

Mary Anne Warren on “Full” Moral Status

Robert P. Lovering
American University

1. Introduction

Among other things, the debate on moral status¹ involves establishing basic moral principles in terms of which one may determine not only which entities are morally considerable but also the kinds and degrees of obligations moral agents have toward those that are. In the contemporary debate on moral status, it is not uncommon to find philosophers who embrace the following basic moral principle:

The Principle of Full Moral Status: The degree to which an entity E possesses moral status is proportional to the degree to which E possesses morally relevant properties until a threshold degree of morally relevant properties possession is reached, whereupon the degree to which E possesses morally relevant properties may continue to increase, but the degree to which E possesses moral status remains the same.

One philosopher who has contributed significantly to the contemporary debate on moral status and embraces the Principle of Full Moral Status is Mary Anne Warren. Warren holds not only that it is *possible* for some entities to possess full moral status but that some entities actually *do*, for example, normal adult human beings (among others). In this paper, I argue that two of Warren’s primary arguments for the Principle of Full Moral Status—referred to here as the Argument from Pragmatism and the Argument from Explanatory Power—are significantly flawed. Until and unless these flaws are rectified,

Robert P. Lovering is Visiting Assistant Professor of Philosophy at American University in Washington D.C. His recent publications include “Does a Normal Fetus Really Have a Future of Value? A Reply to Marquis” (Bioethics) and “Divine Hiddenness and Inculpable Ignorance (International Journal for Philosophy of Religion). His areas of specialization are ethics and the philosophy of religion.

Warren's defense of the Principle of Full Moral Status remains tenuous.

2. Mary Anne Warren on Moral Status

In her *Moral Status: Obligations to Persons and Other Living Things*, Warren attempts to develop a theory of moral status, and this involves (among other things) establishing basic moral principles, each of which “focuses our attention upon a property or set of properties that can be appropriately used as a criterion of moral status.”² In order to understand Warren's theory of moral status, we must first understand what she believes it *means* to have moral status.

According to Warren, to have moral status

is to be morally considerable, or to have moral standing. It is to be an entity toward which moral agents have, or can have, moral obligations. If an entity has moral status, then we may not treat it in just any way we please; we are morally obliged to give weight in our deliberations to its needs, interests, or well-being. Furthermore, we are morally obliged to do this not merely because protecting it may benefit ourselves or other persons, but because its needs have moral importance in their own right.³

For any entity E, then, if E has moral status, then moral agents have, or can have, moral obligations toward E.⁴

Warren also holds that moral status admits of degrees, meaning that for any entity E that has moral status, the corresponding strength of moral obligation that moral agents have toward E is contingent upon and proportional to the morally relevant properties—that is, the kinds of intrinsic and/or extrinsic properties that are necessary and/or sufficient for moral status—E possesses as well as the degree to which E possesses them.⁵ Consider, for example, a normal adult human being and a normal adult mouse: according to Warren, though both the human and the mouse possess morally relevant properties, all else being equal, the human possesses them to a significantly greater degree than does the mouse.⁶ Accordingly, all else being equal, moral agents have a stronger degree of moral obligation toward the human than they do toward the mouse. Warren holds, then, that there is more than one “valid criterion of moral status” as well as more than one “type of moral status, with different types implying different obligations on the part of moral agents.”⁷ Thus, for any entity E, if E possesses moral status to some degree, then moral agents have a moral obligation of some proportional degree toward E.

However, according to Warren, the degrees of moral status are not limitless; rather, they culminate in what functions as a greatest degree of moral status, commonly referred to as “full” moral status.⁸ That is, Warren embraces what I have called the

Principle of Full Moral Status: The degree to which an entity E possesses moral status is proportional to the degree to which E possesses morally relevant properties until a threshold degree of morally relevant properties possession is reached, whereupon the degree to which E possesses morally relevant properties may continue to increase, but the degree to which E possesses moral status remains the same. Given the Principle of Full Moral Status, for any two entities— E_1 and E_2 —if E_1 possesses morally relevant properties to a greater degree than E_2 , but both E_1 and E_2 possess full moral status, then, all else being equal, moral agents have the same degree of moral obligation toward E_2 as they do toward E_1 . Hence, all else being equal, it would be just as wrong for moral agents to destroy or inflict pain and suffering upon E_2 as it would be for them to destroy or inflict pain and suffering upon E_1 .⁹

Finally, according to Warren, only actual entities can possess moral status.¹⁰ This probably goes without saying, for one naturally thinks that a necessary condition for possessing moral status is *existence*; surely moral agents do not, indeed *cannot*, have moral obligations toward entities that do not exist.¹¹ Warren holds, then, that only actual entities can possess moral status. And, as it stands, the only actual entities of which we are cognizant and are deemed candidates for possessing moral status to some degree are those that exist on Earth.¹² However, Warren also holds that this should not preclude us from allowing considerations of actions toward other logically possible entities to regulate our attempts to establish basic moral principles in terms of which one may determine not only which entities are morally considerable but the degree to which moral agents have moral obligations toward those that are.¹³ Indeed, such is essential to the method Warren relies so heavily upon, namely, (a version of) the method of reflective equilibrium. More will be said about this later. Suffice it to say that, though Warren holds that only actual entities can possess moral status and that the only actual entities of which we are cognizant and are believed to be candidates for possessing moral status to some degree are those that exist on Earth, she also believes that we ought to allow considerations of actions toward other logically possible entities to regulate our attempts to establish basic moral principles and, in turn, our theory of moral status.

3. Warren's Defense of the Principle of Full Moral Status: A Critique

In order to demonstrate that Warren's defense of the Principle of Full Moral Status is flawed, the following three questions need to be addressed:

- (1) Which properties are morally relevant?

- (2) What method does Warren employ when deciding which properties are morally relevant as well as the degree to which it is possible for moral status to be possessed?
- (3) Is there reason to believe that the relation between the morally relevant properties and moral status is one of limited—rather than limitless—proportionality?

Each question will be addressed in turn.

Question 1: Which properties are morally relevant?

Which kinds of intrinsic and/or extrinsic properties are necessary and/or sufficient for moral status? The proposals submitted by Warren and other contemporary philosophers involved in the debate on moral status are rather numerous and include: the capacity for and/or the possession of consciousness; sentience; beliefs; desires; self-consciousness; mental states that involve propositional attitudes; states of consciousness involving intentionality; reason; memories; expectations with respect to future events; awareness of the passage of time; moral agency; social community membership; and biological community membership, among others.¹⁴ Of course, one would like to know how Warren goes about deciding which properties are morally relevant. This brings us to the second question.

Question 2: What method does Warren employ when deciding which properties are morally relevant as well as the degree to which it is possible for moral status to be possessed?

The primary method upon which Warren heavily relies is the method of reflective equilibrium, described very well by David Boonin as involving the provisional acceptance of our moral intuitions concerning various kinds of actions—with more initial weight given to those intuitions that seem clear or forceful—along with the development of a credible moral theory that unifies and underwrites these intuitions.¹⁵ According to Boonin, in employing the method of equilibrium, one asks, “What sort of more basic principle or set of principles would have to be true in order for these sorts of more particular judgments to prove to be correct?”¹⁶ Moreover, while establishing principles that underwrite our considered moral judgments about particular types of actions, “the method directs us to give preference to those principles that are more general and more fundamental.”¹⁷ Establishing more fundamental or basic moral principles enables us to delineate which properties are morally relevant as well as the degree to which it is possible for entities to possess moral status. And establishing basic moral principles involves considering actions toward actual and other logically possible entities. If after establishing such basic moral principle

a conflict arises between the basic moral principle(s) and other moral intuitions one has concerning other kinds of actions, one must choose between revising/rejecting the principle and revising/rejecting the intuition.¹⁸

Not only does Warren rely heavily upon this method in her work on moral status, she has numerous reasons for doing so, perhaps the best of which is that, as Boonin puts it, "there seems to be no plausible alternative."¹⁹ Another important reason, however, pertains to the difference between *basic* and *derived* moral principles.²⁰ A moral principle is basic for an individual if no conceivable revision of factual (i.e., nonmoral) assumptions or beliefs can make her revise the principle, whereas a moral principle is derived for an individual if such revisions *can* make her revise the principle. For example, suppose someone embraces the moral principle "It is wrong to inflict pain and suffering upon anything." If it turns out that the individual will revise this moral principle under certain factual circumstances, such as, say, when the infliction of pain and suffering upon an entity is necessary to prevent the infliction of even greater pain and suffering on that same entity, then the moral principle is derived for that individual. Suppose further that the individual revises the original moral principle so that it becomes, "It is wrong to inflict pain and suffering upon anything *unnecessarily*." If it turns out that the individual will *not* revise this moral principle under certain factual circumstances, such as, say, when the pain and suffering is inflicted unnecessarily upon an extraterrestrial being, then the moral principle is basic for that individual. The acceptability of basic moral principles, then, is not contingent upon nonmoral assumptions or beliefs as is the acceptability of derived moral principles.

The importance of the distinction between basic and derived moral principles vis-à-vis the method of reflective equilibrium is as follows. When employing the method of reflective equilibrium, one attempts to determine what sort of more basic principle(s) would have to be true in order for our moral intuitions concerning various kinds of actions—particularly those intuitions that are clear and forceful—to prove to be correct. Moreover, since the acceptability of basic moral principles is not contingent upon nonmoral assumptions or beliefs as is the acceptability of derived moral principles, basic moral principles should be applicable not merely to the world as it actually is but as it can be conceived to be. Given, then, that Warren is interested in establishing basic moral principles in terms of which one may determine which entities are morally considerable and the degree to which moral agents have moral obligations toward those that are, and given that basic moral principles should be applicable not merely to the world as it actually is, but as it can be conceived to be, considerations of

actions toward logically possible entities are entirely relevant. For such considerations are essential to the evaluation of basic moral principles. Warren has very good reason, then, for employing the method of reflective equilibrium in the debate on moral status.

Question 3: Is there reason to believe that the relation between morally relevant properties and moral status is one of limited—rather than limitless—proportionality?

In other words, is there reason to embrace the Principle of Full Moral Status? For, according to the Principle of Full Moral Status, the relation between morally relevant properties and moral status is one of *limited* proportionality, that is, it is one of proportionality *only until* a threshold degree of morally relevant properties possession is reached, whereupon the degree to which an entity E possesses morally relevant properties may continue to increase, but the degree to which E possesses moral status remains the same. Hence, given the Principle of Full Moral Status, a relation of limitless proportionality between morally relevant properties and moral status does not obtain.

Is there reason to embrace the Principle of Full Moral Status? Warren thinks so. And though she presents numerous arguments for the Principle of Full Moral Status, those that seem to do much of the work appeal either to pragmatism or to the power of the principle to explain some of our intuitions.²¹ Each kind of argument—referred to here as the Argument from Pragmatism and the Argument from Explanatory Power—will be examined in turn.

3.1 The Argument from Pragmatism

Warren contends that we have strong pragmatic reasons for introducing a threshold degree of morally relevant properties possession, that is, for embracing the Principle of Full Moral Status. Specifically, Warren argues that the pragmatic ends of human beings may serve as reasons for according moral status to some degree to both human and nonhuman entities. Regarding nonhuman entities, for example, she writes, “if we wish humanity to survive and flourish into the distant future, we might be wise sometimes to accord moral status to plant and animal species, and other elements of the natural world that are not themselves living organisms.”²² And since moral status admits of degrees, necessarily, according moral status to such nonhuman entities involves according a degree of moral status to them as well. Likewise, regarding human beings, Warren contends that we have strong pragmatic grounds for attributing moral status to a particular degree to them, such as *full* moral status to *normal adult* human beings, among others.²³ For

example, regarding the rights associated with full moral status, she writes, "Without these moral entitlements, few of us can hope to live well ... human lives may not be wholly solitary, but they are usually poorer, shorter, and nastier."²⁴ After running pragmatic considerations through the method of reflective equilibrium, then, Warren's considered judgment is to accord full moral status to normal adult human beings, among others, and according full moral status to these entities requires introducing a threshold degree of morally relevant properties possession. Hence, we have pragmatic reasons for believing that the relation between morally relevant properties and moral status is one of limited—rather than limitless—proportionality. In this way, Warren contends that the Principle of Full Moral Status is justified on pragmatic grounds.

There are, I submit, at least two significant problems with Warren's pragmatic defense of the Principle of Full Moral Status. First, it is logically incompatible with Warren's own analysis of the concept of moral status, which suggests that we are "morally obliged to give weight in our deliberations to the needs, interests, or well-being of entities with moral status ... not *merely* because protecting it may benefit ourselves or other persons, but because its needs have moral importance in their own right."²⁵ Stated negatively, an entity (including a normal adult human being, presumably) cannot be accorded moral status to some degree *merely* in virtue of the fact that human beings would somehow benefit from doing so. Yet, if the Principle of Full Moral Status is to be defended on pragmatic grounds, Warren must hold (as she seemingly does) that some entities *can* be accorded moral status to some degree *merely* in virtue of the fact that human beings would benefit from doing so. Warren, then, is faced with a dilemma: Either she must reject her own analysis of the concept of moral status or she must reject this pragmatic justification for the Principle of Full Moral Status.²⁶ Each horn of the dilemma entails unsavory consequences for Warren's position.

A second, more significant problem with this pragmatic defense of the Principle of Full Moral Status is that it undercuts Warren's view regarding the moral irrelevancy of empirical properties such as race, sex, and species. Warren holds that, *qua* intrinsic properties, race, sex, and species are not morally relevant.²⁷ Yet, if determining which entities possess moral status to some degree may be settled legitimately on pragmatic grounds—that is, on the basis of extrinsic (relational) properties—then even if one grants that, *qua* *intrinsic* properties, race, sex, and species are not morally relevant properties, *qua* *extrinsic* properties, they may be entirely *relevant—depending on one's pragmatic ends*. And if one's pragmatic end is the flourishing of the white race, or of the male sex, or of the human species, then, *qua* extrinsic

properties, race, sex, and species *are* morally relevant. Thus, just as Warren may accord full moral status to normal adult human beings on the grounds that such will enable them to flourish, so the racist may accord full moral status to all and only normal adult *white* human beings on the grounds that such will enable whites to flourish, the sexist may accord full moral status to all and only normal adult *male* human beings on the grounds that such will enable males to flourish, and the speciesist may accord full moral status to all and only members of the species *Homo sapiens* on the grounds that such will enable humans to flourish.²⁸ In short, if Warren can relegate considerations of intrinsic properties and hold that a plant or animal species can be accorded moral status to some degree on the basis of extrinsic properties—specifically, on pragmatic grounds—I see no reason why the racist, sexist, or speciesist cannot likewise relegate considerations of intrinsic properties and hold that a certain race, sex, or species can be accorded moral status to some degree on pragmatic grounds as well. So again, Warren is faced with an unpalatable decision. She must either:

- (a) tell a viable story about why she is allowed to relegate considerations of intrinsic properties and settle issues of moral status on the basis of extrinsic properties (specifically, pragmatic grounds) while the racist, sexist, and speciesist are not;
- (b) allow for the moral relevancy of properties such as race, sex, and species; or
- (c) reject this pragmatic justification for the Principle of Full Moral Status.

Of the three, (a) seems to be Warren's most promising option. So what viable story might Warren tell about why she is allowed to relegate considerations of intrinsic properties and settle issues of moral status on pragmatic grounds, while the racist, sexist, and speciesist are not? Presumably, she would want to argue that the pragmatic ends of the racist, sexist, and speciesist are immoral, while her own are not. But on what grounds could she argue for this? It seems it could not be on the grounds that, *qua* intrinsic properties, race, sex, and species are morally irrelevant, since *on her own terms*, considerations of intrinsic properties may be relegated in favor of pragmatic considerations when determining issues of moral status. Nor could it be on the grounds that, *qua* extrinsic properties, race, sex, and species are morally irrelevant, since such would simply beg the question.

Perhaps, however, Warren holds that considerations of intrinsic properties can be relegated in favor of pragmatic

considerations when determining issues of moral status *only if* such relegation does not override moral principles derived from considerations of intrinsic properties. In other words, perhaps Warren believes that considerations of intrinsic properties have lexical priority over pragmatic considerations such that moral principles derived from the former cannot be overridden by moral principles derived from the latter. If she holds this, then Warren has grounds for believing that the pragmatic ends of the racist, sexist, and speciesist are immoral, while her own are not. For the moral principles she derives from pragmatic considerations do *not* override moral principles derived from considerations of intrinsic properties, while the moral principles the racist, sexist, and speciesist derive from pragmatic considerations *do* override moral principles derived from considerations of intrinsic properties. For example, Warren argues that all normal adult human beings possess full moral status on the basis of (among other things) the intrinsic property of moral agency.²⁹ Since normal adult human beings of all races and sexes are moral agents, normal adult human beings of all races and sexes possess full moral status. Now, suppose the racist attempts to relegate consideration of this intrinsic property and argue on pragmatic grounds that all and only normal adult *white* human beings have full moral status. If considerations of intrinsic properties have lexical priority over pragmatic considerations such that moral principles derived from the former cannot be overridden by moral principles derived from the latter, then the racist's attempt to argue on pragmatic grounds that all and only normal adult white human beings have full moral status will prove unsuccessful. (Likewise, *mutatis mutandis*, for the sexist and speciesist.) Hence, if Warren holds that considerations of intrinsic properties can be relegated in favor of pragmatic considerations when determining issues of moral status *only if* such relegation does not override moral principles derived from considerations of intrinsic properties, then she *can* tell a viable story about why she is allowed to relegate conceptual considerations and settle issues of moral status on pragmatic grounds while the racist, sexist, and speciesist are not.

The question, then, is whether Warren *does* hold that considerations of intrinsic properties have lexical priority over pragmatic considerations. There is reason to believe she does not. To be sure, *Moral Status* is strewn with considerations of intrinsic properties and their correlative moral principles, but these considerations do not seem to be given lexical priority over pragmatic considerations. Indeed, in the opening chapter of *Moral Status*, Warren tells us that she intends to examine critically the major alternative theories of moral status "with an eye to their practical consequences" and to argue that theories of moral status that focus upon a certain intrinsic property lead

to consequences that are “pragmatically unacceptable.”³⁰ Statements such as these indicate that Warren gives lexical priority to pragmatic considerations rather than to considerations of intrinsic properties. And this she seemingly does, as pragmatic considerations regularly override considerations of intrinsic properties in each of Warren’s critiques of the major alternative theories of moral status. So from the very beginning, Warren seems to give pragmatic considerations lexical priority over considerations of intrinsic properties.

Another reason to believe that Warren does not hold that considerations of intrinsic properties have lexical priority over pragmatic considerations is that, from the outset, Warren seems *resolutely convinced* that certain entities—namely, normal adult human beings and those whom normal adult human beings care about (e.g., marginal cases, such as infants and the severely mentally retarded)—have (or, at least, should have) full moral status.³¹ And this, I submit, renders it more likely that she gives pragmatic considerations lexical priority over considerations of intrinsic properties. If, from the outset, one is resolutely convinced that normal adult human beings and those whom normal adult human beings care about (should) have full moral status, then one is predisposed to give lexical priority to the kind of justification that is more likely to account for this. Given that justification based on pragmatic considerations is more likely to account for normal adult human beings and those whom normal adult human beings care about (should) having full moral status than justification based on considerations of intrinsic properties (a point Warren demonstrates so well and relies heavily upon in *Moral Status*), Warren is predisposed to give lexical priority to justification based on pragmatic considerations. That is, she is predisposed to give pragmatic considerations lexical priority over considerations of intrinsic properties. Given Warren’s resolute conviction that normal adult human beings and those whom normal adult human beings care about (should) have full moral status, then, we have further reason to believe that Warren does not hold that considerations of intrinsic properties have lexical priority over pragmatic considerations.

If the preceding is correct, and Warren does *not* hold that considerations of intrinsic properties have lexical priority over pragmatic considerations, then Warren could not argue that the pragmatic ends of the racist, sexist, and speciesist are immoral, while her own are not, on the grounds that, qua intrinsic properties, race, sex, and species are morally irrelevant. For, *on her own terms*, pragmatic considerations have lexical priority over considerations of intrinsic properties.

Moreover, even if I’m wrong about this, and Warren *does* hold that considerations of intrinsic properties have lexical priority over pragmatic considerations, Warren’s pragmatic

defense of the Principle of Full Moral Status still does not preclude the racist, sexist, and speciesist from relegating considerations of intrinsic properties and settling *some* issues of moral status on pragmatic grounds. For example, even if considerations of intrinsic properties have lexical priority over pragmatic considerations, and even if, on account of this, the racist cannot accord full moral status to all and only normal adult white human beings on pragmatic grounds, it does not follow that the racist cannot accord full moral status to all and only white human *infants* (or to all and only white, severely mentally retarded humans) on pragmatic grounds, since doing so would not involve overriding a moral principle derived from considerations of intrinsic properties. As Warren herself concedes, one cannot confer full moral status upon human infants or severely mentally retarded individuals on the basis of considerations of intrinsic properties alone—conferring full moral status upon such beings requires an appeal to pragmatic considerations as well.³² Thus, when the racist accords full moral status to all and only white infants or to all and only white, severely mentally retarded individuals, his doing so does not override a moral principle derived from considerations of intrinsic properties. Hence, even if Warren does hold that considerations of intrinsic properties have lexical priority over pragmatic considerations, her pragmatic defense of the Principle of Full Moral Status is still vulnerable to counter-examples involving racism, sexism, and speciesism.

A final way in which Warren could defend the claim that the pragmatic ends of the racist, sexist, and speciesist are immoral, while her own are not, is by appealing to common sense, something she does quite frequently in *Moral Status*.³³ The problem with such appeals is that they tend to strike many of us as largely rhetorical in nature and, accordingly, often ring hollow. Indeed, I'm inclined to think that appeals to common sense are dubiously reliable if not, as Singer puts it, the last resource of those who have run out of arguments.³⁴ Suffice it to say that, though (a) is Warren's most promising option, I find it unlikely that she will be able to attempt to tell such a story without either begging the question, invoking some distinction that fails to account for marginal cases, or relying upon mere rhetoric. Moreover, (b) and (c) entail unsavory consequences for Warren's position. Thus, in any case, Warren's pragmatic defense of the Principle of Full Moral Status is subject to strong criticism.

3.2 The Argument from Explanatory Power

Warren contends that the Principle of Full Moral Status is able to explain intuitive judgments that many of us hold.³⁵ For example, to many of us it is intuitively plausible that, all else being equal, moral agents have a stronger moral obligation to a

normal adult chimpanzee than they do to a normal adult mouse and that moral agents have a stronger moral obligation to a normal adult human being than they do to a normal adult chimpanzee. That is, for many of us, when it comes to our intuitions regarding our moral obligations toward these interspecific beings, they are *not* egalitarian in nature.

Moreover, it is intuitively plausible to many of us that, all else being equal, moral agents do *not* have a stronger moral obligation to one normal adult human being than they do to another normal adult human being, even if one possesses morally relevant properties to a greater degree than the other. That is, when it comes to our intuitions regarding our moral obligations toward these normal adult human beings, they *are* egalitarian in nature. And the Principle of Full Moral Status can explain these intuitions.

Regarding the cases of the mouse and the chimpanzee, and the chimpanzee and the human being, the Principle of Full Moral Status states that moral status comes in degrees—that the corresponding strength of moral obligation that moral agents have toward an entity is proportional to the morally relevant properties that entity possesses as well as the degree to which that entity possesses them. And since the chimpanzee possesses morally relevant properties to a degree greater than the mouse and the human possesses morally relevant properties to a degree greater than the chimpanzee, all else being equal, moral agents have a stronger moral obligation to the former than they do to the latter in each of these cases. In this way, the Principle of Full Moral Status explains what is intuitively plausible to many of us, namely, that, all else being equal, moral agents have a stronger moral obligation to a normal adult chimpanzee than they do to a normal adult mouse and that moral agents have a stronger moral obligation to a normal adult human being than they do to a normal adult chimpanzee.

Regarding the case of two normal adult human beings, the Principle of Full Moral Status states that there is a threshold degree of morally relevant property possession that confers upon an entity what functions as a greatest degree of moral status, namely, full moral status. And since normal adult human beings possess morally relevant properties to this threshold degree (if not beyond), all else being equal, moral agents do not have a stronger moral obligation to one normal adult human being than they do to another normal adult human being, even if one possesses morally relevant properties to a greater degree than the other. In this way, the Principle of Full Moral Status explains what is intuitively plausible to many of us, namely, that, all else being equal, moral agents do *not* have a stronger moral obligation to one normal adult human being than they do to another normal adult human

being, even if one possesses morally relevant properties to a greater degree than the other.

However, even if the Principle of Full Moral Status explains some of the intuitive judgments that some of us hold, it also fails to explain—if not conflicts with—other intuitive judgments that some of us hold. Insofar as this is the case, and insofar as we are inclined to cling to our initial intuitions (as Warren is inclined to do in the preceding cases), we have reason to reject the Principle of Full Moral Status.³⁶ Consider the case of a normal adult extraterrestrial being who possesses morally relevant properties to the degree of a normal adult human being, and another logically possible being I'll refer to as "quasigod," a natural being who possesses the morally relevant properties to degrees exponentially greater (say, by a factor of millions) than the extraterrestrial being. According to the Principle of Full Moral Status, moral agents would *not* have a stronger moral obligation toward quasigod than they would toward the extraterrestrial. But this strikes me (and, I suspect, would strike many others) as counterintuitive. To tease out the counterintuitive response, consider the following.

Suppose one found oneself in the unenviable position of having to choose between the destruction of or infliction of pain and suffering upon the extraterrestrial being and the destruction of or infliction of pain and suffering upon quasigod. Suppose further that neither of the potential victims knows or ever will know who is doing the choosing.

Would one think that the *only* way to choose fairly is through an independent procedure such as a coin-flip? If one embraced the Principle of Full Moral Status, it seems one should. If it is the case that the significant difference in degree of morally relevant properties possession between the extraterrestrial being and quasigod does *not* entail a different degree of moral status—that, all else being equal, it is just as wrong to destroy or inflict pain and suffering upon the extraterrestrial being as it is to destroy or inflict pain and suffering upon quasigod—then choosing fairly between the two entities *must* be done through an independent procedure such as a coin-flip. That is, it must be based on some criterion or set of criteria other than the entities' morally relevant properties. But the suggestion that the only way to choose fairly is on the basis of an independent procedure such as a coin-flip—that choosing fairly on the basis of the morally relevant properties they possess and, particularly, the degree to which they possess them is precluded—strikes me as strongly counterintuitive.³⁷

Would one think that, morally speaking, it matters not whether one chooses to destroy or inflict pain and suffering upon the extraterrestrial being or whether one chooses to destroy or inflict pain and suffering upon quasigod? In other

words, would one think that, from the moral point of view, it is a matter of indifference whether one chooses the extraterrestrial being or chooses quasigod? If one embraced the Principle of Full Moral Status, then it seems one should. Despite the significant difference in degree of morally relevant properties possession, all else being equal, moral agents have the same degree of moral obligation toward the extraterrestrial being as they do toward quasigod. That is, since destroying or inflicting pain and suffering upon the extraterrestrial being is morally on a par with destroying or inflicting pain and suffering upon quasigod, it should not matter (morally speaking) whether one chooses the extraterrestrial being or quasigod. Yet, far from being a matter of indifference, whether one chooses to destroy or inflict pain and suffering upon the extraterrestrial being or upon quasigod strikes me as a matter of great moral concern, and this is due to the fact that these entities possess morally relevant properties to significantly different degrees.³⁸

And so it is, I submit, that the Principle of Full Moral Status produces counterintuitive results in some cases.

Of course, at this point, Warren may suggest that all this talk about logically possible entities such as quasigod and extraterrestrial beings has gone too far and, consequently, become unacceptable. After all, some people actually *believe* that beings comparable to quasigod exist (e.g., supernatural beings); yet, even *their* appeals to such beings are unacceptable, since “about the existence of such beings there is no general consensus.”³⁹ Thus, Warren may object to the preceding case involving quasigod on the grounds that it takes considerations of actions toward logically possible entities too far and, subsequently, renders them unacceptable.

However, even if there is no general consensus about the existence of such beings (supernatural, quasigod, et al.), the question that should concern us isn't whether there is reason to believe that such beings *exist*, but whether these beings would possess a stronger moral status than others *if they did exist*. For this is precisely the kind of question that should be asked while developing basic moral principles that are constitutive of theories of moral status. Indeed, as discussed previously, Warren agrees with this, for even she considers whether logically possible beings would possess a moral status to some degree if they existed and allows these considerations to inform her theory of moral status.⁴⁰ And she has good reason to, as was demonstrated in the section above pertaining to the method of reflective equilibrium. Since the kind of question that is asked in the case of quasigod and the extraterrestrial is whether the former would possess a stronger moral status than the latter if they existed, I fail to see on what grounds Warren would attempt to dismiss it as going too far and, consequently, unacceptable. In short, if Warren finds questions about the moral status of

extraterrestrial beings, cyborgs, self-aware robots, and androids (among others) to be acceptable and allows the answers to those questions to inform her theory of moral status, I see no reason why she cannot do the same with questions about other logically possible beings, such as quasigod.⁴¹

So if Warren wants to defend the suggestion that all this talk about logically possible entities has gone too far and, consequently, become unacceptable, she is forced to deal with another dilemma: Either she must delineate nonarbitrarily *acceptable* considerations of actions that involve logically possible entities from *unacceptable* considerations of actions that involve logically possible entities or she must reject considerations of actions toward logically possible entities altogether. If Warren were to attempt to do the former, it's not clear exactly what criterion or set of criteria she would invoke to separate acceptable from unacceptable considerations of actions that involve logically possible entities. Presumably, one criterion would be that of *logical possibility*. In order for Warren to rule out considerations of actions toward beings such as quasigod on the basis of this criterion, she would have to demonstrate that such a being is logically impossible, and this she could attempt to do by, say, arguing that it is not logically possible for morally relevant properties to be possessed to such a degree. But this is highly questionable, as is demonstrated in the following.

As previously indicated, Warren and, indeed, many of those involved in the debate on moral status hold that many of the proposed morally relevant properties admit of at least *some* degrees.⁴² A question that generally has been overlooked, however, is whether it is possible for any of them to admit of *limitless* degrees.⁴³ And it seems to me that many of them can. Consider the morally relevant property of consciousness. First, it is conceivable that consciousness admits of degrees, that is, that some entities are conscious to a greater degree than others. Indeed, it is commonly held that such is actually the case, for example, that normal adult human beings are conscious to a greater degree than many nonhuman animals.⁴⁴ Second, it is conceivable that consciousness admits of *limitless* degrees—that for any degree of consciousness, a greater degree of consciousness is possible. For example, one can conceive of an infinite set of entities whose degrees of consciousness pertain to the *number* of their objects of consciousness: One entity's consciousness is limited to consciousness of three things at any given time, another entity's consciousness is limited to consciousness of four things at any given time, a third entity's consciousness is limited to consciousness of five things at any given time, *ad infinitum*. Or, one can conceive of an infinite set of entities whose degrees of consciousness pertain to the *intensity* of their conscious experiences: The intensity of one entity's conscious

experiences reaches but never surpasses n degree, the intensity of another entity's conscious experiences reaches but never surpasses $n + 1$ degree, the intensity of another entity's conscious experiences reaches but never surpasses $n + 2$ degree, *ad infinitum*. Finally, one can conceive of an infinite set of entities whose degrees of consciousness pertain to the *levels* at which they *cognitively penetrate*⁴⁵ their objects of consciousness: the level at which one entity cognitively penetrates its objects of consciousness reaches but never surpasses n degree, the level at which another entity cognitively penetrates its objects of consciousness reaches but never surpasses $n + 1$ degree, the level at which another entity cognitively penetrates its objects of consciousness reaches but never surpasses $n + 2$ degree, *ad infinitum*. Since none of the preceding appears to involve a contradiction, we may (tentatively) conclude that it is logically possible for the morally relevant property of consciousness to admit of limitless degrees.

And so it is, I submit, with many other morally relevant properties, such as sentience, beliefs, desires, self-consciousness, states of consciousness involving intentionality, reason, memories, expectations with respect to future events, awareness of the passage of time, moral agency, and more. It is conceivable that all of these morally relevant properties admit of limitless degrees—that for any degree of any one of these morally relevant properties, a greater degree is possible. Since such does not appear to involve a contradiction, we may (tentatively) conclude that it is logically possible for these morally relevant properties to admit of limitless degrees. It appears, then, that demonstrating that quasigod is logically impossible by arguing that it is not logically possible for morally relevant properties to be possessed to such a degree would likely prove to be unsuccessful.

If, on the other hand, Warren were to reject considerations of actions toward logically possible entities altogether, she would lose a vital instrument for evaluating basic moral principles, principles which are not only constitutive of theories of moral status but play an indispensable role in the method of reflective equilibrium. Thus, in one fell swoop, Warren would lose an instrument needed to critique competing theories of moral status as well as the very method upon which she relies so heavily while supporting her own theory of moral status. Again, each horn of the dilemma entails unsavory consequences for Warren's position.

Moreover, even if one jettisons considerations of logically possible entities such as quasigod and substitutes for them normal adult human beings, the counterintuitive results produced by the Principle of Full Moral Status remain.

Suppose one found oneself in the unenviable position of having to choose between the destruction of or infliction of pain

and suffering upon one of two normal adult human beings who possess all the morally relevant properties to the same degree save one: the latter is a member of a certain social community—namely, one's own family—and the other is not. Again, suppose that neither of the potential victims knows or will ever know who is doing the choosing. Would one think that the *only* way to choose fairly which human to destroy or inflict pain and suffering upon is through an independent procedure such as a coin-flip? If one embraced the Principle of Full Moral Status, it seems one should. But this strikes me as strongly counter-intuitive—that the asymmetry between the two individuals with respect to this particular morally relevant property carries no moral weight whatsoever.⁴⁶ Indeed, in such a situation, it's quite likely that any one of us would prefer the interests of the one who is a member of our own family over the interests of the other *on the basis of all else being equal save for the one being a member of our own family*. Of course, we're not asking what we *would* do, but what we *should* do. Even so, I submit that what we would do is at least *some* evidence of what our intuitions are regarding what we should do.

Some might object to the preceding case on the grounds that the morally relevant property in question—family membership—is an extrinsic property, and had I picked an intrinsic property, I would have failed at generating a counterintuitive response. So let's consider an intrinsic property, such as reasoning. Suppose the two normal adult human beings possessed all the morally relevant properties to the same degree save for reasoning: the latter is able to reason to a greater degree than the other. Again, suppose that neither of the potential victims knows or will ever know who is doing the choosing. If one embraced the Principle of Full Moral Status, then it seems the only way one may choose fairly which human to destroy or inflict pain and suffering upon is through an independent procedure such as a coin-flip. But this strikes me as strongly counterintuitive. If all else is truly equal, then one already knows that, either way, one will bring about a bad state of affairs, namely, the death or suffering of a normal adult human being. The question, then, is which bad state of affairs is worse: the one in which the human with the greater capability for reasoning dies or suffers or the one in which the human with lesser capability of reasoning dies or suffers? Again, if all else is truly equal, it seems that the worse state of affairs is the one in which the human with the greater capability for reasoning dies or suffers. As others before me have argued, when it comes to the infliction of death as well as the infliction of pain and suffering, intrinsic properties, even the level of reasoning, are morally relevant when choosing between entities.⁴⁷ This strikes me as plausible even when one is forced to choose between two normal adult human beings.

And so it is that, even if one jettisons considerations of logically possible entities such as quasigod and substitutes for them normal adult human beings, the Principle of Full Moral Status produces counterintuitive results in some cases.

Moreover, the Argument from Explanatory Power, though perhaps plausible in some cases, is rendered significantly weaker when applied to other cases in virtue of the counterintuitive results it produces.

Conclusion

I have argued that Warren's Arguments from Pragmatism and from Explanatory Power for the Principle of Full Moral Status are significantly flawed. Of course, even if I am correct, it does not immediately follow that the Principle of Full Moral Status should be rejected in favor of some other basic moral principle. It does indicate, however, that the Principle of Full Moral Status, a principle that is deeply entrenched not only in Warren's theory of moral status but many others, is subject to criticisms that cannot be ignored. And if Warren's original position on moral status is to address the criticisms successfully, it must:

- (a) explain how a pragmatic justification for attributing moral status to some degree is logically compatible with her own analysis of the concept of moral status;
- (b) tell a viable story about why she is allowed to relegate considerations of intrinsic properties and settle issues of moral status on the basis of extrinsic properties (pragmatic grounds) while the racist, sexist, and speciesist are not; and,
- (c) overcome the counterintuitive results produced by the Principle of Full Moral Status, both those involving logically possible entities (such as quasigod and the extraterrestrial being) and those involving actual entities (such as normal adult human beings).

Until and unless this is done, Warren's defense of the Principle of Full Moral Status will remain tenuous.⁴⁸

Notes

¹ In this paper, by "moral status" I have in mind what philosophers also refer to as "moral standing" or "moral considerability." Needless to say, more will be said about this concept as the paper develops.

² Mary Anne Warren, *Moral Status: Obligations to Persons and Other Living Things* (Oxford: Oxford University Press, 2000, 148.

³ *Ibid.*, 3.

⁴ One might wonder what the difference in meaning is between the assertions "If E has moral status, then moral agents *have* moral

obligations toward E," and, "If E has moral status, then moral agents *can* have moral obligations toward E." Though Warren does not inform the reader of what the semantic difference is, I submit that the difference between the two assertions pertains to what may be referred to as *occurrent* and *dispositional* moral obligations. A moral agent M has an *occurrent* moral obligation toward an entity E only if M is currently capable of fulfilling his moral obligation toward E. A moral agent M has a *dispositional* moral obligation toward an entity E only if M is *not* capable of fulfilling the moral obligation *he would otherwise have had* toward E. For the purpose of ease of exposition, I will employ the language of *occurrent* obligations alone: for example, "Moral agents have moral obligations toward E." However, such statements should be understood as elliptical for "Moral agents have, *or can have*, moral obligations toward E."

⁵ For example, see Warren, *Moral Status*, 24, 42–3, 44, 87–8, and 156.

⁶ See Warren's chapter in *Moral Status* titled "A Multi-Criterial Analysis of Moral Status," 148–77.

⁷ Warren, *Moral Status*, 21.

⁸ See note 2.

⁹ As stated previously, Warren holds that normal adult human beings (among others) possess full moral status. Consider, then, two normal adult human beings, Joe and Bob. Suppose Joe possesses moral relevant properties to a degree significantly greater than Bob, but, *qua* normal adult human beings, both Joe and Bob possess them to a degree sufficient for full moral status (whatever that degree may be). Given the Principle of Full Moral Status, all else being equal, moral agents have the same degree of moral obligation toward Bob as they do toward Joe. All else being equal, then, it would be just as wrong for moral agents to destroy or inflict pain and suffering upon Bob as it would be to destroy or inflict pain and suffering upon Joe.

¹⁰ Warren may even include certain possible entities, such as members of future generations. Hereafter, "actual entities" should be understood as elliptical for "actual or certain potential entities."

¹¹ As obvious as it may seem, this point is not without contention. See Robert Adams, "Must God Create the Best?" in *The Virtue of Faith* (Oxford: Oxford University Press, 1987), 51–65.

¹² Like Warren, I am assuming that we do not have sufficient evidence to make belief in either extraterrestrials or supernatural beings probable. And, for the philosophers of religion reading this, I reject Plantinga's contention that belief in God's existence may be properly basic.

¹³ For a brief defense of this position, see Warren, *Moral Status*, 136. For examples of Warren putting this into practice, see Warren, *Moral Status*, 92–3, 120–1, and 136.

¹⁴ See Warren, *Moral Status*, chapters 1–6; Tom Regan, *The Case for Animal Rights* (Berkeley and Los Angeles: University of California Press, 1983), 243; and Michael Tooley, *Abortion and Infanticide* (Oxford: Oxford University Press, 1983), 90–1.

¹⁵ David Boonin, *A Defense of Abortion* (Cambridge: Cambridge University Press, 2003), 9–10. For an example of Warren's use of the method of reflective equilibrium, consider her discussion of whether potential personhood is a morally relevant property and, if so, the degree of moral status it confers upon those who possess it: "Suppose

that [a] space explorer falls into the hands of an alien culture, whose scientists decide to create a few hundred thousand or more human beings, by breaking his body into its component cells, and using these to create fully developed human beings, with, of course, his genetic code. We may imagine that each of these newly created men will have all of the original man's abilities, skills, knowledge, and so on, and also have an individual self-concept, in short that each of them will be a bona fide (though hardly unique) person. Imagine that the whole project will take only seconds, and that its chances of success are extremely high, and that our explorer knows all this, and also knows that these people will be treated fairly. I maintain that in such a situation he would have every right to escape if he could, and thus to deprive all of these potential people of their potential lives; for his right to life outweighs all of theirs together, in spite of the fact that they are all genetically human, all innocent, and all have a very high probability of becoming people very soon, if he only refrains from acting" (Mary Anne Warren, "On the Legal and Moral Status of Abortion," in *The Problem of Abortion*, 2nd ed., ed. Joel Feinberg [Belmont, Calif.: Wadsworth Publishing, 1984], 115). In the preceding, Warren considers actions toward logically possible entities while determining whether a basic moral principle involving potential personhood is acceptable, that is, whether potential personhood is a morally relevant property and, if so, the degree of moral status it confers upon those who possess it. In doing so, Warren clearly appeals to the reader's intuitions on the way to developing a credible moral theory that unifies and underwrites those intuitions,

that is, she employs the method of reflective equilibrium. See also Warren, *Moral Status*, 136, 142–3, 152, 161.

¹⁶ Boonin, *A Defense of Abortion*, 10.

¹⁷ *Ibid.*

¹⁸ *Ibid.*, 10–11. Dan Dombrowski pointed out to me that this renders Boonin's (and, in turn, Warren's) construal of the method of reflective equilibrium *deliberative*—rather than *descriptive*—in nature.

¹⁹ *Ibid.*, 12.

²⁰ This distinction was set out by Amartya K. Sen in his article, "The Nature and Classes of Preceptive Judgments," in *Philosophical Quarterly* 17 (November 1966): 46–62. Regarding this distinction, Michael Tooley writes: "A moral principle is *basic* if its acceptability is not dependent upon any non-moral facts. It is a *derived* moral principle if it is acceptable only because it is entailed by one or more basic moral principles together with propositions expressing some non-moral facts ... Basic moral principles state, of some characteristic, either that it is a right-making characteristic or that it is a wrong-making characteristic. Derived moral principles, in contrast, do not specify right-making and wrong-making characteristics. Rather, they specify characteristics that are, in some way, associated with right-making or wrong-making characteristics. The association may be simply a matter of two characteristics being frequently found together, or there may be a much tighter relation, involving some natural law" (Michael Tooley, *Abortion and Infanticide* [Oxford: Oxford University Press, 1983], 17 and 63).

²¹ See Warren, *Moral Status*, 17.

²² *Ibid.*, 168.

²³ *Ibid.*, 157–9.

²⁴ Ibid., 157–8.

²⁵ Ibid., 3, emphasis mine.

²⁶ Some might suggest that this is a false dichotomy, since Warren can also choose to modify the original analysis. However, I would suggest that a modification of the original analysis is tantamount to a rejection of it.

²⁷ See Warren, *Moral Status*, 8, 10, 42, and 176.

²⁸ Ironically, it seems that the latter is precisely what Warren does.

²⁹ Warren, *Moral Status*, 119–21 and 156–63.

³⁰ Ibid., 17.

³¹ Ibid., 18.

³² Ibid., 166ff.

³³ For example, see Warren, *Moral Status*, 172.

³⁴ Berkeley, you might recall, thought his version of subjective idealism was commonsensical.

³⁵ Warren, *Moral Status*, 5.

³⁶ See note 24.

³⁷ Some may suggest that the counterintuitive results produced by this case fail to serve as an objection to the Principle of Full Moral Status since they are generated from a forced—rather than unforced—decision. But such a response would miss the mark, for, as stated previously, the Principle of Full Moral Status is a basic moral principle and, as such, must be tested against actual and conceivable cases—including those involving both forced and unforced decisions—in order to determine whether it is acceptable. To be sure, in cases involving an *unforced* decision, the Principle of Full Moral Status may produce intuitive results (indeed, this is what Warren contends in her defense of the principle). But as a basic moral principle, we must go beyond merely testing the Principle of Full Moral Status against cases involving unforced decisions.

³⁸ Paraphrasing Jeff McMahan, there is a disturbing arbitrariness in the idea that a being's worth varies with the degree to which it possesses morally relevant properties if the being is below the threshold but not if it is above it, and that the idea that there is a threshold beyond which worth ceases to vary with capacities that are its basis seems to be an arbitrary, ad hoc stipulation motivated entirely by a desire to salvage our egalitarian intuitions. See Jeff McMahan, *The Ethics of Killing: Problems at the Margins of Life* (Oxford: Oxford University Press, 2002), 262 and 249. This is not to say that our egalitarian intuitions are insignificant. Rather, it is merely to say that such intuitions should be defended nonarbitrarily. (It should be made clear that McMahan does not necessarily endorse this view.)

³⁹ Warren, *Moral Status*, 5.

⁴⁰ Ibid., 56 and 136–7.

⁴¹ Ibid., 120–1, 152, 161, and 176.

⁴² For example, on degrees of subjecthood, see Warren, *Moral Status*, 118; on degrees of sentience, see Warren, *Moral Status*, 151 and 155–6; on degrees of self-consciousness, see Warren, *Moral Status*, 82, and David DeGrazia, *Taking Animals Seriously: Mental Life and Moral Status* (New York: Cambridge University Press, 1996), 181–2; on degrees of remembering past events and for having expectations with respect to future events, see Jeff McMahan, *The Ethics of Killing: Problems at the Margins of Life*, 76–7; on degrees of moral agency, see

DeGrazia, *Taking Animals Seriously*, 70 and 204; and Paolo Cavalieri, *The Animal Question: Why Nonhuman Animals Deserve Human Rights* (Oxford: Oxford University Press, 2001), 29.

⁴³ After Warren (*Moral Status*, 93), one standard in terms of which I will determine the nature of morally relevant properties (including whether some admit of limitless degrees) is that of *logical possibility*, also referred to here as *conceivability*. Given that I'm concerned with challenging the basic moral principle concerning full moral status, logical possibility (among other things) is entirely relevant.

⁴⁴ See note 23.

⁴⁵ By "cognitive penetration," I mean the deepness at which one understands or knows about the object of conscious. Different levels of understanding of objects of conscious can result in different experiences. For example, the individual who has never studied wines may not experience the drinking of wine in the same way that the wine connoisseur does, and this is due (in part) to their respective levels of cognitive penetration.

⁴⁶ It seems to me that the advocate of the Principle of Full Moral Status *must* hold that, in this case, family membership carries no moral weight whatsoever. Otherwise, she would have to hold that morally relevant properties *can* make a difference to an entity's moral status *even after* that entity reaches the threshold degree of possession of morally relevant properties. But this is logically incompatible with the Principle of Full Moral Status.

⁴⁷ With regard to the moral relevance of intrinsic properties vis-à-vis the infliction of death, see Peter Singer, *Animal Liberation* (New York: Avon Books, 1990); Tom Regan, *The Case for Animal Rights* (Berkeley and Los Angeles: University of California Press, 1983); and Jeff McMahan, *The Ethics of Killing: Problems at the Margins of Life*. With regard to the moral relevance of intrinsic properties vis-a-vis the infliction of pain and suffering, see Bonnie Steinbock, "Speciesism and the Idea of Equality," in *Morality and Moral Controversies*, 6th edition, ed. John Arthur (Upper Saddle River, N.J.: Prentice Hall, 2002), 169.

⁴⁸ I'd like to thank Paul Studtmann, Jon Jensen, Jeffrey Reiman, Mary Anne Warren, Dan Dombrowski, and John Hardwig for their comments on earlier drafts of the paper.