

Why Sentience Should Be the Only Basis of Moral Status

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Abstract: It is fairly commonplace to think that the capacity for sentience need not be the *only* basis of moral status. Pluralists contend that moral status might be grounded in several other valuable capacities as well as or instead of sentience, such as agency, empathy, or sociality. However, this contrasts with a standard assumption in animal ethics that has so far not been explicitly defended: that sentience should be the *only* basis of moral status. In this paper, I vindicate that assumption. I argue that an account of moral status based in sentience alone is both more conceptually economical and has greater explanatory power than pluralist alternatives. If my arguments follow, then an account of moral status based on sentience alone yields at least two significant and revisionary implications that have not been unrecognised. The first is that the distinction between persons and nonpersons does not hold, so all moral patients – humans and nonhumans – should feature as primary subjects in ethical theories, public policies, and research agendas. The second is that we ought to favour nonhuman interests far more often than tends to be thought.

Keywords: Sentience; Moral Status; Moral Patients; Pluralism; Monism; Agency

1 Introduction

Beings with moral status tend to possess a wide number of valuable capacities, such as agency, the capacity to form social bonds, and the capacity for empathy. However, many in the animal

ethics literature assume that it is the capacity for sentience *alone* that grounds moral status (Bernstein 1998; Rachels 1990; Regan 1983; Singer 1975, 1993). But what justifies this assumption? Should we really exclude the possibility that other properties might ground a being's moral status (as well as, or instead of sentience)? Indeed, pluralist accounts of moral status, according to which moral status has not one but several bases, are fairly commonplace.¹ They are generally motivated by at least two concerns.

First, many people find the morally relevant distinction between persons (those who possess rational agency) and nonpersons to be intuitively appealing. Persons are generally considered to not only have a *higher* but a distinct *kind* of moral status that non-persons do not have, even if non-persons possess *a* moral status (Buchanan 2009; Floris 2021; Kagan 2019; Killoren and Streiffer 2022; Warren 1997) – justifying rights for persons (those who have the capacity for rational agency), and *mere* interest consideration for nonpersons (Nozick 1974, 39; Woollard 2023). But an approach that grounds moral status in sentience alone would appear to do away with that distinction. In contrast, a pluralist account would vindicate this conventional presumption. Second, an approach that bases moral status in not one, but several properties might seem to allow us to avoid certain counterintuitive implications (Kagan 2019; Vallentyne 2005). For instance, if faced with the choice between harming a dog or a human when we cannot do otherwise, an account of moral status relying on a *single* property may seem committed to claiming that we should flip a coin (Floris 2019, 212–14). In contrast, an account that relies on several bases may be able to justify favouring those beings who possess additional capacities (as well as sentience).

In this paper, I defend and develop a *monistic* account of moral status. As such, I will argue that there is only one kind of moral status – one that is grounded in the capacity for sentience. This matters because it has implications for how we ought to treat bearers of moral status: if monism about moral status is true, it means that the obligations we have to animals and to humans are not *distinct*. Instead, all wrongings can be explained using the capacity for sentience. Consequently, nonhuman animals ought to feature more directly in the full range of theories of justice; humans with profound cognitive disabilities have the same kind of moral status as all other humans; and we ought to prioritise animal interests more often than ordinarily thought.

To reach these conclusions, I argue that we can get sufficient mileage out of an account of moral status that is based on sentience *without* relying on pluralism about the basis of moral status. The capacity for sentience can explain why other entities, and other capacities are of derivative moral value, without any losses in explanatory power. Doing so does not mean diminishing the moral importance of other entities or capacities, it simply means understanding that value as dependent on the capacity for sentience. For instance, rational agency is valuable because it is valuable *to rational agents* in allowing them to better achieve the things they

¹ See Buchanan (2009), Floris (2021), Kagan (2019), Nagel (1974) Warren (1997), as well as a range of papers in a special collection in *Philosophical Studies* (Killoren & Rowland 2023).

experience as valuable. Not only that, but I argue that monism improves on pluralism at the level of moral implications, since it fully accounts for the range of ways in which sentient beings can be wronged and can either accommodate or assuage the pluralist concerns I outlined above in advantageous ways. While I focus on one commonplace form of pluralism (based in sentience and agency), my arguments apply *mutatis mutandis* to all pluralist accounts.

I proceed as follows. Section 2 clarifies the concept of moral status. Section 3 outlines my Sentientist account of monism, and section 4 develops the pluralist challenge, based on the two motivations above. In sections 5 and 6 I then explain why a monistic theory need not rely on pluralism to account for the moral value of a range of entities and capacities we tend to think of as being owed moral consideration. Section 7 argues that monism improves on pluralism at the level of moral implications. Finally, section 8 concludes that if there is only a single basis of moral status, then nonhuman animals matter morally for the same reason that we do.

2 Two Assumptions About Moral Status

Beings with a direct moral status can be wronged because we owe it to them in particular that we act in certain ways and not in others.² Call these beings moral patients. In this section, I briefly clarify two assumptions about moral status that I will rely on moving forward. First, I assume, with many others in moral philosophy, that all moral patients have intrinsic value. The intrinsic value of a moral patient refers to the location of the value of that being (Korsgaard 1983). If it is intrinsic rather than extrinsic, then the value is held by the being; the being carries that value with them. Their value is not therefore solely derived from their worth or importance in their contingent relations to other entities. If moral patients did not have intrinsic value, it would be hard to make sense of the idea that actions could wrong them directly. Entities without intrinsic value might have some kind of moral importance, but we wrong these entities only insofar as wronging them would wrong something which really does have intrinsic value, such as another being.

Second, I also assume that moral patients possess intrinsic value *in virtue of* possessing a particular property or properties which *themselves* have intrinsic value (Floris, 2020; Perry 2023). The general idea here is that your intrinsic value *inheres in* a certain property or properties that you possess. If your intrinsic value did not inhere in one or more natural properties, an account of moral status would fail to make sense of why you should be thought of as possessing intrinsic value. For this reason, I put to one side entirely interpretivist or relational accounts of moral status (e.g. Metz 2021).

Given this, a *theory* of moral status aims to help explain the range of ways in which moral patients can be wronged, consistent with relevant differences between moral patients.

² I consider indirect moral statuses in section 5. Unless otherwise stated, “moral status” refers to its *direct* form.

Monistic and pluralistic accounts aim to do this in ways that produce very different implications for moral theorising. In the next two sections, I outline these differences.

3 Monism About Moral Status

Monistic accounts that include nonhuman animals tend to base moral status in sentience (Cochrane 2018; Regan 1987; Singer 1975, 1993).³ As I understand it, sentience is the capacity to *experience* things as valuable *to* the bearer of sentience. As such, bearers of sentience have interests in achieving those valuable things (Bernstein 1998). This does not mean that bearers of sentience must have a capacity to grasp the world *as* full of things (no higher order cognition is required). Instead, it simply means that a world full of things is a world in which a being with sentience will value some of those things. I follow Korsgaard (2018) in adopting the language of ‘value’ here, since it takes into account the full range and kind of sentient experiences a sentient being can undergo. When our ends are achieved or obstructed, we can be affected in a myriad of diverse ways. These affects colour our experiences with pain, joy, grief, sound, sight, and a host of different emotions and sensory inputs. Values therefore concern the many ways in which we experience activities, objects and states of affairs calling out to us as to-be-sought.

On this monistic view, we subsequently *interpret* the basis for moral status (sentience) in a different way depending on the capacities of the moral patients in question. For example, according to Singer’s (1993, 22) Equal Consideration of Interests Principle, we must consider all sentient beings equally, but interpret their interests in different ways depending on what the interests are. For instance, a dog might have an interest in exploring scents. Scents are valuable to the dog because they have a developed olfactory system that they experience as valuable through their capacity for sentience. In contrast, a cat might have an interest in hunting prey, but this is also derivative of their capacity to experience hunting as valuable. Thus, on monism, moral patients have the same *kind* of moral status because they share the same *kind* of underlying property (sentience). For instance, causing a dog, a human and a shrimp needless pain results in the same *kind* of wrong, despite their varying capacities, because all three of these beings possess sentience. This not only obtains *inter-species* but *intra-species*, too. If I have a broken leg, and you do not, then there are certain specific ways in which you can wrong me in virtue of the fact that I have a broken leg.

According to monism, our capacities are valuable to us because we either directly experience them as valuable, or they help us to experience what is of value to us. It follows that we wrong others by undermining or obstructing their pursuit of the things they experience as valuable, including their capacities. For instance, if someone is an excellent pianist and their fingers are broken by an envious competitor, part of the reason this is wrong is because it

³ Some accounts also rely on other properties, such as agency. However, either these are objectionably exclusionary (as I make clear below), or they share continuity with the concept of sentience (Wilcox 2019).

undermines a capacity (play) which the pianist experiences as highly valuable.⁴ This approach therefore accounts for a range of wrongs through the affect that those wrongs have on what we experience to be valuable with our sentience. Not only that, but it does so while applying across the various species of animal that possess the capacity for sentience. For instance, since a squirrel has the capacity to bury nuts, it wrongs a squirrel to break their paws, because their paws are indirectly valuable to them. As a result, while moral patients will have differences, ‘there is no one big difference [between moral patients] that is relevant to justifying all differences in treatment’ (Rachels 1990, 178). On monism, what all moral patients share is their sentience. The various subsequent capacities that they possess derive their value from this, and so they structure and affect the ways in which they can be wronged.

To see this, consider an objection. Imagine an envious competitor breaks a pianist’s hands and the pianist’s skill is never the same again. Now also imagine that the pianist does not actually experience playing the piano as being of value, and so it does not matter to them that their skill is lost. In this case, it might seem that the pianist is not wronged, raising the question: can moral patients only be wronged insofar as they actually value whatever capacity is being undermined? If this were true, it would rest on too narrow an understanding of valuing, since it is not necessary for a being to *directly* value something for it to be valuable. To account for this, we might explain some wrongs in indirect terms. The pianist may not directly value playing the piano, but someone still wrongs them if they break their hands, because they indirectly undermine something else they value, e.g., being able to play badminton. Indeed, as will become clear in section 5, indirect instrumental values might have huge moral importance to us – medicines are a good example. So, it makes sense to say that whether we directly or *indirectly* value some capacity, object, activity, or state-of-affairs, we can be wronged by having that value undermined or obstructed.

4 The Pluralist Challenge

Having outlined the monistic account of moral status I will be defending, I now introduce and clarify the alternative and more commonplace pluralist account of moral status. To bring important context and clarity, this section will explain what motivates pluralist theories before summarising the thrust of my argument against pluralism.

The pluralist adopts the view that there are multiple criteria for moral status. As such, a single *further* intrinsically valuable property (on top of sentience) makes a difference to the *kind* of moral status that a being has, and so makes a difference to *all* kinds of treatment they ought (not) to receive.⁵ According to this view, if A has sentience and B has both sentience and

⁴ Of course, it would also be wrong because the pianist values being free from pain and distress!

⁵ A pluralist about the basis of moral status *might* also argue that several different properties generate the *same* kind of moral status. I want to put this version of pluralism to one side for two reasons. First, as will become clear below, it fails to vindicate the two concerns motivating pluralism. Second, given that wrongings are explained *in terms of* that which forms the basis of moral status, it faces a challenge

agency, then the pluralist will hold that B's moral status is fundamentally *different* to A's. To be sure, this appears to be the kind of claim that many pluralists in fact mean to defend when they adopt pluralism: different kinds of moral status are thought to correlate with different kinds of intrinsically valuable properties (Buchanan 2009; Kagan 2019, 116; Warren 1997). While monism claims that all variations in kind can be explained by the interpretation of the *same* property, on pluralism different beings have fundamentally different moral statuses depending on how many and what intrinsically valuable properties they possess. Of course, some interpretation of the same property is still required to accommodate differences between those who have the same kind of moral status. For example, on the pluralist view, the wrong of torturing a dog is entirely different *in kind* from torturing a human, but while torturing two humans is wrong in the same way, the nuances of why and how it is wrong may differ depending on the differences between the two humans, for instance, based on the way torture is carried out, the particular features of the individual, or the severity of the torture. Monism and pluralism therefore disagree on two fronts: first, over how to account for differences in the capacities moral patients possess and second, over whether there is more than one kind of moral status. These track disagreement on a third front: whether more than one property has intrinsic value.

Pluralism is motivated by at least two concerns. On the one hand, pluralists seek to vindicate the morally fundamental distinction between persons and nonpersons. On the other hand, Pluralists also contend that monism is incapable of dealing with all cases of moral conflict.

The first of these concerns arises from a strong intuition which many have that there is a 'morally momentous distinction' (Buchanan 2009, 36) between persons and nonpersons (Arneson 1999; Christiano 2008a; Kagan 2019; Liao 2010; Warren 1997). Pluralism acknowledges this worry, consistent with a concern about inclusivity. That is, it would be easy to explain this distinction according to a less inclusive view of moral status (e.g., Kant 1997). According to the traditional Kantian view, for instance, *only* rational agency grounds moral status and only typical persons therefore have moral status. Since this view is now accepted as widely implausible, pluralism instead holds that persons have a different and higher worth than nonpersons do not, and that this is grounded in their possession of further intrinsically valuable properties, standardly grounding *respect* towards persons, as opposed to mere interest *consideration* towards non-persons (Nozick 1974, 39; Jaworska 2007; Killoren and Streiffer 2022; Woollard 2023). This generally results in a (purportedly) morally justified inequality of treatment: while persons receive certain rights and privileges, nonpersons do not.

The second concern focuses on the contention that a monistic view would require us 'to weigh equally the strong interests of all sentient beings' (Warren 1997, 78). Pluralists claim that since monism would lead us to hold that all moral patients have the same kind of moral

in reconciling the basis of moral status with a consistent explanation of how we should understand those wrongings.

status, we cannot avoid certain particularly counterintuitive conclusions (Kagan 2019, chap. 3; Vallentyne 2005). For instance, ploughing a field involves causing harm and death to numerous nonhuman animals. As such, pluralists contend that monists would be committed to arguing that we should not plough the field. So, assuming it is intuitively permissible to plough the field, monism appears implausible (Warren 1997, 79). Similarly, you might think that if faced with the choice between harming a dog or a human when we cannot do otherwise, it would be problematic to conclude that we should flip a coin (Floris 2019, 214–15). Many have the intuition here that we *ought* to harm the dog, but monism seems to commit us to the coin-flipping conclusion. Various examples of this sort produce a *reductio ad absurdum* of monism. In contrast, pluralism does not result in these kinds of conclusions if and because it claims that the human has a greater worth (and therefore a superior kind of moral status) as a result of possessing a greater number of intrinsically valuable capacities. Since humans must prioritise their interests over other animals from time to time, and since many have the intuition that *not* prioritising humans would be problematic (Warren 1997, 84), the pluralist holds that there must be more than one grounds of moral status to explain why some beings' interests matter more than others.

Pluralism about the basis of moral status has wide appeal,⁶ but I argue that this is mistaken – we ought to prefer a monistic account based in the capacity for sentience because it achieves a better balance between parsimony and explanatory power. I argue that monism not only produces intuitively appealing implications of its own but can account for and assuage the concerns above. If it is the capacity for sentience which should be the *only* basis of moral status, then the rest will be down to the extension of that conception of moral status to explain moral relevance. In other words, monism can do all the explanatory work a theory of moral status demands in ways that are both simpler, more plausible, and more explanatorily powerful – in contrast, pluralism produces unnecessary complexity, while leaving questions unanswered that monism does not.

To be clear, this critique of pluralism cannot be reduced merely to the claim that monism is more parsimonious. The notion of parsimony should be challenged when used as a blunt argumentative tool. However, it is a significant virtue of a theory when balanced with considerations about the explanatory power the theory provides, and the extent to which it results in intuitively satisfactory conclusions (Schaffer 2015). Relying on sentience, alongside certain derivative concepts, to explain moral status makes for a more plausible theory if and because the derivative concepts will further define and elaborate on the fundamental concept, without needing to posit further fundamental concepts (Schaffer 2015, 651). It follows that if a fundamental concept (the capacity for sentience) can do all the explanatory work, a new fundamental concept (extra bases of moral status) will be redundant. I will argue in sections 5 and 6 that a monism based in the capacity for sentience can make sense of those entities and

⁶ See fn1.

capacities we tend to think of as morally valuable in derivative terms. I subsequently argue in section 7 that we end up with strong reasons to prefer monism.

In summary, so far I have clarified the concept of moral status and the debate over its basis. I assumed that direct moral status must be grounded in a property of intrinsic value, and I outlined how monistic and pluralistic accounts differ in developing a theory of moral status out of its intrinsically valuable basis. I also outlined two reasons why theorists tend to prefer pluralism, before providing a summary of the overall structure of the arguments to come.

5 Derivative Moral Value

With this initial sketch in mind, I start by motivating the claim that a monistic account of moral status based on sentience can be used as the derivative source of moral value in a fuller theory of moral status, *without* relying on pluralism. As I will argue, an account of monism based in the capacity for sentience has considerable explanatory power because it can account for those entities and capacities we tend to think of as being morally valuable in *derivative* terms, through the extrinsic relation they have *to* the capacity for sentience.

To see this, start with the simpler case of entities/capacities of derivative-*instrumental* moral value. We tend to think of the value of most of the capacities that we and other creatures possess as being valuable in this sense. If a capacity possesses instrumental value, it is valuable as a means to a particular end. For instance, the capacity to run fast might be (instrumentally) very useful for me, but this value is still relative to my possession of it. The ability to run very fast is thus valuable prudentially, insofar as it helps a creature to achieve certain other ends such as avoiding predators. So, we ordinarily think that the value of a capacity is relative to and dependent on the individual who possesses it, allowing them to achieve their other (sentience based) ends. Similarly, we can think of the value of many other properties, objects, and entities in this way. Natural entities such as trees might have derivative-instrumental value in simply promoting a habitable environment and providing aesthetic pleasure, whether implicitly or explicitly.

Second, consider the concept of derivative-*final* value. A property might be valuable derivatively, but still possess *final* moral value, because it is valued for its own sake, in and of itself (Kagan 1998; Korsgaard 1983; O'Neill 1992; Tenen 2020a). Considering derivative-final value as well as derivative-instrumental value opens up the prospect that the capacity for sentience can do a lot more explanatory work for us than we might otherwise think. That is, the notion of derivative-final value can address the following kind of intuitions: that the exercise of some capacities is morally valuable in and of itself (such as agency); that some organic entities have a special value worthy of even deeper moral considerations (such as ancient trees); or, that some artifacts have immense aesthetic, cultural, sentimental, symbolic and historical moral significance that the instrumental explanation cannot capture (such as the Mona Lisa). An entity is of final value if we have reasons to respond in value-related ways to it, but not on account of a desire that the object/entity casually or constitutively contributes towards (Kagan 1998; Tenen 2022). To value some entity for reasons that are independent of the desires that

the entity contributes towards is to focus ‘centrally on the entity, admiring or appreciating certain of its features, without an occurrent desire for something regarding it to be the case’ (Tenen 2020a, 486). This is by no means inconsistent with our possessing an active desire towards the entity, but it is distinct because this form of attention does not ‘involve an interest in doing anything regarding the entity’ (Tenen 2020a, 486). To illustrate, consider ancient red cedar trees. I might have certain active interests regarding these trees – to get some fresh air from them, or to experience some moments of joy by being in their presence. But to achieve a full account of their moral value, it seems more accurate to say that the kind of valuing I associate with them is *independent of* what I want/need to get from these things. Instead, I might simply admire and appreciate their beauty, age, size, and complexity – and when I do so, I appreciate and admire these things *for their own sake*. When we engage in these forms of valuing, we might have ‘emotional responses’, hold ‘certain beliefs or judgements about the entity’, or perform ‘certain actions’, however none of these involve a desire that the entity ‘contribute to something else’, as instrumental valuing requires (Tenen 2022, 697).

To see the strength of this derivative explanation of moral value, notice that it coheres with the common-sense intuition that certain non-sentient organic entities have significant moral value, but lack a direct moral status (Green 1996; O’Neill 1992; Tenen 2020b). This allows us to develop a comprehensive account of environmental ethics (O’Neill 1992) that is nonetheless derivative of the capacity for sentience. To illustrate: if ancient red cedars are valuable derivatively, in virtue of the features that give rise to them being valued in those ways (aesthetic characteristics, environmental necessity, age, size, location, etc), then we ought in general to treat them in ways that do not undermine those features. We should not cut them down, or vandalise the trees, for instance, because to do so would undermine the derivative final value of the trees. However, the reasons we have to treat ancient trees in particular moral ways are still derivative of the reasons we have to treat moral patients in the ways we should treat them. The trees only have morally relevant value *because* we (humans, and other animals) value them. According to this view, the moral reasons we have to preserve non-sentient entities and processes are *pro tanto* reasons, that might be overridden by further considerations about the interests of sentient beings (Green 1996; Tenen 2020b).

In summary, this section has argued that we can rely on a monistic account of moral status based in sentience to account for the moral relevance of other entities through the derivative notions of *instrumental* and *final* value.

6 The Derivative Value of Rational Agency

My main claim is that if we rely on a monistic account of moral status based in sentience, then pluralism is redundant and unnecessarily complex. In this section I extend the arguments above to show that a monistic account can not only account for the moral value of those entities we *already* tend to think of as derivatively valuable, but also those capacities generally thought of as non-derivatively valuable bases for moral status. While a range of examples might be used, such as empathy or sociality, I focus in particular on the capacity for rational agency (Carter

2011; Christiano 2008b; Floris 2021).⁷ However, my arguments apply *mutatis mutandis* to other candidate bases of moral status.

Rational agency (hereon simply agency) is the ability to reason in complex ways and to govern one's actions in accordance with principles (Christiano 2008b; Hurka 1987; Sebo 2017, 4). In contrast to a squirrel, if Owen eats a sandwich based on the specific judgement that it provides a balanced and nutritious meal then he acts out of agency. If he instead sees the sandwich and gobbles it up, then we might suppose that he is acting without the use of his agency. Many rely on an intuitive argument to elicit support for the idea that agency has intrinsic value and should be a basis of moral status (e.g., Floris 2021; Hurka 1987). We might use various reasons to support this intuition, but two of the best concern deference and access.⁸ On the first count, the argument is that even if we know what course of action would be best (in terms of welfare), we ought to *defer* to an agent's judgement. We therefore allow them to make a choice on their own, even if it is the "bad" choice, such as smoking. This pumps the intuition that agency might be a fundamentally valuable capacity. On the second count, the idea is that there are particular goods which are uniquely accessible through the use of our agency. Without agency we cannot create our own life plan. Again, this is intended to indicate the intrinsic value of agency as a basis for moral status.

Intuition based arguments can be undermined by showing that they can be debunked, or that their intuitive pull of the argument can be accommodated in a way that is better justified. If believing that agency has only extrinsic value – derived from the capacity for sentience – can fully explain why it is of value, then we ought to doubt the intuition that it has special value establishes a case in favour of agency as a basis of moral status (Dorsey 2015). Two clarificatory points should be noted. First, my critique of these arguments will be consistent with a range of positions in the debate between paternalists and anti-paternalists because we might still adopt different views about *how much* importance we should assign agency. Instead, my arguments target the underlying explanation for *why* we should believe that agency has fundamental moral value in the first place. Second, I am not claiming that sentience is *necessary* for the possession of the capacity for agency. In fact, I think that it might be possible for an entity to have agency without it possessing sentience. Instead, my claim is that sentience is necessary for agency to have any morally relevant *value*, specifically because the value of agency derives from sentience.

To see this, consider how an extrinsic explanation, in terms of the capacity for sentience, can accommodate intuitions about deference and access to particular life goods, by explaining why deference and access are valuable *to us* in derivative terms. There are a certain range of things which agency allows us to achieve. For example, if I avoid using my agency, and therefore avoid reflecting on the things that I do, then I will not be able to form habits which I find to be most beneficial to my life goals (Dorsey 2015). Using my agency, I can try to wake

⁷ Several theorists thus premise a theory of justice on this capacity e.g., Rawls (1971) and Claassen (2018).

⁸ See Claassen (2018, 48–53), Hurka (1987) and Raz (1986).

up earlier so that I have time to read a book, for instance. Agency therefore allows us to either settle on choices which better cohere with what we already value, or on choices that we might say it is better to value. Yet this coheres perfectly with the notion that propositional agency is of *derivative* value: we value our agency as a means to allowing us to access certain things which we also value in a final sense, and agency derives this value from our already having the capacity for sentience. For instance, writing this paper is something which I valued and which my agency allowed me to do, but valuing agency in this case is both instrumental to that goal *and* of derivative value – it is conditional on my sentience, which allows me to value the goods that agency allows me access to. If I lacked a capacity for sentience and only had the capacity for agency, my ability to access certain goods no longer seems valuable – the goods are things I have access to, but not things that can change any mental states I experience, since I would not experience anything.

What of deference? On the derivative explanation, we defer to a particular person's judgment not because we ought to respect the intrinsic value of their agency but because we ought to respect that their agency is valuable *to them* as something which allows them to live their life in the ways that they experience to be valuable. Notably, it is not necessary to say that someone must *reflectively* value their agency for it to have this derivative value. If Owen just went about his day without thinking about his agency, we can still claim that Owen values his agency insofar he uses it to achieve the things that he values. For instance, if Owen values tofu curry, he might use his agency to shop for ingredients even if he does not reflectively endorse the value of his agency. To be sure, Owen *should* value his agency (whether directly or indirectly) insofar as it helps him achieve what he values (e.g., making tofu curry). The value we assign to our agency helps to explain why it has importance to each of us in living a life that is of value, without requiring us to claim that agency is of independent value.

With this in mind, a staunch pluralist might change tact and argue that agency need not always be something we experience to be prudentially valuable for it to be an intrinsically valuable basis of moral status. A second way in which a pluralist proponent of agency as a basis of moral status might defend their view is via the Kantian regress argument. Considering this argument will guide us to think about rational agency's role in a more general account of value. This will allow me to defend the claim that agency should not play a fundamental role in a general theory of moral status.

According to the Kantian regress argument, an object, event, activity, etc. is morally valuable because we *choose* to value it; it is the reflective endorsement of some value that explains the source of its value (Korsgaard 1996). For instance, if writing this paper is of value, then we can explain why by regressing back through explanations. Eventually, the thought is, we will land on agency as the non-derivative explanation for its value: because I *chose* to write it. But this is not all that this argument is saying – it also aims to explain agency's moral relevance. According to Kantian moral theorising, agency concurrently generates normativity (Korsgaard 1996). It is not just us but others that also act in accordance with what they rationally decide and, this being so, we can only form a community of moral legislators if we

have the capacity for moral agency (Korsgaard 1996, 111). This might subsequently lead us to conclude that agency has fundamental moral value and ought to be a basis of moral status.

This argument fails because it does not establish anything we cannot already *non-derivatively* and *more plausibly* explain in terms of the value of sentience. We have already seen that the capacity for sentience is a plausible basis for the value of agency. But derivative explanations are also cumulative: if agency derives its value from sentience, it might in turn derivatively explain the value of some things that we choose to value with our agency. For instance, you might say my career is valuable because I *choose* to pursue it, but we can offer a fuller explanation by taking a step further and claiming agency gains its value from the capacity for sentience, because agency is something we experience as valuable *for* the pursuit of our ends, or in and of itself. So, it seems agency is not necessarily a distinct site of value that is independent of the capacity for sentience. To be sure, *on its own* agency will struggle to account for the value of things that we do not choose to value. That is, if we were to remove the capacity for sentience from the explanatory picture, then there will be a range of values that agency will not be able to account for. For most of us, our valuing of food, sex, and shelter, are good examples. These things are valuable to us without us ever choosing to value them. Given this, agency seems incapable of explaining morally relevant values on its own. When used in support of agency, the regress argument therefore neither *fully* explains why things are of value to us, nor singles out why they are valuable in a *distinct* way.

Second, even though agency is relevant to morality, morality does not rely on agency in a way that is not also derivative of the capacity for sentience. Typical humans can relate to one another both as moral agents and as moral patients (Korsgaard 2018, 137–38). When we relate to one another as moral agents, we understand one another as being capable of generating reasons for each of us and therefore co-operatively engaging in ‘reciprocal legislation’ of moral obligations (Korsgaard 2018, 146). However, when we relate to one another as moral patients, we instead focus only on the fact that we each value things – that we experience our interests (in food, contentment, affection, etc.) as mattering *to us*. If you and I are relating to one another these two senses are intertwined. For instance, if you ask me to promise that I will buy you ice cream, you are requesting that I bind myself to an obligation. Kant (1997) was of course right that this reciprocal legislation is therefore of huge moral importance, but he was wrong to think that it is agency that explains the *fundamental* basis of it (Korsgaard 2018, chap. 8). As we have seen, this is because the capacity for sentience has explanatory primacy in accounting for why reciprocal legislation – and indeed, following moral obligations of any sort – is valuable. Reciprocally legislating together helps each of us to better achieve what we value, and we do not need to posit that agency is a *separate* basis of moral status to acknowledge this.

The argument in this section shows that we can account for the value of complex capacities such as agency by explaining their importance extrinsically rather than intrinsically, so we need not rely on pluralism about moral status. While most other animals are not moral

agents in the same way that humans are,⁹ they are moral patients because they experience things as valuable. This does not make agency (or any other pluralistic candidate basis for moral status) morally irrelevant, but its relevance does depend on the capacity for sentience. Moral agency may be necessary to recognise obligations, but the obligations are grounded in common features about the moral patients, they do not derive from agency (Korsgaard 2018, 141–42). It is the capacity for sentience which has *explanatory primacy* in accounting for why moral agents have obligations to moral patients. As far as morally relevant differences go, it is what is *downstream* of the capacity for sentience that matters.

7 The Monistic Gauntlet

We ought to reject pluralism in favour of monism because monism can not only offer a robust and powerful explanation for a range of morally relevant entities, properties, and capacities, but it also requires us to adopt just a single basis for moral status. However, a pluralist might still argue that even if the above follows, pluralism has greater explanatory power as an account of moral status. In this final section, I argue this does not follow. Monism has implications that accommodate or assuage pluralist intuitions – and in plausible ways. What follows from adopting monism is best explained by reconsidering the two main implications of pluralism that I discussed in section 4.

First, pluralism is thought to explain the intuition many hold that there is a morally relevant fundamental distinction between the moral status of persons and nonpersons. Since more than one feature grounds moral status according to pluralism, we can readily distinguish between persons and nonpersons according to whether they possess some intrinsically valuable feature such as rational agency. As such, pluralism can be used to explain the lower moral status of some beings (such as dogs) and the higher moral status of other beings (such as persons).

Second, pluralism seeks to avoid the ‘problematic conclusions’ that purportedly follow on monism (Kagan 2019; Vallentyne 2005). For instance, if choosing to benefit a human or an animal, many hold the intuition that we ought to favour the human over the animal, and that it would be wrong to do otherwise (Floris 2019, 214; Kagan 2019, chap. 3; Warren 1997, 172), but a monistic view might appear committed to claiming that we ought to flip a coin.

The version of monism that I develop has sufficient explanatory power to overcome these concerns, because it can account for variations in the kind, range, and degree of interests different moral patients possess. In other words, we can use a monistic assessment to explain soft (monistic) distinctions between diverse kinds of beings on the one hand, and to answer comparative questions about which beings’ interests take precedence in moral conflicts on the other.

⁹ Some nonhuman animals do exercise *some* degree of moral agency (Clement 2013), but I put this to one side here.

Start with the first worry. It is still open to a monistic view to argue that persons *are* different at least in one distinct respect – they possess rational agency. However, because this capacity is only derivatively valuable on monism, we should give up on a morally fundamental (pluralistic) distinction between persons and nonpersons. We might nonetheless adopt a *soft* (monistic) distinction, grounded in *derivative* reasons. Conceding this means we cannot be wronged for *fundamentally* distinct reasons. Instead, we can be wronged for *derivatively* distinct reasons, much like the other animals. For instance, humans possess agency, and this means that you can wrong a human by limiting their freedom in significant ways. As Cochrane (2012) has argued, it is plausible to think that many nonhumans cannot be harmed in similar ways, but they can be harmed in ways that are also unique to them. Building skyscrapers with glass that reflects the sky harms birds (often fatally), who fly into them without realising (Klem Jr. 2014). Similarly, preventing dogs from having sufficient time to sniff outdoors limits and obstructs a dog’s pursuit of what they value, because they gain considerable fulfilment from exercising their olfactory capacities. Neither of these are harms that humans experience, but both of them can be explained with reference to their effect on a being’s sentience.

Adopting this version of monism will in fact yield advantages over pluralism. By interpreting the significance of the additional capacities that different beings possess *in terms of* the capacity for sentience, rather than comparing *separate* kinds of value, we avoid incommensurability worries. To see this, imagine you must decide whether to harm a human, or to harm a dog. The pluralist might hold that both beings have sentience, but that the human has a different kind of moral status to the dog because they also possess agency. It follows (on pluralism) that harming the human is somehow a different (and normally graver) *kind* of wrong. However, this raises an incommensurability difficulty (Horta 2017). How do you decide whether to harm one being or the other, if the two beings have distinct kinds of moral status? This worry arises because we face a conceptual difficulty in working out what we are comparing. In the human case, a pluralist will argue that there are additional and independent wrongs to the capacities and interests of the human that are associated with agency *as well as* those associated with sentience. For instance, it might be independently wrong to violate another human’s will. In the dog case, it is only those capacities/interests associated with sentience that are the basis of the wrong. So, the human is wronged in ways that cannot be explained in terms of anything the dog has in common.¹⁰ The solution might be to compare what the beings *do* have in common (sentience). But this reinvents the monistic challenge. On monism the solution is explanatorily neat: we focus only on the comparative damage to what individuals value with their sentience. In the human case, capacities/interests associated with agency might be explanatorily important to account for the wronging, but their importance can be explained in terms of the human’s capacity for sentience, just like the dog’s. Accordingly, if we must decide whether to harm a human or to harm a dog, we assess how to act by making evaluations over the effect that the two different harms (to the dog, and to the human) will have

¹⁰ This might seem appealing because it accounts for the intuition that we ought not to harm the human. However, as I argue below, we need not rely on pluralism to account for these kinds of intuitions (where they are relevant).

on what each being experiences with their sentience. As such, we might harm the dog, and not the human, specifically because the human will experience a greater harm to what they value e.g., the unique and enduring social shame of being subjected to the will of another. However, this comparative explanation works because the two moral patients have something in common: their capacity for sentience. Monism therefore explains wrongdoing in a way that avoids unnecessary complexities.

It follows on monism that focusing specifically on agents as the primary subjects of research, social policy and ethical theories becomes unjustified. Doing so may be permissible where interventions, research and moral issues specifically concern human capabilities. Yet, in the vast majority of cases, this does not seem to be true – nonhumans are relevant for nearly all such conceivable issues. Insofar as they possess valenced sentience nonhuman animals should be considered *in the same context* humans are. Moreover, there are also positive implications for those humans who lack the cognitive capacities that ordinarily distinguish persons from nonpersons. Humans lacking agency represent a challenge for philosophers endorsing an agency-based pluralistic model: it appears unintuitive to exclude individuals with profound cognitive disabilities from the category of “persons”. But if personhood is based on possession of a distinct capacity, then it also seems inconsistent to include them (Pluhar 1995, 267). While the moral status of those with cognitive disabilities is certainly not *denied* on pluralism, a monistic approach is far more intuitive on this front. Since monism will only implement a *soft* distinction between persons and nonpersons the inclusion worry does not have the same, if any, force. Humans lacking agency have the same *kind* of moral status as other humans – and all moral patients, for that matter. On a monistic approach, we can make sense of the duties we have to those with disabilities by focusing on the extent and kinds of capacity they have, and the derivative value of those capacities to the bearers of them.

Finally, let me turn to the worry that monism results in counterintuitive implications. On the version of monism that I am defending we make comparisons not by simply equalising, but by letting the interests (what moral patients experience as valuable) speak for themselves. Making comparisons in this way does not commit us to counterintuitive implications in moral conflicts (Bernstein 2015; Cochrane 2013, 2018, chap. 1; Singer 1993). This is because some moral patients will face greater relative disadvantage than others, and so those moral patients ought to be favoured.

To see why, it is useful to start by raising a common objection: that monism will only be successful if we adopt a *hierarchy* of moral status and/or interests, according to which different *degrees* of moral status correlate with the relative weight of different interests.¹¹ A monistic view need not rely on the idea that there are degrees of moral status, because there is a step between the claim that some interest’s weight varies in degrees, and the claim that this

¹¹ Kagan (2019) attempts to defend a view of this sort. While I will not explore them here, it should be noted his view faces concerns related to ranking, double-counting, and weighing the negative value of interests (Brouwer and van der Deijl 2020, 351–55).

merits a variation in moral status (Horta 2017; Korsgaard 2018, 94–96).¹² Instead of relying on an absolute and hierarchical metric of whose interests take priority over others in all cases, we can make comparisons against a common standard that holds *relative* to the beings in question. If all moral patients have the capacity for sentience, then one plausible common but relative standard is *achieving a life that is of value* to the being whose life it is. On this common standard what it means to lead a life that is of value will differ depending on the kind of being in question, so this will not require us to rank interests according to a hierarchy of moral status. However, this still permits comparisons against that common standard. We make relative comparisons of this sort on a daily basis, for instance, if we say that Pad the dog is hungrier than Owen the human, we are making a comparison about their (perceived) relative hunger. Extending these comparisons to *lives as a whole* we can argue that Owen’s life is going better than Pad’s, if Owen faces less relative disadvantage in achieving (or has already achieved) what he deems to be a life that is of value, and Pad has not. This allows that variations might occur in both how much and what kinds of things different beings value, but it does not make the further claim that this generates wholesale differences in moral status. It follows that we can resolve conflicts without counterintuitive implications: we might benefit Pad over Owen if it is true that Pad faces greater relative disadvantage in achieving what he values than Owen. But in other contexts, we might favour Owen – if and because he faces greater relative disadvantage in achieving what he values. To be sure, such decisions will be challenging in rescue cases. It may be that we regularly save humans in such cases, because humans simply possess a greater range of interests to take into consideration than other animals. Yet this need not follow in all cases (imagine a human has already led a long and happy life and a dog is still a puppy). Furthermore, it may be that in some contexts the human and the dog face an equal relative disadvantage in achieving what they value. But this would not be an overly *counterintuitive* moral conflict. All theories face moral conflicts, but monism will have the resources to address such conflicts by focusing on what each being experiences as valuable alone. Notice that this once again makes monism explanatorily neat: it focuses only on a (relative) comparisons of interests, without a hierarchy of moral status.¹³

It will follow, on this form of monism, that moral patients traditionally thought to be “marginal” ought to have greater priority in our considerations than tends to be thought by pluralists. This will have revisionary implications. Consider how monism will affect individual trade-offs and distributions. When considering individual cases, we will often be required to favour nonhuman animals over humans according to monism. For instance, imagine you have a choice of whether to adopt a dog or a child. To make an assessment, you should compare the interests alone. This will mean that you ought to favour the child in numerous cases where the child is further from achieving what they value, but you ought to favour the dog if the dog is

¹² Several theorists seem to presume that there is a necessary link between these claims. See, for instance, (Arneson 1999; Kagan 2019; Warren 1997). See DeGrazia (2008) for a discussion of degrees of moral status.

¹³ I concede that equality must still be justified on my view, but I suspect we can also explain the importance of *social* relations of equality derivatively.

instead in greater need. If the child is relatively well looked after, and the dog is lacking sufficient care and attention, this does not seem counterintuitive – quite the opposite. Additionally, rather than allocating most resources to humans, we will be required to contribute more greatly to schemes supporting nonhumans. For instance, we ought to divert resources to setting up schemes promoting animal welfare – including research, education, and health services – even at a relative cost to services that benefit humans. Similarly, philosophers ought to be awarding nonhumans greater time and attention in their theories; environmental and urban policy choices ought to reflect a commitment to furthering the interests of all humans and nonhumans; urban spaces ought to be designed with nonhuman interests in mind; land ought to be dedicated to rewilding initiatives in nonhuman interest; and cultural practices that are incompatible with the promotion of nonhuman welfare such as hunting ought to be banned. All of these policies ought to be pursued even at a relative cost to human interests. While these implications are not exhaustive, what I have said demonstrates that monism results in plausible, if revisionary, implications.

8 Conclusion

I have argued that we have strong reason to believe that sentience should be the only basis of moral status. Not only is monism more conceptually parsimonious than pluralism, but it seems to have far greater explanatory power, making pluralism redundant.

The upshot is that in determining which beings can be wronged and how, we should pay attention to one and only one property – sentience. This has at least two implications. The first is that the distinction between persons and nonpersons does not hold, all moral patients – humans and nonhumans – should feature as primary subjects in ethical theories, public policies, and research agendas. It is not enough to focus primarily on persons as subjects of moral concern: monism demands that we do not simply admit that other moral patients are morally considerable, but that we include them in the same kinds of consideration wherever their interests are morally relevant. The second is that while a monistic conception of moral status may not result in counterintuitive conclusions, it does result in revisionary ones: we ought to prioritise nonhuman interests far more often than we currently do.

9 References

- Arneson, Richard J. 1999. ‘What, If Anything, Renders All Humans Morally Equal?’ In *Peter Singer and His Critics*, ed. Dale Jamieson. Oxford: Blackwell.
- Bernstein, Mark. 1998. *On Moral Considerability: An Essay on Who Morally Matters*. Oxford: Oxford University Press.
- Bernstein, Mark. 2015. *The Moral Equality of Humans and Animals*. Basingstoke: Palgrave Macmillan.
- Brouwer, Huub, and Willem van der Deijl. 2020. ‘All Animals Are Equal, but Some More than Others?’ *Journal of Moral Philosophy* 17(3): 342–57.
- Buchanan, Allen. 2009. ‘Moral Status and Human Enhancement’. *Philosophy & Public Affairs* 37(4): 346–81.

- Christiano, Thomas. 2008a. *The Constitution of Equality: Democratic Authority and Its Limits*. Oxford: Oxford University Press.
- Christiano, Thomas. 2008b. 'Two Conceptions of the Dignity of Persons'. *Jahrbuch für Recht und Ethik / Annual Review of Law and Ethics* 16: 101–26.
- Claassen, Rutger. 2018. *Capabilities in a Just Society: A Theory of Navigational Agency*. Cambridge: Cambridge University Press.
- Clement, Grace. 2013. 'Animals and Moral Agency: The Recent Debate and Its Implications'. *Journal of Animal Ethics* 3(1): 1.
- Cochrane, Alasdair. 2012. *Animal Rights Without Liberation*. Columbia University Press.
- Cochrane, Alasdair. 2013. 'From Human Rights to Sentient Rights'. *Critical Review of International Social and Political Philosophy* 16(5): 655–75.
- Cochrane, Alasdair. 2018. *Sentientist Politics: A Theory of Global Inter-Species Justice*. Oxford: Oxford University Press.
- DeGrazia, David. 2008. 'Moral Status as a Matter of Degree?' *Southern Journal of Philosophy* 46(2): 181–98.
- Dombrowski, Daniel A. 1997. *Babies and Beasts: The Argument from Marginal Cases*. Chicago: University of Illinois Press.
- Floris, Giacomo. 2019. 'On the Basis of Moral Equality: A Rejection of the Relation-First Approach'. *Ethical Theory and Moral Practice* 22(1): 237–50.
- Floris, Giacomo. 2021. 'A Pluralist Account of the Basis of Moral Status'. *Philosophical Studies* 178(6): 1859–1877.
- Green, Karen. 1996. 'Two Distinctions in Environmental Goodness'. *Environmental Values* 5(1): 31–46.
- Horta, Oscar. 2017. 'Why the Concept of Moral Status Should Be Abandoned'. *Ethical Theory and Moral Practice* 20(4): 899–910.
- Hurka, Thomas. 1987. 'Why Value Autonomy?' *Social Theory and Practice* 13(3): 361–82.
- Jaworska, Agnieszka, and Julie Tannenbaum. 2014. 'Person-Rearing Relationships as a Key to Higher Moral Status'. *Ethics* 124(2): 242–71.
- Kagan, Shelly. 1998. 'Rethinking Intrinsic Value'. *Journal of Ethics* 2(4): 277–97.
- Kagan, Shelly. 2016. 'What's Wrong with Speciesism? (Society for Applied Philosophy Annual Lecture 2015)'. *Journal of Applied Philosophy* 33(1): 1–21.
- Kagan, Shelly. 2019. *How to Count Animals, More or Less*. Oxford: Oxford University Press.
- Kant, Immanuel. 1997. *Groundwork of the Metaphysics of Morals*. Cambridge: Cambridge University Press.
- Killoren, David, and Robert Streiffer. 2022. 'Three and a Half Ways to a Hybrid View in Animal Ethics'. *Philosophical Studies* 180(4): 1125–1148.
- Killoren, David and Richard Rowland. 2023. 'Collection: Hybrid Views in Animal Ethics', *Philosophical Studies*. <https://link.springer.com/collections/gicddafjif>
- Klem Jr., Daniel. 2014. 'Landscape, Legal, and Biodiversity Threats That Windows Pose to Birds: A Review of an Important Conservation Issue'. *Land* 3(1): 351–61.
- Korsgaard, Christine M. 1983. 'Two Distinctions in Goodness'. *The Philosophical Review* 92(2): 169–95.

- Korsgaard, Christine M. 1996. *The Sources of Normativity*. Cambridge: Cambridge University Press.
- Korsgaard, Christine M. 2018. *Fellow Creatures: Our Obligations to the Other Animals*. Oxford: Oxford University Press.
- Liao, S. Matthew. 2010. 'The Basis of Human Moral Status'. *Journal of Moral Philosophy* 7(2): 159–79.
- Metz, Thaddeus. 2021. *A Relational Moral Theory: African Ethics in and beyond the Continent*. Oxford: Oxford University Press.
- Nozick, Robert. 1974. *Anarchy, State, and Utopia*. Nachdr. Malden, MA: Blackwell.
- O'Neill, John. 1992. 'The Varieties of Intrinsic Value' *The Monist* 75(2): 119–37.
- Perry, Matthew Wray. 2023. "'Human" Dignity beyond the Human'. *Critical Review of International Social and Political Philosophy*.
- Pluhar, Evelyn B. 1995. *Beyond Prejudice: The Moral Significance of Human and Nonhuman Animals*. Durham, North Carolina: Duke University Press.
- Rachels, James. 1990. *Created From Animals: The Moral Implications of Darwinism*. Oxford: Oxford University Press.
- Rawls, John. 1971. *A Theory of Justice*. Cambridge, MA: Harvard University Press.
- Raz, Joseph. 1986. *The Morality of Freedom*. Oxford: Clarendon Press.
- Regan, Tom. 1983. *The Case for Animal Rights*. Berkeley, California: University of California Press.
- Schaffer, Jonathan. 2015. 'What Not to Multiply Without Necessity'. *Australasian Journal of Philosophy* 93(4): 644–64.
- Singer, Peter. 1975. *Animal Liberation: A New Ethics For Our Treatment of Animals*. New York: Avon Books.
- Singer, Peter. 1993. *Practical Ethics*. Cambridge: Cambridge University Press.
- Tenen, Levi. 2020a. 'An Account of Extrinsic Final Value'. *Journal of Value Inquiry* 54(3): 479–492.
- Tenen, Levi. 2020b. 'No Intrinsic Value? No Problem: Why Nature Can Still Be Valuable for Its Own Sake'. *Environmental Ethics* 42(2): 119–33.
- Tenen, Levi. 2022. 'How Final and Non-Final Valuing Differ'. *The Journal of Ethics* 26(4): 683–704.
- Tucker, Miles. 2016. 'The Pen, the Dress, and the Coat: A Confusion in Goodness'. *Philosophical Studies* 173(7): 1911–22.
- Vallentyne, Peter. 2005. 'Of Mice and Men: Equality and Animals'. *Journal of Ethics* 9(3–4): 403–33.
- Warren, Mary Ann. 1997. *Moral Status: Obligations to Persons and Other Living Things*. Oxford: Clarendon Press.
- Wilcox, Marc G. 2020. 'Animals and the Agency Account of Moral Status'. *Philosophical Studies* 177(7): 1879–99.
- Woollard, Fiona. 2023. "'Utilitarianism for Animals: Deontology for People" and the Doing/Allowing Distinction'. *Philosophical Studies* 180(4): 1149–68.