

## THE PERSONHOOD VIEW AND THE ARGUMENT FROM MARGINAL CASES

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### INTRODUCTION

Some years ago, many of us were (as we saw it) first awakened from our dogmatic homocentric slumbers by what came to be known as the argument from marginal cases (hereafter, AMC). Proponents of this argument, chiefly Tom Regan and Peter Singer, presented us with a profoundly disturbing dilemma. If one really believes that so-called "marginal" humans, such as the retarded or the senile, have basic moral rights, it was urged, then one must grant that nonhumans at the same level of mental development as these humans possess basic moral rights too. To accept moral status for the first group while denying it to the second is to be guilty of outright moral inconsistency, it was argued. If eating or experimenting upon mentally deficient humans is wrong, doing the same to most nonhuman animals is wrong as well. Alternatively, if it is right to eat and experiment on nonhuman animals, it must be right to do the same to marginal humans. To many of us, the choice was obvious. We rejected homocentrism (the view that all and only human beings count morally).

But what of another traditional ethical view, the personhood view, according to which all and only *persons* have basic moral rights? Unlike the original target of the AMC, this view is not homocentric. Basic moral rights are denied by it to nonpersons, whether they are human or not. Moreover, the view implies that nonhuman persons, if any (possibilities are God, certain nonhuman animals, and extraterrestrials) would have basic moral rights. Does the AMC have any force whatever against the personhood view?

In this paper, after first further characterizing the personhood view, I shall argue that there are two versions of the AMC. One of these versions is entirely compatible with the personhood view. The second version of the AMC would, if sound, rule out the personhood view, but a key premise in that argument requires defense. The defense is provided by an adjunct argument. The strategy most frequently used by proponents of the personhood

view to defeat this adjunct argument fails, I shall argue. This leaves proponents of the personhood view with the choice of abandoning their position or of accepting a consequence most find unacceptable. If the latter alternative is chosen, the AMC has reached its limit as a weapon. Nonhomocentrists who reject the personhood view must attack it with positive arguments which are meant to show what sorts of beings are capable of having basic moral rights.

Finally, I shall argue that the AMC is compatible with two versions of an environmental ethic and incompatible with a third. Once again, positive arguments are needed to establish the boundaries of basic moral rights. I conclude that, although the AMC is necessarily limited, it has been an important first step in the attempt to establish those boundaries.

#### THE PERSONHOOD VIEW

Who or what counts as a person? Joel Feinberg offers the following plausible characterization of "commonsense personhood":

In the commonsense way of thinking, persons are those beings who are conscious, have a concept and awareness of themselves, are capable of experiencing emotions, can reason and acquire understanding, can plan ahead, can act on their plans, and can feel pleasure and pain.<sup>1</sup>

It is not obvious that persons thus characterized must be *moral agents*. Depending on what level of reasoning and degree of planning is required, a two-year old human might count as a person but not be considered a moral agent. Since those who endorse the personhood view, from Immanuel Kant to Ernest Partridge, clearly have a higher standard in mind, I suggest we add "moral agency" to Feinberg's list of characteristics.<sup>2</sup> What, then, does the personhood view hold with regard to moral considerability?

There is no single answer to this question, because two distinct versions of the personhood view have been advocated by moral theorists. According to what I shall call *the strong personhood view*, all and only persons are morally considerable beings. By contrast, what I shall call *the weak personhood view* holds that all and only persons have *full* moral rights, in particular, the right to life.<sup>3</sup> These two views have significantly different implications. Although any being with a right to life must be morally considerable, the converse need not at all hold. A morally considerable being is a being to whom moral agents have moral

obligations. Just what those obligations are depends on that being's characteristics. For example, persons unable to work would have a right to life but not a right to equal employment opportunity. It is also possible that moral agents are obligated not to inflict wanton suffering on a sentient nonperson, but that they have no obligation to refrain from taking its life if doing so furthers their own interests. Not all *morally considerable* beings need be equally *morally significant*. Thus, if one were able to establish that all sentient beings are morally considerable by virtue of being sentient, it would not follow that sentient beings should not be "harvested" for food or subjected to experimentation. Beings who are allegedly more morally significant would have precedence. They would be obligated to inflict a minimum of pain during their "harvesting" procedures, however. An advocate of the strong personhood view would recognize no such obligation, of course. In this respect, the strong and weak personhood views have markedly different implications about the treatment of nonpersons.

In order to provide the AMC with its toughest opponent, I shall focus on the weak personhood view rather than the view which entails it. It is no accident that the weak personhood view has been gathering advocates recently.<sup>4</sup> Intuitively, it is more plausible to suggest that different characteristics warrant different obligations and that degrees to which characteristics are possessed correspond to degrees of moral significance than it is to restrict moral considerability to moral agents (persons). The strong personhood view is far harder to defend. While it is true that without moral agents, morality would in the practical sense be impossible, it does not follow from this that moral agents are the only morally considerable beings, as some seem to think.<sup>5</sup> It is difficult to see what would justify such an assumption. Why should there not be moral "patients" in addition to moral agents? Hereafter, then, unless otherwise specified, 'the personhood view' will refer to the *weak* personhood view.

One more stipulation needs to be made, this time for the purpose of toughening the AMC. I am excluding the class of *potential persons* from the category of marginal cases. The personhood view has a very plausible way of handling potential persons. Although, strictly speaking, they cannot be said to have a right to life on that view, they can be said to be both morally considerable and very morally significant (much more so than nonpersons who can never become persons). They have a *serious claim* to life, if not yet a full right to life, it could be argued, and the closer they come to personhood the stronger that claim becomes.<sup>6</sup> They certainly would not be fit subjects for the laboratory or dinner table. The genuinely problematic cases for the personhood view are

those mentally deficient humans who can never be persons. Accordingly, let us grant that the personhood view offers a plausible account of our obligations to potential persons, and restrict the class of marginal cases to human non-persons who are *not* potential persons.

With these restrictions in mind, then, let us ask: can the AMC be used to defeat the personhood view?

## TWO VERSIONS OF THE AMC

We must first become clear about what the AMC says. Once again, we shall find that there is no single answer to our question. Tom Regan has distinguished two versions of the AMC:

Proponents of the type of argument I have in mind may argue *either* that (1) certain animals have certain rights because these [marginal] humans *have* these rights *or* that (2) *if* these [marginal] humans have certain rights, *then* certain animals have these rights also. The former alternative represents what might be termed the stronger argument for animal rights; the latter, the weaker.<sup>7</sup>

Regan calls these 'argument(s) from marginal cases' in his next paragraph.

I shall begin by considering Regan's "weaker argument" [(2) above], but first a logical difficulty must be addressed. *As stated*, (2) is not an argument at all. It is merely a conditional statement.<sup>8</sup> Surely, however, we are meant to regard this statement as the stated portion of an enthymeme. The unspoken premise is the claim that marginal humans and nonhumans with the same mental capacities do not differ in any morally relevant respect. Regan's statement in (2) would then follow. Moreover, it would also follow that if these morally relevantly similar nonhumans have a right to life, marginal humans must also have a right to life. Thus, Regan's (2) is the more controversial half of a biconditional conclusion. Fleshing out the argument along these lines yields the following:

[1. Beings with (roughly) the same mental capacities are (roughly) equally morally considerable.]

Thus :

2. Marginal humans have a right to life if and only if nonhumans with (roughly) the same mental capacities as those humans have a right to life.

I shall call this argument the *hypothetical* version of the AMC (hereafter, HAMC).

Clearly, the HAMC is an appeal to moral consistency. The conclusion tells us that either both marginal humans and morally relevantly similar nonhumans have a right to life or that neither does. As such, this argument is entirely compatible with the view that all and only persons have a right to life. It may even be used to *support* the personhood view. A supporter of that view could argue as follows: the suggestion that marginal humans have no right to life may seem shocking, but on the alternative view consistency would require us to extend a right to life to many animals - a "plainly" unacceptable consequence. (One is reminded of Victorian philosopher Thomas Taylor's argument *against* women's rights. If women have rights, he urged, surely cats and dogs would too!\*) The limits of any appeal to moral consistency are apparent here. The HAMC offers one a choice. Nothing prevents the personhood view advocate from accepting the argument and holding that marginal humans have no right to life.

On the other hand, the remaining version of the AMC (Regan's (1) above) is *not* compatible with the personhood view. As stated - "certain animals have certain rights because these [marginal] humans have these rights" - it too is an enthymeme. The argument is complete with the addition of a premise which is also one half of the HAMC's biconditional conclusion:

- [1. If marginal humans have a right to life, nonhumans with (roughly) the same mental capacities as these humans also have a right to life.]
2. Marginal humans do have a right to life.

Thus:

3. Nonhumans with (roughly) the same mental capacities as these humans also have a right to life.

I shall call this argument the *categorical* AMC (hereafter, CAMC).

The CAMC, if sound, rules out the personhood view. As it stands, of course, premise 2 simply begs the question against that view. Obviously, premise 2 requires support.

#### THE WRONGNESS ARGUMENT

At this point, CAMC advocates employ a starkly effective strategy. They argue that if marginal humans have no right to life, it would not be wrong to kill them, especially if persons would thereby

benefit. If a family is afflicted by an aged Alzheimer's victim who is no longer a person, there is no obligation to refrain from dispatching the troublesome individual. Severely retarded children and adults burden many persons who would benefit from the demise of these individuals. Indeed, the society of persons as a whole would benefit from lower medical insurance premiums and lower taxes if certain nonpersons were removed from this planet. Society would benefit even more if these nonpersons could first be medical research subjects. Moreover, many fine organs could be "harvested" for the use of persons in need of transplants.<sup>10</sup> After their deaths, these nonpersons could even be processed into food for persons (unless the meat is too tough or stringy). Of course, if these nonpersons are morally considerable due to their sentience, they should be treated *humanely* and "sacrificed" with a minimum of pain. Guidelines developed by institutions such as the U.S. NIH (National Institute of Health) for humane treatment of animal research "models" should certainly be followed for human nonpersons too. If your gorge rises at this prospect, CAMC advocates urge, you should reconsider your commitment to the personhood view.

This argument is intended to support premise 2 of the CAMC. It can be summed up briefly:

1. If marginal humans have no right to life, it would not be wrong to use and kill them painlessly if persons would thereby benefit.
2. But it is wrong to use and kill marginal humans, however painlessly this is done and however many persons would thereby benefit.

So :

3. Marginal humans do have a right to life (premise 2 of the CAMC).

I shall call this argument the *wrongness argument*.

Two strategies are now open to personhood view proponents. The first would be to accept premise 1 *but reject premise 2* of the wrongness argument. One could simply deny that it is wrong to experiment on, kill, and eat human nonpersons. Not surprisingly, this particular bullet is so very unpleasant that personhood view supporters are loathe to bite it. The prospect is so horrifying that it is generally swept under the argumentative rug with as little comment as possible.

For example, in a recent article, Ernest Partridge endorses the view that only persons have a right to life.<sup>11</sup> What about marginal humans? They are mentioned in exactly one paragraph:

What, then, of so-called "marginal cases" of human beings with only partial or potential person-traits? As with animals, they might be accorded such rights as they have the capacity to exercise.<sup>12</sup>

May they be sacrificed in favor of persons? We are not told.

Similarly, Charlie Blatz, who (unlike Partridge) restricts *moral considerability* to moral agents, buries the only mention of a problem case in a footnote. There he says "the matter of the ethical significance of children is a complex one. Still, something must be said here."<sup>13</sup> He argues that we are not conscientious if we do not "nurture" them as ethical agents. The same applies, he says, to the "socially or intellectually retarded" who are very imperfect ethical agents. But what of those human nonpersons who will *never* be persons? What implications does his view have for *their* treatment? Animal nonpersons may be raised and slaughtered for food so long as persons (moral agents) are benefited overall, Blatz argues. Does the same apply to humans who cannot become moral agents? Not even very imperfect moral agents? And what if no person cares about these individuals? These issues are simply not faced.

Alan Gewirth provides another example. He explains that children and mentally deficient humans do not have full moral rights, although they are morally considerable: their freedom may have to be restricted for their own and others' protection. Nonhuman nonpersons at the same level as mentally deficient humans are also morally considerable, but:

[when] the freedom and well-being of animals conflicts with those of *humans*, the generic rights of the others take priority ... to the extent to which the eating of animal flesh is needed for the physical well-being of *humans*, the killing of animals is also justified on this ground.<sup>14</sup>

Which humans? Are mentally deficient humans also "due" the flesh of their animal counterparts? Why? Or are they too "fair game" for human persons? Gewirth does not tell us, nor does he justify any preferential treatment for humans. Once again, the issue is ducked.

C.E. Harris makes the least successful attempt to escape the problem. After linking personhood to moral agency (" 'Treating a person as an end' means respecting the conditions necessary for his or her effective functioning as a moral agent"<sup>15</sup>), he remarks that "the ethics of respect for persons takes as its central theme

the equal dignity of *all human beings*".<sup>16</sup> This simply won't do. If only moral agents have moral rights, all human beings are *not* due equal respect and dignity. There is a genuine problem here which must be addressed.

#### THE SIDE EFFECTS ARGUMENT

Personhood view proponents, who resist even mentioning the ethical implications of their view for the treatment of marginal humans, are not likely to embrace the strategy of rejecting the wrongness argument's second premise ("It is wrong to use and kill marginal humans, however painlessly this is done and however many persons are benefited"). Their best option is to *accept* premise 2 and *deny* premise 1, which says "If marginal humans have no right to life, it would not be wrong to use and kill them painlessly if persons would thereby benefit."

They can begin by arguing, quite correctly, that 'it would be wrong to kill x' does not entail 'x has a right to life.' Other things being equal, if others who have full moral rights would be harmed by the killing of x, it would be wrong to kill x, even if x has no right to life. Consider an analogy. It would be wrong for me to blow up my neighbor's television set (provided she has not begged me to do so). This in no way implies that the television set has a right to continued existence. The fact is that my neighbor would be seriously inconvenienced, suffer a monetary loss, and be very upset into the bargain. Similarly, exterminating human nonpersons - especially after experimenting upon them and before "harvesting" their usable organs or eating them - would seriously harm human persons. Those who love these human nonpersons will be emotionally devastated. Even if *no one* loves an individual marginal human, others who do care about other marginal humans will feel that those loved ones are threatened by such killing. Moreover, we know that those persons whom we love could become nonpersons. These loved ones too would be indirectly threatened by the killing of marginal humans. Finally, we are aware that *we ourselves*, through disease, accident, or advancing age, may become nonpersons. We too are indirectly threatened. We do not wish to contemplate, e.g., an old age home that is a charnel house. We might will our organs to others and our bodies to science but few of us would wish for nonvoluntary death and dismemberment. In short, the practice of killing even an unloved marginal human would cause substantial fear, anxiety, insecurity, and anger among human persons. For this reason, the personhood view supporter can conclude, it would be wrong to engage in such a practice, even



through it is the case that marginal humans have no right to life. The wrongness argument is rejected; so, therefore, is the CAMC.

This is the well known "side effects" argument, borrowed from rule utilitarianism. In fact, this argument is usually advanced by utilitarians who reject the appeal to moral consistency implicit in the HAMC. They argue that one is not being inconsistent when one holds that it is wrong to dissect, kill, or eat marginal humans, but not wrong to do the same to animals.<sup>17</sup> (The unspoken premises are that (a) human persons don't care nearly as much about nonhuman animals as they do about marginal humans and that (b) human persons don't have to worry about turning into rats, rabbits, or chickens.) Personhood view supporters cannot be utilitarians, but they can certainly borrow this line of argument in order to reject the wrongness argument. If they are to argue that it is wrong to kill marginal humans, regardless of how painless the procedure is and of how many persons would be benefited, they must do so on consequentialist grounds. As marginal humans have no right to life on their view, the wrongness of killing them must stem from the effects such killing would have on persons.

The side effects argument cannot ultimately succeed, however. At most, the argument shows that it would be wrong to establish a general practice of killing marginal humans *if* the practice would result in net disutility. Net disutility would not result if the benefits of the practice were to outweigh any fear, anxiety, anger, etc., the practice would cause. Now, at this point, personhood view advocates (and utilitarians) would object that *in fact* this could never happen: the cumulative fear, anguish, etc., among the members of the society of persons would have to outweigh the benefits of human experimentation, organ transplants, lower taxes of medical insurance premiums (and certainly cannibalism). But this is not the case. For example, a society might *accept* the practice of killing marginal humans. A society of Nazis or eugenicists would not experience the fear, horror, etc., predicted by the side effects argument. A borderline subsistence society also might very well concur. Consider an early Eskimo who would cast his aged parents to the polar bears, fully expecting the same fate to befall him when he would become a drain on community resources. Death in these circumstances was perceived as a good. The side effects argument simply doesn't work here.

Moreover, the practice of killing marginal humans might exist in an allegedly civilized society such as our own without resulting in damaging side effects: all one need do is *keep the practice secret*. It would not be possible to exterminate every marginal human, but, considering the typical marginal human's need for medical care, great inroads could be made their numbers by tech-

nically competent "health" professionals. One need not know that these humans have been killed - especially if it is convenient not to inquire.<sup>18</sup> What of the "executioners", who would have to be aware of the practice? They need only be convinced that what they are doing is right - perhaps even merciful. Would they fear to become victims themselves? Not if they are Hare-ian fanatics, or - more likely - if they make the common un verbalized assumption that such a thing would never happen to *them*. This and other all too realistic scenarios expose the weakness of the side effects argument.

### THE FINAL SOLUTION

Thus, the CAMC advocate should now respond by reformulating the wrongness argument as follows:

1'. If marginal humans have no right to life, it would not be wrong to use and kill them painlessly, provided that persons are thereby benefited more than harmed.

2'. But it is wrong thus to use and kill marginal humans, even if utility would thereby be maximized for persons.

So :

3. Marginal humans do have a right to life (premise 2 of the CAMC).

The tactic of rejecting the first premise of the wrongness argument while accepting its second premise is no longer effective. The side effects argument cannot be invoked against 1'. Nor will it work to accept 1' while denying the antecedent that persons ever would be helped more than harmed by the killing of marginal humans. As I just argued, that particular if-clause could indeed be fulfilled.

What strategies remain against the wrongness argument? Acceptance of that argument is incompatible with the personhood view. We have now seen that rejection of all or part of the first premise does not succeed. It would seem that personhood view supporters have no choice but to *accept* premise 1' and *reject* premise 2': it appears that they must deny that it is wrong to kill human nonpersons when doing so would maximize utility for persons.

As I argued earlier, supporters of the personhood view not only do not embrace this tactic: they prefer not even to mention it as a possibility. Is there no alternative strategy available to them?

It might be thought that one rather more palatable strategy remains. Couldn't personhood view supporters borrow a tactic em-

ployed by unrepentant *homocentrists* against both versions of the AMC? Homocentrists can argue that membership in a species characterized by personhood is morally relevant; i.e., they can argue that "speciesism" is justified. If this were the case, it would be false to hold that humans and nonhumans with equivalent mental capacities are equally morally considerable (unless the latter also belong to a species characterized by personhood). The object of this move is the rejection of premise 1 of the HAMC. The biconditional conclusion of that argument ("Marginal humans have a right to life if and only if nonhumans with roughly the same mental capacities as those humans also have a right to life") would then be unsupported. Since the first premise of the CAMC ("if marginal humans have a right to life, nonhumans with roughly the same mental capacities as those humans also have a right to life") is the controversial half of the HAMC's biconditional conclusion, that argument too would be rejected.

If *personhood* view supporters could adopt this tactic, one might think that they would not need to agonize over the wrongness argument (whose purpose is to provide support for the second premise of the CAMC). It would become irrelevant, since the CAMC would already have been rejected. Is this speciesist strategy open to believers in the personhood view? Would it allow them to escape their predicament?

I think not, for two major reasons. First, it is extremely doubtful that speciesism can be justified. Since it is a *prima facie* morally inconsistent view, the burden of proof is on its supporters to show it otherwise. No one has yet succeeded in doing this, although several have tried.<sup>19</sup> Second, although it is possible for believers in the personhood view to be speciesist, the sort of speciesism they could adopt would not help them against the CAMC. Unlike homocentrists, they cannot hold that human nonpersons have a right to life. They could conceivably hold that human nonpersons are *more morally significant* than mentally equivalent nonhumans who do not belong to species characterized by personhood, but that increased degree of significance would not make it wrong to kill such humans. The killings under discussion would be as "humane" as possible, after all. The wrongness argument still cannot be evaded.

Thus we return to the unhappy dilemma faced by supporters of the personhood view. They must either abandon their view or adopt what I am tempted to call "the final solution": assert that it is not wrong to kill marginal humans if persons thereby benefit the most. This is the only remaining way to escape the wrongness argument and the CAMC which it supports. Considering the great reluctance of personhood view advocates to even mention such a pos-

sibility, it is unlikely that this horn of the dilemma will be grasped. *But it is not impossible.*

If the final solution is adopted, both versions of the AMC would have reached their limits as arguments. The CAMC would be rejected. Although the HAMC would remain, it (as I argued earlier) is entirely compatible with the personhood view. Appeals to moral consistency can only go so far. Thus, those who accept the CAMC are obligated to search for *positive arguments* to show why it is wrong to kill marginal humans, however "humanely" and "beneficially" this could be done. Last ditch defenders of the personhood view could only be defeated in this way.

### THE SCOPE AND LIMITS OF THE AMC

We have seen that the AMC is a very effective but limited weapon against the personhood view. Let us now view it from a broader perspective. How much does it imply about moral considerability in general? Is it compatible with other views concerning moral considerability?

Those who accept either version of the AMC cannot accept a homocentric ethic. However, they would not necessarily be inconsistent if they endorsed a nonhomocentric environmental ethic. This is because neither version of the AMC specifies necessary and sufficient characteristics which a being must possess to have a right to life or to be morally considerable. The CAMC does imply that possessing the mental characteristics of a mentally deficient human is *sufficient* for a right to life (whether one is human or not). It does not entail that such characteristics are necessary. Other characteristics may be sufficient for moral considerability (and even for a right to life, where ascription of such a right makes sense).

For example, supporters of the AMC could endorse an *individualistic* environmental ethic. Such a view would accord moral considerability to individuals possessing certain characteristics (e.g., being alive). Sentience would not be regarded as necessary for moral considerability.<sup>20</sup> Acceptance of the AMC is also compatible with the view that "wholes", complex environmental systems, can themselves be morally considerable: we can think of these wholes as "beings" in a very broad sense. But AMC supporters cannot accept a purely *holistic* environmental ethic. According to such a view, individuals are never morally considerable: only "wholes" of the sort referred to above can be that.<sup>21</sup> I do not think this limitation is cause for concern, however. A *purely* holistic environmental ethic is extremely implausible, even more

so than the view that *only persons* are morally considerable (the strong personhood view). Persons would not be morally considerable at all, given a purely holistic view. I have argued elsewhere that the most plausible version of an environmental ethic would incorporate both individualistic and holistic elements.<sup>22</sup> This mixed view is entirely compatible with support for both versions of the AMC.<sup>23</sup>

Just where are the boundaries of moral considerability? No AMC can answer this question. Again we see the need for positive arguments. What, then, is the point of the AMC? Isn't it ultimately unnecessary?

I believe the AMC is indeed unnecessary in one respect. Once successful positive arguments for moral considerability are mounted, we can dispense with it altogether. But in another respect, it has been necessary. Without the AMC, it is highly unlikely that we would ever have questioned the assumption that the boundaries of moral rights and moral considerability are set by personhood or humanity. The power as well as the limits of the AMC have enabled many of us to see the need for positive arguments. In this respect, the AMC has been the first step toward liberation: the liberation of our own thinking. The rest of the world can only benefit.

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#### NOTES

1. Joel Feinberg, "Abortion", in Tom Regan, ed. *Matters of Life and Death*. New York: Random House, 1980, p. 189.
2. See Immanuel Kant. *Foundations of the Metaphysics of Morals*, especially the Second Section. See also Onora Nell. *Acting on Principle: An Essay in Kantian Ethics*. New York: Columbia University Press, 1975. Cf. Ernest Partridge, "Three Wrong Leads in a Search for an Environmental Ethic", *Ethics and Animals* 5 (1984, 3), p. 62.
3. 'Right to life' is meant in the original, deontological sense here. One is owed a right to life as one's due because of the sort of being one is. In Kantian terms, one is to be treated as an end, never merely as a means. Some utilitarians employ the phrase 'right to life' in a watered-down sense, meaning by it that utility considerations in general justify a presumption against killing certain individuals. (See, e.g., Peter Singer. *Animal Liberation*. A New York Review Book, 1975, pp.

- 8-9, and Thomas Young, "The Morality of Killing Animals: Four Arguments", *Ethics and Animals* 5 (1984, 4), pp. 94, 100). This is not the sense of 'right to life' relevant to the personhood view, since no utilitarian grounds would *restrict* a presumption against killing to moral agents (see Young, p. 94). The fact that the personhood view is deontological does not mean that it regards consequences of moral actions as irrelevant, however. A deontological view merely maintains that consequences are not *all* that matters morally. (See William Frankena. *Ethics*. Englewood Cliffs: Prentice Hall, 1973<sup>2</sup>, p. 15.) As we shall soon see, the personhood view needs some consequentialist thinking in order to try to counter the AMC.
4. Some recent advocates are Michael Tooley, "In Defense of Abortion and Infanticide", in Joel Feinberg, ed. *The Problem of Abortion*. Belmont, Cal.: Wadsworth Publishing Co, 1984<sup>2</sup>; Ernest Partridge, *op.cit.*; R.G. Frey. *Rights, Killing and Suffering*. Oxford: Basil Blackwell, 1983; and Alan Gewirth. *Reason and Morality*. Chicago: University of Chicago Press, 1978.
  5. See, e.g., Charlie Blatz, "Why (Most) Humans are More Important Than Other Animals: Reflections on the Foundations of Ethics", *Between the Species* 1, 4, p. 12.
  6. For views along these lines, see, e. g., Daniel Callahan, "Abortion: A Matter of Conscience", in R. Abelson and M. Frisquegnon. eds. *Ethics and Modern Life*. New York: St. Martin's Press, 1982, pp. 126-132; and L.W. Sumner, "A Third Way", *The Problem of Abortion*, pp. 71-93. Also see Gewirth. *op. cit.*, pp. 142-144.
  7. Tom Regan, "An Examination and Defense of One Argument Concerning Animal Rights", *Inquiry* 22 (1979, 1-2), p. 189.
  8. Thomas Young. *op. cit.*, also characterizes such a statement as an argument. See his pp. 88-89.
  9. This argument, contained in a pamphlet entitled "A Vindication of the Rights of Brutes", is paraphrased by Peter Singer in his "All Animals are Equal", in Tom Regan and Peter Singer, eds. *Animal Rights and Human Obligations*. Englewood Cliffs: Prentice-Hall, 1976, p. 149.
  10. This prospect is not as far-fetched as one might think. A science magazine recently reported that at least one couple strongly considered conceiving, then aborting, a fetus for its kidneys (the father needed but could not obtain a normal transplant because of his rare tissue type). (*Discover*, February 1985, p. 87.)
  11. Partridge, *op. cit.*, p. 65
  12. *Ibid.*, p. 62.

13. Blatz. *op. cit.*, p. 16, footnote 13
14. Gewirth. *op. cit.*, pp. 144-145. Emphasis mine.
15. C.E. Harris, Jr. *Applying Moral Theories*. Belmont, Cal.: Wadsworth Publishing Co., 1986, p. 134.
16. *Ibid.*, p. 143. Emphasis mine. Cf. p. 128: "The idea that equal respect is due all human beings is the basis for the universalization principle".
17. For Example, see Jan Narveson, "Animal Rights", *Canadian Journal of Philosophy* 7 (1977), n.1; and Thomas Young. *op. cit.*, especially pp. 93-96.
18. One wonders to what extent this may actually be happening. The combination of not knowing and not caring is a lethal one. How many handicapped infants have "slipped away" in certain hospitals? How many of the elderly? The severely retarded? I do not deny that some mercy killings are justified, but I do suspect that many such deaths are far more convenient than merciful. (Of course, there is no reason to think that there is a concerted, unified policy behind such deaths. Nevertheless, the parallel with Nazi Germany remains troubling.)
19. For an interesting recent attempt, see Michael Wreen's "In Defense of Speciesism", *Ethics and Animals* 5 (1984, 3), pp. 47-60, and my response, "Speciesism Not Justified", *Ethics and Animals* 5 (1984, 4), pp. 122-129. See also his response, "My Kind of Person", *Between the Species* 2 (1986, 1), pp. 23-28, and my reply, "Speciesism Revisited", *Between the Species*, forthcoming, followed by another response by Wreen. Thomas Young also argues that species membership is morally relevant in his "The Morality of Killing Animals", *op. cit.*, pp. 98-99. His argument also fails, but that is the subject of another paper.
20. Tom Regan is a good example of an AMC supporter who leans toward environmental individualism. See his *All That Dwell Therein*. Berkeley and Los Angeles; University of California Press, 1982, especially pp. 184-205. He is, I believe, too pessimistic about the prospect of justifying such an ethic. See my "The Justification of an Environmental Ethic", *Environmental Ethics* 5 (1983, 1), pp. 47-61.
21. Aldo Leopold expresses this view in his *A Sand County Almanac and Sketches Here and There*. New York : Oxford University Press, 1949. J. Baird Callicott is an excellent contemporary defender of environmental holism. See his "Animal Liberation: A Triangular Affair", *Environmental Ethics* 2 (1980), pp. 311-338.
22. See my "Two Conceptions of an Environmental Ethic and Their Implications", *Ethics and Animals* 4 (1983, 4), pp. 110-127.

23. The (weak) personhood view is also compatible with this mixed environmental ethic. Ernest Partridge has presented such a view recently in his "Three Wrong Leads in a Search for an Environmental Ethic", *op. cit.*