

## Personhood, species and community

A complete theory of moral status must account for attributions of status in a way that tracks morally relevant features. The internal relation between moral status and features generates apparent problems if we beings with similar relevant features (narrowly construed) nevertheless have a different status, for instance because their species membership differs. One way to address this worry is to suitably define what counts as a morally relevant feature and to point to relevant differences between beings apparently similar under a narrow description. On any plausible view of moral status, at least some abilities will be candidates, among a range of cognitive, emotional, or social abilities. Yet our intuitions that beings similar under one respect can nevertheless have a different moral status admit of several different explanations.

One such explanation is that beings similar with respect to their abilities may differ with respect to the *relations* they bear to other members of the moral community (e.g. social relations or membership in a kind or species). Conversely, similarity with respect to community membership may explain why beings dissimilar with respect to their abilities may have the same moral status. Both are compatible with supervenience. Another explanation is that beings similar with respect to their actual abilities may differ with respect to their *potential* or *counterfactual* abilities, i.e., respectively, the abilities they can, and normally will, have (e.g. infants) or the abilities they could have had or once had (e.g. in cases of cognitive disability, dementia, or coma).

Such arguments are common in work on cognitive disability and moral status but have been criticized for their arbitrary way line-drawing between humans and other species, given the variability and overlap of minds within and across species. Most views of moral status face the challenge of accounting for both of two claims: (A) that *most human beings, including infants and cognitively disabled humans, have full moral*

*status* (FMS) (i.e. close or equal to that of persons) regardless of their actual capacities (i.e. whether or not they possess autonomy, rationality, self-consciousness ...); (B) that *most nonhuman animals with cognitive capacities comparable to those of infants and cognitively disabled humans do not have FMS, even though they have some moral status*. Meanwhile, they face the challenge of accounting for both claims while not relying on morally arbitrary or contingent factors such as bare membership in a species or community — how, that is, to ground FMS for all (and only) humans on morally relevant *intrinsic* features.

Two recent responses to the challenge include Jaworska and Tannenbaum's (2014) account of FMS based on "person-rearing relationships" and Kagan's (2016) "modal personism." Both purport to combine FMS for most (although not strictly all) humans with a lower moral status for most (although not strictly all) nonhumans, based on a *relevant aspect* of species membership, which they nonetheless take to be grounded in intrinsic properties. On Jaworska and Tannenbaum's view, nearly no nonhuman can meaningfully participate in person-rearing relationships, while most humans can; on Kagan's view: in nearby possible worlds, nearly no nonhuman could have been a person while most humans could. These two views avoid traditional appeals to (ill-defined) *potentiality* as a ground for moral status. They also both rely on *intrinsic* capacities as the sole basis for moral status ascription. I call this shared commitment the *Intrinsicity Assumption* (IA), which both views take to be intuitive.

I argue that both views fail to establish the truth of the conjunction of A and B. I provide an alternative account of their underlying intuitions. We are not members of a "person-species" (*pace* Kagan), i.e., whose members are uniquely disposed to become persons or to take part in person-typical activities. We are members of *person-communities*. The judgment that both A and B is intuitive against a backdrop of interpersonal relationships, typically focused on human- and person-typical characteristics. A person-community provides a framework for seeing and treating non-paradigm humans as persons. Following Schechtman's (2014) work on personhood and personal identity, I assume that persons simply cannot exist out of such (socially, politically, culturally rich) frameworks, what she calls "the

social and cultural infrastructure of personhood—the set of practices and institutions that provides the backdrop within which the kinds of activities that make up the form of life of personhood become possible”.

Insofar as this infrastructure undergirds becoming a person (and personhood morally matters), we can consider it a morally relevant set of relationships. If so, we can reject IA and avail ourselves of a relational framework immune to arbitrariness. But by the same token, we should accept that species boundaries only accidentally, and approximately, map onto personhood boundaries. The existence of genuine interspecies communities (Donaldson and Kymlicka 2011; 2015) and the person-communities view together create descriptive and normative space for personhood across species boundaries. Importantly, the view does not rest on ‘marginal cases arguments’ or pending evidence that animals meet standard criteria for personhood (*pace* the Nonhuman Rights Project) and is compatible with FMS for cognitively disabled humans.

Finally, I respond to the charge that the view picks out features irrelevant to interests. Although social relations are neither necessary nor sufficient for moral status, they can enhance it, which explains why both some nonhumans and all humans (in virtue of either capacities and/or membership in person-communities) can be persons. While capacity-enhancement is a possibility, enhancement can also be channeled through relationships, and both affect ones’ interests and flourishing. Thus, insofar as it’s in one’s interest to flourish in such relationships—because they shape one’s form of life—status can be enhanced by relationships. Many domesticated animals and other members of interspecies communities provide cases in point, as do cognitively disabled children brought up among typical human person-communities.

## References

- Donaldson, Sue and Kymlicka, Will (2011). *Zoopolis: A Political Theory of Animal Rights*. Oxford: Oxford University Press
- Donaldson, Sue and Kymlicka, Will (2015). Farmed Animal Sanctuaries: The Heart of the Movement? *Politics and Animals*, 1: 50-74
- Jaworska, Agnieszka and Tannenbaum, Julie (2014). Person-rearing relationships as a key to higher moral status. *Ethics* 124(2): 242-271
- Kagan, Shelly (2016). What's wrong with speciesism? *Journal of Applied Philosophy* 33(1): 1-21
- Schechtman, Marya (2014). *Staying Alive: Personal Identity, Practical Concerns, and the Unity of a Life*. Oxford: Oxford University Press