometimes because they seem to balance out. For instance, 'if I was driving in a brakeless car and I had to run over a psychopathic murderer or my good companion Max, my dog,' Maj wonders which should be spared (2020: 340). The case is complex, since some of the factors include moral status, but others include a partial obligation to one's pet as well as a positive obligation to prevent harm to strangers. Maj says he would save his dog, as I guess would I, if the psychopathy were extreme and more killing were on the cards; however, one need not suppose that the moral status of the killer and the dog are the same to support that judgement. Another case that I find hard to resolve concerns situations in which people's cultural practices cause harm to animals, something Maj (2020) also raises. Although human persons have a full moral status and animals a partial one, I have said above that the urgent interests of the latter may not be traded off for the trivial interests of the former. So, much depends on the details, of precisely how important the practice is to

a people's self-conception and how harmful it is to the animals (for more reflection, see Metz 2017b). A conception of moral status cannot be expected to provide all the information relevant to deciding whether certain actions are wrong, which can be a complicated matter. Such a conception is, however, essential for making decisions about wrongness, and in this chapter I have argued that modal relationalism is much more promising than several critics have maintained.

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