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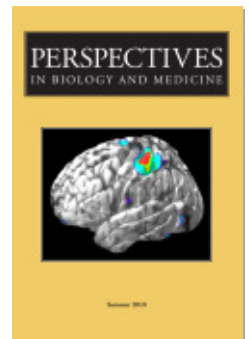
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Morality, Adapted

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Perspectives in Biology and Medicine, Volume 53, Number 4,
Autumn 2010, pp. 624-629 (Review)

Published by The Johns Hopkins University Press



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MORALITY, ADAPTED*

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ABSTRACT Over the last few decades, scientists have been busy debunking the myth that nonhuman animals relate to each other in a primarily competitive, aggressive way. What they have found is that many species of animal, including many of those most closely related to humans, display a remarkable range of cooperative, “prosocial” behavior. In fact, it appears that some animal societies adhere to a moral code. What is preventing us, then, from saying that the members of these societies are moral beings? Nothing important, according to a recent book. Probing further into this question, I suggest that in fact quite a lot is at risk in making this move. To integrate nonhuman animals fully into the moral domain, we may have to adapt our conception of morality in some very troublesome ways.

ARE ANY NONHUMANS moral beings? This, of course, depends on how “moral being” is defined. There isn’t a single correct definition of the term. Rather, there are several eligible definitions, and which one we should use depends on why we are asking the question. To illustrate the different purposes we might have in asking this question, consider the following two extended versions of it:

- Are any nonhumans moral beings in the sense that it is possible for us to have duties to them?
- Are any nonhumans moral beings in the sense that they are appropriate objects of moral attitudes such as praise and blame?

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*Marc Bekoff and Jessica Pierce. *Wild Justice: The Moral Lives of Animals*. Chicago: Univ. of Chicago Press, 2010. Pp. 208. \$17.

Perspectives in Biology and Medicine, volume 53, number 4 (autumn 2010):624–29
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If we were out to answer the first version of the question, then we would define “moral being” as “a being toward whom we can have duties,” and we would go on to try to determine whether there are any animals (I will continue to omit the “nonhuman” qualifier hereafter) that have whatever characteristics qualify a being as an object of duties. If we were out to answer to the second version of the question, then we would define “moral being” as “a being toward whom it is appropriate to take moral attitudes,” and we would proceed to determine whether there are any animals that have the characteristics that render a being apt for moral judgment.

Either investigation would be well worth undertaking, and indeed both have been undertaken. On the other hand, suppose someone proposed to try to determine whether any animals are moral beings, full stop. That is, they proposed to answer the question for its own sake. We might have two worries, I think. First, is this question compelling in itself, without being attached to an ulterior purpose? Second, does the question have a right answer? As already mentioned, the correct answer depends on how one defines “moral being,” and there doesn’t appear to be a uniquely correct way to define the term.

In their extremely readable new book, *Wild Justice*, Mark Bekoff and Jessica Pierce propose to answer the full-stop question. For their purposes, a moral being is any being that behaves in a certain way (p. 5). The relevant kind of behavior, according to the authors, is “a suite of interrelated other-regarding behaviors that cultivate and regulate complex interactions within social groups” (p. 7). More colloquially, moral behavior is behavior that is well-adapted for social living (pp. 3, 45)—“social glue” (p. 7), they call it. Bekoff, an ethologist, and Pierce, a philosopher, are out to show that several species of social mammals qualify as moral beings. This includes, at least: great apes, wolves, coyotes, hyenas, dolphins, whales, and some species of rodent and monkey (p. 9).

The bulk of *Wild Justice* is a fascinating review of the observational evidence supporting the claim that these species of animal display the relevant kind of behavior. Yet one might have thought that the empirical evidence could be left aside in favor of a simple, mostly a priori argument: we know that great apes, wolves, coyotes, etc., have been living in social groups for thousands of years. Therefore, they must have behavioral adaptations that are conducive to social living. Given the definition of “moral being” as a being that behaves in ways that are conducive to life in a social group, it follows that the members of these species are moral beings.

What, then, can we learn from the empirical evidence? Suppose that Bekoff and Pierce wanted to define moral beings not just in terms of the end their behavior promotes (the success of societies) but also in terms of the mechanisms they use to achieve that purpose. While we might be able to determine a priori that the social mammals have adaptations conducive to social living, we cannot determine a priori what those adaptations are. And indeed, Bekoff and Pierce are determined to establish which behavioral mechanisms support the success of ani-

mal societies. They dedicate a chapter apiece to each of three categories of behavior—cooperative, empathic, and justice-promoting—arguing convincingly that humans are not the only ones who display these kinds of behavior. Perhaps, then, “moral being” is to be defined as a being that displays a suite of cooperative, empathic, and justice-promoting behaviors that promotes the success of its society. At times, Bekoff and Pierce seem to want to go this route (pp. 1, 138, 148).

However, this would appear to be an arbitrary move (why exclude some of the behaviors that promote societal success?), and, in any event, most of the textual evidence indicates that Bekoff and Pierce do not want their definition of “moral being” to include particular kinds of behavior. In particular, such a definition would be in tension with their move away from moral universalism in favor of species-relativism (pp. 19, 139, 147–48). (This is a well-motivated move in the context of *Wild Justice*, as I explain below.) Actually, their official position is that morality is society-relative, since there are often variations *within* species in what behaviors make different societies successful (p. 20). In any event, there wouldn’t be much room left for any kind of relativism at all if “moral being” were defined as a being that displays a suite of cooperative, empathic, and justice-promoting behaviors that promotes the success of its society. Ultimately, then, we should interpret Bekoff and Pierce as defining “moral being” in terms of the end its behavior serves. Therefore, whether animals behave empathically, cooperatively, or justly is beside the point. Yes, we humans recognize such behavior as moral behavior, but since morality is society-relative, our judgments are neither here nor there.

Thus, for all its talk about empathy, cooperation, and justice, *Wild Justice* actually makes quite a weak point: many social mammals engage in behaviors that are conducive to the success of the societies they live in. Thus, these animals are moral beings, because morality is a set of behaviors that are conducive to the success of a social group.

Does this conception of morality leave out anything important? Certainly it puts pressure on our long-standing tendency to conceive of ourselves as moral beings in a more robust sense than applies to any other kind of animal. Bekoff and Pierce are aware of this (pp. 137–42), and they encourage their readers to adopt an attitude of openness and critical reflection on the nature of morality. In that spirit, I propose to examine, in the remainder of this essay, some of the ways in which the proposed conception of morality might be seen as deficient. As mentioned at the outset, I don’t think that there is a uniquely correct way to define “moral being,” and the same may well hold for “morality.” It would be good, however, to at least have a grip on what is at stake in choosing our definitions. Since Bekoff and Pierce are offering a *normative* account of morality (p. 148)—that is, they are trying to say something about the nature of morality itself, as opposed to saying something merely about how it is practiced in different societies—we should expect their account of morality to have substantive implications about right and wrong.

One thing that is at stake is the moral status of intergroup relations. If the moral norms are the norms that allow groups to flourish, then it is difficult to see what grounds we might have for condemning malevolent behavior between members of distinct groups. For instance, we believe that there are moral and immoral ways to treat foreign tourists. Can a society-relative morality account for this? Yes, if it can be established that we are all members of a global society. Given the presence of global economic and communications systems, it seems plausible to suppose that we are.

More troubling, perhaps, is the status of interspecific relations. We believe that our treatment of animals, at least some of them, is subject to moral assessment. Yet surely they are not members of our society. (Actually, it has been argued that some animals are; see Warren 2000.) Bekoff and Pierce claim that their book has no particular implications for how humans ought to treat animals (pp. 149–50). This, it turns out, may well not be true. On the contrary, it appears the conception of morality that they advocate has the implication that we may permissibly do whatever we want to animals.

Should we then entirely abandon that conception? If the only alternative were to say that moral norms are universal, then we would appear to be stuck between a rock and a hard place. We don't want to hold animals to all the norms that we use to maintain social order, some of which would be patently ridiculous when applied to the animal kingdom (sexual norms come to mind). Similarly, we don't want to hold ourselves to all the norms that structure successful animal societies, such as fixed, inherited hierarchies. So universality is out of the question. Yet we don't want to license any and all interspecific behavior. Thus, strict society-relativism is out of the question too. Perhaps, however, there is a middle way. Bekoff and Pierce are at pains to emphasize that although animals clearly have the capacity for cruelty, they are rarely cruel, even with respect to members of other species (pp. 17–18). Why not say, then, that amidst all the species-relative norms there is a universal norm opposing cruelty? This would commit us to saying that when a chimp, wolf or dolphin behaves cruelly, it thereby behaves immorally. Yet this seems like a reasonable price to pay to pay, and in fact Bekoff and Pierce are willing to pay it (pp. 15–16). Our conception of morality would then be neither entirely universal nor entirely society-relative. This hybrid view wouldn't prohibit us from killing animals, but it would prohibit us from being cruel to them. This, surely, is an improvement over the anything-goes approach.

Another important consequence of any behavior-based conception of morality is the consequent diminishment of the importance of moral reasoning. We tend to think that moral beings are those beings that have the capacity to deliberate about moral norms, as opposed to just those beings whose behavior happens to conform to them. Bekoff and Pierce are not willing to go this far, though they do make some concessions in this direction (p. 13) that allow them to maintain that bees, for instance, do not qualify as moral beings. It is not clear to me

what is to be gained by this compromise. It's true that under normal circumstances it would be odd to say that bees are moral beings, but the counterintuitiveness of this claim melts away if we stipulate the truth of a behavior-based conception of morality.

Finally, the proposition that morality is a set of behaviors conducive to the success of social groups invites a reconsideration of various substantive issues in moral theory. For instance, behavior that conforms to the norms of etiquette seems to qualify as moral behavior under this conception. Philippa Foot (1972) famously argued that there was no distinction in reason-giving force between moral norms and norms of etiquette; both kinds of norm are "hypothetical," meaning that they provide reasons only for those who subscribe to the broader system of which they are a part. In the last few decades the holy grail for moral philosophers has been an argument that could demonstrate that while norms of etiquette are indeed hypothetical, moral norms are categorical (i.e., they apply to everyone who can understand them). *Wild Justice* might be taken to suggest that both Foot and her interlocutors have it wrong, and that the truth is that both sets of norms are categorical. Bekoff and Pierce, for their part, seem to suggest that for animals, this may be the case (p. 15).

One might also wonder whether linking morality to the success of societies illicitly sneaks in a form of utilitarianism without argument. Now one might respond, "What moral theory opposes the success of society?" There is some truth to this response, but only so much. There are moral extremists, and though they are extremists, some argument needs to be mustered in opposition to them. Kant (1797) was such an extremist, insisting that one should never tell a lie, no matter what the consequences. And there are other, less extreme, moral theories that do not sit comfortably with societal success as the ultimate goal of morality. Consider a famous thought experiment by H. J. McCloskey (1972). Suppose the only way to prevent a riot was to falsely accuse, imprison, and execute an innocent person. The mob wants to see justice done, and they can be fooled into thinking it has been done, if only you will get your hands dirty. By doing the deed, you will prevent a much greater amount of harm-doing—property destruction, assault, even killing—than you will engage in. Should you do it? It seems to me that there are a number of reasonable, non-extreme moral theories that would answer "no." Can we allow for the coherence of such views this while saying that morality is a set of norms conducive to the success of society? It's not clear to me that we can.

In the face of this problem, we might retreat to a weaker position, insisting only that moral norms are norms governing the distribution of harms and benefits, while not presupposing that the success of society is the ultimate goal. (Bekoff and Pierce seem to endorse this view on p. 14.) But even this moral conception seems to immediately rule out certain reasonable moral views, such as T. M. Scanlon's (1998) view, on which morality in the first instance is about being able to justify one's actions to others.

Of course Bekoff and Pierce have as much license as anyone else to take up a substantive position in moral theory, and utilitarianism is certainly a position to be taken seriously. However, if we insist that moral norms function to promote the success of societies, then we face a problem more profound than whatever problems face utilitarianism: we risk misrepresenting the very essence of morality. Consider another thought experiment. Suppose that all humans voluntarily joined the same ascetic religion that prohibits reproduction. Would there be any wrongdoing here? If we abandon the connection between morality and the success of societies, then the answer must be “no.” And indeed, this strikes me as the right answer. As Joel Feinberg (1980)—the originator of this thought experiment—claims, a collective decision to end the human species would be a tragedy and a sign of our biological unsuitability for survival, but it would not be immoral. The same, I would say, holds for other species. This suggests that the success of societies, far from being the *sine qua non* of morality, is in fact morally optional.

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