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## A critique of Thad Metz's African theory of moral status

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Thad Metz defends what he considers to be a novel theory of moral status, i.e. an account about what beings are owed direct duties in virtue of their moral significance. Metz claims that his account is African, it is plausible and that it is worth taking seriously like other competing accounts in the Western philosophical tradition. In this article, I give four reasons why we should doubt, if not reject, these claims of plausibility. Firstly, I show how a theory that accounts for moral status by relying solely on some facet of human nature ultimately fails to grant intrinsic value to non-human components, and as such it will always prefer human interests over those of nonhuman components, and further it won't have a moral-theoretical basis to assign intrinsic value to non-human components. Secondly, I hope to demonstrate that this theory will not be able to account for the moral status of Martians and in turn show that it does not secure the standing of animals from such beings. I also argue that his account does not give credible evidence for the intuition that severely injured human persons have greater moral status than animals with similar internal properties. Finally, I briefly indicate that this theory does not have the corpus to explain our duties to people who have died, or at least, their bodies.

### Introduction

Thad Metz articulates a novel theory (modal-relationism) of moral status according to which some being has moral status insofar as it has a capacity for friendliness with normal adult human beings. Metz claims the following about his account of moral status. Firstly, he claims to harvest this theory from African axiological resources (hence, he calls it "African"). Secondly, he claims that his relational account is *better* than the individualist, holist and extant relational accounts since these fail to accommodate one or more of the uncontroversial intuitions in the Western (philosophical) literature, such as: (1) human beings and animals both have moral status for a unitary reason though human beings have a higher moral status than animals; and (2) even a severely mentally incapacitated human being has a greater moral status than an animal with identical internal properties. Lastly, he further observes that his theory ought to be taken seriously as much as other dominant accounts in the Western philosophical tradition, like welfarism and rational agency, since it solves some of the long-standing theoretical problems, like the two intuitions mentioned above. In this article, I argue that there are good philosophical reasons to doubt the plausibility of Metz's account of moral status.

In this article, I offer four reasons that substantiates why I doubt this theory's plausibility. A theory that accounts for moral status by relying solely on some facet of human nature ultimately fails to grant *intrinsic* value to non-human components; and, as such it will always prefer human interests over those of non-human components; and, more, it won't have a moral-theoretical basis to assign value to non-human components for their own sake. Secondly, I hope to show that Metz's account fails to capture the moral status of Martians in a way that may have negative implications for some facets of nature, specifically, for the sake of argument, animals. Thirdly, I do not think Metz gives a convincing argument for the claim that severely mentally injured human beings have greater moral status than some animals. Metz thinks severely mentally injured persons have greater moral status than animals with whom they share similar internal features because we tend to do more for these

than we do for animals. I observe that our doing more for severely mentally injured human persons does not necessarily prove that they have greater moral status than animals. Finally, I will briefly highlight a problem that Metz does not anticipate with regard to the moral status of the dead.

In this article, I will not consider all aspects of Metz's theory. For example, I will not scrutinise the claim of whether his account is truly African (a claim I doubt).<sup>1</sup> Also, I will not engage Metz with regard to his theory's implications for the young; the intuitions Metz holds appear to be inconsistent from ones usually entertained by scholars and people below the Sahara.<sup>2</sup> The above-stated objections, so far as I am concerned, are sufficient to bring to question or even disprove Metz's claims of plausibility and his appeal that his account should be taken as seriously as other theoretical contenders in the English-speaking literature.

I structure this article as follows. In the first section, I define the notion of moral status and the assumptions that accompany it; I here follow Metz's understanding of these terms. Secondly, I discuss Metz's theory of moral status. Thirdly, I critically reflect on Metz's moral theory, in the order suggested above, of the four reasons that capture why I doubt the plausibility of his account.

### The concept of moral status

To assert that some being has "moral status" is tantamount to claiming that it is morally significant, i.e. it has moral value, and, as such, we owe it some moral obligations or, at least, we should consider it in our moral calculus. According to Manuel Toscano, "moral status" "...is a normative condition that determines how this entity should be treated...what is morally permissible or impermissible" (2011, 16), to the effect "that how moral agents treat that being is morally important" (DeGrazia 2008, 183). The "normative condition" that explains what is permissible or impermissible will be captured by a theory (or conception) of moral status. But, what stands out clearly (from this definition) is that such an entity is morally worthy of our considerations in terms of how we should treat it: it is a moral patient. Metz states, "[t]he concept of moral status is the idea of something being the object of a 'direct' duty, i.e. owed a duty in its own right, or is the idea of something that can be wronged" (2012, 389).

This definition captures three facets of the notion of moral status. Firstly, to say that an entity has "moral status" is to claim that it is a being of value or a moral patient. Secondly, it is to claim that certain ways of treating such a being would count as doing something wrong, i.e. flouting a moral principle. And, lastly, it is to claim that there are certain treatments of the being that would count as harming it or wronging it, i.e. one would be making it worse off rather than better off. I proceed now to consider Metz's theory of moral status.<sup>3</sup>

### Metz's theory of moral status

In what follows, I discuss Metz's relationalist conception of moral status qua capacity for friendliness. Metz differentiates among three approaches to a talk of moral status: individualism, holism and relationalism. "Individualism" grounds moral status in some entity's intrinsic properties like sentience, consciousness, memory or rationality (Behrens 2011, 18). "Holism" assigns moral status to groups like ecosystems or some species (Behrens 2011, 18). Metz defends a "relationalist" approach, which he considers to be somewhat a middle-way between individualism and holism. He

1 Metz's own lack of consistent commitment to whether this theory is African or not is reason enough. Metz, anticipating that some people (like me) might have scruples about the "African" status of his theory, instead of sticking to his guns that this theory is African, he rather impatiently states – "Although I believe it apt to call the theory of moral status I have constructed 'African' since it is grounded on features of folkways and worldviews that are salient among the black peoples of the continent, it ultimately matters little what it is called. What matters most is how well it accounts for comparatively firm judgments about what has moral status and to what degree" (2012, 396). Notwithstanding, I have scruples with this theory, as Metz, for example, among others, imports intuitions that are typically Western in his African "theory" with regard to his understanding of abortion.

2 Africans typically distinguish a human community in terms of the living (normal human beings), the living-dead (ancestors) and the not-yet-born. The last category is typically thought to have some moral status and be worth facilitating to life (Ramose 1999, 62; Bujio 2001, 1–2, 5, 88–89); on the other hand, Metz's position with regard to what he calls "the young" is Western, as he appeals to the intuitions that only in the second trimester does a foetus have a moral status (Flemming 1987, 15–16).

3 I will not here get into the details about the fact that Metz thinks this notion of moral status is a "threshold" concept rather than a "scalar" one, and that he treats it as one admitting degrees to the effect that some things have greater, others lesser and others have none at all.

distances himself from extant relational accounts as he regards these to be *parochial*; as such he rejects some feminist and (some possible construction of) African relational accounts (2012, 396).

A “relationalist” conception of moral status is the “view that it (moral status) is constituted by some kind of interactive property between one entity and another” (Metz 2012, 390). Thus, on a relationalist approach, “something has moral status insofar as it is capable of having a certain causal or intentional connection with another being” (Metz 2012, 387). Metz thus qualifies his theory of moral status as *relational* insofar as it appeals to some interactive property between beings. Metz further clarifies that his “proposal is that a being has moral status roughly insofar as it is capable of being part of a communal relationship of a certain kind. A large majority of existing relational theories of morality appeal to *actual* relationships, but my suggestion is, instead, to appeal to *modal* ones” (Metz 2012, 393, emphasis added). He thus describes or calls his account “modal-relationalism” (Metz 2012, 387, 390). In other words, Metz does not ground moral status in *actual* relations or the actual exercise of the relevant (human) capacity. He grounds moral status on the mere fact that a being *can* – the mere ability to – exercise the relevant relational capacity without regard to contingent obstacles that may temporarily inhibit its exercise. What matters on this theory for capturing moral status is that the being in question has the relevant capacity for communal relations and not so much its exercise.<sup>4</sup>

The next critical question to consider is: which relationships ground the relevant relational capacity since moral status is a function of being “capable of being a part of a communal relationship of a certain kind”? Metz elaborates that the “communal relations” he has in mind, consistent with his principle of right action, are those of *identity* and *solidarity* (2007, 335–337; 2012, 394). By “identity” Metz simply refers to an ability to “share a way of life with others”, and by “solidarity” the ability “to care to improve the quality of others’ life” for non-instrumental reasons (Metz 2009, 51).<sup>5</sup> A being, according to Metz, has full moral status if and only if it is capable of both being a *subject* and an *object* of relations of identity and solidarity; and has *partial* moral status if it can only be an *object* of harmonious relations; and has no moral status at all, if it can’t be an object of such relations, like a stone (Metz 2012, 394).

A being is a *subject* of harmonious relations insofar as it “can share a way of life with others” (identity), i.e. it can conceive of itself in terms of “we” with others, it can coordinate projects with them to achieve some desirable end and it “can care to improve the quality of others’ life” (solidarity), i.e. acting motivated by good will or sympathetic considerations for the sake of another’s well-being (Metz 2007; 2009; 2012). And, a being is an *object* of such relations if it can be included in relations of identity and solidarity by others: this means inter alia that such an entity can be included in relations with human beings and as such can be made worse or better off. From the following, Metz thinks it follows that a *normal* human person, for example, is both a subject and an object of harmonious relations since she can participate in communal relations in the relevant sense and can benefit from such relations. Animals, for example, are only objects of such communal relations; and stones, trees or even mountains are neither subjects nor objects since they cannot be included in friendly relations or be made worse/better off.

I observe that Metz’s theory is *anthropocentric*, i.e. it is human-centred insofar as it essentially locates moral status in some human facet. And I further observe that Metz is not correct to observe that if his account is anthropocentric, it is so in a way that is not objectionable; or, so I hope to show. Metz states:

The theory might appear to be anthropocentric in that it cashes out moral status in terms of *certain human capacities*. To be able to be an object of a communal relationship, on this view, is analysed in terms of a *capacity to relate to normal human beings in a certain way*.

4 In this light, Metz ingeniously talks about “contingent obstacles”, by this he refers to psychological states (like drunkenness or being asleep) or things like slavery under which a person may be unable to exercise her valuable capacity (2012). What matters for his account is the mere ability to exercise and not its exercise.

5 In detail, by “identity”, Metz means at least three things. Firstly, one must be able to reciprocally think of herself in terms of “we” with others. Secondly, to share in some goals with others, and lastly, to jointly coordinate activities to achieve those goals. These three elements of identity constitutes and are tantamount to sharing a way of life. By solidarity he has in mind a belief, desire and purpose to benefit another for their own sake by exercising sympathy and empathy to improve their lot on deontological grounds (2007, 337–338).

And so there is an *irreducible appeal to humanity in its conception of moral status* (2012, 400, emphasis added).

It is clear, according to this theory, that the property *human* is essential for explaining this relational theory of moral status. It would appear then that it is not strictly the relational property that is doing the job of accounting for moral status per se; rather, it is this adventitious property of being human that is also playing a decisive role in determining moral status. To demonstrate the human-centeredness of this theory, consider the following example. For some animal, say a dog, to be an object of moral status, it must be able to be included by human beings in a certain way in some communal relation. Thus, there is an essential and an irreducible appeal to the human (or some human facet) as a property in detailing out moral status. In other words, one cannot sufficiently and correctly talk about moral status without invoking the *human* as part of the moral narrative. The interactive or relational property that grounds moral status counts if and only if the being in question can be either positively or negatively affected by a human being's relational capacity for friendship.

If this observation that the property *human* plays a crucial role in determining moral status is correct, then it should follow logically that a being that cannot relate with a human being cannot have moral status. So, the ability to relate with human beings defines the scope of what morally matters and what does not. It follows, therefore, I observe, that human beings are not merely an exemplary instance of moral status on this planet; but, more, they have a feature that defines moral status itself. And, human beings have moral status or even dignity<sup>6</sup> since they have the capacity for friendliness (both as subjects and objects) in a way and to an extent that no other being has in the natural kingdom (Metz 2012, 397). Other beings like animals and severely injured human beings have (partial) moral status insofar as they can be included in relationships by human beings and they can benefit or suffer such interaction; but, they cannot be subjects because they do not have the idea of acting for the sake of another being, or at least Metz thinks so. I turn now to evaluate Metz's moral theory.

### Criticism of Metz's theory

Can an account that explains moral status purely in terms of an ability for friendliness, either both as a subject and an object (full moral status), or as an object (partial moral status) of such relations, stand the test of logical scrutiny? I argue below that Metz's theory has serious philosophical limitations that compromise its status of plausibility or its aspiration to be taken seriously like other influential accounts in the Western philosophical tradition. This theory's major philosophical limitation is that it veers from the intuition that informs much of the talk of environmental ethics: the intuition that some aspects of nature morally matter independent of human good or consideration. The following historical commentary grounds my intuitions against anthropocentrism; as such it is a good opening for my criticisms of Metz's account:

When environmental ethics emerged as a new sub-discipline of philosophy in the early 1970s, *it did so by posing a challenge to traditional anthropocentrism*. In the first place, it questioned the assumed moral superiority of human beings to members of other species on Earth. In the second place, *it investigated the possibility of rational arguments for assigning intrinsic value to the natural environment and its nonhuman contents* (Brennan and Lo 2011, emphasis added).

This passage highlights that Western moral theories have tended to be characterised by human moral chauvinism. Morality was generally limited to human beings and only human beings mattered, morally speaking, on planet Earth. But, environmental ethics emerges as a critical response against this humanist tendency insofar as it is reported that it is on a quest to find "rational arguments for assigning *intrinsic* value to the natural environment". I am attracted to the idea of intrinsic value associated with non-human components because it denotes a search to consider these as morally

6 Full moral status is tantamount to dignity. The highest degree of moral status is dignity and human beings have this. Metz defines dignity as the "ability to fully participate in communal relations" (2012, 397).

valuable in and of themselves, i.e. independent of any human consideration at all. If this historical commentary is anything to go by, it surely warns us about and against grounding an environmental ethics on a stubbornly human-centred meta-ethical foundation. If non-human components are to have value in their own right, then anthropocentrism in its various stripes cannot be a viable option, or so I think. Anyway, my critique will work mainly for those who share the intuition that there is something unattractive about anthropocentrism.

My intuition against anthropocentrism is informed by my immersion and familiarity with predominant intuitions about non-human components below the Sahara. Typically, Africans understand nature as valuable in its own right. For example, Felix Murove, an African ethicist, observes that “there is a community of substance between the various forms of life” (Murove 2004, 204), or, “the fact that there is an indissoluble solidarity between humanity and the natural environment” (2004, 205). If a moral theory is to emerge in Africa, it must reflect this relational aspect in a way that is non-anthropocentric, contrary to Metz’s account. Secondly, this non-anthropocentric move has recently been endorsed in doctoral research by Kevin Behrens, who observes that there are thinkers in the African tradition who take an anthropocentric reading of African ethics, but he concludes by defending non-anthropocentrism as the best reading of the African moral tradition (2011).<sup>7</sup> The same conclusion is defended from a somewhat theo-philosophical stance by Puleng LenkaBula (2008). The holistic and relational framework that characterises much of African thought, I observe, is more in tune with the spirit behind the concerns of environmental ethics (Verhoef and Michel 1997; Bujo 2001; Shutte 2001). I will not here defend these intuitions.

In light of the above foregrounding of why I take non-anthropocentrism seriously as a viable philosophical strategy for a robust moral environmentalism, I turn to criticise Metz’s account. The weakness of Metz’s account, I submit, is a function of its human-centred axiology that is a chief characteristic of the African secular meta-ethical stance, a position that has unfortunately come to dominate the tradition (Wiredu 1992; Gyekye 1995). Recently, this position has been undermined on the grounds that it cannot secure the moral status of animals (Molefe 2016). To demonstrate the philosophical limitations of Metz’s account, I appeal to Martians, animals, marginal cases and the dead, respectively.

### **Martians, animals and moral status**

According to Metz’s theory, animals have moral status because they can be included in human relationships in a way that can either benefit or harm them, i.e. they are objects of communal relations. Precisely because animals can be included in such relations, we have duties or obligations to treat them with some moral regard. It is crucial to note, I submit, that it is not merely the (moral) ontology of animals (their possession of features that qualify them to be included in relations) that ultimately secures their moral status.<sup>8</sup> In some decisive way their moral status is pinned to the ontological property of *human* – how they can be either positively or negatively affected by human beings. It is not the animals’ abilities to enter into relationships between themselves as subjects and/or objects that entirely does the job of accounting or securing their moral status. Metz insists that the property *human* is what completes the essence of this relational account: sufficient talk of moral status has an *irreducible appeal to humanity*. In other words, according to this theory of moral status, the *standing* of all other beings is definable in terms of being able to enter into a relationship of friendship (as a subject or object) with human beings.

Further, Metz acknowledges that some may want to suggest what he refers to as “friendly amendments” to his theory that “propose community with some other being or other”, rather he insists that moral status rests entirely on the ability to have “community with normal human beings as the relevant property” (2012, 397). This rejection of “friendly amendments” has these implications. One, it implies that 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

7 Incidentally, Metz supervised this doctoral research. One wonders why Metz in this paper does not defend or give reasons why he takes a human-centered axiology seriously.

8 By “moral ontology” I have in mind what Stephen Darwall refers to as “recognition respect”, i.e. the ontological feature in virtue of which some being is worthy of our respect (Darwall 1977, 33–34).

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. If this observation is true at all, it follows then that this theory falls victim to the so called “last man objection” (Brennan and Lo 2011).

The “last man objection” invites us to imagine the last person on Earth who is left with just a moment before she dies. Will she be justified, morally speaking, to arrange matters such that after her demise the planet will be destroyed, seeing that no human being will ever live and so their interests, welfare or dignity will not be harmed? The force of this objection resides in its call for us to imagine the possibility that human beings may not be a permanent feature of the world, i.e. come to terms with their contingency (Ramose 1999). If human beings are merely a contingent feature of the planet, is it reasonable to pin the moral value and the good of the environment on this one feature of the environment? 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.

To demonstrate this theory’s susceptibility to something like the last man objection, I draw a distinction between friendship<sub>1</sub> and friendship<sub>2</sub>. I use the qualifier “something like” because I intend to tweak this objection to problematise the anthropocentric element in Metz’s theory. Human beings have a capacity for friendship<sub>1</sub> and Martians have a capacity for friendship<sub>2</sub> – there is no discernible difference between these two kinds of *friendships* except that one is possessed by human beings and the other by Martians. And, I wish to add one major consideration about human beings and Martians. These have the same capacity for sharing a way of life and caring for others’ welfare. Except, crucially, that these two entities, for some strange biological reason, I *stipulate*, cannot enter into any kind of interaction with each other.<sup>9</sup>

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. However, this is a strange implication for Martians not to have moral status given that they have the relevant relational capacity, except that they lack a non-moral feature of not being human and do not have the ability to relate to human beings – but can relate with other entities both positively and negatively.

The grounding of moral status on a being’s ability to relate with normal human beings raises questions about the *objectivity* of the value in question. Is the ability for friendship objectively valuable or is it valuable only if it is possessed by human beings? Not only are we beset by questions about the objectivity of the recognisable relational capacity, but we are now also struck by the fact that this theory, in its insistence on the property *human*, over and above the relevant relational feature, appears to be both *arbitrary* and *parochial*. Further, the rejection of the “friendly amendments” does not help Metz’s case. If Martians have the same capacity except, at least, that they cannot have a relationship with human beings, why are they denied moral status? It is not clear what, according to this theory, it is about the ability to relate with human beings that produces moral status that Martians do not have except that they are not human. This theory does not anticipate these issues nor attempt to address them. This qualifier – irreducible appeal to humanity – is left philosophically unjustified, i.e. why must we accept that a talk of moral status must be essentially grounded on certain human features? Insofar as some *human* capacity for friendship is made the criterion for moral status is not philosophically justified, no reason or argument is offered for us to accept such a controversial claim. This account’s essential appeal to humanity as a source of moral value is arbitrary. Further, this theory is not only based on arbitrary and controversial anthropocentric considerations, it can be considered to be objectionably anthropocentric like such other theories as found in the West (Brennan and Lo 2011).

It is of interest to note that Metz does not think that anthropocentrism is in and of itself objectionable. He simply assumes that his anthropocentrism is not of an objectionable kind. I have just showed that his anthropocentrism is arbitrary insofar as it excludes beings that reasonably should be considered to have moral status given their possession of the right moral-ontological

<sup>9</sup> It is not crucial to my point to explain the reason for this biological situation I have alluded to above. Neither is it necessary for me to specify whether Martians are empirical beings like us. I am stipulating this unfortunate inability of the two to relate with each other to pursue the arbitrariness of the property *human* as an essential part of this theory.

equipment (relational capacity) from having it. I now proceed to show that it is also objectionable since it is parochial.

Suppose with me that human beings go extinct on planet Earth (for some evolutionary reason) and Martians take over. The planet will never again have anything like a capacity for friendship<sub>1</sub>, but is now characterised by friendship<sub>2</sub> – remember, no difference between friendship<sub>1</sub> and friendship<sub>2</sub> except the one is human and the other is not. We are now forced to reckon with some concerning implication from Metz’s theory of moral status. It appears that what matters for Metz’s account of moral status is not the relational capacity for friendship as such, but the fact that this is a *human* capacity. If the same capacity is found in other *alien* beings, like a Martian, it does not count as moral status unless this being can somehow relate to a human being in the first place. One implication flowing from Metz’s account is that even if Martians have a capacity for friendship<sub>2</sub> that can make animals better or worse off, without the presence of human beings, one cannot properly talk of moral status. By implication, it appears that the metaphysical misfit or mishap between human beings and Martians renders them as having no moral duty to other components of nature, irrespective of the fact that they can harm them. It appears, quite clearly, I think, that objective goodness of the capacity for friendship is curtailed by Metz’s insistence on the metaphysical property of the human or the ability to have relationships with humans, as a defining feature of moral status.

It is safe, therefore, to observe that the presence and absence of human beings matters in this moral theory for its own sake, for the sakes of all other entities, since their moral status depends on human beings as such. In this light, this pinning of a theory not so much on the relevant moral consideration (the capacity itself), but on the ontological fact of being human makes this theory parochial. The blatant harms and wrongs that may flow from Martians to animals remain unaccounted for and the theory as it stands fails to treat these as wrongs and harms at all merely because Martians cannot relate to human beings.

One may here reasonably ask: does it follow that since Martians have no moral status, they can treat animals however they like? I observe that the emergence of such a question signals that there is something incomplete about this theory, because we can no longer appeal to it to find answers about some of the issues. To answer the question directly, a theory of moral status is intended *inter alia* to inform “us” (including Martians) about which beings are moral patients and how we may exercise our moral agency towards other beings. This theory appears unhelpful for Martians as it appeals to a feature, *human*, that is metaphysically out of reach for them.

Thus, two implications follow from this human-centred axiological account. One, extra-terrestrial beings that might have features similar to our own but differ in some respects, in that they cannot relate with us, have no moral status. All moral value is human-centred, human-dependent and human-derived. Secondly, in the absence of human beings, injuries that animals might suffer from other non-human entities like Martians may not be properly considered as wrongs and harms to them since to talk of morality requires an ability on the part of Martians to relate with human beings, not merely the relevant relational moral property. Moreover, the implication that follows from this is that even though in the absence of human beings animals have moral status, it is not clear what value this fact will have for them given that their concern should be the present threat, Martians.<sup>10</sup> If these observations are true, then they implicate Metz’s theory in speciesism. Martians have no moral status because they are not human.

### Metz on marginal cases

Furthermore, Metz claims that his theory can secure the intuition that “even a severely mentally incapacitated human being has a greater moral status than an animal with identical internal properties” (Metz 2012, 387). Metz does not give us an example of what he has in mind when he employs the qualifier “identical internal properties”. I will not probe him in this regard, but it would have helped if he had provided a concrete example. What argument does Metz offer for supporting this intuition? He argues:

10 I observe that a correct interpretation of Metz does not imply that animals do not have moral status in the absence of human beings because it depends merely on their *ability* to relate with these rather than in the actual relation.

Compared with animals, normal human beings *are more able* to include “deformed” humans such as psychopaths, as well as the mentally incapacitated, in a “we”, cooperate with them, act in ways likely to improve their quality of life, exhibit sympathetic emotions with them, and act for their sake. *We do much more* for the psychopathic and the mentally incapacitated than we do animals, *which is evidence of a greater ability* to make them an object of a friendly relationship (Metz 2012, 397, emphasis added).

The evidence proffered by Metz to prove that mentally injured persons have greater moral status than animals with similar internal features is hardly convincing. The evidence that Metz produces to substantiate this claim is that we tend to do much more for these than we do for animals. This kind of reasoning appears to be begging the question – what is at issue appears to be the very supposition that marginal cases have greater moral status than animals, which we usually invoke to explain our tendency to do more for them. The supposition that mentally injured persons have greater moral status generally informs our tendency to do more for these people. But, now, we are scrutinising this supposition that grounds this tendency of doing more for them – are we morally justified in believing and behaving in a way that suggests that these have a greater moral status than animals with identical internal properties? If this analysis is correct it follows that we require an *independent consideration* to justify the claim that these have greater moral status, which will justify our doing more for them in the first place.

Furthermore, even if one does not agree with me that this evidence begs the question, one must at least agree with me that *doing more* as evidence is vague insofar as there are some instances where doing more for some being does not necessarily entail greater moral status. Doing more, might, and it does at times, signify *other* moral and non-moral considerations. Yes, I admit that we should do more for beings with greater moral status, but *doing more* for some being does not necessarily and always imply that she has greater moral status.

Consider, for example, the debate in moral philosophy about whether morality is best defined in terms of partiality or impartiality. Incidentally, Metz defends partiality (Metz 2009, 52). “Partiality” recommends that we ought to prioritise or do more for our families and friends than for strangers. But, surely, this doing more for our special and extant relations does not imply that these have greater moral status than strangers. In fact, none in the debate doubts equality (moral status) of strangers and our family members, but the *doing more* for our special relations is endorsed on a different moral consideration. The point I am making is that *doing more* does not always imply greater moral status. Or, the same problem can be captured in terms of bias, more specifically, *speciesism* (a position that Metz wants to distance himself from): it is not obvious how we can rationally distinguish the *doing more* that flows from a bare fact that these injured persons are human like us, a human bias towards our own, or from ones that report greater moral status. This evidence (doing more) as it stands does not quite help us. It appears that Metz must appeal to something else other than doing more to capture why mentally incapacitated persons have greater moral status than animals with identical properties (if one agrees with me that he begs the question); if not, it appears that Metz must deal with rational indistinguishability of doing more as evidence given that it plunges us into the theoretical conundrum of not knowing whether and when our doing more is not just an instance of favouring one’s own (speciesism), or does it truly signify greater moral status, if at all?

Not only does appeal to *doing more* beg the question, and is also indistinguishable from other justified instances like when one endorses partiality without implying differences in moral status and its problematic instances like bias, moreover, it appears to be *unsuited* to support the claim that mentally injured persons have greater moral status than some animals with whom they share internal properties. In South African (and the world over, I suppose) there are pets that are better taken care of than some normal human beings. I imagine a mentally injured daughter of a maid compared to the pet of her employer – I stipulate that they share similar internal properties for the sake of argument. The employer does much more for her pet than she does for the maid’s mentally injured daughter. She may even claim that she finds herself more able to include this pet in a “we” relation than she does the mentally injured daughter of her employee – such cases are common ones in our

world of great inequalities. What are we to make of this situation? Are we to conclude that the pet has more moral status merely because the owner does more for it than a mentally injured person? Surely, that cannot be a plausible observation. Metz cannot respond and say that her doing more for the pet is a contingent obstacle caused by her ignorance; if she knew better, she would do more for the injured person with identical properties. What is the *better* that she is to know? This line of reason begs the question once again – why do we say that a human being has greater moral status? Suppose Metz reprimands the lady and says to her – “you ought to be doing more for the injured person than the cat!” The lady can meaningfully ask the *why* question and there would be nothing in what Metz said already (in the reprimand) that would have been an answer to her question. So, the evidence that Metz has offered to the effect that mentally injured persons have greater moral status than animals is not satisfactory. I now proceed to highlight what might be an unexpected problem for Metz’s theory: the moral status of the dead.

### Moral status and the dead

Do we owe any duties to bodies of persons who have died? I will not burden the reader here with anthropological data to the effect that bodies of dead persons are treated with respect by African people and the world over. I do so because this appears to be a moral intuition that is shared globally – and, Metz himself endorses this intuition in his account. Metz states,

[f]or another, differential moral status also accounts best for uncontroversial judgments about how to treat beings that have already been killed. If an animal has been killed for whatever reason, many find it permissible not to let it go to waste; even many vegetarians would find something respectful in the stereotypical Native American practice of using every part of a buffalo. Yet such a practice applied to humans would be horrific; consider a Nazi thinking, “Well, we have already killed this Jew, and so may as well make the best of it by using his hair to stuff pillows, fat to make soap and bones to fashion buttons” (Metz 2012, 389).

Several things emerge from Metz’s consideration about bodies of things that have died. Metz appears to hold the intuition that the dead body of an animal has no moral status at all to the effect that we may use it as we like without violating any moral principle. Metz also believes that the dead body of a human being has some moral status to the effect that certain ways of treating it are (morally) impermissible – horrific. So, Metz believes that dead (human) bodies are objects of communal relations, and as such, have partial moral status. Is there a difference between the dead body of an animal and that of a human being, morally speaking? I am asking this question because it would appear that all relevant relational abilities of both animals and human beings are lost at death. Then, we may reasonably ask, why do dead human bodies qualify as objects of communal relations and animals do not?

We need to ascertain whether Metz is correct to consider bodies of dead human beings as objects of communal relations. To do so, we need to visit what Metz has to say about what qualifies as an object of communal relations and what cannot be an object of such relations. Metz informs us that

a being can be the object of a friendly relationship insofar as characteristic human beings could think of it as part of a “we”, share its goals, sympathize with it and harm or benefit it. Note that having the capacity to be an object of such a relationship does not imply that a being would or even could respond to any friendly engagement by another (Metz 2012, 394).

Metz further informs us that the decisive issue in determining the *object* status of some being is whether or not it has a welfarist good, i.e. can it be made better or worse off? In this regard he states:

A being that “cannot” be the object of a communal relationship in the relevant sense would, for instance, be one that utterly lacks the ability to have a better or worse life, say, a rock (Metz 2012, 395).

So, what follows from the quotations is that it is not enough (though necessary for an object status) that we think of it in terms of “we” or sympathise with it. The deal-maker-or-breaker is whether it can be made better or worse off by such communion, i.e. does it have a welfarist good? Take a rock for example, it utterly lacks the relevant relational capacity for a better- or worse-off life. Thus, a rock has no moral status. The crucial question, in this instance, is not so much of things that utterly lack abilities to be better or worse off, but rather those that have utterly lost such abilities, like dead people. What is the extent of the “damage” that death imposes on its victims? When human beings die, what do they lose in terms of the relevant moral capacities that qualify them as object communal relations? Animals, at least Metz supposes, lose capacities that qualify them as objects of communal relations, but he does not seem to think human beings lose their capacities. He does not quite tell us why he thinks so. As things stand, we have no reason to agree or even suppose that dead human bodies are objects of communal relations. Can we harm or benefit a body of a person who has died? In my talk about harm and benefit, I talking about welfare in a sense of improving or detracting from the quality of life. It does not appear to me that we can speak meaningfully about welfare with regard to dead bodies, in the way Metz uses this term. Well, one can damage the body of a dead human being but that does not quite capture the idea of welfare in terms of making it worse off.

Another clue we may glean from Metz about what are to count as objects of communal relation is with regard to the case of fetuses and embryos. Metz informs us that zygotes, blastocysts, and embryos “cannot even be objects of such a relationship, since they are not yet organisms capable of engaging in goal-directed activity and of being better or worse off” (Metz 2012, 398). And with regard to embryos he says, “(it) is alive, and so there may be a sense in which it would be ‘better’ if it were to stay alive, but not in the relevant sense of being ‘better off’, i.e. having an improved quality of life” (Metz 2012, 398). Dead human bodies, like zygotes and blastocysts, cannot engage in goal-directed activity and they cannot be made better or worse off. And, like embryos, they cannot be directly made better or worse off (improve their quality of life), i.e. dead people do not have a welfarist good.

If I am correct that having a welfarist good is a decisive feature in terms of determining partial moral status of bodies of persons who have died, then it follows that Metz’s account appears to be unable to account for this moral intuition. The theory fails to distinguish between bodies of animals and human beings who have died on the basis of relevant relational properties since both have utterly lost the morally relevant moral properties. There is a sense in which it would be “better” not to use/damage bodies of persons who have died for reasons of indirect duties – but this is not enough to get us to the high moral mark of a welfarist good.

Above, I presented what I consider to be strong reasons that point to philosophical limitations of Metz’s human-centred theory of moral status. Firstly, I showed problems related to its human-centeredness. I argued that it ultimately fails to protect animals and it also fails to account for the moral status of Martians since it makes the mere fact of being *human* a central component of what constitutes moral status. I also showed that it fails to give credible evidence for why we should think severely mentally injured persons have greater moral status than some animals. I also discussed how this theory does not appear to have the corpus to secure our duties to bodies of people who have died.

## Conclusion

I argued that Metz’s African theory of moral status is arbitrary and parochial insofar as it locates moral status not so much in the relevant relational feature per se, but in a human feature, thus discounting Martians from moral status even though they may possess the relevant relational capacity for friendship. As such, it exposes animals to possible harms from Martians due to its humanistic orientation. I argued that the evidence offered to defend the view that mentally injured persons have greater moral status than animals with identical properties begs the question and/or is vague, as it cannot be easily distinguished from other moral and non-moral considerations that may justify doing more for others without implying greater moral status. Finally, I sketched how this theory appears unable to account for the moral status of the dead. If this critique is true, it should

follow that a plausible theory of moral status with an African pedigree is still up for grabs. This theory among other things, I submit, will be non-anthropocentric.

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