

Against the Circle of Moral Considerability

By Frank Jankunis

Comments welcome. Email: fjankun@ucalgary.ca

The metaphor of the circle¹ of moral standing² is now standardly deployed in philosophical discussions of non-human moral standing and non-human moral obligation. The metaphor is usually employed in such contexts in connection with efforts to extend, expand, or widen the class of things that are supposed to have moral standing—extending, expanding, or widening the circle. In this paper, I challenge the persistent use of the circular metaphor in discussions of non-human moral standing and non-human moral obligation. I argue that the metaphor influences thinking about these things in ways in which it should not.

The circular metaphor can be found in work from the beginning of modern day environmental and animal ethics in the latter third of the 20th century, e.g. (Goodpaster 1978, p.309), (Stone 1972, p.450), and (Routley and Routley 1980, p. 107), right through to the present day, e.g. (Singer 2011), (Keller 2010), (Zimmerman et al. 2005), and (Brennan & Lo 2010). It geometrically represents two possibilities: having moral standing or not; those things that have moral standing, of course, are those to which we have moral obligations, while those that's that lack it are those to which we do not. Sometimes, though not always, this basic picture may be complicated by nesting circles within the master circle of moral standing, where the inner circles are the things with standing to whom we have more weighty moral obligations.³ This complication is, however, inessential to the basic idea.

¹ Alternatively, the sphere of moral standing.

² Alternatively, moral status or consideration. For the sake of simplicity, for present purposes it will suffice to restrict the discussion to moral standing. There are differences between moral standing, moral status, and moral consideration, but these are not germane to my purposes in this paper.

³ This particular model of the circle of moral standing is sometimes thought of as a series of tree rings or accretions. On it, there are nested circles of moral obligations, and perhaps also nested circles of moral standing.

There are a number of considerations that support and encourage the use of the circular metaphor in the present contexts. For one, there are very similar circular metaphors in use in everyday discourse. For example, consider the circle of friendship. In a person's circle of friends, the person himself is, of course, in the center of the circle. Those within his circle of friends are those with whom he enjoys friendship. Outside of it are those with whom he does not. People are added to the circle as he befriends, ejected from the circle as he defriends. Those close to him in friendship may be part of his "inner circle". A close-knit group of friends is one in which the friends "run in the same circles."

The groundwork for the suitability of the circular metaphor in such contexts is also laid by old ideas in moral theory. Consider, for example, Kant's similar metaphor of the kingdom of ends, within which are those that meet the necessary and sufficient conditions of moral standing. This purposefully physical metaphor is meant to draw a hard line of moral significance between those within the kingdom and those without, reflective of the status of the former as compared to that of the latter. Similarly bivalent, and also in a geometric vein, is Bentham's insuperable line separating those with moral standing from those without. By dint of these territorial and geometric metaphors from Kant and Bentham respectively, philosophers who began to argue various non-humans also enjoy moral standing emerged from a tradition that took its boundary drawing rather seriously.

Given the new project of arguing non-human moral standing, a new metaphor needed to be adopted. Kingdoms expand, but usually only by victory in war or other types of conquest, rendering the kingdom metaphor obviously inappropriate to capture the projects of early

The model was first mentioned by Routley and Routley (Routley & Routley 1980). It is also discussed by J. Baird Callicott (Callicott 1989), who uses it so geometrically represent the thesis that our moral obligations to other humans are more weighty than the moral obligations we acquire as ethics evolves, including moral obligations to the land community.

environmental and animal ethicists.⁴ Indeed, these philosophers weren't so much interested in expanding the kingdom of ends as they were with showing that the old, dominant ethics that deployed on which such metaphors were appropriate was unjustifiable human chauvinism (Routley 1973).

On the other hand, although Bentham's metaphor of the insuperable line did appear in the early work of Peter Singer (Singer 1990), it wasn't a great choice either. The idea of line drawing and redrawing doesn't do a great job of capturing a move to greater inclusivity in views of moral standing and moral obligation. As demonstrated by the metaphor of drawing a line in the sand, drawing lines here or there is seemingly arbitrary and contingent. Something else was needed, a metaphor for conceiving and talking about the project of arguing non-human moral standing that would borrow just enough from more established ways of thinking about moral standing to be a respectable theoretical project, but not so much that it would be trapped in old, anthropocentric paradigms.

This metaphor was seemingly found in the metaphor of the circle of moral standing and the associated idea of expanding it to include various non-humans. What's within a circle is included in moral standing, alike in a morally significant way to less controversial insiders. Furthermore, the idea of an expanding circle allowed early animal and environmental ethicists to capture the idea of greater inclusivity in moral theory without denigrating the moral standing of those already recognized to have it.

The notion that there might be a circle of fellows considered like enough to afford one another moral standing traces back directly to Charles Darwin and his evolutionary theory of

⁴ Incidentally, the kingdom metaphor was especially inappropriate for Singer, who goes out of his way to drive a wedge between the idea of moral equality and sameness of treatment. This position is particularly inconsistent with the political ideal that all citizens of the state ought to receive same treatment on grounds of equality.

the nature and origin of ethics. As is well known, Darwin was the first to systematically explore the idea that morality has its origins in evolutionary processes.⁵ Darwin's idea is that there is a community of like individuals the members of which receive our "social instincts and sympathies" (Darwin 1874, p.139), this community growing ever larger as such communities merge to afford even greater competitive advantage for the group as a whole. The natural fit between this understanding of the nature and origin of ethics and the metaphor of the expanding circle of moral standing is demonstrated by Singer's (Singer 2011) choice to deploy the latter as the leading metaphor of his book-length investigation of sociobiological explanations of ethics (Wilson 1975).

Besides the advantage it has of more effectively communicating the central projects of environmental and animal ethics than other similar metaphors in moral theory, the circular metaphor does have certain other advantages. In particular, as David Keller points out (Keller 2010, pp. 10–19), using the circular metaphor can help to organize the variety of views of non-human moral standing. It allows one to visually compare and contrast these views. This can be especially helpful for teaching purposes.

However, what I want to argue presently is that we ought not to make use of the metaphor. I think it surreptitiously influences the way we think about moral status in a number of ways. For one, I think it settles a controversial substantive matter in deploying the in/out dynamics of the circle. Second, I think it places humans at the center of the circle of moral standing, which is contrary to the projects of those who are worried about non-human moral standing in the first place.

⁵ Darwin himself held the view that he was the first to approach morals "exclusively from the side of natural history" (Darwin 1874, p.111).

As for the first of these alleged effects, it should be clear from what I've already said that the basic idea of the circle of moral standing is bivalent: human and non-humans alike are either in the circle, so possessing moral standing and being the object of moral obligations, or not. This was inherited from views of moral standing gone past, viz. Kant's and Bentham's, and common use of similar concepts. One cannot be in and out of the kingdom of ends or the circle of friends at one and the same time. That's what makes the kingdom or the circle so exclusive, regardless of whether a hierarchy of subjects or of friends is recognized.

Second, I think using the circle of moral consideration to conceptualize moral status disposes us to pay attention to the center (what is sometimes in geometry called the "origin") of the circle. The question the metaphor presents us with is: what is the circle a circle around? What is its origin? Whereupon do we draw this circle of moral standing and not another? Just as a circle of friends has the befriending individual at its centre, so to does the circle of moral standing have the source of moral standing at its center. If anyone doubts this, consider that, on the cover of Singer's book *The expanding circle* (Singer 2011), is a picture of a human stick figure in the center of circles radiating out from him.

We might, as I've noted, think there's nothing wrong at all with these two things. With the Law of Excluded Middle in mind, we might applaud the bivalence of the view of moral standing presupposed by the circular metaphor. Further, with the weight of all of those who've subscribed to anthropogenic theories of moral value behind us, we might applaud the idea that the circular metaphor suggests humans at the geometric center. Even if the applause is out of place, it might be thought we're just as well to consider these two features of the circular metaphor innocuous and move on to some supposedly bigger issues. Yet as I will now argue,

there is some reason to resist that the substantive views about moral standing suggested by the circular metaphor.

Let us begin with why we should object to the in/out dynamics of the circle being applied to the issue of non-human moral standing. There is no cause for complaint if moral status is bivalent. This has been the view of moral status offered by moral philosophers in the past: who have held, again, that, when it comes to moral status, you have it or you don't. But what if this is not correct? What if moral status isn't like this?

There is, of course, a deep challenge in deploying a bivalent account of moral standing to argue that more things than are presently thought should be of moral standing. To make such an argument, whichever target bits and pieces of the non-human world are alleged to have moral standing must be shown to have *full* moral standing. That is, it's the task of the philosopher advancing such a view to show his interlocutor sufficient reason to think that what he had heretofore regarded as a moral inferior is actually a moral equal. This sets the burden of proof so high as to render the project correspondingly unlikely to be carried out.

Nevertheless, there are, of course, many environmental and animal ethicists who have attempted just such a project. Consider, e.g., Paul Taylor's (Taylor 1986) argument for biocentric egalitarianism, the view that all living things have equal inherent value. Taylor contrasts biocentric egalitarianism with anthropocentrism, the view that "it is to humans and only to humans that all duties are ultimately owed" (Taylor 2012, p.102). By his own admission, Taylor doesn't have a sound argument to that conclusion (Taylor 2012, p.113). Given this, it is understandable that Taylor's philosophical critics have been harsh. But what I wish to draw attention to, for present purposes, is the dilemma Taylor starts out with: either humans are alone in having moral standing, or else all organisms (including humans) are moral equals. Put

in the circular idiom, either the circle of moral standing includes humans and only humans or else it includes all organisms within its bounds.

Sympathetic critics of Taylor, like David Schmidtz (Schmidtz 1998), see that this bivalent view of moral standing underlying Taylor's dilemma has to go. Schmidtz argues that one can preserve Taylor's best and most important insights by retreating to the view that all living things have *some* inherent worth. Other philosophers, like Mary Anne Warren (Warren 2000), similarly talk opening about the strength of one's moral status. "Full," "strong," and "weak" are all adjectives Warren uses in these contexts. Whether these philosophers' views are correct or not is not here my concern. I wish only to point out that this move forward, to a more sophisticated and apparently more reasonable view, is incompatible with the bivalence of the circular metaphor for moral standing. On such views, moral status is not something these things have and these things don't, it's something that these things have to this degree, those things have to that degree, and perhaps some things lack altogether.

Now let's move on to the second feature of the circular metaphor I mentioned earlier: the idea that there's something of preeminent importance at the center of the circle of moral standing. Again, as I've mentioned, this might strike one as perfectly fine: if moral value comes from humans, then humans are at the center of the circle of moral standing. Yet the idea that humans are at the centre of ethics appears to go against the stated project of environmental and animal ethics in several respects. Let me explain.

Whatever else those who want to expand the circle of moral status are doing, it is generally thought that they're trying to move beyond the view in ethics called "anthropocentrism". Anthropocentrism is defined as the view that all ethics is human-centered

(Light & Rolston 2003, p.8). With this definition in mind, it makes little sense to have the leading metaphor of the field presuppose a human at the center of the circle of moral standing.

Even more problematically, the very idea of a circle of moral standing presupposes that the non-human things we are trying to fit within its newly enlarged boundaries *can* fit within those boundaries with us. Individual things, of course, can fit within a circle, but the same cannot be said for other kinds of things environmental ethicists have tried to argue have moral standing. For example, as is well known, a holist might argue that an ecosystems or a species is of moral standing. Because collections of things are not the sorts of things that can fit within the boundaries of a circle, if the circular metaphor is deployed to describe the efforts of those who argue such things have moral standing, their efforts are liable to the charge of committing a category mistake. This stacks the deck against the acceptability of such projects right from the beginning.

Animal ethicists, too, might have their projects inadvertently frustrated by the use of the circular metaphor. Consider the familiar idea from animal ethics that all animals are moral equals. Because of its emphasis on the center of the circle, the circular metaphor builds into its representation the idea that physical proximity to the center of the circle matters. Those physically nearer animals, like one's pets, are thus more likely to be seen as moral equals than more physically distant animals, frustrating the idea that all animals are moral equals. Owing to the idea that distance from humanity matters, as embodied in the circular metaphor, the project of arguing the equality of all animals is frustrated by its description as an effort to expand the circle of moral standing.

It has not been my objective in this paper to argue any one substantive view of moral standing. To be clear, I do not object to the idea that there are non-humans who have moral

standing. What I object to is the idea that we should think about moral standing and the arguments for non-human moral standing in terms of the circular metaphor. In closing, I should point out that much of what I have had to say is admittedly conditional. For example, the worry that the circle of moral standing prematurely forecloses on the view that nature itself has moral standing is admittedly a problem only if we have good reasons to think nature has moral standing. Nevertheless, unless the substantive issues I have argued the circular metaphor settles are in fact settled in ways that agree with the metaphor's treatment of such issues, we should refrain from using the circular metaphor.

Works Cited

Brennan, A. & Lo, Y.S., 2010. *Understanding environmental philosophy*, Durham, [UK]: Acumen.

Callicott, J.B., 1989. *In defense of the land ethic: essays in environmental philosophy*, SUNY Press.

Darwin, C., 1874. *The descent of man: and selection in relation to sex 2* (revised and augmented), New York: A.L. Burt Company.

Goodpaster, K.E., 1978. On Being Morally Considerable. *The Journal of Philosophy*, 75(6), pp.308–325.

Keller, D. ed., 2010. *Environmental ethics: the big questions*, Wiley-Blackwell.

Light, A. & Rolston, H.I., 2003. Introduction: Ethics and Environmental Ethics. In A. Light & H. I. Rolston, eds. *Environmental Ethics: an anthology*. Blackwell Publishing, pp. 1–13.

Routley, R., 1973. Is there a need for a new, an environmental ethic? In *Proceedings, 15th World Congress of Philosophy*. Bulgaria: Sofia, pp. 205–210.

Routley, R. & Routley, V., 1980. Human Chauvanism and Environmental Ethics. In D. Mannison, M. McRobbie, & R. Routley, eds. *Environmental philosophy*. Department of Philosophy, Research School of Social Sciences, Australian National University.

Ryle, G., 2009. *The concept of mind*, Florence, KY: Routledge. Available at: <http://site.ebrary.com.ezproxy.lib.ucalgary.ca/lib/ucalgary/docDetail.action?docID=10313082> [Accessed March 23, 2014].

Schmidtz, D., 1998. Are All Species Equal? *Journal of Applied Philosophy*, 15, pp.57–67.

- Singer, P., 1990. *Animal liberation* 2nd ed., New York: New York Review of Books.
- Singer, P., 2011. *The expanding circle*, Princeton, NJ.
- Stone, C.D., 1972. Should Trees Have Standing –Toward Legal Rights for Natural Objects. *Southern California Law Review*, 45, pp.450–501.
- Taylor, P., 2012. Respect for Nature. In D. Scmidtz & E. Willott, eds. New York: Oxford University Press.
- Taylor, P.W., 1986. *Respect for nature: a theory of environmental ethics*, Princeton University Press.
- Warren, M.A., 2000. *Moral Status: obligations to persons and other living things*, Oxford University Press. Available at:
<http://www.oxfordscholarship.com/view/10.1093/acprof:oso/9780198250401.001.0001/acprof-9780198250401> [Accessed August 27, 2013].
- Wilson, E.O., 1975. *Sociobiology: the new synthesis*, Cambridge, Mass.: Belknap Press of Harvard University Press.
- Zimmerman, M. et al. eds., 2005. *Environmental philosophy: from animal rights to social ecology*, Saddle River, NJ: Prentice-Hall.