Most philosophers believe that humans have far greater moral worth than nonhuman animals. This consensus position invites the following question: What characteristic or group of characteristics of human beings differentiates us from nonhuman animals so that we have greater moral worth than nonhuman animals? Philosophers have offered a number of characteristics that allegedly show human beings to be superior to nonhuman animals. At the top of the list we find thinking and the ability to be rational. Further down the list we find more subtle abilities, for example, such as the ability to be self-conscious. Neither of these nor a host of other prospects provide an adequate ground for the claim of greater human worth. But philosophers attribute one ability to humans, or to most humans, that seems immune to the usual criticisms: the ability to be moral. In this essay I want to explore whether the ability to be moral plausibly makes humans more valuable than nonhuman animals.

The Consensus Account of Human Superiority

"Why do we think human beings are more valuable than chickens and goats?" philosopher Susan Wolf asks. Her answer:

What is especially valuable about persons is connected to the fact that persons live, or have the potential to live, richer lives than other beings. Persons are capable of aspiring to and achieving a diversity of ideals... are capable of... exhibiting and appreciating moral virtue, and of understanding and committing themselves to moral laws.

Physician and philosopher Willard Gaylin also claims that human beings are superior to nonhuman beings because we human beings can develop "that awareness of the right and good which enables us to act rationally, justly and virtuously thus defining human beings as the only moral animal." Mary Anne Warren endorses the consensus account when she argues that sentient beings who are not moral agents do not have the same moral status as those who are moral agents.

These claims raise at least two questions. First, are humans the only animal with the ability to be moral? Second, does the ability to be moral confer moral worth on a being with that ability?

The first question invites a negative answer. Consider that the parents in many species are oftentimes unfailing and unselfish in their attention to their offspring. Immanuel Kant celebrated the care with which nonhumans parent their young: “The more we come in contact with animals and observe their behavior, the more we love them, for we see how great is their care for their young. It is then difficult for us to be cruel in thought even to a wolf.”
Those advocating human superiority will say that the parenting example misses the point. The unique feature of humans that distinguishes us from nonhumans is not that human beings exhibit moral behavior, for even nonhuman animals do that. The claim is that nonhuman animals cannot choose to do otherwise—that good parenting is hardwired into them—whereas human beings can choose to be good parents, or be good neighbors, or be compassionate. What is crucial, the defenders of human superiority argue, is that human beings can choose to do otherwise. The issue is not one of behavior but rather that we humans are able to choose to act morally. This ability involves autonomy. That we have the ability to choose to be moral, presupposing that we can choose to be otherwise, is why we are superior. Nonhuman animals, however moral their actions may appear, cannot do otherwise.\(^7\)

For the purposes of discussion, let us assume that choosing to be moral is not an option available to nonhuman animals. Does this assumption, of itself, resolve the question about worth and superiority?

Once we posit that humans alone are able to choose to respond to moral concerns, we may seem to have already conceded that we are "superior" to nonhumans. This is what Willard Gaylin assumes when he claims that our moral qualities make us human and "elevate" us "above the common animal host."\(^8\) That is, of course, one way to look at the matter. We "have" more, so we are "better." But are we correct in believing that the ability to be moral makes us better than beings that lack this ability? What is it about this particular ability that elevates humans over nonhumans?

**Setting Aside An Objection**

The assumption that the ability to be moral is what makes human beings more valuable than nonhuman animals raises the following question: How are we to evaluate the lives of human beings who lack moral agency? For example, how are we to evaluate the lives of a newborn human baby?

The philosopher who defends human superiority on the basis of the ability to be moral faces a difficult choice. On the one hand she can argue that those who lack the ability to be moral (moral patients\(^9\) ) are as valuable as humans who have the ability to be moral (moral agents). On the other hand, she can bite the bullet and say that humans who are not moral agents are less valuable than those who are. The problem with the first approach is that if the moral worth of a moral patient is the same as the moral worth of a moral agent, moral agency does not seem to make a being more valuable. The problem with biting the bullet is that it is highly counterintuitive to depreciate the value of the life of a newborn infant relative to the value of the life of a normal adult human being. But since biting the bullet is a philosophically feasible solution to this problem, however counterintuitive, I set aside this objection and turn to my main question: does the ability to be moral bestow a level of moral worth on those with this ability that makes them more valuable than those beings that lack this ability?

There are three accounts in the philosophical literature of why the ability to choose to be moral is valuable and makes the life of a human more valuable than the life of a nonhuman. One is that we value such beings more highly than beings who lack this ability. The second is that the ability to choose to be moral has instrumental value. The third that this ability makes the beings that have it inherently more valuable. I’ll examine each of these claims in turn.
Humans Are More Valuable Because We Consider Ourselves More Valuable

Mary Warren adopts the position that the value of a being is a function of human judgment and human need. Given the typical human judgment that humans are more valuable than nonhuman animals because of our ability to be moral, and given apparent human needs for animal products, she affirms that humans are superior to nonhuman animals because of the ability to be moral.

Warren’s defense of the claim of human superiority on the basis of moral agency has the appearance of circularity. She avoids circularity by claiming that moral status is not an “objective” or “necessary” truth but, instead, a social invention. This explains why she builds an account of moral status that firmly rests on commonsense moral judgments. Although Warren thereby avoids the charge of circularity, she cannot avoid the devastating charge that she is unable to criticize prevailing orthodoxies and prejudices that inform considered moral judgments. Instead, her method leaves her hostage to deeply prevailing prejudices.

Let me give an example of this criticism. On her own account, Warren is unable to justify giving women full moral status when sexism is the overwhelming prevailing orthodoxy. Consider any earlier period in which commonsense judgments and the prevailing attitudes are fully sexist. During these periods when sexist attitudes dominate and prevail unchallenged, Warren’s own methodology, based on commonsense judgments, would support a sexist evaluation of the status of women. Warren’s methodology fails to provide any grounds for criticizing these attitudes when they reflect a dominant prevailing orthodoxy and fully inform commonsense judgments. This fatal shortcoming defeats her methodology and so undermines the support it allegedly provided for the claim that humans are superior because of the ability to be moral. Warren cannot legitimately defend the thesis that the ability to be moral makes humans more valuable than nonhumans on the basis of the commonsense judgment that humans are more valuable because we can be moral.

The Instrumental Value Variation of the Consensus Account

The instrumental value version of the consensus view is that the ability to choose to be moral, when exercised, leads to pleasure, happiness, satisfaction, and a more fulfilling life. Philosopher R.G. Frey suggests a version of this view in the following passage:

By exercising our autonomy or agency, we can mold and shape our lives to fit a conception of the good life of our own choosing, and living out this conception can itself supply us with a strong sense of achievement and of self-fulfillment, and, through these, with considerable satisfaction....Nothing comparable exists among the non-autonomous. We have here, then, a further reason for thinking that the lives of normal humans are much richer than those of infants, defective humans, and animals.

Frey’s point is that, from the inside of the being whose life we are assessing, the life of a being who is autonomous and can choose to be moral is much richer and more satisfying than that life would be if the person lacked this ability.

Does Autonomy Ground The Claim of More Richness and Satisfaction?
If Frey is right and we do experience more satisfaction than beings lacking our degree of autonomy, that would provide plausibility to the thought that our lives have a higher quality than beings who do not experience these autonomy-related satisfactions. We need to ask: do the autonomous experience more satisfaction than those who lack autonomy?

The exercise of autonomy, on Frey's account, involves pursuit: shaping and molding our lives to fit an idea we have of how we want our lives to become. According to Frey, implementing our idea of the good life causes us positive feelings. This is the source of the value unique to autonomous lives: the positive feelings coming from successful pursuits of the good life of our choosing.

When we investigate the details of the likelihood of increased satisfaction for the autonomous, Frey's claim becomes less plausible. Although Frey writes in terms of success ("living out this conception"), the best we can do is to try to implement our conception of the good life. That, of course, involves us not only in successes, but in failures. We must weigh each of these outcomes in our final assessment of the value of autonomy.

It is difficult to make a plausible case for the instrumental value of autonomy in terms of successes over failures. Failure and the fear of failure haunt the human condition. When we are not successful, we do not have more felt satisfaction—instead, we may experience feelings of frustration, disappointment, anger, or despair. And while success may seem to support Frey’s evaluation, even this is problematic.

When we are successful, typically we are in one of two situations. Either we have succeeded in a way that seems permanent—we have achieved better health, improved our job situation, purchased a home, entered into a promising relationship, made money, enhanced our reputation—or we have succeeded in enjoying something that we know to be momentary—a concert, a kiss, a meal. Once we've obtained what is in the more permanent group, generally we will desire to keep or improve on these goods. Our wanting to keep what seems permanent involves us in new efforts and produces new rounds of successes and failures. Impermanence has many faces: sickness and accidents undermine health; relationships change; jobs become boring; thieves take valued possessions; natural disasters destroy homes; expenses drain savings; and reputations are mercurial. Even if we are able to "hold on" until death, in dying we must lose everything that we pursued and acquired. Trying to keep any of these goods eventually leads to loss. As a Buddhist text reminds us: “All that is mine, all that is beloved and pleasing, will someday be otherwise, will someday be separated from me.”

When we turn to the enjoyment of what is clearly momentary, we will want to experience these goods again under the appropriate conditions. The tendency to want more and better raises our expectations and makes it more difficult to recreate satisfactory momentary pleasures. Concerts, meals and kisses each suffer from heightened expectations, for satisfactorily repeating an experience, especially when we have raised expectations for that experience, becomes more difficult than earlier successes with lower or no expectations.

These reflections constitute one reason for doubting that the exercise of autonomy leads to more overall satisfaction: it is precisely the frustration of our preferences, plans and ambitions that causes much human suffering. Our most important wishes—for example, that we and our loved ones do not
age, sicken, or die will be frustrated, and the amount of felt dissatisfaction from thwarted preferences plausibly defeats whatever positive value satisfied preferences may have added to a life.

As problematic as these observations are for Frey’s thesis, I turn to a second range of considerations that, I believe, are devastating to the claim that autonomy provides the autonomous more satisfaction, from the inside, than would be available to similar sentient beings who lack autonomy.

On Frey's account, autonomy requires that we attempt to make changes to improve or correct what is going on. This involves attending not only to what is going on, but to the future possibilities that we may be able to bring about. This future orientation distracts us from the present moment. By attending to what is not present, we are not as fully appreciative of whatever is unfolding. For example, if I am hiking up a hill and am thinking about the vista I am about to reach, I will be less attentive to the flora along the trail. In this way, we miss sunsets, the taste of our meals, the subtle colors of the trees along our roadways, and the songs of birds.

We can also miss what is going on by focusing on something in the past as the following story illustrates:

Tanzan and Ekido were once traveling together down a muddy road. A heavy rain was falling. Coming around a bend, they met a lovely girl in a silk kimono and sash, unable to cross the intersection. "Come on, girl," said Tanzan at once. Lifting her in his arms, he carried her over the mud. Ekido did not speak again until that night when they reached a lodging temple. Then he no longer could restrain himself. "We monks don't go near females," he told Tanzan, "especially not young and lovely ones. It is dangerous. Why did you do that?" "I left the girl there," said Tanzan. "Are you still carrying her?" One imagines Ekido, as they walked along, judging Tanzan negatively. It is plausible to think thatEkido did not notice the birds and plants along the road as fully as he otherwise would have were he not thinking about what was past (Tanzan's lifting the girl) and about the future (whether, what and when he would say something to Tanzan). In addition, Ekido’s judgmentalness itself would likely sour his mood and further diminish his felt satisfactions during his walk with Tanzan.

Focusing on what is present plausibly leads to the most satisfaction, as Dave Foreman reports in his answer to the question about when he is the happiest:

When I'm not thinking abstractly. When I am being fully an animal, when I'm in the middle of a rapid on the river and having to respond to the river. I'm happiest when I experience the moment entirely for what it is. I'm happiest when I'm bird-watching, or when I'm walking down a trail in the wilderness and the internal dialogue finally ceases I'm just there in the place. Our physical adaptation is for running or moving through wild country. That's when we're truly human and truly alive.... I recently had the joy of my life when I came in contact with a Jaguar on the Monkey River in Belize. Rationality ceased, abstraction ceased. We ignore the fact that we need wilderness
Foreman reports that he is happiest when rationality and abstraction cease, when he is experiencing the present as it is. Think of how Foreman's experience of the jaguar changes if he's judging: Will a picture of this jaguar make a good photograph? Or: Is this jaguar the largest that has been sighted on the Monkey River? Or: Has this jaguar been documented in a scientific study? Any of those perspectives, easily part of a "good life of our choosing," would take away from the quality of the experience that Foreman describes. In this case, exercising abilities to judge, assess and compare would diminish the quality of Foreman’s experience.

There is a second reason for thinking that judgmentalness undermines the quality of momentary experiences. The function of autonomy often involves implicit judgments that things are not good enough the way they are. For example, we strive for achievement and more fulfillment because we have a conception of the good life that we believe we are not fully realizing. Since we can imagine how almost any experience, situation, relationship, or success can be better—nearer to perfection, more intense, more refined—judgmentalness can undermine the satisfactoriness of almost any experience or relationship or situation, however wonderful in itself, and, so, depreciates its quality. Advertising is based on this human vulnerability—the advertizer trying to make us believe we need her product in order to have a better or more fulfilling life, which implies that what we have is not good enough. Motivated by the tendency to judge inadequate what otherwise might have been completely satisfactory, we find ourselves valuing and pursuing what is sanctioned by those whom we respect, envy, or admire. As a result we typically come to discount precisely what we found full of wonder when we were children and what those who are dying often say is truly valuable when they tell us to smell the flowers and eat more ice cream.

The exercise of autonomy, as Frey describes it, involves the autonomous in judgements, assessments and comparisons that diminish the quality of momentary experiences in at least two ways: first, we are not fully attentive to what happens in the moment and so miss the quality of the experience; second, we often depreciate what otherwise would have been fully satisfactory. In addition, the exercise of autonomy may also involve the autonomous in pursuits that, when frustrated, will cause suffering. In short, it is not plausible to think that autonomy adds satisfaction to a life.

Frey has raised two objections to the first of these considerations. His first objection attempts to mute the force of my claim that a life of judgmentalness and preoccupation diminish the quality of our lives:

All Gruzalski’s point comes to is the caution that we can become too pre-occupied with an organized life and a job or profession and so fail to capture in our lives many of the good things that life has to offer. But this caution is already widely heeded: no one is a schoolteacher or pilot twenty-four hours a day, and it is easily possible in one’s other time to experience all... from good meals and the enjoyment of nature to reading.

Frey’s answer to the diminishment of satisfaction through preoccupation, judgmentalness, and distraction is that we adopt a hybrid approach: a proper balance of preoccupations with periods set aside for smelling flowers.
Frey is correct in maintaining that a goal-directed life is more fulfilling if one includes in it moments of awareness of flowers, birdsongs, and sunsets. Nonetheless, this response does not undermine my argument. First, we cannot just turn off the mental habit of looking to the future, the mental habit of being preoccupied with achievements and changes, and the mental habit of judgmentalness by walking out of an office, changing our clothes, or punching a time clock. These mental habits carry over into the rest of our lives and diminish our momentary experiences even when we are not actively at a job or acting as a professional. Second, if the hybrid is better than a life totally filled with pursuit and judgment, then a life that excluded these satisfaction-diminishing psychological habits would plausibly be even better: there is no reason to believe that a life of moment-to-moment awareness would be more satisfactory if we injected into it judgmentalness, comparison, assessment and pursuit. Frey’s offer of a hybrid only affirms that judging and comparing and assessing undermines the satisfactoriness of a life.

This lays the groundwork for Frey’s second objection:

There are neurosurgeons, librarians, athletes, and pianists; how exactly are they to live spontaneously? Does this injunction mean that these individuals must not have professions in the first place? And what kind of society... when professions and other ways of organizing our lives are put aside in favour of spontaneous living?19

Frey is raising the following question: can a person spontaneously perform ordinary, coherent human activities and remain focused in the present moment? The answer is that this is not only possible, it is preferable. The best neurosurgeons, librarians, athletes and pianists stay fully in the present when they are operating, playing or performing. In support of this claim, W.Timothy Gallwey reports that, when a person is playing tennis at her best, her actions involve “the kind of spontaneous performance which occurs only when the mind is calm and seems at one with the body.”20 By “living spontaneously” I do not mean anything exotic or beyond the experience of any of us, but am only pointing to how we can be when we are not judging, pursuing attainments, thinking about how life should be, or trying to become something.21 Frey’s objection is not successful. Neurosurgeons, librarians, athletes, and pianists can and do, when they are doing their best, act very much “in the moment” and “spontaneously.”

If we assume that the value of a life with an ability to choose to be moral is measured by the satisfactoriness attained by the exercise of autonomy, it becomes plausible to believe that the lives of the those who judge and assess are less valuable from an inside perspective than the lives of sentient beings without these abilities. Ironically, Frey claims that this satisfaction-diminishing feature of our lives is precisely what makes our lives more valuable than the lives of nonhuman animals.

Assessing the Instrumental Value of the Ability To Choose to be Moral

We have been assessing the instrumental value of the ability to choose to be moral only from an internal perspective. When we turn to a broader account of the instrumental value of the ability to choose to be moral, as we do typically when we assess the instrumental value of a human ability, we need to ask what overall effects the ability in question causes.
Until now I have deliberately not emphasized that the ability to choose to be moral requires its
polar opposite ability: the ability to choose to be immoral. When we assess the instrumental value
of the ability to choose to be moral, we must also assess the instrumental value of the ability to
choose to be immoral. When we do that, we further weaken the inclination to put a positive value
on the ability to choose to be moral.

In 1967, R.D. Laing undermined the plausibility of attributing an overall positive instrumental value
to our ability to choose to be immoral or moral when he wrote: “Normal men have killed perhaps
100,000,000 of their fellow normal men in the last fifty years.” We have not behaved much better
in the years since 1967. Without going into detail about the atrocities humans have committed since
Laing’s observation, we have more than enough reason to agree with Porphyry’s observation that
“many of our own species... surpass the most terrible of wild beasts in cruelty, anger, and rapine,
being murderous of their children and their parents, and also being tyrants and the tools of kings.”
The defender of the claim that the ability to choose to be moral adds instrumental value to the life
can not deny the above descriptions and generalizations about human cruelty to other human beings.
In light of this cursory reflection, it is plausible that the overall consequences of the human ability
to choose to be moral or immoral are, in fact, negative.

As if that’s not bad enough, when we include the human cruelty inflicted on nonhuman animals, the
case becomes even stronger for a negative assessment of the instrumental value of the ability to be
moral. One of the reasons humans tend to think that we are superior to nonhuman animals is
because we humans are not “bloody in tooth and claw” predators such as tigers, sharks, and eagles.
Plutarch punctures this human conceit: “You call serpents and panthers and lions savage, but you
yourselves, by your own foul slaughter, leave them no room to outdo you in cruelty; for their
slaughter is their living, yours is a mere appetizer.” He adds that we do not eat the animals we
would kill in self-defense but, “on the contrary, we ignore these and slaughter harmless, tame
creatures without stings or teeth to harm us.” Howard Moore vividly describes the human cruelty
against these harmless sentient beings:

An army of butchers standing in blood ankle-deep and plunging great knives into
writhing, shrieking living beings; helpless swine swinging by their hind legs with their
blood gushing from their slashed jugulars... an atmosphere in perpetual churn with the
groans and screams of the dying... men and women going about praying and preaching,
and sitting down two or three times a day and pouncing on the uncoffined remains of
some poor creature cut down for them by the callous hands of hired cut-throats.... We are
nothing but a lot of ferocious humbugs... absolutely savage in our treatment of not-
men.

When we include in the assessment of the instrumental value of the ability to be moral or immoral
the suffering of millions of nonviolent sheep and cows and chickens, it is clear that human beings
are “bloody in tooth and claw,” an assessment which adds more weight to a negative assessment of
the instrumental value of human agency.

A possible defense against claims of human cruelty is the observation that, while many humans
have committed atrocities worse than those ever committed by any nonhuman animal, however
ferocious, nonetheless there are many human beings who do good and avoid doing evil. These good
persons are applying their ability to choose to be moral in a commendable way and with positive results. Unfortunately, this defense would separate human kind into at least two groups: those who are cruel and those who do good and avoid evil. Any such separation raises an important methodological concern that needs to be discussed.

**A Methodological Concern**

The thought that we can, relative to the ability to choose to be moral, assess equally all people who have this ability may be a serious methodological mistake. Consider many abilities we consider positive: artistic ability, athletic ability, scholarly ability, the ability to inspire, or the ability to be courageous. Imagine three groups of people in which each person is extraordinarily gifted with one of these abilities. Those in the first group use their abilities to produce beauty, scholarship, and breathtaking performances. Those in the second group fail to use fully any of their extraordinary abilities. Those in the third group use their extraordinary abilities to cause havoc, suffering, and to create the discordant. Do we assess these persons as equally valuable in terms of their extraordinary abilities?

If we are assessing these persons in terms of their extraordinary abilities, and the only distinguishing feature between them is how they have used, misused, or failed to use their special abilities, we would not be inclined to say that they all had the same moral worth. We would, instead, rank them, with those who used their abilities well at the top of the ranking. This reflects the fact that, when we assess a person in terms of an ability, we tend to assess the person not in terms of the ability but in terms of how the person uses or misuses the ability.

It may be objected that we frequently assess people in terms of their abilities. For example, we may assess candidates for a job in terms of their abilities. While this is true, it is because we tend to believe a person with ability will use her ability well. If two persons have the same abilities and different track records in terms of using their abilities, generally we will hire the person who also uses her abilities well. Should we decide to hire a person who has not used an extraordinary ability well, it will be because we expect that she will begin doing so. If we knew, in advance, that she would not—suppose we knew that she was hopelessly addicted to a drug that would prevent her from using her ability—we would likely not hire her but instead hire a person who had a lesser ability but had put it to significantly better use. My conclusion is that we tend to assess a person, relative to a specific ability, not in terms of the ability but in terms of whether she uses (or will use) this ability well.

This conclusion explains why, when we assess persons in terms of abilities, we tend to assess them in terms of how well or poorly they have used or will use these abilities. This is why, if we had to choose which persons to pull into the lifeboat (assuming we had to leave some behind), we could make justifiable choices in terms of moral worth between a Gandhi, a Mother Theresa, and a Joan of Ark, on the one hand, and a Stalin, a Hitler, and a Pol Pot, on the other. Each of these persons had extraordinary abilities. Those in the first group put them to use for good; those in the second caused the suffering and deaths of millions. These individuals differed not in terms of their abilities but in terms of how they used these abilities.

When we apply these reflections to the claim of the superiority of beings with the ability to choose to be moral or immoral, we unearth yet another problem for the claim of human superiority. Once
we decide that applying an ability is more relevant for these assessments than simply having an ability, we no longer have a way of evaluating human beings as a group in terms of the instrumental value of the ability to choose to be moral. At best we could evaluate as superior only those individuals who had the ability to choose to be moral and used it properly. Those who instead acted immorally would plausibly have a diminished value and so may be less valuable than nonhuman animals. Once we have come to this point in the discussion, we see that we must, on methodological grounds, give up the claim that the ability to choose to be moral could elevate humans collectively above nonhuman animals because of its instrumental value.

The Inherent Value Consensus Account

The third version of the consensus view sidesteps this methodological problem. This version is the inherent value account: setting aside all issues about instrumental value, the claim is that simply having the ability to choose to be moral makes beings inherently more valuable. Two plausible objections defeat this claim.

The first objection rests on a group of decisive counterexamples. According to those favoring human superiority, it is the ability to choose morality or immorality that elevates us above beings that cannot so choose. But it is hardly clear that this is true. Consider, with Kant, those beings for whom moral laws have no practical implications because the relationship between the choices made by such beings and the moral law are necessarily in unison. Kant tells us that, for such beings, “the "ought" is here out of place, for the volition of itself is necessarily in unison with the law.” According to Kant, the will which is not restricted by such obligations is referred to as a holy will. Kant’s example of the holy will is God's will: God cannot but act in accordance with the law and yet God's will is superior to the imperfect human will which can and often does choose contrary to the law. Unlike the moral agent, the being with a holy will cannot but act in unison with the law. The being with a holy will, therefore, cannot choose to be moral and cannot choose to be immoral, much as a doe cannot choose to be a good mother to her fawn and cannot choose to be a bad mother. Kant's notion of a holy will shows that a being can lack the ability to be moral and yet be superior to a being who has that ability. It follows that the inability of nonhuman animals to choose to make moral choices--that the "ought" is out of place for them--does not show that their lives are less valuable than the lives of human moral agents.

We do not need to rely on Kant to raise this objection. Very saintly persons in the West have been thought to be unable to act immorally and yet have been considered to be at least as valuable or have at least as much worth as human beings who could choose to act morally or immorally. Persons enlightened from an Eastern perspective are also often thought to no longer be able to choose to act other than morally. Both the Western saint and the Eastern enlightened person cannot, to use Kant’s terminology, but act in accord with the moral law. Yet we do not customarily think such persons are worth less or less valuable than those who are able to act immorally. In fact, if we make such comparative evaluations, we tend to value these beings more highly than those who can act immorally. In short, there is no reason to believe that the ability to choose to be immoral makes a person more valuable than another being who lacks this ability to choose immorality.

The second objection to the belief that moral agency confers inherent worth rests on the fact that the ability to choose to be moral involves the ability to choose to be immoral. There is no plausible reason not to think that the ability to choose to be immoral lessens the worth of human beings in
the same way and to the same degree that the ability to choose to be moral allegedly elevates human moral worth.

A way to appreciate the negative inherent value of the ability to choose to be immoral is to suppose humans were hardwired to be moral but a small group of humans had evolved an ability to choose to be immoral. We would not think that the individuals with this newly evolved ability to choose to be immoral were thereby more valuable than those who were naturally always moral and lacked this ability—regardless of the sophisticated counterclaim that each of these abilities requires its polar opposite. The ability to choose to be immoral does not intuitively add value to a life but, instead, intuitively detracts from the value of a life, which is why defenders of human superiority cite the polar opposite ability (the ability to be moral) to call up intuitions of worth. When we bring the negative value of the ability to be immoral into the calculation, the inherent values of these two polar opposite abilities plausibly cancel each other out.

**Conclusion: the Consensus Account Is Implausible**

In this paper I have chronicled why we cannot reliably support a belief in human superiority on commonsense considered judgments. I have also argued why is plausible to think that the ability to choose to be moral, which philosophers have cited as the grounds of our human superiority, diminishes the richness and the satisfaction of the lives we lead. When we consider the inherent value allegedly added to the worth of a being by the ability to choose to be moral, plausible objections defeat the claim that such beings have more value than beings that lack this ability. This defeat is also uniquely relevant to the comparison of the moral worth of humans and nonhumans. Just as beings with holy wills are not believed to be of lesser moral worth for having holy wills, so too we should not conclude that nonhuman animals who cannot choose to be immoral are thereby of lesser worth than human beings. I conclude that the ability to choose to be moral fails to confer superiority on human beings.28

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**Notes**

1. Each of these features either fails to be uniquely human—for example learning experiments use mice which presupposes that mice can learn—or fails to confer moral worth. Almost every feature fails to be true of the very young, those who are mentally handicapped, and those nearer the end of life who have lost ordinary mental function. That itself is sufficient to reject the feature in question, unless one takes the position that these beings also lack the moral worth of normal human beings.


3. Willard Gaylin, *The Philosopher’s Index* (Bowling Green, Ohio: Philosophy Documentation Center, 1986) Vol. 20, p. 372. This quote is from a short abstract by Willard Gaylin of his "Feeling," published in *Powers That Make Us Human* (Urbana: University of Illinois, 1985), ed. Kenneth Vaux. In this abstract, Gaylin claims: "Among those aspects that distinguish Homo Sapiens from the lower animals... is the range of human feelings.... Feelings¾ particularly the so-
called "negative" feelings like guilt and shame positively and creatively harnessed, sharpen the moral sense, developing that awareness of the right and good which enables us to act rationally, justly and virtuously thus defining human beings as the only moral animal."


5. Some parenting responsibilities are shared by both parents, whereas in other species the mother becomes the hands-on parent. Osprey mothers and fathers share parenting, for example, whereas for deer the burden of parenting falls to the mother. A doe is an amazing parent and takes care of her fawn until the fawn reaches the equivalent of adolescence.


7. A reader might say that, since “ought” plausibly implies “can,” nonhuman animals are not doing what they ought because they cannot do otherwise. The claim, then, would be that humans alone can perform moral actions. Obviously this is just another way of making the point made in the text.


16. Recall Ivan Ilych, a successful and wealthy judge, on his deathbed:

   And in imagination he began to recall the best moments of his pleasant life.... the further he departed from childhood and the nearer he came to the present the more worthless and doubtful were the joys..... then that deadly official life and those preoccupations about money.... It occurred to him that what had appeared perfectly impossible before, namely that he had not spent his life as he should have done, might after all be true....his professional duties...and social and official interests... false ( Leo Tolstoy, *The Death of Ivan Ilych* (New


19. Ibid.


21. Although we know what moments like this are like, the question arises whether an entire day, week, or the rest of a life could be lived in this way. This is an interesting question but one tangential to our main issue. I have argued elsewhere for the possibility that an entire life could exhibit the spontaneity most of us only experience upon occasion. See my "The Possibility of Liberation," Bart Gruzalski, *On the Buddha* (Belmont, CA: Wadsworth, 2000), pp. 60-68.


24. Ibid., p. 28.

25. Ibid.

26. Ibid., 130.
