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Kantian Approaches to Animals and Obligations

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Over the course of Western philosophy, the animal has quite often been relegated to the sidelines, if not altogether dismissed. René Descartes, for example, considers animals to be machines, lacking in reason and intelligence and driven entirely by their physical components.¹ However, beginning in the late 20th century, there was a renewed interest in issues relating to animals in the humanities, including in the field of philosophy.² As one of the most influential Western philosophers, a reinvestigation of Immanuel Kant's account of animals is of particular interest because his moral theory is so influential to deontological ethics. I argue that Kant's division between animals and humans on the basis of rationality may be supported to an extent; however, it is still possible and preferable for us to interpret his ethical theory such that animals are afforded some direct duties from humans, as such an interpretation is possible through the formulation of an alternative Kantian framework.

First, it will be helpful to give a brief overview of Kantian ethics. For Kant, the highest and only good in a moral sense is the good will; in order to produce such a will, the faculty of reason is "absolutely necessary."³ What's more, this will must be good in itself, and not merely for its usefulness to us or as it is a means to some other end. This free will, which is the power to act according to principles, separates the rational being from the natural world.

¹ René Descartes, *Discourse on Method and Meditations on First Philosophy*, trans. Donald A. Cress (Indianapolis: Hackett Publishing Company, Inc, 1998), 56–57.

² Samuel Camenzind, "Kantian Ethics and the Animal Turn. On the Contemporary Defence of Kant's Indirect Duty View," *Animals* 11 (2021): 512.

³ Immanuel Kant, *Grounding for the Metaphysics of Morals*, trans. James W. Ellington (Indianapolis: Hackett Publishing Company, Inc, 1993), 396, p. 9.

Perhaps the best-known aspect of Kant's moral theory is the categorical imperative. The most famous formulation of this concept is the Formula of the Law of Nature: "Act only according to that maxim whereby you can at the same time will that it should become a universal law."⁴ Though this is sometimes misconstrued as saying to "act as you would like to be treated," what Kant really means by this is that the principle upon which your action is based must be able to be willed as a universal law, as in a law of nature.⁵ What's more, this moral law must be necessary for *all* rational beings and at all times.

However, Kant also gives a second formulation commonly referred to as the Formula of the End In Itself: "Act in such a way that you treat humanity, whether in your own person or in the person of another, always at the same time as an end and never simply as a means."⁶ By "humanity," we take Kant to be referring to *rational nature*: in the preceding section, Kant writes that the nature of rational beings marks us out as ends in ourselves, as opposed to objects which have conditioned values and non-rational beings which have a "relative value as means."⁷ This particular formulation is important because it gives us an objective principle from which Kant says we must derive laws of the will—all duties. This is also important because, as we will see, Kant's specification of "humanity" and "in the person" seems to prevent a great deal of the world from having unconditioned value. By "humanity," Kant is referring to the capacity to set oneself an end, distinguishing it from "animality."⁸

⁴ Kant, *Grounding for the Metaphysics*, 421, p. 30.

⁵ Kant, *Grounding for the Metaphysics*, 431, p. 37.

⁶ Kant, *Grounding for the Metaphysics*, 429, p. 36.

⁷ Kant, *Grounding for the Metaphysics*, 428, p. 35.

⁸ Immanuel Kant, *The Metaphysics of Morals*, trans. Mary Gregor (Cambridge: Cambridge University Press, 1991), 392, p. 195.

How else does Kant distinguish animals,⁹ along with animal nature, from humans and his idea of humanity throughout his works? In the *Critique of Pure Reason*, there are relatively few references to animals. Where they are mentioned, Kant strongly differentiates between the animal and the human, generally regarding the animal as an inferior. His most important claim with regard to animals is that, because “lifeless, or merely animal, nature” does not have access to reason, it cannot have pure apperception.¹⁰ By “pure apperception,” Kant is referring to the faculty which unifies the sensory impressions into *our* experience, bringing it under one self-consciousness. The consequence of this is that Kant must deny animals experience in the unified sense, since the pure unity of the apperception is necessary to organize the multitude of sensory intuitions into an experience that can be called one’s own and is the basis for the self.¹¹ This, in turn, leads to the denial of many other faculties of mind to animals, such as synthesis and access to the understanding.

Animals appear more often throughout the *Lectures on Ethics*, with the most thorough discussion taking place in the section entitled “Of Duties to Animals and Spirits.” Here, Kant says explicitly that animals exist only as means and never as ends because they lack self-consciousness.¹² This means that, unlike fellow humans, we have no immediate duties to animals. Rather, the meager duties which we do have with regards to animals are only as such insofar as their situation is analogous to that of a duty we would ordinarily grant a human. In this way, Kant’s account of animals is differentiated from that of the Cartesian machine. Even though he insists that animals are driven entirely by outside stimuli and therefore have no freedom of

⁹ For conciseness, when I use the term “animals,” I am referring to non-human animals.

¹⁰ Immanuel Kant, *Critique of Pure Reason*, trans. Norman Kemp Smith (London: Macmillan and Co., 1929), A546–547, p. 472.

¹¹ Kant, *Critique of Pure Reason*, A103, p. 133–134.

¹² Immanuel Kant, *Lectures on Ethics*, trans. Peter Heath (Cambridge: Cambridge University Press, 1997), 27:459, p. 212.

choice—even a dog we perceive as choosing to go after one target or another is simply responding to external stimuli, not coming to a rational decision—Kant does not deny that we should sometimes show animals compassion.¹³

There are also other ways in which Kant characterizes animals throughout the *Lectures*. Unlike humans, whose freedom is limited by “objectively necessitating grounds” inside the understanding, Kant says that the actions of animals are dictated by a subjectively necessitating fundamental principle.¹⁴ By this, he means that the actions of things in nature are regular and proceed according to an inner rule, while humans have freedom limited by universal rules. In this, animals cannot act in a way contrary to their inner principle, but humans can violate their grounds and therefore be acting immorally. In fact, Kant states that a human cannot be compelled to do *anything* without their willing it: even if some extreme stimuli is acting upon a person to get him to do something—Kant’s example being torture—the free will possessed by the person means he can still stop himself from acting immorally, and is responsible in a way that an animal is not if he does act immorally.¹⁵

In his discussion of the moral wrongfulness of suicide, Kant says animals are “here regarded as things,” while humans are *not* things and are therefore not something that can be disposed of. This also reveals quite explicitly that, to Kant, animals are distinguished as being lesser than humans. To treat oneself as an animal—such as by disposing of one’s life by committing suicide—would be to subordinate and disrespect one’s own humanity.¹⁶ It is also interesting to note that Kant treats suicide as not just reducing humanity to the level of animals

¹³ Kant, *Lectures on Ethics*, 27:267, p. 60.

¹⁴ Kant, *Lectures on Ethics*, 27:344, p. 125.

¹⁵ Kant, *Lectures on Ethics*, 27:344, p. 125.

¹⁶ Kant, *Lectures on Ethics*, 27:373, p. 147.

but “put[ting] himself below the beasts”; this is because the human being, by disrespecting her rational nature and using her autonomy to destroy that rational nature, is using herself as a means and violating her duty to herself in a way that not even an irrational animal would be capable of.¹⁷

With this characterization, we are left with a very complex view of animals. On the one hand, they are incapable of experience because they lack the capacity of understanding, and are therefore also incapable of cognizing beyond mere sense intuition. They go through life propelled by the stimuli which act upon them in a deterministic manner, unable even to make a decision about which stimulus to pursue. Kant explicitly refers to them as “things” and “means,” particularly utilizing these terms when characterizing humans as being superior to animals. Indeed, much of what Kant feels necessary to mention about the status of animals directly concerns our own morality, not theirs. The value of animal life, for Kant, appears to be quite contingent on its similarity to the human situation. In this, the proper treatment of animals is hardly dissimilar from the way we would treat a tool or a work of art, in that it would be bad to cause it harm not because *it* is wronged but because we wrong ourselves by disrespecting something reflected in our *own* nature (for example, utility or the appreciation of beauty).

Yet, for all Kant wants to use animals as the means to an end of uplifting the human, he is sometimes surprisingly sympathetic to animals. It has already been stated that he rejects the Cartesian view outright. Kant also calls medical experimentation on live animals “cruelty,” although he does allow this practice so long as it uses the animals as a means towards a “good purpose.”¹⁸ Interestingly, in the *Lectures on Ethics*, he refers to “how greatly [animals] care for

¹⁷ Kant, *Lectures on Ethics*, 27:331–334, p. 114–117.

¹⁸ Kant, *Lectures on Ethics*, 27:460, p. 213.

their young” as engendering our love towards them, suggesting that animals do engage in behaviors like caring, loving, and valuing one another.¹⁹

In differentiating animals from people, the most significant claim Kant makes is that animals lack the original unity of the apperception. In Kantian epistemology, possessing this apperception—the pure consciousness that underlies all experience as able to be called *my* experience—is necessary to unify the intuitions we receive through the senses into a whole. As beings who possess this apperception, humans have a consciousness of self, can form concepts, and can have the possibility of experience.²⁰ As animals lack this unity, they also lack the capability of understanding, and can therefore only have access to the disorganized manifold of intuition.²¹

However, when we observe animals, we see them quite clearly interacting with the world, navigating it in a way that is often quite successful. It seems that we observe them learning from the past in some way; they appear aware, responsive, and capable of evaluating their options. They appear to care for their young, just as Kant says, and they appear to form connections with humans and across species. Animals across multiple species have even been seen to manufacture and use tools derived from external sources, such as New Caledonian crows selecting and shaping sticks to retrieve prey from trees, in order to navigate problem situations in their environment. In such cases, we might conclude that these animals are displaying a form of reflective intelligence insofar as they are creatively, individually learning and “planning ahead.”²² Many of these behaviors are quite complex and do not appear to be wholly rooted in

¹⁹ Kant, *Lectures on Ethics*, 27:459, p. 212.

²⁰ Kant, *Critique of Pure Reason*, B131–135, p. 152–154.

²¹ Naomi Fisher, “Kant on Animal Minds,” *Ergo: An Open Access Journal of Philosophy* 4, no. 15 (2017), 1.

²² Ana Cuevas-Badallo, “A Pragmatist Explanation of Technical Capabilities in Nonhuman Animals,” *European Journal of Pragmatism and American Philosophy* 13, no. 1 (2021).

instinct or stimuli responses. Yet, if we are to allow Kant's definition of animals to stand, how can we explain any of this? If we are forced to deny animals consciousness, we must also deny them many abilities which seem crucial to being in the world.

What, specifically, must we deny to animals if we are to accept Kant's view? Without the unity of apperception, animals cannot experience themselves as experiencing the world—at least, not in a way comparable to the experience of a self that humans possess—and do not have access to the understanding. As a result, they cannot synthesize intuitions under concepts, they cannot undertake judgments, and they cannot really have cognition of objects. As for what mental tools animals *do* have, they have sensible intuition, though with no apparent means of organizing those intuitions or unifying them. Kant also grants animals choice based solely on inclination, desire, reflection, and a form of imagination. This does not necessarily mean that animals cannot, for instance, have thoughts and intuitions organized by *something*, but that this something cannot be experienced by the animals as rules or laws or be subject to the animals' judgment. Based on these limited tools, animals can have access to obscure representations—that is, a representation that is present but not cognized—as well as instinctive reflection, which lacks concepts but instead determines the appropriate inclination for their objects of sensation. In addition, animals might still possess an empirical awareness that is minimal and disunified but which does not prevent awareness of sensory intuitions on an individual basis.²³ However, this all means that the Kantian animal can only participate in low-level mental activities and makes certain more complex behaviors, such as the aforementioned tool building, difficult to account for.²⁴

²³ Fisher, "Kant on Animal Minds," 1–2.

²⁴ Fisher, "Kant on Animal Minds," 7.

Despite the potential difficulties therein, I will proceed by accepting Kant's distinguishing between animals as irrational creatures and humans as rational creatures, though alternate conceptions of the rationality of animals will be explored later. Kant's explanations may make it difficult to attribute complex behaviors to animals, but I do not think he fails to explain how animals can have *some* type of experience, even if it is markedly different from our own. In addition, I do not think his account prevents us from finding some other way to ground these complex behaviors, even if it is not immediately apparent. Now, if we accept this characterization, what consequences does this have for the moral status of animals under Kant's ethical theory?

The Moral Status of Animals

In the *Doctrine of Virtue*, Kant begins the section "On Amphiboly of Moral Concepts of Reflection" by stating "[a]s far as reason alone can judge, man has duties only to men."²⁵ And this is certainly one aspect of the scope of morality for Kant. However, the matter is not as conclusive as excluding animals from the moral sphere entirely. As we can glean from his characterization of animals, Kant does seem to think there are right and wrong ways of treating animals, morally speaking (for instance, by torturing them for sport). At the same time, the interests and welfare of the animal are not given any moral consideration by Kant. Instead, the status of oneself—a human being—as a moral being is the source of any duty.²⁶

In order for a subject to impose a duty on another, Kant says, the subject must be a person in possession of a will, as only a will can be morally constraining. In addition, the subject must be given as an object of experience. That is, a duty must be between two existent people, though

²⁵ Kant, *Metaphysics of Morals*, 442, p. 237.

²⁶ Camenzind, "Kantian Ethics," 3.2.

Kant does not restrict us from theoretically also having duties to other rational non-human beings. Therefore, it is only possible for us to have a duty *with regard to* other objects that lack rationality and the autonomous will. However, we are apt to get this confused with the idea of having duties *for* them.²⁷ Out of this amphiboly, we get duties *with regards to* non-rational things, but only as they are actually duties to ourselves. For example, we have a duty not to pointlessly destroy the beauty of nature, but not out of a duty we owe to nature itself. Rather, we have a duty with regards to nature, but this duty is still to a person. Even if the beauty of nature is functionally useless to us, we should not destroy it because, as destruction of the beautiful weakens human sensibility (though he specifies not directly our morals), we owe it to *ourselves* not to act in such a way.

Kant gives us the example of the English butcher not allowed to sit on a jury due to such activities “inur[ing him] to death.”²⁸ His mentioning of this case suggests that the way we treat animals has a particularly significant impact on our moral sensibilities. Indeed, Kant says that violent and cruel treatment of animals weakens, even destroys, the predisposition that positively impacts our treatment of fellow human beings.²⁹ However, this does not mean that causing *any* harm to animals violates a duty. We may use animals in our labor so long as we do not treat them poorly by forcing them to work beyond their capabilities, as the situation is similar to that of the human laborer: by mistreating our animal workers, we grow less sensitive to the suffering of the analogous human workers. Kant also mentions that we may kill animals, albeit with reason and with as little pain as possible.³⁰ This means quite clearly that the medical researcher

²⁷ Kant, *Metaphysics of Morals*, 442, p. 237.

²⁸ Kant, *Lectures on Ethics*, 27:460, p. 213.

²⁹ Kant, *Metaphysics of Morals*, 443, p. 238.

³⁰ Kant, *Metaphysics of Morals*, 443, p. 238.

indiscriminately experimenting on live animal subjects would be violating his duty not to the mice themselves, but to himself; in uprooting the moral character, he would become less receptive to the suffering of others and become apt to treat them poorly. However, it is important to note that it is not his duty to *others* that the researcher is violating, even if he is making himself less receptive to the suffering of others: it is his duty to *himself* that he must uphold, and in doing so, cultivate his rational nature.

I find two potential difficulties to note here. First, Kant mentions only two examples of situations with regard to animals in this section: use of animals in labor and the killing of animals in general. The former seems, on the surface, quite obviously analogous to the human situation. It is all right to treat human workers well, and it is wrong to make them suffer, for a multitude of reasons. Therefore, accepting the premise that treatment of animals does impact our disposition and further treatment of people, it seems to make sense for us to say that we can use animals for labor just as we do humans, provided that we treat *them* well too.

However, what human-specific situation could possibly be held as an analogy for killing an animal where the action was *not* clearly morally forbidden? Kant does specify that the morally permissible killing is one in which the animal was killed as painlessly as possible. Though he does not here in the Doctrine of Virtue explicitly mention that the animal must be killed for a good reason, we might glean from his abhorring the behavior of the scientist torturing animals out of “mere speculation” that this killing also needs to be for a good enough reason, which is difficult to quantify.³¹ Again accepting his premise that treatment of animals impacts our moral behavior with respect to humans, it seems clear why we do not want to allow indiscriminate murder and torture of animals: it will dull our sensitivity to suffering in people,

³¹ Kant, *Lectures on Ethics*, 27:460, p. 213.

make us apt to cause those around us to suffer, and degrade the value we place upon life. But then why must we allow killing to be morally permissible at all? What reason counts as good enough?

The situation Kant gives us is as such: we kill an animal, taking its life in an act of violence. If we do this for a good reason, quickly, and with as little suffering as possible caused to the animal, we have not violated our duty to ourselves; our disposition of sensibility has not been damaged.³² But why are we, as he puts it, “authorized” to do this? If we are taking the animal to be analogous to the human, is there really no “shared feeling” of suffering that reminds us of the suffering of a fellow human? The closest equivalent for humans (aside from explicit murder) would be euthanasia, which would certainly not be morally permissible under Kant’s ethics because it denigrates the value of human life. What’s more, Kant clarifies this view by saying of the scientist experimenting on animals, if he puts the animals through pain “when the end could be achieved without these [agonizing physical experiments],” it is morally despicable.³³

In my reading, this could lead us to two different conclusions. Maybe the killing of the animal for food must not be analogous to a way of treating humans (at least not strongly enough to affect our shared sense of suffering) if we are to call it morally permissible. Perhaps we can say that because a human being is not commonly accepted to be a source of food for other rational beings; when the animal becomes a food source, it becomes completely like an object which we cannot see our rational nature mirrored in.³⁴ And yet, what might this lead us to conclude about certain cruel ways of treating animals? For example, what about a situation like

³² Kant, *Metaphysics of Morals*, 443, p. 238.

³³ Kant, *Metaphysics of Morals*, 443, p. 238.

³⁴ Of course, in some cultures human flesh is consumed. But this commonly holds a deeper significance than mere nutrition. See Cora Diamond’s “Eating Meat and Eating People,” *Philosophy* 53, no. 206 (1978), 465–479.

factory farming? In the egg industry, male chicks (which are not the same breed as chickens bred for their meat, and are therefore useless) are culled at a day old, often through maceration (grinding up) or gassing. It could be argued that there is no situation analogous to this for humans, as human beings do not produce eggs which are edible and nourishing and could never serve as such a constant source of nutrition in the same way. What's more, the chicks actually do not have a place in the world in a way that humans never could; they are bred *en masse* for one specific purpose, and when they cannot fulfill that purpose, there *is* no other place for them to go. But this does not seem acceptable, since the chicks as sentient creatures share so many characteristics with humans that they must, on some level, appeal to that shared sense of pain in a way that inanimate objects cannot.

The other possibility is that the situation, analogous or not, must provide a reasonable benefit that cannot be achieved without the unfortunate suffering of the animal, as in the scientist experimenting on the mouse. If this is the case, most of the common ways we kill animals might end up being forbidden, since in current societies, alternatives to animal products like meat and fur are not only widely available but are also able to serve as adequate substitutions. Returning to the *Lectures*, Kant gives us the example of the butcher and doctor becoming inured to death.³⁵ If merely becoming accustomed to death, even with good reason (killing an animal for food) or apparently by accident (even best efforts cannot save some patients from dying), is potentially enough to damage our moral sensibilities, why would it not be a violation of our duties to man to kill animals at all when there is an alternative option available? It seems that exhibiting such cruelty towards animals—beings which react to mistreatment with pain, fear, and attempted escape to preserve their own lives, rather analogous to how a human being would respond—

³⁵ Kant, *Lectures on Ethics*, 27:459-460, p. 212-213.

would be enough to desensitize us to human suffering if we are to accept the previously-mentioned premise.

The second major objection here is that this does seem needlessly heartless towards the animals. For Kant, the duties we have for animals are entirely contingent upon their effect upon us. If I shoot my dog for no reason, the only being who is harmed by this is *me*, the rational being who has failed to cultivate my humanity. My dog does not matter in the situation at all except that his situation happened to be one which meant my actions harmed *me*. However, if we do wish to take a Kantian ethical approach that places some value in the animals themselves, rather than their being a sort of conduit for human moral values, it seems that the text does not easily lend itself to this. As a result, we must ask ourselves a new question: can we interpret Kant's moral philosophy to give us duties to animals, and to what extent can this be done?

There is one interpretation of Kant's ethics with regards to animals that we can quickly dispose of. That is, the idea that Kantian ethics completely disregard any sorts of duties concerning animals due to their status as irrational creatures is weak. While discussions of animals are rather brief throughout these writings, Kant does not appear to be saying that animals are entirely outside of the scope of morality, as we have seen above.

The Indirect Duties Interpretation

If we wish to say that humans have only *indirect* moral duties to animals under Kant's ethics, this reading is commonly referred to as the indirect duties interpretation. When Kant distinguishes between duty *to* a being and duty *with regard to* a being, the former is called a direct duty and the latter is an indirect duty. With regard to animals, then, we have *only* indirect duties because only rational beings' wills can bind the wills of other rational beings.

In the *Doctrine of Virtue*, as he is detailing the division of relations of rights of duty, Kant says the only type of relation of obligation with actual members is the relation humans have towards beings with both rights and duties—that being, of course, the relation of humans towards other humans. For Kant, the relationship of humans towards animals falls into the category of humans towards beings with no rights nor duties; this relationship is empty because beings with no rights or duties are necessarily lacking reason and can therefore not be bound by obligation or bind humans by obligation.³⁶

The indirect duties interpretation is characterized by some as a moderate position on animal ethics. Nelson Potter's reading, for example, places Kant's interpretation at the middle ground between the strong view and the Cartesian view, where Kant does not force us to be "moral vegetarians" but does not treat animals as machines either.³⁷ As we have discussed earlier, Kant provides us with numerous examples of ways in which he believes we should and should not treat animals. Taking the indirect duties view, then, does not allow us to torture and overwork animals at our own discretion, though it does base the moral wrongness of such cruelty in contingent facts about human psychology.³⁸ At the same time, the indirect duties view gives us the ability to engage in practices that kill, harm, or otherwise violently use animals so long as they do not degrade our rational nature or sentiment. Raising an animal for a good reason, such as to provide sustenance, and killing him quickly and painlessly (presumably after treating him well prior to the killing, too) is permissible morally by Kant, implying that this is *not* such a use of animals that it would harm our character. We have respected the animal until the point it

³⁶ Kant, *Metaphysics of Morals*, 241, p. 66.

³⁷ Nelson Potter, "Kant on Duties to Animals," *Jahrbuch für Recht und Ethik / Annual Review of Law and Ethics* 13, no. 70 (2005), 301.

³⁸ Matthew C. Altman, "Animal Suffering and Moral Salience: A Defense of Kant's Indirect View," *The Journal of Value Inquiry* 53, no. 2 (2019), 278.

stopped being an analogue for humanity and became something a human would never be: a source of food.

In addition, scholars such as Lara Denis have argued that an indirect duties interpretation offers practical considerations. For example, it means we would actually have a duty to help animals, even indirectly. As all duties to animals would be indirect, imperfect duties, a misconception might arise that this means that a person could lead a morally good life while simply not fulfilling any duties with regards to animals. However, Denis argues that this misconception is untrue because it would make one's own commitment towards the end of beneficence "questionable." In the *Grounding for the Metaphysics of Morals*, Kant does specify that being beneficent when it is possible is a duty.³⁹ Such duties of beneficence, though, are "wide obligations" because, willed as a maxim, maximizing the happiness of others at the cost of one's own happiness would become a contradiction.⁴⁰ Denis says that the indirect duties view actually broadens our view of possible situations to improve our moral character as well as urges us to promote the obligatory end of others' happiness. This interpretation, then, actually encourages us to fulfill our commitments to the animals, especially when an opportunity arises wherein we would find it easy to give help to an animal.⁴¹

More interesting is Denis's assertion that these indirect duties not only discourage us from treating animals poorly, but also prescribe for us ways in which it *is* acceptable to use animals. Since we know we cannot treat animals in ways that will degrade our moral virtue, we can also understand which ways it is appropriate to have animals help us with tasks. The indirect duties interpretation would allow us to use animals for assistance (such as seeing eye dogs),

³⁹ Kant, *Grounding for the Metaphysics*, 398, p. 11.

⁴⁰ Kant, *Metaphysics of Morals*, 393, p. 197.

⁴¹ Lara Denis, "Kant's Conception of Duties Regarding Animals: Reconstruction and Reconsideration," *History of Philosophy Quarterly* 17, no. 4 (2000).

gather animal products like milk and wool if it is collected without harming the animal, and even clarify ways in which we may still morally allow some situations which would often not be permitted (such as euthanizing a mortally wounded animal to prevent further suffering).⁴² Importantly, Denis also argues that killing animals at all, even in the morally permissible manner that Kant sets forth, weakens our moral sentiments; so does handling and butchering the dead body of an animal, citing Kant's butcher inured to death.⁴³

Given this last claim, would it be possible to use the indirect duties interpretation to say killing animals is not morally permissible, in spite of Kant's claim that it can be under certain circumstances? Denis goes on to give an interesting claim: if we are furthering the nature of rational beings in causing suffering to animals that would otherwise harm our sensibility, this does not override our perfect duties to ourselves as rational beings.⁴⁴ Therefore, if killing an animal is necessary for the continued existence of our rational beings—for example, if the animal posed a threat to a human's life—we would be morally justified in doing so. As for killing an animal and butchering it, if it is necessary (or close to necessary, such as if it is by far the most nutritious food source available) for the animal to be used as food for the continued existence of a rational being, then it will be morally permissible to use it as such, even though it still erodes the moral sensibility. This leads Denis to conclude that the indirect duties interpretation ends up denying us many ways of using animals. It is impermissible for us to kill and eat animals simply out of personal taste; there must be no better option available to allow us to continue existing as rational beings. We may not raise and kill animals for leather or fur unless we cannot live without these materials and no better alternative is available to us.⁴⁵ Certainly,

⁴² Denis, "Kant's Conception of Duties," 414.

⁴³ Denis, "Kant's Conception of Duties," 411.

⁴⁴ Denis, "Kant's Conception of Duties," 414.

⁴⁵ Denis, "Kant's Conception of Duties," 415.

Denis's view is not a common way of approaching the indirect duties method and skews much closer to a strong view of animal ethics. However, to me, an issue still arises here: even if her conception is successful at morally disallowing a much greater amount of animal suffering, all is still vested in the *person* and not the animal. The animal is still worth nothing under this interpretation outside of its bearing on our sensibilities and rational nature.

Nelson Potter raises a common objection in addressing the more traditional indirect duties interpretation. He notes that it is entirely possible that certain humans might end up falling outside the description of "having duties and rights" if they lack rationality. For example, newborns, people in permanent vegetative states, and people with severe mental disabilities might not be considered rational beings, though this is a controversial claim. If we follow Kant's ethical system and conclude that we may not have direct duties to non-rational beings, this seems to place a significant number of human beings outside of the moral community (the kingdom of ends).⁴⁶ This would not exclude rational humans from having indirect duties towards this group, of course, but Potter argues that this would allow us to have *solely* indirect duties towards a significant number of humans. The problem Potter finds with this is that it posits an entire group as being owed duties only *incidentally*, for "non-intrinsic" reasons: we have a duty not to abuse such humans merely because of their relationships to others, the effects on the agent's moral character, and other contingent reasons. Yet this conclusion seems like it conflicts with the Kantian duty to have respect for humanity, treating both "paradigm animals" (a term which Potter uses to refer to a group of animals with nervous systems that humans live alongside and

⁴⁶ Potter, "Kant on Duties to Animals," 303.

are the “most promising... candidates” that we would potentially extend duties to) and such humans as mere objects.⁴⁷

One possible alternative that Potter provides is that we could base the requirements for an individual being possessing rights or duties on a more empirical approach. For example, we may observe that humans generally possess “human” capabilities like rationality, while no animal has ever possessed these capabilities. As a result, we may be able to regard as “human beings” all living individuals with human ancestry, thereby also giving them rights and duties based on having such a status.⁴⁸ However, even Potter admits that this idea, being so empirically based, seems different from Kant's views and would be a significant alteration.⁴⁹ Another alternative interpretation he offers is basing the extension of rights on the basis of holding interests. As Potter puts it, animals and humans seem to prefer certain states of being, environments, and situations, and do so in a way completely unlike objects and much more obviously than plants do. This interest could be the foundation, then, of extending rights to animals. In common practice, we even extend the idea of having a “sake” to comatose or deceased humans, as when we carry out their wishes past the point where they can be said to have active interests. In conjunction with Kant's idea of a passive citizen—who, unlike an active citizen, is less independent and will be extended a restricted set of rights—Potter argues that we can conceivably give paradigm animals *some* rights by thinking of them as passive citizens with limited “sakes,” much like we would treat a child. In order to carry this out, though, we would need to not draw such an absolute distinction between the freedom of the human and the lack

⁴⁷ Potter, “Kant on Duties to Animals,” 300.

⁴⁸ Potter, “Kant on Duties to Animals,” 307.

⁴⁹ Potter, “Kant on Duties to Animals,” 306.

thereof of the animal, requiring a drastically different framework.⁵⁰ In addition, the idea of the passive citizen is in itself problematic, as it suggests that there could be certain groups of people who are similarly excluded from having rights, a claim disputed even at the level of treating children this way by Christine Korsgaard and others.⁵¹

Another objection to the indirect duties view is that it relies on highly debatable empirical evidence.⁵² The reason we may have indirect duties to animals is out of the duty to cultivate good moral character and to avoid uprooting this sensibility. However, what evidence is there that our treatment of animals really does affect our moral character and, by extension, our propensity to treat people worse or better? In fact, this claim is entirely empirical; we can quite easily imagine a world in which this is not the case with no contradiction.⁵³ If it turns out, in fact, that we really do not damage our moral character by shooting our loyal dog or torturing our laboratory mouse, does the indirect duties view conclude that we have no duty at all to abstain from such behavior? Similarly, if it turned out that certain human beings were severely lacking in empathy or otherwise not individually damaged in their moral sensibility by torturing animals for sport, would we be able to say that such acts were not morally permissible for them? It is even possible that we could find ourselves morally obligated to abuse animals if it turned out such behavior actually *improved* our disposition, as we would be obligated to take those actions which improve our humanity.⁵⁴

⁵⁰ Potter, "Kant on Duties to Animals," 308-309.

⁵¹ Christine Korsgaard, *Fellow Creatures: Our Obligations to the Other Animals* (Oxford: Oxford University Press, 2018), 81.

⁵² James Rocha, "Kantian Respect for Minimally Rational Animals," *Social Theory and Practice* 41, no. 2 (2015): 309–327. 310.

⁵³ J. Skidmore, "Duties to Animals: The Failure of Kant's Moral Theory," *The Journal of Value Inquiry* 35, no. 4 (2001): 541–559. 556.

⁵⁴ Allen W. Wood, "Kant on Duties Regarding Nonrational Nature," *Proceedings of the Aristotelian Society, Supplementary Volumes* 72 (1998): 189–228. 194.

J. Skidmore offers a further objection to the problem of the empirically based relation. Even if we accept as possible that there is a contingent relation between the treatment of animals and the treatment of humans, does the indirect duties interpretation truly hold that this relation can be the basis for the withholding of direct duties? Under the indirect duties interpretation, animals are given the status of objects or things, in the same category as rocks or plants.⁵⁵ The supposed contingent analogous relation of treatment of humans and animals, then, is the only difference between beating an animal and beating a rock. However, we can see that the animal suffers from our violent treatment of it as a person would and *not* as an inanimate thing. There must be, according to Skidmore, a moral distinction between the suffering of a human and the suffering of an animal; the animal's suffering is not morally significant, just as the damage we cause an inanimate object is not morally significant in itself, but the human suffering *does* have moral significance.⁵⁶

However, this presents a new problem: if there is a clear moral distinction between the suffering of an animal and that of a human, how can we then conclude that treatment of animals affects treatment of humans? Skidmore's answer is that we cannot really. We know that destroying an inanimate object does not injure our sensibility; it seems that we could escape injury to our sensibility in the same way when abusing animals by applying this moral distinction, reminding ourselves that the animal's suffering is morally insignificant just as the "suffering" of the inanimate object is. It cannot be that we simply are not sophisticated enough to grasp this distinction, as the distinction seems perfectly clear when comparing the abuse of a tool

⁵⁵ Kant, *Metaphysics of Morals*, 442, p. 237.

⁵⁶ Skidmore, "Duties to Animals," 557.

with the abuse of a human. Nor can it be that we simply lack the ability to apply the distinction, Skidmore argues, because we generally *do* act upon the moral distinctions we believe exist.⁵⁷

A possible response to Skidmore's objection is that we may think that certain types of violent behavior towards inanimate objects *do* degrade our moral character. Clearly, Kant himself did not deny that we have indirect duties for certain types of inanimate objects. He tells us that we have a duty not to destroy the beauty of nature, for example, as this "spiritus destructionis" uproots the moral sensibility.⁵⁸ And while Kant does not go as far as to claim this, we might be able to imagine other ways in which treating inanimate objects improperly might be seen as contrary to the cultivation of moral character. For example, we might feel the obligation to water a dying plant, even if it is not a particularly beautiful specimen; perhaps if we view the plant with the relation that neglecting a dying plant is akin to neglecting a dying person, we have an indirect duty to humanity towards the plant to preserve its life. Though Korsgaard does not dwell on this point, she offers an example of our normative responses towards inanimate tools, deriving from an Aristotelian view of purposes and functions. Perhaps when we break a tool, we may view it as a disrespect for its functional utility—its nature as an object—relating back as an analogue of respect for innate human nature.⁵⁹ Some of these are quite clearly not as opposed to man's duty to himself as others. However, this is all to say that perhaps there is not as clear-cut a moral distinction at play here than Skidmore claims.

The Direct Duties Interpretation

The major opposing view to the indirect duties is the direct duties interpretation. Under this approach, Kant's philosophy is interpreted such that we can really have duties owed *to*

⁵⁷ Skidmore, "Duties to Animals," 558.

⁵⁸ Kant, *Metaphysics of Morals*, 443, p. 237.

⁵⁹ Korsgaard, *Fellow Creatures*, 93–94.

animals. This is not as straightforward of a task as arriving at the general indirect duties interpretation; Kant's moral theory posits the rational nature of humanity as its supreme practical principle, and this means that moral value apparently must be derived from rational humanity somehow.⁶⁰

One way in which we can attempt to ground direct duties to animals is by saying that animals do, in fact, have a rational nature. If it is necessary for the will of a rational being to bind our wills so that we have obligations to them, and it turns out that animals really *are* such rational beings, this would certainly place animals in the kingdom of ends. Kant certainly did not say that humans are the *sole* rational creatures possible—for example, there could be rational aliens—so perhaps he made a mistake in discounting the rationality of animals.

In many ways, we operate on the presumption that other people are rational based on certain indicators. For example, we communicate complex ideas through language, we have the experience of being conscious of our own thought, and so on.⁶¹ If we have reason to believe that animals *could* at least be minimally rational, perhaps we should act out of caution on the presumption that they, too, have a rational nature. For example, Allen Wood argues that Kant has erred in taking his logocentrism to mean that rational nature is respected solely *in someone's person* and never in non-rational beings related in certain ways to rational nature.⁶² In respecting rational nature in the abstract as well, we may extend respect towards animals and humans who are potentially, previously, or partially rational.

If we are to take this approach, it seems that we can also rectify the issue with Kantian ethics leaving certain human beings out of the moral community. If we are to honor rational

⁶⁰ Kant, *Grounding for the Metaphysics*, 429, p. 36.

⁶¹ Rocha, "Kantian Respect," 311.

⁶² Wood, "Kant on Duties," 196–197.

nature as an end in itself, for example, we must respect the fragile potentiality for rational nature in children. To treat them as objects for rational beings or to fail to promote their grasp of this rational nature, then, would be disrespectful towards rational nature. The same holds for why we continue to have duties to deceased people or people in permanent comas: we must have respect for the rational nature that was formerly present, and so we continue to honor their wishes.⁶³

How does this extend to animals? Wood tells us that animals have desires, feel pain and pleasure, and take actions to pursue the preferences they hold (“preference autonomy”). These, he argues, are fragments which make up part of the “infrastructure” of rational nature. Kant tells us that an action towards an animal is morally relevant to us when the behavior, as well as the analogous human behavior, expresses the same attitude towards rational nature. In doing so, Wood argues, when we say that treating an animal poorly is morally wrong, we are saying so because we recognize that some analogous fragments of rational nature in the animal are being disrespected.⁶⁴ For example, when I overwork the animals I am using in labor, we recognize that I am disrespecting the animals’ desire to stop and treating them as mere tools; however, these are qualities that can be viewed as analogous to humans because they are *shared*. We recognize that, like humans, animals have desires that can be frustrated; like humans, animals can possess qualities like loyalty and obedience that deserve to be met with gratitude and respect. Recall Kant claiming that we feel love even for the wolf as we see her care for her children: we see reflected in the wolf’s actions qualities of affection, devotion, tenderness, and so many other fragments which also belong to our rational nature, and in seeing this we understand that the wolf is *like us* in morally relevant ways.⁶⁵ Perhaps we cannot conclude how far this rational

⁶³ Wood, “Kant on Duties,” 198.

⁶⁴ Wood, “Kant on Duties,” 200–201.

⁶⁵ Kant, *Lectures on Ethics*, 27:459, 212.

nature goes, but Wood argues that it is at least enough for us to value non-human animals for their own sake rather than our own.

There are other arguments for the plausible rationality of animals. For example, James Rocha argues that behaviors which would ordinarily be taken as evidence for the rationality for human children may also be evidence for a sort of “minimal” rationality of animals who engage in the same activities.⁶⁶ For example, when animals engage in play with rules, they are doing this not out of survival instincts, nor as an end set for them by nature, but out of setting “fun” as its own end. Rocha takes this, along with animals engaging in acts of revenge even when it places them in danger, as evidence of animals setting ends for themselves. Further, the seeming capacity of certain animals to hold grudges may be evidence that the animals, to some extent, have self-consciousness as they view themselves as having been wronged.⁶⁷ Finally, animals engage in acts of altruism even when there is seemingly no benefit to them. In particular, Rocha points out instances of cross-species altruism, where the altruistic animal has nothing in common with the one it is assisting, as cases where it seems that animals are either setting a *moral* end or using reasoning to set an end not dictated by instinct. For example, in such altruism, the altruistic animal might be reasoning that the other animal might help them in the future, but independently of instinctually trusting members of that species.⁶⁸

The rational animal argument is compelling, yet flawed. I fail to see how merely feeling pain or pleasure is indicative of even a potential for rational nature, as such responses are simply reactions to external stimuli. Besides that, how are we to gauge whether animals truly feel “desire” in the same capacity as humans or if they are merely driven by stimuli to take the

⁶⁶ Rocha, “Kantian Respect,” 318.

⁶⁷ Rocha, “Kantian Respect,” 320–21.

⁶⁸ Rocha, “Kantian Respect,” 324–25.

actions that they do? For instance, we know that plants grow towards sunlight and into shade as needed; does this count as “desire” for sunlight or shade, or is it merely a survival response to certain stimuli? Plants, like animals, have circadian clocks modeled off their environment; these allow them to estimate time and reorient themselves even in the absence of the actual stimuli of sunlight, suggesting it is more than mere stimulus response at work.⁶⁹ But the question remains unanswered as to whether we can call this “desire” in the sense that we desire as humans. The same goes for animals. We may think of a cat stalking its prey as “desiring” the mouse, but all the same this could just be the cat’s hunger and the sensory impression of the delicious mouse that is acting upon it and causing it to give chase. Yet, as some have pointed out, this could just as much be the case for other humans. I am aware, to the best of my knowledge, that *I* am free and have self-consciousness, but it could be just as well that I am the only one with this ability and the seeming rationality of those around me is really dictated by instinctual responses to stimuli.⁷⁰ However, it seems a much less risky matter to conclude that other humans, who in all other respects possess similar physicalities, organs, general behaviors, and abilities to me, are also in possession of these prerequisites for rational nature. We cannot get inside the mind of the animal, even relatively, but for humans it seems we can get close to it through our experience of our *own* minds.

Still, does this negate the argument that animals have the *potential* for rational nature? Even though the argument is quite limited since we cannot really conclude that animals are in fact rational, Rocha argues that the mere possibility still remains. In such a case, it is better to err on the side of potential anthropomorphism than risk continuing to commit grievous moral harm

⁶⁹ Francisco Calvo Garzón, “The Quest for Cognition in Plant Neurobiology,” *Plant Signaling and Behavior* 2, no. 4 (2007): 208–211.

⁷⁰ Rocha, “Kantian Respect,” 316.

to beings who really were, unbeknownst to us, minimally rational.⁷¹ Unfortunately, this case seems weak. First of all, as Rocha admits, it is unclear how to conclude what direct duties we *would* have to animals if we operate off the assumption that they are minimally rational. Clearly, we would have a moral duty not to do things like kill animals for mere enjoyment, overwork them, or otherwise show disrespect for their rational nature. One might note, however, that these were already disallowed under the indirect view. But would we still be able to treat animals as ends to some extent? If we are frustrating the animal's desires to set his own ends by, for example, using him as a seeing eye dog, a tool to the end of assisting a person, is this morally permissible? Finally, and most importantly, this argument fails to account for the non-human world in its entirety having moral value for its own sake. Kant's logocentrism still has us regard the entire natural world (outside animals, if we accept Wood's and Rocha's accounts) as having no moral worth or significance. Wood does attempt to rectify this problem by saying that, in regarding ourselves as the ultimate end of nature, we have duties to maximize nature's unity and harmony as a teleological system for which we *are* the end.⁷² However, I note this only to say I still believe it does not adequately assign direct duties to nature. We humans are still posited as what gives nature any moral value.

If we cannot ground direct duties adequately in the supposed rationality of animals, what other avenues are there? It seems that we may need to envision an alternative Kantian framework in order to do so. One of the most thorough attempts to do so comes from Christine Korsgaard. In a series of lectures that were eventually compiled into a book, she argues for a direct duties interpretation based upon her reading of Kant's judgments about the conferring of moral value.

⁷¹ Rocha, "Kantian Respect," 315.

⁷² Wood, "Kant on Duties," 327.

Korsgaard explicitly rejects the “rational animals” argument while also attempting not to place any of those potentially non-rational humans outside the kingdom of ends. She argues that animals perceive the world instinctively⁷³ and teleologically, directly perceiving a world organized around their specific interests but not choosing their purposes as humans do. Luckily for some animals, they can learn and adjust their views of the world through intelligence. This is contrasted with the rational creature; rationality is grounded in self-consciousness, and this allows the rational creature to evaluate the reasons why they act and decide whether or not these reasons count as good.⁷⁴ Essentially, an animal may choose the act it takes but does not choose the *purpose* of the behavior (even in intelligent action), but the rational being—the human—chooses both the action *and*, as justification for taking said action, the purpose.⁷⁵ For many types of marginal cases, Korsgaard argues that rationality is not a property but part of the functional unity of a being; therefore, people we might be inclined to label “non-rational” are really just unable to function as well as humans who do possess the properties which make rational functioning possible.⁷⁶ At the same time, we can say that babies are rational because this is merely a life stage, as Korsgaard claims that rational nature belongs to a subject over its entire life.

So if Korsgaard is concluding with Kant that animals are *not* rational creatures, how can she still derive direct duties from Kant’s writing? When Kant writes that duty is due to moral constraint by the will of the subject, he is saying that animals cannot obligate us due to their lack of such a legislative will. It is not that we do not have obligations because the animals

⁷³ By an “instinctive” being, Korsgaard means a being which is intelligent and able to learn from her experience and solve problems through thought, but is unaware of the *grounds* of her actions (unlike rational beings).

⁷⁴ Korsgaard, *Fellow Creatures*, 38–39.

⁷⁵ Korsgaard, *Fellow Creatures*, 40–41.

⁷⁶ Korsgaard, *Fellow Creatures*, 81–84.

themselves lack moral value, but rather that they lack a particular kind of moral value—that of being an end-for-itself—because they lack the capacity to obligate.⁷⁷ Out of this, Korsgaard says that Kant rejects value realism, or the idea that certain things have intrinsic value which makes it rational to desire them. Instead, the objects we desire have no objective value prior to our interest in them. However, as rational beings, we want to convince ourselves that we have the grounds to rationally pursue them. So we confer value upon the item, making this relation of valuing the source of those normative claims. Value, then, is a human creation conferred by the actions we take and which is necessitated by our own rationality, as when we act we are “endorsing” our grounds for acting and willing them as universal laws. In fact, even our own value as ends-for-ourselves comes from our treatment of our own ends as worthy of pursuit.⁷⁸

However, Korsgaard argues that Kant makes an error in concluding that, from this, *only* humans can be ends-in-themselves. In fact, there are two senses of “end in itself” at play. One sense of an end-in-itself is the actual source of the normative claim to all rational agents; the second sense is the being who actually engages in moral legislation and thereby gives the “force of law” to the normative claim. The mistake, says Korsgaard, is that Kant is conflating the two senses. It is perfectly reasonable to conclude that animals cannot be ends-in-themselves insofar as they are irrational creatures and cannot be the source of the law or obligation. However, as the sources of normative claims, animals may very well be ends-in-themselves as it is still possible for them to obligate us in other ways.⁷⁹ This is because, for Kant, moral law is universal; that is how he can introduce the idea of the passive citizen still bound by obligation and in the kingdom

⁷⁷ Christine Korsgaard, “Fellow Creatures: Kantian Ethics and Our Duties to Animals,” *Tanner Lectures on Human Values* 24 (2004): 77-110. 91-2.

⁷⁸ Korsgaard, “Fellow Creatures,” 94–95.

⁷⁹ Korsgaard, “Fellow Creatures,” 96.

of ends despite being unable to participate in legislation. So it is entirely possible that we can (and do) will laws that extend to animals, thereby affording them direct duties.

Continuing on her line of reasoning, Korsgaard says that the best formulation to utilize when approaching animals is the second formulation—the Formula of the End in Itself—as most of the ways in which we interact with animals *are* natural (since they do not exactly share in our social conventions) and therefore are difficult to analyze through the first formulation.⁸⁰ Social conventions are easier here because they can much more obviously contradict their original purpose, but laws of nature are harder to evaluate. Korsgaard argues that, just as Kant claims that the active citizen can legislate for the passive citizen, we as autonomous, rational beings can legislate outside of our moral community and confer protections on the non-rational world. However, it is not merely that we can say, for instance, killing animals is bad because we are animal beings and it is an assault on animal nature, because the normative “because” here is being *presupposed*. It is bad “because” we value our animal nature, taking it as an end and giving it normative value as such.⁸¹

Korsgaard believes that we might be able to locate the value of being an end-in-itself in the choice to pursue the “natural good,” taking one’s natural inclinations as *reasons* for acting. For living beings, objects and situations affect their own needs. For example, even though we might say that a plant is not sentient, it maintains itself, and so on some level things and situations are either *good for* itself or *bad for* itself. Since animals not only maintain themselves but possess the increased capacity to experience and pursue the things that are “naturally good” for it—that is, good from *its* point of view—it seems that the animal also has a good that matters

⁸⁰ Korsgaard, “Fellow Creatures,” 97–99.

⁸¹ Korsgaard, “Fellow Creatures,” 105.

to it. As a result, the animal pursues the good as the *end* of its actions, even if it does not justify to itself that its end is good as a rational being would. In doing this, Korsgaard argues, the animal matters to itself because it experiences its own good. Humans, as we are in possession of an animal nature, *also* have a natural good; since any normative value must be conferred to the natural good through our valuation of ourselves as ends-in-ourselves, we take our animal nature to be an end-in-itself. That is, we are valuing animal nature because we are conferring value on a natural good which is the same type as other living animals pursue. Even when we value human pursuits beyond the ability of animals, such as science, we are still valuing our animal nature: we are still experiencing and pursuing a natural good of life the same as animals do, only we are constructing “rational order” out of it.⁸² As we legislate that the natural good of an animal that matters to itself is the source of normative claims, we make animal nature to be an end-in-itself, and thereby give ourselves duties to the animals themselves.⁸³

Obviously, this is a much more complex argument than the indirect duties interpretation. However, it has benefits if we want to argue that animals have value beyond their impact on our moral character. For example, the problem of relying on contingent empirical evidence about psychology that plagues the indirect duties interpretation does not seem to apply here. For example, what if we were to discover that our treatment of animals had no bearing on our moral character, but we choose to take Korsgaard’s interpretation? As long as we are conferring value to the natural good of a being who matters to itself—which we do when we legislate with regards to our own natural goods—we are still conferring value to animal nature as being an end-in-

⁸² Korsgaard, “Fellow Creatures,” 105.

⁸³ Korsgaard, “Fellow Creatures,” 106.

itself, and so we will still have duties to animals no matter what. To deny this would be to disrespect our animal nature as an end-in-itself.

One way in which I believe Korsgaard's argument is successful is that, in attributing the value of something to its relationship of mattering, she gives us an avenue to say that things beyond animals as ends-in-themselves have value. For example, a problem we have seen with the indirect duties interpretation is that the whole of nature can only possess value indirectly through its effect on harming our disposition to sensibility. This creates difficulties in arguing, for example, that we have a duty not to destroy certain parts of nature. Perhaps it is easy to imagine that uprooting a centuries-old tree, or smashing a beautiful rock formation, is really a form of us practicing disrespect for perseverance, or agedness, or as Kant says, "lov[ing] something... even apart from any intention to use it."⁸⁴ But what about something that is not particularly beautiful or magnificent outwardly, something that might be more difficult to find "love" for, like the biodiversity of an ecosystem or natural processes that we might interfere with? Taking Korsgaard's view, though, we see that there are living creatures for whom the ecosystem and natural processes matter, for whom the biodiversity or health of the ecosystem is a natural good.⁸⁵ So there *can* be value in nature insofar as it is good for the creatures. Similarly, with this view we can see that non-sentient living things like plants have a good that is final because what is good-for the plant is explained out of reference to the plant, not to another agent, and can on some level they can be regarded as agents themselves.⁸⁶

However, in my reading, Korsgaard's interpretation raises one very important question. We may indeed have found that we have duties to animals, but what duties are these? It seems

⁸⁴ Kant, *Metaphysics of Morals*, 443, p. 237.

⁸⁵ Korsgaard, *Fellow Creatures*, 194.

⁸⁶ Korsgaard, *Fellow Creatures*, 199–200.

that we have at least duties of beneficence to the animals: Kant writes that “the ends of any subject who is an end in himself must as far as possible be my ends also, if that conception of an end in itself is to have its full effect in me.”⁸⁷ What this seems to mean is that, if we are taking animals to be ends in themselves, we must not intentionally stop the animal from their pursuance of their natural good and must even help them when necessary. For example, it seems that we really would have an obligation to help an injured bird and would be forbidden from needlessly destroying its nest. Of course, as noted in the *Doctrine of Virtue*, duties of beneficence are wide duties, as our own ends might be sacrificed in respecting the ends of another. But perhaps when the part of our welfare we sacrifice is far less serious than the end that the other being is pursuing, this duty is binding to a greater degree. For instance, we should not be expected to let a hungry carnivorous predator eat our child, even if the predator is pursuing its “natural good” of food, as we would be sacrificing human life, the welfare of a child, and so on. But if we live in a situation where there are many sources of nutritious food aside from meat that would fulfill our dietary needs, or where we have alternative sources of warm clothing, perhaps we would have an obligation of beneficence not to stop animals from pursuing their own goods through raising and killing animals for their meat or fur (even if we would be happier for having eaten meat or having worn a leather coat). The disrespecting of animal nature, in this case, is much more severe since the only sacrifice we would be making to inflict this suffering would be on very weak grounds (the brief pleasure of eating meat, for example). Korsgaard even argues that this would be a grievous misuse of our rational dignity.

Commentators like Altman, however, have raised the claim that Korsgaard’s argument also rests on contingent psychological premises: because animals value things like humans do,

⁸⁷ Kant, *Grounding for the Metaphysics*, 430, p. 37.

animals have moral consideration.⁸⁸ This suggests that, if they did *not* value things the same as humans, they would be just as morally irrelevant as they would become under the indirect duties view if it turned out that we are unaffected by animal suffering. But I think this is not quite correct. If animals did not pursue a natural good, and if the objects they act upon were not good-for or bad-for themselves as they are for humans, what would they even be? As we have seen, something can even be good-for and bad-for plants as it relates to their purpose of self-maintenance. Therefore, it seems like more than just psychological factors would have to change for the animal; the animal's relationship to the world around it would have to change fundamentally before the animal stopped valuing and pursuing a good. Such a creature, for whom there would be no sense of good and bad for its own sake, would possibly be more like an object (or what Korsgaard calls an "artifact"). Of course, this is still contingent; the circumstances could conceivably be different. However, it is difficult for us to quantify whether or not what Kant calls our "predisposition... serviceable to morality" is impacted by animal suffering.

The next potential objection to Korsgaard's argument is that, by saying that animals as well as human beings can be ends-in-themselves, she is denying that there is any sort of difference in the relationship between two rational beings and that between a rational being and an animal. In fact, as Korsgaard is retaining the notion that animals are *not* rational and that *only* rational beings can have legislative wills, there is quite a big difference at play. As humans, our moral choice therefore includes *others*. In person-person relationships, there is reciprocal legislation that grounds our obligations: this means that when we make obligations to other humans, those claims we make must be reasonably allowed to be made on *us* as well.

⁸⁸ Altman, "Animal Suffering," 281.

Conversely, when animals make claims on us, it is because we recognize what we have in common with them—the animal nature and the fact that things are good or bad for them. So, when we legislate to animals, we do not expect that they will follow our moral laws.⁸⁹ I find Korsgaard’s argument here to be intuitively strong. When I think I have the moral duty not to injure my cat, I do not expect her to follow my moral law and also not scratch me when I pick her up. I might want to call her a “bad cat” (in the sense that she is doing a bad job at being a cat, who I think should let people pick them up), but she is not a *morally* “bad” cat for not following the moral law because she lacks rational capabilities. On the other hand, if I wish to legislate that it is a moral law that I should be able to steal money from my neighbor, I could not reasonably do this because the nature of our relationship is such that he could make the very same claim to me. I think that this is reasonably how we tend to approach the difference between these two relationships.

There may be a more serious objection to any direct duties theory, however. It might turn out that it is simply untenable for Kantian ethics to adequately give us direct duties to animals. For example, Emer O’Hagan argues that Korsgaard fails because she does not adequately show that Kant’s own arguments actually give us these obligations to animals.⁹⁰ What Korsgaard has accomplished is only that she shows we may have a reason to honor the animal nature of the *person*, but that does not necessitate that this respect has to extend to the animal nature of all beings. The fact remains that animals do not possess a legislative will, so they are fundamentally different from humans under a Kantian view; the animals cannot legislatively respond in a reciprocal manner nor assent to moral claims because they lack rationality, so under Kant’s

⁸⁹ Korsgaard, *Fellow Creatures*, 147.

⁹⁰ Emer O’Hagan, “Animals, Agency, and Obligation in Kantian Ethics,” *Social Theory and Practice* 35, no. 4 (2009): 531–554. 551.

system, we might be able to differentiate between their animal nature and ours. Kant's principle of the autonomy of the will is so significant to his ethical account that we cannot dismiss consideration for this difference as mere prejudice. Thus, O'Hagan rejects Korsgaard's claim that it is insincere to regard animal nature as having value only for humans.⁹¹ She also accuses Korsgaard of making a "category mistake." It may be so that humans, as well as animals, possess a natural good, but we might think of the human and animal natural goods as merely descriptive claims. For example, from our point of view the natural good might include things like nutritive food and social interaction, often overlapping with the animals' natural goods, but it also includes human matters like autonomy. For humans, our end is humanity, which may very well encompass those empirical goods like food and water that are essential to maintaining the body. When we will, we confer value on those parts of our *own* animal nature that are essential to our end, but that does not mean we must confuse this with the overlapping aspects of our purely descriptive natural good. The logocentrism of Kant's system means that attempts to shift the grounds of moral value to the mere presence of animal nature, for O'Hagan, are weak and unjustifiable.

O'Hagan's objections here are quite strong, particularly if we do not want to revise Kant's ethical system too much. Korsgaard's reading does in many ways depart from the logocentrism that Kant adhered to, and I think it is hard to deny that animals are different from humans in a way far more significant than gender or racial divides among humans. But O'Hagan's final claim, which is that it is all but impossible to ground strong duties to (or with regards to, for that matter) animals through Kantian ethics is not a conclusion I wish to accept.⁹²

⁹¹ O'Hagan, "Animals, Agency, and Obligation," 552–553.

⁹² O'Hagan, "Animals, Agency, and Obligation," 554.

We can see throughout Kant's writings that he *did* think certain ways of treating animals are needlessly cruel and morally abhorrent, that—even if it is only through us—animals do enter into our moral sphere in many ways. In some ways, his arguments seem even progressive when considering the time at which he was writing: for example, Kant gives consideration to even insects in his writing and condemns practices like vivisection. What's more, because Kant protects animals through the perfect duty to oneself as a rational being, even if we do take the indirect duties interpretation, Kant is grounding this protection in the "highest category of duty."⁹³ In addition, our perception of animals has changed dramatically over time, as we now know that humans evolved just the same as all other species; in this way, we might understand rationality as not being a sacred power we hold, but rather the arbitrary product of evolution which could have also arisen in any other animal. It is untenable now to hold, as Kant does, that animals are little more than things with functional purpose for humans.⁹⁴ And so has our mistreatment of them, with the growth of factory farming practices that raise animals in far worse conditions and treating them as mere objects to a far greater degree than ever before.⁹⁵ As some have pointed out, the categorization of animals as "things" is contingent: throughout history, this category has contained not just inanimate objects and animals but children, slaves, women, and other groups of humans. Therefore, I think we should not turn away from revisionist accounts, even if they seem to reduce the importance of logocentrism in Kant's ethics, in order to accommodate changes in the world and what we now know to be true of animals. In fact, I think this would help adapt Kantian ethics to a world that largely views animal suffering as morally

⁹³ Camenzind, "Kantian Ethics," 3–4.

⁹⁴ Camenzind, "Kantian Ethics," 7.

⁹⁵ Jacy Reese Anthis, "US Factory Farming Estimates," Sentience Institute, last updated April 11, 2019, <https://www.sentienceinstitute.org/us-factory-farming-estimates>.

matter for the animals themselves.⁹⁶ After all, we no longer accept Kant's active-passive citizen distinction, viewing it as arbitrary and baseless. Perhaps we might be able to see that there is a similarly baseless presupposition underlying Kant's account of animals—that is, that animals are by their nature inferior to humans—and adapt his view so that it no longer rests on something unjustifiable.

In addition, Korsgaard herself answers this objection in a footnote to her original lecture. To merely conclude we have reason to honor the *human's* animal nature and not the animal's, she says, would be insincere, a form of self-deception.⁹⁷ The content of the legislation would continue to stand even if we were not rational beings, even though we would lack the ability to legislate. If we legislate against torture, mistreatment, and other behaviors on the basis of animal nature having value, it is irrelevant to the legislation whether that animal nature resides in a rational being or not. This is because the moral law is universal for Kant. As Korsgaard puts it in her reference to R. M. Hare, if asked the question of whether we'd like to be tortured given that we have been deprived of our rational nature beforehand, can we really say it would no longer matter? Korsgaard believes the answer is no: in both cases, animal nature exists as an end-in-itself and has a value. To say otherwise is to say arbitrarily that animal nature only has value in particular cases and *not* as an end-in-itself.

Conclusion

I believe it is clearly extremely difficult to find an avenue to ground strong moral consideration for animals in Kantian ethics, particularly if we want to resist a potentially revisionist account. However, it seems that Kant did want to give us certain moral considerations to animals, and so it is important for us to determine just how far these moral considerations go.

⁹⁶ O'Hagan, "Animals, Agency, and Obligation," 1.

⁹⁷ Korsgaard, "Fellow Creatures," 104.

The indirect duties interpretation fails on a number of grounds, in my view: it relies too heavily on analogy and contingent psychological evidence, and the attempts to coherently ground stronger duties to animals like moral vegetarianism cannot be satisfactorily justified because it still fails to place any value in the animals themselves. But I think it would be a disservice to Kantian ethics to conclude that it simply cannot adapt to accommodate stronger duties to animals. While Korsgaard's attempt to ground moral value in the pursuit of the natural good is certainly not perfect, I think it offers us an intriguing way to explore different avenues for conferring moral consideration to the animals themselves. This view properly notes that there is a difference in how humans relate to each other as rational beings and how we relate to animals. In addition, solving some issues regarding animals in the way Korsgaard does also allows us to address certain overlapping problems, such as marginal cases, our valuation of the rest of the natural world, and even the degree to which our duties to non-rational beings extend. In any case, I believe that adopting some sort of direct duties interpretation would be crucial for a continued investigation of Kantian ethics in a modern world.

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