**Decolonizing the Demarcation of the Ethical**

Pre-published Draft

(Forthcoming in 2019 Pacific APA Special Issue of *Philosophical Studies* Pending Final Review)

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“We were the land before we were people,

loamy roamers rising, so the stories go,

or formed of clay, spit into with breath reeking soul―”

Heid E. Erdrich, “The Theft Outright,” *National Monuments* (pp. 31-32)

**1. Introduction**

Consider the following brief story:

**Sally and the Beavers**: Sally lives near a small lake. Over the past few months there’s been a lot of rain causing water levels to rise in nearby lakes, rivers, and creeks. Additionally, a colony of beavers have built a nearby dam causing water levels in the lake to rise more quickly and higher than previously experienced. If the water in the lake rises much higher, Sally’s home will flood. Sally can’t stop the rain, and she can’t move her home. She can however do something about the beaver dam. She considers destroying the beavers’ dam, but she’s unsure if this is the appropriate response.

In this story, it seems that Sally is facing a moral problem (e.g., what should she do about the beavers?).[[1]](#footnote-1) However, what is it about this situation that makes it moral? Is it, in fact, a moral problem? Not all problems are moral problems: there has to be some feature(s) that separates moral problems from non-moral problems. Is it a moral problem partly because it’s a problem that a human (Sally) faces? Is it a moral problem because there’s concern about the beavers? Is it perhaps not a moral problem at all, and any intuitions pushing us to consider it as a moral problem are mistaken?

The question of what distinguishes moral problems is important to the study of the evolution and functioning of morality. Many researchers concerned with this topic have assumed, either implicitly or explicitly, that all moral problems are problems of *cooperation*. This assumption offers a response to the *moral demarcation problem* by identifying a necessary condition of moral problems.

Characterizing moral problems as problems of cooperation is a popular response to this issue – especially amongst researchers empirically studying the beginnings and limits of moral psychology. However, demarcating the moral in this way severely restricts the domain of moral problems. There are plenty of moral problems that aren’t simply problems of cooperation.

In what follows I will argue that understanding moral problems as problems of cooperation is too restrictive and offer an alternative way of demarcating moral from non-moral problems. Characterizing what makes a problem moral in terms of cooperation excludes a variety of problems that are ordinarily understood and responded to as moral. The alternative characterization that I propose is based on the American Indian/Native American concept of harmony. Using the concept of cooperation to demarcate the moral removes moral agents from their surroundings or contexts by assuming moral agency applies only to humans or other similarly evolved lifeforms. In contrast, using the concept of harmony allows for moral consideration to be granted to non-humans as well (e.g., non-human animals, plant life, ecosystems, etc.).

**2. Using the Concept of *Cooperation* to Delineate Moral Problems**

Empirical approaches to studying ethics usually focus on scenarios that are assumed to pose moral problems. To study things like moral cognition or the evolution of morality, participants are usually presented with putatively moral problems. Their responses to those problems are then used as evidence about either the moral decision-making of the participants or about the nature of morality. In both cases, *moral* problems have come to be seen as social problems, or, problems of cooperation.

For the purposes of this paper, I’m not interested in the structures or details of these studies. Instead, I’m interested in the underlying assumptions about what constitutes “the moral” as a distinct domain of study. Within most of these studies, there seems to be agreement that morality is best understood as a set of adaptive traits that evolved for the purposes of promoting cooperation and social cohesion. In this, moral problems are characterized as problems of cooperation.

For example, in an attempt “to provide an evolutionary account of the emergence of human morality,” Michael Tomasello (2016) claims, “[w]e proceed from the assumption that human morality is a form of cooperation, specifically, the form that has emerged as humans have adapted to new and species-unique forms of social interaction and organization” (p. 2).

Frans de Waal (2006) similarly understands morality as necessarily involving interactions with other primates.

[T]he moral domain of action is Helping or (not) Hurting others… Anything unrelated to the two H’s falls outside of morality. Those who invoke morality in reference to, say, same-sex marriage or the visibility of a naked breast on prime-time television are merely trying to couch social conventions in moral language (p. 162).

de Waal’s understanding stems from his observations of social interactions amongst non-human primates and the similarities to social interactions amongst humans. Since primates also face cooperative problems and demonstrate adaptive behaviors to address those problems, their adaptive traits can be seen as a kind of precursor to morality. Moral problems are those problems that involve either helping or hurting others, whereas not all social conventions involve helping or hurting others. While some social issues may be seen as “moral” problems, they’re not, in de Waal’s view, within the domain of morality because they don’t involve interactions with others.

Other researchers have been more inclusive regarding their understanding of morality. Jonathan Haidt (2012) understands morality as follows: “Moral systems are interlocking sets of values, virtues, norms, practices, identities, technologies, and evolved psychological mechanisms that work together to suppress or regulate self-interest and make cooperative societies possible” (p. 314). Joshua Greene (2013), in explaining what is required for us to understand morality, states, “[f]irst, we must understand the structure of modern moral problems and how they differ from the problems that our brains evolved to solve” (p. 14). He goes on to say, “morality evolved as a device for intergroup competition” (p. 25). Although, “much of morality appears to be unrelated to intergroup competition… moral thinking can be related to intergroup competition in ways that are indirect and not at all obvious” (*ibid*).

Nicholas Smyth (2017) draws attention to some similar claims in other writers:

Why do we have moral values? The obvious answer is that morality emerged as a system of rules for getting people to function collectively in stable and productive ways. We have morality to build a coherent social group. Moral values lead us to cooperate and prevent us from harming members of communities (Prinz, 2007, p. 32).

[T]he evolutionary function of moral judgments…is *interpersonal coordination*. Roughly, moral judgments are the products of a mechanism that allows groups of interacting individuals to co-ordinate their actions and emotions for mutual benefit. The function of the moral habit is therefore to produce mutually beneficial co-operative patterns of action and emotion (Sinclair, 2012, p. 14).

Moral thinking has a function, I have argued—both evolutionarily and contemporarily…. The *moralization* of our practical lives contributes to the satisfaction of our long-term interests and makes for more effective collective negotiation by supplying license for punishment, justification for likes and dislikes, and bonding individuals in a shared framework of decision-making (Joyce, 2006, p. 208).

These claims, though varying slightly in context and use, all promote the idea that moral behaviors and moral processes are essentially for problems of cooperation. This presupposes that morality is a solution to a problem and not an activity that we just happen to partake in.

**3. The *Moral* Demarcation Problem: The Problem with the Cooperative Demarcation**

Any attempt to delineate moral problems from non-moral problems has to avoid either *excluding* too many seemingly intuitive moral problems or *including* too many intuitively non-moral problems as being moral. This concern about the scope of uniquely moral problems can be understood as the definition either being too wide (inclusive) or too narrow (exclusive).

As an example, consider, the view that moral problems are distinguished from non-moral problems using the concept of practical rationality. Anything that requires the use of practical rationality would constitute a moral problem, and all other problems that don’t involve practical rationality would be non-moral problems. This would seem to be too wide a definition because now things like finding my favorite Minnesota Timberwolves jersey when I’m in a hurry become a moral problem. On the other hand, consider the view that moral problems are distinguished from non-moral problems using the concept of family. Any problem that exist between family members would constitute a moral problem, and all other problems that don’t exist between family members would be non-moral problems. This definition, it seems, may be too narrow because now things like disputes with anyone not considered family would not be moral problems.

Using the concept of cooperation to demarcate moral problems is too restrictive. It excludes too many problems that we intuitively consider to be moral problems.[[2]](#footnote-2) There are some potential ways around this concern. A theorist could bite-the-bullet and deny that many problems that are intuitively characterized as moral really are moral. This is what de Waal (2006) does. Or a theorist could explain why problems that do not fit the cooperation description are only apparently ruled out but not really. This is what Greene (2013) does. For example, de Waal (2006) argues that any problem not involving helping or hurting others was simply not a moral problem. In contrast, Greene (2013) argues that intuitive moral problems that didn’t seem to directly or obviously involve cooperation could still be related to cooperation in ways that weren’t direct or obvious.

Both responses are unappealing. Simply excluding cases severely restricts the moral domain. For researchers studying empirical aspects of morality this is problematic since the hope is (partly) to understand how people process *moral* problems. If our set of problems used to assess how people process moral problems excludes some moral problems, then our understanding of how people process moral problems will be either incomplete or misguided. Including cases in the way Greene does threatens to be *ad hoc*, and there’s still the concern that researchers studying the empirical aspects of morality aren’t able to completely or appropriately understand how people process *moral* problems.

Consider, for example, the question of whether someone should eat meat. Understanding moral problems as cooperative problems doesn’t allow this to be a moral problem. Since most non-human animals can’t cooperate with humans, there is no problem of cooperation between human a non-human animal. It may be reasonable to conclude or presume that eating meat is morally permissible; however, it seems unintuitive to outright dismiss it as not even being a moral concern, as de Waal’s view would seem to imply. Understanding moral problems as cooperative problems may allow for some moral reasons to avoid eating meat, e.g., health concerns and environmental impact. But, if the moral domain is restricted to exclude non-cooperative problems, it doesn’t acknowledge concern *for the non-human animals* as a legitimate reason to not eat meat. On an approach like Greene’s, any moral reason that there would be to not eat meat has to be tied to how eating meat would affect other humans (or beings with which we can cooperate). Yet this seems implausible.

**3.1 Two Problems with Cooperation**

There are two related problems with using cooperation to demarcate moral from non-moral problems. First, since cooperation requires a particular conception of agency, moral problems can only occur between agents. In other words, understanding moral problems as cooperative problems (too narrowly) restricts moral problems to occurring *only* between agents. Second, the conception of agency that is required for cooperation implausibly suggests conceiving of an individual as existing prior to morally relevant relationships. This precludes moral problems from occurring between an individual and their environment.

**3.1.1 The First Problem: Cooperation Requires Agency**

As most people who define moral problems as cooperative problems have seemed to assume, cooperation necessarily involves agency. I will use the term ‘agency’ in this sense (the sense that it’s required for cooperation) to refer to a set of capacities and circumstances necessary for decision-making.[[3]](#footnote-3) A being is not able to cooperate if it’s not able to make decisions. This sense of ‘agency’ can be understood to have at least two components. First, agency requires some internal traits, features, or properties possessed by an individual or subject. In other words, the capacity for decision-making lies within the subject or individual. I will refer to this component of agency as ‘the internal component.’ Second, agency requires the external factors in a subject’s or individual’s environment to allow them to act on their decisions, and thereby form morally relevant relationships. In other words, the circumstances for decision-making lie outside of the subject or individual. I will refer to this component of agency as ‘the external component.’ When I use the term ‘agency’ it means the conjunction of both internal and external components. In other words, for an individual to have complete agency they need to have both internal and external components. When I’m referring to specifically the internal or external components I will specify.

Consider the following example referencing Sally and the Beaver to illustrate the distinction between the internal and external components. Imagine Sally, a human, who is typically and otherwise capable of making decisions and acting of her own accord in a variety of circumstances. In most situations, we can consider Sally to be an agent because she possesses the requisite capacities necessary to make decisions. Whatever those capacities may be, we could think of them as traits possessed by an individual (e.g., the ability to reason, to listen, to communicate, etc.). This serves as an example of Sally having the internal component of agency. Some other being, say, the Beaver, doesn’t possess those traits, and is therefore lacking the internal component. However, imagine Sally is removed from her home (like she’s contemplating doing to the Beaver) by an alien race. She’s transported to another habitable planet, but one unfamiliar to her where most of her knowledge (which is about earth) doesn’t apply. There are new species of animals, new climates, new vegetation, and new animate and inanimate objects that surround her. Everything is new. Her capacities haven’t changed – she hasn’t undergone any psychological or physical changes, and she’d still be able to exercise her capacities under the right circumstances. However, her ability to act on decisions and form morally relevant relationships on this planet seems compromised (if not non-existent) given that she can’t exercise her internal decision-making capacities (e.g., reason, listen, communicate, etc.). We could consider whatever traits Sally has as being useless with regards to decision-making and relationship-forming if Sally is in an environment where she’s unable to exercise her decision-making capacities. If there’s nothing to listen to or communicate with in her environment, if she doesn’t know her surroundings well enough to reason about them, then she won’t be able to form morally relevant relationships and make decisions about how to interact with her surroundings. Evaluating Sally as an agent on this new planet would be like a evaluating the beavers as agents by assessing their abilities to live as a human. The environment of the individual being evaluated seems to matter when ascribing agency. This means that it’s not just the presence of a set of traits internal to Sally that are required to make decisions – the environment that individual finds themselves in also contributes to the ascription of agency. On earth Sally was able to act on her decisions and form morally relevant relationships because her capacities were suited to her surroundings. In other words, her environment was the kind of environment that allowed her to have the external components of agency. On this new planet, however, Sally is lacking the external component.

As this relates to cooperation, it seems like cooperating requires the ability to make decisions (i.e., cooperation requires agency). And, the ability to act on decisions and form morally relevant relationships seems to result from a subject’s surroundings – not *just* the capacities they possess. That is, an external component, as well as an internal component, seems required for cooperation. So, cooperation requires the subject to have the right kind of capacities and the right kind of surroundings or environment (whatever those may be). And, as this example and explanation illustrate, regardless of whether we’re considering the internal or external components, a lack of agency precludes cooperation. You can’t cooperate without the internal and external components. Sally can’t cooperate with alien life forms if she doesn’t have or can’t exercise the requisite abilities. Hence, she is unable to enter into morally relevant relationships.

Cooperation requires not only agency, but other agents as well. You can’t cooperate by yourself, nor can you cooperate with other subjects or individuals who are incapable of cooperating (i.e., incapable of making decisions).

This can be briefly illustrated by considering another conceptual connection – this time between cooperation and consent. Cooperation requires consent.[[4]](#footnote-4) Without consent, any interaction between agents seems like straight-up coercion (in some form or other). Any interaction between an agent and a non-agent (i.e., something lacking the ability to make decisions) doesn’t seem to qualify as ‘cooperation’ because it would just be one individual exercising their agency over another (non-agential) individual. There’s nothing the non-agent is doing, or has to do, to cooperate. While the ability to consent (like the ability to make decisions) may involve a plethora of abilities that some beings don’t possess (e.g., the ability to reason, understanding language, communicate, etc.), it also seems to require the right kind of environment.[[5]](#footnote-5) If you hold a gun to my head and I agree to give you my family’s land, I am certainly not consenting in any genuine, legitimate, or meaningful way to this transaction. I’m in a situation where I’m being coerced. And, with your gun to my head, my giving you our family’s land doesn’t seem to be some form of genuine, legitimate, or meaningful cooperation.

As this illustrates, cooperation requires consent, and consent requires at least two agents. So, cooperation requires at least two agents. Since cooperation requires agency, and necessarily involves at least two agents, cooperation can only occur *between* agents. If there’s only one agent, there’s no cooperation, and since trees, water, ecosystems, a lot of non-human animals, etc. are not agents (as previously defined), then there can be no cooperation between these entities and humans. This excludes problems concerning our treatment of the earth and non-human animals from being moral problems.

If moral problems only occur between agents, the role of non-agents in the existence of moral problems is severely limited (if not non-existent). Non-agents can’t have moral problems because they can’t engage in cooperation. And while this may capture *some* non-American Indian/Native American or euro-centric intuitive notions about the limits of moral problems (e.g., moral problems don’t exist between a beaver and a tree), it should be questioned whether it’s better for *these* intuitions, rather than more American Indian/Native American or non-euro-centric intuitions, to be justified or given priority.[[6]](#footnote-6)

**3.1.2 The Second Problem: Morally Relevant Relationships and Agency**

As has been stated, using the concept of cooperation to delineate moral problems restricts the moral domain to problems that occur between agents. This results from cooperation requiring agency as conceived of as the ability to make decisions. In §3.1.1 I articulated and explained why this particular conception of agency is required for cooperation to occur. In this section I will show why this conception of agency is problematic. And, since cooperation requires this conception of agency, cooperation is problematic as a means of demarcating moral from non-moral problems.

The concept of cooperation is a problematic concept for demarcating moral and non-moral problems because it suggests that we can conceive of an individual as separate from their environment (i.e., their surroundings, situations, contexts, circumstances, etc.), and hence from their morally relevant relationships. Conceiving of an individual this way is akin to a kind of theoretical colonization. Just like colonization involves removing Indigenous peoples from their land and the attempt to eradicate Indigenous cultures, using concepts like cooperation to demarcate moral from non-moral problems involves conceiving of an individual as separable from their environment and, thereby, eradicating that individual’s practices and beliefs that result from their connection with their environment.

As was mentioned earlier, cooperation requires agency, and agency requires internal and external components. The internal component is a set of capacities possessed by an individual. It’s a feature or property that applies to individuals – not one that identifies a relationship. As agency is understood as a requirement for cooperation, it’s a *precursor* to morally relevant relationships.[[7]](#footnote-7)

Morality, according to the cooperative conception, only exists because agents face cooperative problems. In order to engage in cooperative behavior, both individuals require some set of capacities to engage in that cooperative behavior (i.e., the internal component). Since the internal component is a property or feature of *individuals*, both individuals require these capacities before they can cooperate. It’s not a feature that results from relationships.[[8]](#footnote-8) In the same way that ‘brown hair’ is a feature of an individual (it either applies or doesn’t apply to any particular individual), the internal component either applies or doesn’t apply to particular individuals. This can be contrasted with a feature that only applies to relationships, such as ‘lives with.’ For ‘live with’ to apply to a particular individual there needs to be at least one other individual to whom it applies.

Consider Sally and the Beaver from earlier. ‘Brown hair,’ as an individual feature, is something that can apply to both Sally and the Beaver. However, for ‘lives with’ to apply to Sally or the Beaver, there has to be another individual to whom it applies for it to be true or false that Sally or the Beaver *lives with* that particular individual. For instance, if I’m evaluating whether it’s true or false that Sally lives with the Beaver, there have to be two individuals present: Sally and the Beaver. My assessment of, ‘Sally lives with the Beaver,’ is determined to be true or false by considering *the relationship* between Sally and the Beaver (e.g., whether they are or aren’t living together) – not by considering *individual* traits of Sally and *individual* traits of the Beaver.[[9]](#footnote-9)

Using the distinction between the internal and external components mentioned in §3.1.1, ‘agency,’ as required for cooperation, requires an internal component. Although the cooperative definition requires the external component, I want to point out that it *also* requires the internal component. The requirement of the internal component is the problem with the cooperative definition. In order to identify external and internal components, these two components need to be thought of as separable. An individual is conceived of without reference to an environment, and an environment is only conducive to individuals with particular traits.

Agency may exist as a result of our need for cooperative relationships (thus making it so that the cooperative definition requires the external component); however, it doesn’t exist solely as a result of our first having cooperative relationships. The internal component doesn’t exist as a result of having cooperative relationships – it occurs prior to, or is required for, these relationships. It results from our *need* for these kinds of relationships. The internal component may have evolved *as a means* of cooperating – i.e., it may have evolved because of a *need for* cooperation. However, even if this is true, it’s still a feature of *individuals* as opposed to being an identifying feature of *relationships*. If the internal component is a trait that applies to individuals prior to morally relevant relationships (i.e., prior to an ability to cooperate), then it doesn’t exist as a result of existing relationships. Or, in other words, morally relevant relationships only exist when they occur between agents (i.e., morally relevant relationships can only be had *between* agents). This conception of an individual as somehow theoretically separable from their environment – void of any connection to their surroundings – precludes moral problems from occurring between an individual and their environment. And this restricts the moral domain and excludes problems between agents and non-agents (e.g., non-human animals and the earth) from being moral problems.

**3.2 Summary**

Cooperation requires agency and can only occur between at least two agents. As such, if moral problems are cooperative problems, moral problems are restricted to only existing between agents.

Agency, as conceived as being necessary for cooperation, is taken to require individuals to possess a particular set of properties or features. In other words, cooperation requires the internal component of agency. Since moral problems only occur between agents, they, as opposed to non-agents, have to possess a feature or property (or set thereof) that non-agents lack. This makes agency require a feature of individuals as separated from their environment and relationships. To have a morally relevant relationship there needs to be cooperation, and cooperation requires more than one agent. Therefore, morally relevant relationships require more than one agent.

Since agency is required for morally relevant relationships, it’s something that must be possessed by an individual before that individual can have any relationships wherein moral problems exist. This conception of individuals, as existing apart from or somehow separable from their environments, though related, is a separate problem from the problem concerning the restrictive scope of moral problems (i.e., the moral domain). Conceiving of individuals as separable from their environments incorrectly identifies who and why some individuals are morally relevant while requiring the internal component of agency leads to moral problems only occurring between agents, thereby making the moral domain too restrictive.

**4. Using the Concept of *Harmony* to Delineate Moral Problems**

There is another way of understanding moral problems that doesn’t require us to restrict the moral domain as cooperation does. In elaborating this alternative, I am not suggesting that it should be adopted by empirical researchers. Rather, I am pointing out that the answer to the moral demarcation problem adopted by many empirical researchers prevents them from directly considering some important parts of morality. In contrast, using the concept of “harmony” to demarcate moral problems not only allows many problems that are widely accepted as moral ones to appear as such, but it also better explains what makes some relationships morally relevant.

Instead of moral problems being understood as cooperative problems, moral problems can be understood as problems of promoting or maintaining balance.[[10]](#footnote-10) When this balance exists, there can be said to be harmony. When an imbalance exists, then there is a moral problem. Or, in other words, a problem in *need* of solving. How this balance or equilibrium is metaphysically understood isn’t important for this contrast, and I won’t provide a detailed account here.[[11]](#footnote-11) The main idea is that there is some natural feature or property that is in constant motion that is shared amongst all things. Acts effect how this property is distributed, and an act or omission is bad if it further promotes imbalance, thereby creating disharmony, and acts are good if they promote or restore balance, thereby bringing about harmony.[[12]](#footnote-12) There may be a variety of conceptions of harmony, but it’s a common concept in American Indian/Native American ethics.[[13]](#footnote-13)

Before proceeding, I’d like to explain why this is an American Indian/Native American concept. Harmony is relation-dependent and can be used to refer to relationships between agents and non-agents. Given the importance that American Indians place on our relationships to the land and non-human animals, harmony is better suited to give these beings moral consideration. As Viola Cordova (2007) states:

The universe of the Native American is based on the concept of Harmony. This leads to the idea that man, a part of that universe, must adapt himself to and be responsible for the continuing harmony he sees about him… Harmony, evidenced in the benefits of cooperation with his group and in man’s ability to adapt to changing circumstances in his environment (the seasons and the change of lifestyles required year in and year out), is in his eyes the right behavior (p. 123).

Whether these beings have moral consideration *because* of the emphasis on harmony, or the emphasis on harmony results *from* these beings having moral consideration, the concept of harmony allows for moral consideration to apply in ways that are important for American Indian/Native American lifestyles and worldviews.

Balance and the promotion of harmony are emphasized because of the interconnectedness of all things, and, given this interconnectedness, balance and living with your surroundings was necessary as a means of survival.[[14]](#footnote-14)

Together with the knowledge that everything is dependent upon everything else comes a respect which borders on fear. We are all related and therefore must be constantly aware of how our actions will affect others, whether they are plants, animals, people, or streams (Beck and Walters (1977), p. 12)

Bringing about balance means reciprocating with other living beings,[[15]](#footnote-15) and appropriately reciprocating requires detailed knowledge about those beings and our relationships with those beings.

The important thing with these conceptions is that harmony is a relational property. Harmony is something that applies to relationships instead of applying to individuals. An individual can’t be in harmony if there’s not something to be in harmony with.[[16]](#footnote-16)

As it pertains to the moral demarcation problem, moral problems are those problems that result from an existing imbalance. When an imbalance exists, there’s disharmony. In other words, there is a moral problem when there’s disharmony. Any problem that isn’t the result from some imbalance isn’t a moral problem. For example, climate change or factory farming are moral problems if they create imbalances. Something like not being able to find your favorite Minnesota Timberwolves jersey when you’re in a hurry isn’t a moral problem if it doesn’t create an imbalance. However, there may not be a standard that makes it such that certain problems are *always* moral problems. Climate change and factory farming aren’t moral problems *if they don’t create an imbalance*. Not being able to find your favorite Minnesota Timberwolves jersey can be a moral problem, *if it creates an imbalance*.

As was stated in §3.1.2, the problem with conceiving of moral problems as cooperative problems is that it removes an individual from their context or surroundings by conceiving of an individual as isolated or separable from their environment (this was the result of cooperation requiring the internal component). Understanding moral problems as problems of promoting or maintaining harmony doesn’t create this problem. Imbalances and inequalities can exist between agents and non-agents.

Understanding moral problems as problems of promoting or maintaining harmony can avoid conceiving or removing an individual from their environment. This is because, on this understanding, agency isn’t required for there to be morally relevant relationships and can instead result from those relationships.

We have no reason to assume that the internal component is required for moral problems to occur if we stop assuming that agency is necessary for morally relevant relationships. It may just be the case that some relationships are necessary for agency, and those relationships that are necessary for agency are *morally relevant* relationships. In other words, agency exists as a result of our morally relevant relationships – our morally relevant relationships don’t exist as a result of our having agency. Harmony, as defined, doesn’t assume that agency is necessary for morally relevant relationships. As such, harmony doesn’t require the internal component. It may still require the existence of the external component,[[17]](#footnote-17) but if it does, it doesn’t require the existence of the external component as a necessary condition for morally relevant relationships.[[18]](#footnote-18) However, the external component aside, as was stated in §3.1.2, the problem with the cooperative definition of moral problems is that it requires the internal component. It may also require the external component, but it’s the additional requirement of the internal component that restricts moral problems to only occurring between agents.

Using harmony to demarcate moral from non-moral problems doesn’t require the internal component because morally relevant individuals are conceived of as existing as a result of morally relevant relationships. There are no individuals that exist without some sort of relationship.[[19]](#footnote-19) Whether that relationship is to other humans, non-human animals, or the earth, the relationship is necessary for the existence of the individual because each individual exists in some surrounding, and, as such, has some relationship with that surrounding. This can be highlighted by Onondaga Clan Mother Audrey Shenandoah when she states:

There is no word for “nature” in my language. Nature, in English, seems to refer to that which is separate from human beings. It is a distinction we don’t recognize. The closest words to the idea of “nature” translate to refer to things which support life (Arden and Wall (1990), p.26).

Individuals may be morally relevant because of their relationships with their environments, but they don’t require some set of decision-making capacities to have those relationships.

Consider, again, the earlier example of Sally and the Beaver. Using the cooperative conception of agency, Sally is *first* an agent, and her agency allows her to have morally relevant relationships. The relationships exist *because* of the existence of agency. If those relationships are with other agents, then there can be cooperation. However, Sally can’t cooperate with the beavers because the beavers are not agents. Sally can *use* the beavers, but, since the beavers don’t have the requisite internal features, Sally can’t *cooperate* with the Beaver. As such, no moral problems exist between Sally and the beavers. However, the internal component isn’t required if we conceive of relationships as antecedent, necessary conditions for agency. Sally and the Beaver *first* have a relationship. *Then*, this relationship *may be* the kind of relationship that provides Sally (and perhaps the beavers) with agency.[[20]](#footnote-20) Agency exists *because* of the existence of relationships like this.

Nothing about the cooperative definition precludes conceiving of agents as having a relationship with their environment or non-human animals (i.e., non-agents). However, they can’t cooperate with these individuals. Therefore, those relationships with non-agents aren’t, by themselves, morally relevant. However, conceiving of morally relevant relationships as more than just relationships between agents will change the moral importance of agency.[[21]](#footnote-21) If morally relevant relationships can exist between an and individual with the internal component and an individual without the internal component, then relationships *may* only require one individual with the internal component to be morally relevant. Or, agency *may* not be required at all – meaning, morally relevant relationships could exist between individuals without the internal component.

**5. Concluding Remarks**

In this paper I have argued that the cooperative demarcation of moral problems is too restrictive for two main reasons. First, it requires the internal component of agency, and, second, it assumes that moral agency is prior to morally relevant relationships. I have also shown how the American Indian/Native American concept of *harmony* can be used to answer the moral demarcation problem. By contrasting the use of harmony with the use of cooperation when answering the moral demarcation problem, I hope to have highlighted the limitations of using cooperation and the benefits of using harmony.

With regard to story from the beginning, Sally and the beavers, using the cooperative definition of moral problems means Sally isn’t facing a moral problem because Sally can’t cooperate with the Beaver. However, using the concept of harmony can explain why Sally and the beavers are facing a moral problem. Their relationship is morally significant, because it’s a relationship that requires balance. It thereby is part of the reason why both Sally and the beaver themselves are morally significant. Bringing about or maintaining that balance, i.e., promoting or maintaining harmony, is the way of solving their problem.

**References**

Arden, H. and Wall, S. (1990). *Wisdom Keepers: Meetings with Native American Spiritual Elders*. Ed. White Deer of Autumn. Beyond Words Publishing, Inc.

Beck, P.V. and Walters, A.L. (1977). *The Sacred: Ways of Knowledge, Sources of Life*. Navajo Community College.

Chaudhuri, J. and Chaudhuri, J. (2001). *A Sacred Path: The Way of the Muscogee Creeks*. UCLA American Indian Studies Center.

Cordova, V.F. (2004). “From an Artist’s Point of View.” In *American Indian Thought*. Ed. Anne Waters. Blackwell Publishing.

Cordova, V.F. (2007). *How It Is: The Native American Philosophy of V. F. Cordova*. Eds., Kathleen Dean Moore, Kurt Peters, Ted Jojola, and Amber Lacy. University of Arizona Press.

de Waal, F. (2006). *Primates and Philosophers: How Morality Evolved*. Princeton University Press.

DuFour, J. (2004). “Ethics and Understanding.” In *American Indian Thought*. Ed. Anne Waters. Blackwell Publishing.

Erdrich, H.E. (2008). *National Monuments*. Michigan State University Press.

Farrer, C.R. (1991). *Living Life’s Circle: Mescalero Apache Cosmovision*. University of New Mexico Press.

Greene, J. (2013). *Moral Tribes: Emotion, Reason, and the Gap Between Us and Them. Penguin*.

Haidt, J. (2012). *The Righteous Mind: Why Good People Are Divided by Politics and Religion*. Vintage.

Hobbes, T. (1651/1994). *Leviathan*. Edited by Edwin Curley. Indianapolis, IN: Hackett Publishing.

Joyce, R. (2002). *The Evolution of Morality*. Cambridge, MA: The MIT Press.

Kitcher, P. (2011). *The Ethical Project*. Harvard University Press.

Miller, J.L. (Forthcoming). “Etemeyaske Vpokat (Living Together Peacefully): How the Muscogee Concept of Harmony Can Provide a Structure to Morality.” In *Comparative Metaethics: Neglected Perspectives on the Foundations of Morality*. Ed., Colin Marshall. Routledge Press.

Plato. (1992). *Republic*. Translated by G.M.A. Grube. Revised by C.D.C Reeve. Indianapolis, IN: Hackett Publishing.

Prinz, J. (2007). *The Emotional Construction of Morals*. Oxford University Press.

Sinclair, N. (2012). “Metaethics, Teleosemantics and the Function of Moral Judgments.” *Biology and Philosophy*, 27 (5), 639-662.

Singer, P. (2011). *The Expanding Circle: Ethics, Evolution, and Moral Progress*. Princeton University Press.

Smyth, N. (2017). “The Function of Morality.” *Philosophical Studies*, 174 (5), 1127-1144.

Tomasello, M. (2016). *A Natural History of Morality*. Harvard University Press.

1. For an occurrence of the problem presented in this story, see news reports like the following: <https://www.newschannel5.com/news/beaver-dam-causes-flooding-concerns-in-hendersonville>. [↑](#footnote-ref-1)
2. Nicholas Smyth (2017) has recently criticized these ways of understanding the function of morality. While I find his criticism convincing, my concerns are separate from his, and I will be providing an alternative way of demarcating moral from non-moral problems. [↑](#footnote-ref-2)
3. I am not making any claims or assumptions about the relationship between agency and moral responsibility. In other words, when I use the word ‘agency’ I am not assuming or referencing anything specific regarding moral praise or blame. [↑](#footnote-ref-3)
4. I will use ‘consent’ to refer to explicit or implicit consent. At most, genuine, sincere, or legitimate *implicit* consent is required. Assuming people can mistakenly presume there’s implicit consent, it’s not the presumption of implicit consent that matters – it’s whether the consent is *actually* implied. [↑](#footnote-ref-4)
5. Another way of thinking about this is that cooperation requires consent, and consent requires agency. [↑](#footnote-ref-5)
6. I will not be making this argument here, but I’m not ruling out that moral problems can exist between a beaver and a tree. On some accounts of what constitutes a *moral* problem, this may qualify, and I don’t think these kinds of situations should be automatically dismissed as not constituting a moral problem. [↑](#footnote-ref-6)
7. Peter Singer (2010) makes a similar point when discussing the evolution of morality. He points out that we have good reason to think that our moral capacities are rooted in biological propensities that we inherited from our pre-human ancestors. As a result, social contract theories, like those of Thomas Hobbes (1651/1994), are mistaken in thinking that morality developed out of our cooperation with others. “It is not the force of the state that persuades us to act ethically. The state, or some other form of social power, may reinforce our tendency to observe an ethical code, but that tendency exists before the social power is established” (p. 24). [↑](#footnote-ref-7)
8. As was stated earlier, the cooperative definition requires *both* internal and external components. However, even if this weren’t the case, the point I’m making is that the cooperative definition *at least* requires the internal component. If it requires the internal component, then agency isn’t only a feature of external factors (i.e., relationships). [↑](#footnote-ref-8)
9. Another way of stating this is to say that the internal component is a one-place predicate instead of a multi-place predicate like ‘between’ or ‘lives with.’ In the same way that ‘brown hair’ is a predicate of an individual, the internal component applies to individuals. ‘Agency,’ as required for cooperation, is a conjunction of a one-place predicate (the internal component) and a multi-place predicate (the external component). [↑](#footnote-ref-9)
10. Arden and Wall (1990), p. 97; Beck and Walters (1977), p. 15. [↑](#footnote-ref-10)
11. For a fuller explanation of the relationship between the concept of harmony and morality see Miller’s (forthcoming) example using the Muscogee (Creek) understanding of harmony. [↑](#footnote-ref-11)
12. A further explanation of this idea can be found in Jean and Joyotpaul Chaudhuri’s (2001) *A Sacred Path: The Way of the Muscogee Creeks*. [↑](#footnote-ref-12)
13. As an example of how central the concept of harmony is in American Indian/Native American philosophy, see John DuFour’s (2004) argument about how harmony grounds epistemological practices, and chapter 2 of Claire R. Farrer’s (1991) *Living Life’s Circle: Mescalero Apache Cosmovision*. [↑](#footnote-ref-13)
14. Arden and Wall (1990), pp. 66-67; Beck and Walters (1977), p. 13 and p. 25; Cordova (2004); Cordova (2007), pp. 113-116, pp. 183-185, and pp. 212-213; Farrer (1991), pp. 29-32. [↑](#footnote-ref-14)
15. Cordova (2007), pp. 113-116. [↑](#footnote-ref-15)
16. This doesn’t eliminate the possibility of there being internal harmony. Someone saying, “I’m in harmony” can be understood as still referencing a relationship between *parts* of their being (e.g., the functioning of their internal organs, their beliefs and actions being aligned, etc.). The point is that a relationship is still being referenced instead of just an individual (e.g., an individual internal organ, or an isolated or individual belief or action, etc.). For example, eating can be a way of restoring balance and bringing someone back into harmony. This is because eating is a way of restoring, or providing, the body with energy and nutrients so that a person can function in accordance with their desires. What it means to be in harmony in these kinds of instances, however, is that there is now a balance between desires and the ability to act on those desires (or some other relationship). Another example of internal harmony can be found in Plato’s discussion of the parts of the soul in book IV of *Republic*. Thank you to Colin Marshall and James Maffie for these examples. [↑](#footnote-ref-16)
17. I won’t be making the argument here, but it’s possible that agency is primarily a feature of an individual’s surroundings. That would mean we can conceive of the external component (i.e., one’s surroundings) as being an enabling condition for decision-making. A beaver in the right environment, might have the capacity to make decisions. This would require surroundings or an environment *vastly* different from ours, but I’m not convinced it’s inconceivable. If this is possible, agency may not require any particular internal component, and instead could primarily be the result of how one’s surroundings enable whatever abilities or properties an individual may possess. Harmony, then, may still be compatible with agency, but agency is understood as result from external features (i.e., one’s surroundings). [↑](#footnote-ref-17)
18. Harmony may require the external component for other reasons (e.g., assessing guilt, blame, praise, etc.), but the point here is that it doesn’t require the external component *as a pre-condition* for morally relevant relationships. It’s not as if you first have the external component, then, as a result of this, you are able to develop morally relevant relationships (with some factor other than the external component determining what makes the relationship morally relevant). This would still seem to imply that decision-making (i.e., agency) is relevant for moral status. Instead, the relationships that provide you with the external component are the morally relevant relationships. [↑](#footnote-ref-18)
19. Cordova (2007), pp. 183-185; Miller (forthcoming). [↑](#footnote-ref-19)
20. Not all relationships have to grant agency. Having agency in some relationships (those with my friends and romantic partners) doesn’t entail that there’s agency in other relationships (those with your boss or police or some other authoritative figures). If someone’s in a relationship where they are unable to make decisions (because they’re not in a position of power), then that relationship isn’t conducive to that person having agency. [↑](#footnote-ref-20)
21. Another way of understanding this is to think of the order in which the term ‘agency’ is applied to individuals. The term ‘agency’ could be first applied, then defined; or, it could be defined, then applied. We could first define agency (however we’d like to define it, e.g., as a set of capacities required for decision-making), then apply it to individuals who fit the stipulated definition (e.g., individuals who have the requisite capacities). Or, we could apply the term to certain individuals, and try to define it in light of features that are shared among those to which it applies. Assuming ‘agency’ is a morally loaded term or concept, the distinction between these two approaches can be understood by considering whether ‘agency’ is a morally loaded term *prior* to how it’s applied, or if it’s morally loaded *after* it’s been applied. I’m not going to argue that either of these approaches is correct. Nor am I going to argue that the concept of ‘agency’ has any *particular* moral imports (i.e., that it implies anything *particular* about morality). These may be projects for future research. However, I’m assuming that it has *some* moral import. In other words, it’s relevant to discussions of morality *in some way*. In doing so, a relevant question to ask is: *from where does it get its moral import*? [↑](#footnote-ref-21)