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Lisa Kemmerer. *In Search of Consistency: Ethics And Animals.* Leiden: Brill, 2006. xvi + 542 pp. $115.00, paper, ISBN 978-90-04-14725-6.

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Lisa Kemmerer's book is a study of protectionism--"*any* ideology or behavior intended to protect nonhuman animals from human beings" (p. 9). She argues for a protectionism based on *consistency*: "What if we apply our ... approach to human life to *all* life that is similar in morally relevant ways?" (p. 34). Referring to nonhuman animals as "anymals" (pp. 10-12), she concludes that we ought to protect any *anymal* trying to live,[1] protecting it with the same vigor with which U.S. law protected the anencephalic infant Baby Theresa (pp. 367-372, 399). For her, this conclusion implies the "Minimize Harm Maxim" (pp. 391ff.), which holds that we ought to minimize harm to *anymals* just as we would to all human beings (pp. 407-408), and that we are permitted to kill *anymals* only when "necessary for [our] survival" (p. 408). Surrounding this position, Kemmerer surveys protectionist accounts from major environmental ethicists--Tom Regan, Peter Singer, and Paul Taylor--and from the Christian theologian Andrew Linzey. A revised doctoral dissertation from the University of Glasgow (p. xiii), the study devotes some 40 percent of its pages to this survey (pp. 59-282). It also includes a thorough chapter on terms and methods used (pp. 7-55), a summary of consistency regarding protectionism across religious traditions (pp. 283-360), and six cases illustrating how much we value human life (pp. 363-389). In short, some 60 percent of *In Search of Consistency* is devoted to contextualizing a normative argument in ethics that comprises chapter 8 (pp. 391-445), about 10 percent of the book. The rest is application, and a thorough index and bibliography. In this review, I will focus on the 10 percent of the book that forms the main argument.

In this review, I would like to focus on Kemmerer's normative position, the main purpose of her book. I will argue that her position is unhelpful because of its ambiguity. I intend my criticism constructively, contributing to a debate that is important and timely. At the center of my criticism will be the idea of *radical moral individualism*, which I learned from James Rachels's work.[2] This idea holds that moral standing is ill-con-

ceived, because the properties we should treat well don't require us to treat other properties well. Beings are entitled to as much good treatment as the sum of their morally relevant properties, and no being deserves good treatment for properties it doesn't have. Moreover, when weighing trade-offs, focusing on the relative weight of individual properties is key. Radical moral individualism can be used to show that Kemmerer's position oversimplifies the complexity of moral treatment for both humans and *anymals*.

Kemmerer's book is equivocal on moral standing. On the one hand, she appears to be a *monist*, focusing on *one* morally decisive property. On the other hand, she appears to allow room for *pluralism*, acknowledging there might be *many* morally decisive properties. The book would have been helped by clearing up this ambiguity.

In her core, normative chapter on the Minimize Harm Maxim, Kemmerer, like Kant and Bentham, appears to be a *monist*. According to her, the morally relevant property is having a "conatus" (pp. 391-395). She attributes the term to Spinoza, who held that "everything endeavors to persist in its own being" (p. 391). A being's *conatus*, according to Kemmerer, is its drive to survive. In this stretch of argument at the center of her book, she holds that once a being tries to survive, it deserves moral standing.

Instead of *conatus*, which Spinoza applies to inanimate and animate beings alike, Kemmerer should have focused on the Stoic notion of *oikeiosis*, which designates a *living* being's drive to attain its good. Yet even so, her position is unclear. In her earlier section on moral standing and "morally relevant distinctions" (pp. 16-22), she holds that "[m]oral standing is determined via morally relevant distinctions" (p. 19) and that "[m]orally relevant distinctions are differences between individuals or groups of individuals that warrant treating those individuals differently" (p. 19). In other words, moral standing is not an all or none affair: based on the set of distinctions beings have, standing changes its form. That is a *pluralist* position.

The point matters. In the not-too-distant future, computers may have *rationality*--a property widely held to deserve treatment in kind. A rational being ought to be treated with reason (e.g., when treating it, it deserves an explanation, answering to its drive to understand). But a rational computer does not deserve protection *for its life*, since it isn't living. Here is a pluralist position, one I name "radical moral individualism." Moral standing's shape comes down to a set of individual properties. The challenge is to be consistent with specific properties that are morally relevant and yet to find ways to balance different properties when conflicts arise, e.g., the computer versus a plant, reason versus life.

This kind of complexity, however, can't be grasped by monism about moral standing. Monists such as Kant or Bentham always encounter difficulties. When Kant claimed all and only rational beings had moral standing, he made it unclear why we ought to treat a mentally ill person considerately. When Bentham held that all and only sentient beings had moral standing, he made it unclear how it could be an offense to the dead to do foul things to them. The dead don't feel. Mentally ill people aren't rational. But they still deserve some form of moral consideration--not for the properties of sentience and rationality, but on account of other ones. Thus, when Kemmerer focuses on the drive to survive as her morally decisive property *without* tackling the issue of pluralism and the reasonable challenges it addresses, I am left with questions.

In my view, the thing to do is to abandon talk of moral standing. It lends itself too easily to zero-sum thinking about moral treatment. Rather, one should acknowledge the truth in pluralism: there *are* many morally decisive properties. Then, one should turn to the highly complex and difficult task of figuring out how to *map* our moral uni-

verse based on those properties and, moreover, ***weigh*** those properties against each other when conflicts arise between them in the case. After all, each morally relevant property gives us a reason to treat it in kind (to treat the reasonable reasonably, the sentient compassionately, the near extinct by preserving it, etc.). *What* it is to minimize harm, what harm even is, depends on what we have reason to protect and in what way. I cannot harm a beetle by making a joke about it.

Adopting radical moral individualism shows us areas where Kemmerer still has work to do. It is not enough to say that a being has some drive to survive and that we thereby have reason to protect it. The question is, given all the morally relevant properties that map what our lives should follow, how much are we to protect life against the other properties that might come into conflict with it? When, for instance, we want to build a school and know that our construction will thereby kill some beings with ***conatus***, e.g., rodents and insects, how much does our own rationality matter? We don't ***need*** the school to survive. Yet Kemmerer needs more than the value of life to prove our flaw should we build. Life is not our only or even our main value. To take one example, freedom gives us good reason in many contexts to trump life, as when I would rather die than be someone's slave. There are so many complex issues here.

In light of all we have reason to treat considerately, it isn't clear that Kemmerer should have accepted the U.S. laws and decisions to preserve Baby Theresa's life in its vegetative state. She assumes that the laws are justified on purely moral grounds. Her assumption then forms the core claim of her book: that ***anymals*** deserve as much protection as Baby Theresa. But why should we make the assumption? It costs a lot of money, machinery and personnel to keep an anencephalic infant alive. Other beings may have greater reason to claim the use of our resources. Besides, it may not be her ***life*** (or her ***terminally*** malfunctioning life) that gave us reason to protect her. She also had the properties of ***being someone's daughter***, and of ***being, as a child, an image of hope***, both of which are morally relevant properties.

Only sorting through the problem of pluralism can help us see what to do. But Kemmerer's monistic side appears most strongly when she simply assumes that the mere fact of Baby Theresa's brain trying to make her breathe is sufficient to warrant full life protection in the face of competing reasons to devote our attention elsewhere. Perhaps we should let anencephalic babies go the way of their nature, with sadness for what each might have been if s/he had not been tragically struck with anencephaly. And perhaps we have reason to be compassionate to the parents, grandparents, and community that looked forward to her birth.

Kemmerer's project is laudable. She is surely right that, e.g., U.S. society is inconsistent in its treatment of ***anymals***. The question is how to tackle the inconsistency. One way is through abandoning misleading and ambiguous talk about moral standing, and instead to map and weigh what we have reason to treat considerately. Another is to consider the inconsistencies in our moral characters that lead us to be indisposed toward the complex task of mapping and weighing a pluralistic moral universe.

Kemmerer could argue, plausibly, that part of sound moral character is being thoughtful about life. To be thoughtful about life is to hold that life cannot be used for no good reason. In other words, any use of life requires a good justification. Accordingly, thoughtful people have to go slow and think about how they will treat living beings. The problem is that very little in, e.g., U.S. society develops such character. Schools, the media, political leaders all rarely ensure that thoughtfulness be developed in the young, even though life itself gives us good enough reason to develop that thoughtfulness, since life is amazing

and rare. Kemmerer could keep her core commitment to protection of that property, life. And she could show how not developing our characters in light of life makes it so that we are rarely competent to handle the more difficult task of sorting through moral complexity.

Notes

[1]. I am unsure whether her view applies to all beings *capable* of trying to live or to all beings *trying* to live.

[2]. James Rachels, ***The Legacy of Socrates: Essays in Moral Philosophy***. (New York: Columbia University Press, 2006). Rachels does not speak of "radical moral individualism"; that expression is my own.