REDISCOVERING KIN: THE ETHICAL SIGNIFICANCE OF KINSHIP WITH NATURE

By

Sarah Christine DiMaggio

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Approved:

Kelly Oliver, Ph.D.

Matthew Congdon, Ph.D.

Diana Heney, Ph.D.

Ted Toadvine, Ph.D.

To my kin of the world with hope that we can build a better world together.

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INTRODUCTION

Kinship with the Land

The crunch of dried leaves under paws and feet punctuated each step as we made our way through the forest. It was late November and the vibrant foliage that once spread across the canopy above had thinned, now forming a rich copper carpet that at times thickly covered the path we traveled along. My canine companion kept his nose tight to the trail, tracing the steps that he sensed had been taken by many others before us. Occasionally, he rushed to the brush on either side of the path, following evidence of life in the form of a scent imperceptible by his human companion.

I turned my attention to the sky, suddenly becoming entranced by the call and response of the birds in the trees above. Alongside the trail, a creek bubbled along on its journey out to the river that spread out in front of me at the highest part of the mountain. I continued along the path, trying to attune myself to the sensory elements of the forest around me. There was only the occasional hint at what lay beneath—primarily in the form of wooden signs with careful white paint pointing out narrow openings in the earth that would be imperceptible except to the most discerning passer-by. I shifted my attention to the place indicated by the sign and only then noticed the small trickle of water indicating the connection of the forest above to the world below. The signs called for me to attend to what I had previously missed, not being attuned to this forest—that which is already apparent to those who call this place home: underneath the path we walked lies the world's longest known cave system, home to a great diversity of life.

On this particular visit to the forests and caves of the ancestral lands of Cherokee, Shawnee, and Chickasaw nations—what is today called Mammoth Cave National Park—I experienced a change in perspective. Through careful attention to the forest around me, I was

able to begin to recognize some of the ways in which each part was interconnected—including myself as a visitor to the forest. The recognition of the interconnectedness of the trees, the water, the soil, and the cave system beneath led to a radical shift in my perspective—through my attention to the land, I suddenly became dizzyingly aware of the ways in which each part was connected in a vast web of relations, a rich web of *kinship* relations that connected me to other beings and entities in my environment, beings and entities that I suddenly recognized as *kin*.

Recently, the notion of *kinship* has gained more attention as a way of thinking about the relationship between humans and other parts of nature. In her 2015 article "Nature Needs a New Pronoun: To Stop the Age of Extinction, Let's Start by Ditching 'It'", biologist and member of the Citizen Potawatomi Nation Dr. Robin Wall Kimmerer suggests that we need a new pronoun to signify beings of the living earth: "ki" for single beings, and "kin" as a plural pronoun. Kimmerer describes how in English, our use of pronouns delineates beings either as "human" or as "it," meaning that we often default to using the pronoun "it" in describing our non-human kin. Kimmerer (2015) argues that this objectification of the world works to justify our exploitation and disregard for non-human others, stating that "using 'it' absolves us of moral responsibility and opens the door to exploitation." However, she continues, "in Anishinaabe and many other indigenous languages… we use the same words to address all living beings as we do our family. Because they are our family" (Kimmerer 2015).

For Kimmerer, the replacement of the language of nature as subject with the language of nature as object is part of the violent colonial erasure of Indigenous peoples, including linguistic imperialism and attempts to erase Indigenous culture and language. In seeking to share Indigenous knowledge in proposing a new, life-affirming language, Kimmerer (2015) writes about consulting with her elders:

> If sharing is to happen, it has to be done right, with mutual respect. So, I talked to my elders. I was pointedly reminded that our language carries no responsibility to heal the society that systematically sought to exterminate it. At the same time, others counsel that "the reason we have held on to our traditional teachings is because one day, the whole world will need them." I think that both are true.

Thus, from the Anishinaabe word for beings of the living earth, *Bemaadiziiaaki*, Kimmerer suggests that we take up "ki" and the plural "kin" to signify our fellow beings. This change in language represents a radical shift in how we experience the world, as Kimmerer (2015) states, "So we can now refer to birds and trees not as things, but as our earthly relatives. On a crisp October morning we can look up at the geese and say, 'Look, kin are flying south for the winter. Come back soon'."

In 2021, the Center for Humans and Nature Press published a five-volume series titled *Kinship: Belonging in a World of Relations*, edited by Gavin Van Horn, Robin Wall Kimmerer, and John Hausdoerffer. The book series includes poems, essays, and reflections on the solidarity and interdependence of humans with plants, animals, rivers, and mountains—that is, our fellow Earthlings or our kin. While a Western, Eurocentric colonial notion of kinship conceives of our kin only as other humans that we are related to biologically or legally, feminist philosophers and anthropologists, along with Black and Indigenous philosophers and thinkers have been part of a tradition that recognizes a much broader notion of kinship—one that recognizes kin as those with whom we share deep, meaningful connections regardless of biological or legal relation, or of species. Recognizing kinship with nature requires—for many of us, at least—a recalibration of our understanding of the social and psychic worlds around us. When we recognize non-human animals, plants, and even soil, forests, or rivers as kin, we are suddenly placed in a world that is definitively *alive*, and the ways in which we are all interdependent becomes more apparent.

In this dissertation, I explore the ways that recognizing the ethical significance of kinship transforms moral thinking, especially in the fields of animal ethics and environmental ethics. I argue that kinship implicitly functions as a normative ethical concept in many contemporary approaches to environmental ethics and animal ethics. I also explore some of the ways that humans stand in a kinship relation with non-human parts of nature, and how the recognition of this relationship requires fundamental changes to traditional Western moral theories and modes of thinking. Ultimately, I argue that kinship matters because seeing others as kin transforms our understanding of our relationship with our environment and our ethical obligations to other humans, non-human animals, and other parts of nature. Seeing others as kin transforms our *ethical orientation* as we attend to relationships heretofore unrecognized, bringing non-human others into our ethical consideration.

Each chapter contributes to this overall project by examining kinship in relation to a different approach to animal ethics (in the case of chapters 1-3) and environmental ethics (chapters 3 and 4). I argue that in all of these cases, the notion of kinship functions implicitly to give normative force to the explicit ethical concepts developed within each approach. Although the role of kinship is not made explicit in these ethical theories, I demonstrate how, in various ways, ultimately, they all rely on kinship.

The first chapter examines Christine Korsgaard's Kantian approach to animal ethics. Although the striving for universality and abstraction that typically characterizes Kantian ethics may seem to be at odds with recognizing kinship as ethically significant, I argue that the affective weight of Korsgaard's account in fact implicitly relies on an appeal to animals as our *fellow creatures* or our *kin*. I argue that Korsgaard's appeal to a notion of tethered values—the idea that everything that is good is good *for* some creature—is compatible with the recognition

of kinship as ethically significant. Furthermore, Korsgaard's account is fundamentally grounded in a recognition of kinship with other animals. While the notion of kinship may sometimes be at odds with the notion of duty, there are in fact many ways in which the two overlap, such as the way in which "kinship" carries with it the idea of certain duties and obligations that we have to our kin.

Chapter two examines Peter Singer's "utilitarian" approach to animal ethics, arguing that recognizing the ethical significance of kinship allows us to make sense of some of the seeming inconsistencies in Singer's account (as well as to account for the shortcomings and problematic implications of his account). The notion of kinship is more at odds with Singer's account than the others I examine, as utilitarianism reduces the ethical significance of kinship to the pleasant or unpleasant experiences associated with it. Singer's view is ultimately unable to capture why kinship matters ethically, however, I argue that this shortcoming aligns with many of the other shortcomings of Singer's account, such as the reduction of moral consideration to mental capabilities, which reintroduces a new value hierarchy not based on species, but capabilities. I suggest that the failure of Singer's view to adequately capture the ethical significance in kinship in fact reinforces the necessity of examining kinship as an ethical concept. Singer's account has been rightly criticized (especially by disability scholars) for reinforcing new, problematic hierarchies of moral value, failing to recognize the epistemic relevance of emotions and the moral significance of both relationships and singularity, as well as the necessity of critically examining social and political conditions that shape our moral relations with others. I conclude this chapter by suggesting that kinship is able to account for these shortcomings in a way that Singer's view cannot.

In chapter three, I examine feminist care approaches to animal ethics and environmental ethics in order to explore the relation between care and kinship—both ethically and in actual kinship relations. Unlike previous chapters that were focused mainly on one thinker, this chapter engages with the work of many working within the feminist tradition, such as Marti Kheel, Josephine Donovan, and Sunaura Taylor. I argue that while kinship operates similarly to care as an ethical concept, kinship carries with it both a more fundamental *affective* component, as well as a deeper recognition of our interdependence. I argue that kinship is better able to capture the depth of relationships with others insofar as it recognizes that kinship is *co-constitutive* of each relative on a biological, psychic, social, and ethical level. In this chapter I also explore some of the ways that both feminist care ethics and a feminist ethic of kinship transform traditional moral theories, challenging traditional dichotomies and value hierarchies and instead embracing an ethic that is based in a recognition of the complexities of ethical life. Finally, I also explore the ways in which kinship, like care, requires that we examine the social and political institutions that shape who we acknowledge as kin, and how kinship necessitates that we work towards eliminating the oppression of all of our existing (and potential) kin.

The final chapter engages with the work of Merleau-Ponty, especially as it has been taken up by "eco-phenomenologists" such as Ted Toadvine, David Abram, and Bryan Bannon, as well as the work of Kelly Oliver, who takes up Merleau-Ponty's notion of "strange kinship" to explore our relation with other animals. I begin by examining the ways that Merleau-Ponty's notion of the flesh has been taken up in relation to environmental ethics, arguing that the notion of the flesh alone is limited in its ability to transform our ethical orientation towards non-human others. I then take up Merleau-Ponty's notion of "strange kinship" between humans and other animals, drawing on Oliver's account in *Animal Lessons*. I argue that by bringing together the

two concepts, we can understand relations of the flesh as a kinship, providing a phenomenological grounding for recognizing kinship with non-human others in nature. Finally, I argue that acknowledging kinship with nature expands our ethical orientation in a way that brings ecological and environmental concerns closer to the fore of ethical thought, as we must consider the impacts of our actions on our kin, and work towards creating a world in which we can honor and heal our kinship with these non-human others through a commitment to attention, reciprocity, responsiveness, and respect.

Acknowledging kinship with nature brings attention to the ways in which we inhabit a world that is, fundamentally, one of connection and being-in-relation with our kinfolk, including the non-human persons around us. But what is kinship, and how can those of us not already attuned to the kinship we share with non-human others in the world around us begin to acknowledge, nourish, and honor this relation? In the remainder of this introduction I propose that kinship can be understood as characterized by at least the following five elements: (1) responsiveness and care, (2) reciprocal responsibility, (3) recognition and respect, (4) a re-orientation of the self, and (5) mutability and the making-of-kin. The first three elements are closely related and are always ways of *rightly relating* to our kin. On the other hand, elements four and five are elements of kinship more broadly and emphasize both the importance of kinship in each of our lives, as well as the ways in which kinship involves attention and nourishment of our relations with our kin in the world around us.

First, kinship requires attention to the other and their unique modes of being, as well as empathy, sensitivity, and responsiveness to their needs. In other words, kinship is intrinsically connected to care. In "Ethics of Caring in Environmental Ethics: Indigenous and Feminist Philosophies," Kyle Powys Whyte and Chris Cuomo discuss the ways in which responsiveness

and care are connected to a recognition of deep connection and moral commitment. They recognize the Mother Earth Water Walk in which a group of Anishinaabe grandmothers and community members gathered and walked around the Great Lakes in response to pollution and water misuse. As Whyte and Cuomo (2017) write, the Mother Earth Water Walk sought to "raise consciousness of the water's sacredness, our interdependence with water, and the reciprocal responsibilities that connect humans, water, and other beings" (234). They read this as an example of on-the-ground environmental care ethics, but it is also an expression of kinship insofar as it entails an attentiveness and responsiveness to the water, a recognition of interdependence, and reciprocal responsibility.

In "An Ethic of Kinship," Kyle Whyte further discusses what it means for one to be treated as kin. He suggests that kinship relations generate care and responsiveness, and that importantly, this involves responsibility that is based in consent (Whyte 2021, 35). For Whyte, "Consent is a quality of responsibility by which relatives have the utmost accountability for honoring another's freedom" (2021, 35). In thinking about kinship with nature, Whyte (2021) recognizes that "some animacies are hard to read for humans", but that we ought to still aim to treat plant, animal, and fungal relatives consensually (35). In this case, the need for consent requires a commitment to openness and curiosity in our attention to the other, such that we can attempt to understand and encounter them on their own terms, which is necessary for demonstrating responsiveness and care.

The responsibility that Whyte discusses is also reciprocal. We have a responsibility to our kin to support their well-being, to help ensure their health and safety, and to attend to their needs; but our kin also have the same responsibilities towards us. In imagining how kinship might be practiced among relatives of diverse species and animacies, Whyte (2021) writes that:

> It's one thing to protect these relatives through regulatory laws, policies, or conservation easements… It's quite another thing to protect them as an ethical responsibility. As relatives, humans have to acknowledge that they depend on other beings such as plants, animals, and water. There's a mutual responsibility among them. A change in law or broken contract does not change that responsibility (32-3).

Thus kinship and the responsibilities it entails goes beyond legal relations or legal obligations that we may hold to another. Instead, it posits a recognition of deep connection and interdependency. Furthermore, Whyte (2021) recognizes that reciprocity is a key element of these relationships, in which "each relative is confident that the investment made in the well-being of others will be gifted back to that same relative" (37). This notion of responsibility also entails mutual recognition and respect. This is apparent in Whyte's (2021) discussion of the need for consent—if we are to respond to and care for another, we must respect their freedom, "bodily security, and self-determined choices" (35).

Care, responsibility, and respect are thus all essential parts of a kinship relation, however kinship also entails a re-orientation of the self. Kinship is fundamentally a recognition of deep entanglement and interdependency with others: when we recognize another as our kin, we recognize them as our own, or possibly, as part of ourselves. What this allows for is a recognition of the possibility that we ourselves are constituted by these relationships.

Kinship relations shape each individual into who they are and who they will be. Just as kinship with other persons entails a recognition of the ways in which they contribute to our lives, so too does kinship with non-human animals and nature. For example, relationships between individual humans and dogs are co-constitutive on a biological level. Studies have shown that infants who live with companion animals have a higher diversity of microbiome in their guts as compared to infants that do not (Gupta 2017) . The relationship with these animals is constitutive of their very being. Beyond the biological, kinship relations are co-constitutive of one's sense of

self, often shaping one's understanding of who they are, their goals and aspirations, and responsibilities. This relationship is social and psychic, insofar as our understandings of ourselves arise from our relationships with others. To conceive of the self is to conceive of a self always already in relations with others. For example, I am a daughter, a sister, a partner—but also, just as my dog is a companion to me, I am a companion to my dog. In conceptualizing myself, I cannot help but recognize how I am constituted by these kinships.

Finally, in his introduction to the *Kinship* series, Gavin Van Horn (2021) suggests that "it is possible with a shift of perspective to see the threads connecting worlds, all the relations that make us kin" (3). Van Horn (2021) continues on to recognize that in comparison with many Indigenous languages, English is noun dominant—meaning "the animacy and agency of other beings and processes often receive less emphasis" (3). However, this does not mean that through attention to the life and webs of relations around us that we cannot come to recognize, nourish, and honor relationships with our non-human kin. Kinship is not something that is given genetically or made legally—instead, potential kin are always already around us. Throughout our lifetimes, our kin relations will change as some we may choose to walk away from, and others, we may valorize as we work towards making kin. Van Horn suggests that we think of kinship not as a noun, but as a verb: "kinning." In his view, kinship is an intentional process, "cultivated by humans, as one expression of life among many, many, many others" (Van Horn 2021, 3). Kinship is thus *mutable*: we are always in the process of *making* kin.

Kinship relations are going to be wide, complex, nuanced, and multi-faceted, however, to reiterate, I propose that they will at least entail the five above characteristics: (1) responsiveness and care, (2) reciprocal responsibility, (3) recognition and respect, (4) a re-orientation of the self, and (5) mutability and the making-of-kin. These elements are part of an ideal kinship relation

which is mutually nourishing and life-affirming for each relative. Importantly, there are cases in which we do not treat our kin as we ought to. Relationships with our kin can be fraught, filled with conflict and sometimes contradictions. We might misunderstand one another, fail to adequately see the other as the singular, complex being they are, or engage in activities that actively harm our kin. However, at the core of the notion of kinship is the recognition that we *owe* our kin more than this. As Van Horn (2021) sees it, making kin "revolves around an ethical question: how to rightly relate?" (3). So while there are cases in which we do not relate rightly to our kin, the recognition of kinship is characterized by a striving towards properly honoring, nourishing, and healing these relationships.

As with any relationship, surely our kinship with nature is not always characterized by responsiveness and care, reciprocal responsibility, or respect. In order to work towards a way of better relating to one another, we must first recognize that we have potential kin all around us. By attending to our connections and interdependence with them, as well as working towards understanding their unique animacies and the singularity of our relationships, we can begin to work towards the ideal of kinship as "rightly relating." Kinship with non-human others in nature is latent, waiting for our re-discovering of our kin. It is my hope that this dissertation will do something similar with kinship in existing approaches to animal ethics and environmental ethics; that it will demonstrate how kinship has always been there, and how recognizing it can help to reshape our social and ethical worlds so that we can work towards right relations with the non-human others that make our lives meaningful.

CHAPTER 1

Duty and Kinship with Our Fellow Creatures

1.1 Introduction: Kant and Cross-Species Kinship?

The idea that humans have ethical duties and obligations to our fellow non-human animals is usually considered to be at odds with Kantian ethics. Non-human animals[1] occupy an interesting position in Kant's moral philosophy. On the one hand, Kant (1991) holds that we do not have direct duties to animals because they are not ends in themselves, and his account of what makes us human includes the recognition of animals as existing as means to our own ends (8:114). On the other hand, Kant (1996) also argues that we have indirect duties to refrain from violent and cruel treatment of animals, but only because this diminishes our propensity to treat other humans morally (6:443). Overall, Kant's remarks about how we ought to treat animals seems to deny that animals are proper subjects of moral consideration.

However, in *Fellow Creatures: Our Obligations to the Other Animals*, Christine Korsgaard takes up a Kantian account of moral obligations to defend the argument that we are obligated to treat all sentient animals as ends in themselves. Korsgaard argues that although Kant failed to recognize animals as ends in themselves, his account necessitates that we do so. Foundational to Korsgaard's argument is the theory of *tethered values* derived from an Aristotelian account of living beings and the good. In Korsgaard's view, everything that matters, matters *to someone* (i.e. some creature); this includes not only the things that matter to us for procuring our continued survival, but the things that make our lives meaningful.

[1] Hereafter just referred to as "animals" for simplicity, unless otherwise noted. I will employ Korsgaard's use of the term "creatures" in referring to both human beings and "the other" animals (See Korsgaard 2018, p. 4).

In this chapter, I argue that kinship implicitly operates as a normative ethical concept in Korsgaard's account and that the ethical significance of kinship holds potential for thinking about the ethical obligations that we have to non-human animals. Sections 2-4 examine some of the foundational theoretical underpinnings of Korsgaard's argument, specifically her account of tethered values and the grounds of ethical obligation. In the final section, I discuss three ways in which kinship as a normative concept intersects with Korsgaard's understanding of the good and the moral duties and obligations that follow from this conception of "good." I argue that (1) Korsgaard's account of tethered value allows us to think about some of the reasons that kinship relations are valuable, as well as what this means ethically, (2) Korsgaard's account is fundamentally grounded in *a recognition of kinship with other animals,* and (3) the obligations that arise from Korsgaard's account provides occasion for reflection on how duties (or moral permissibility of actions) that follow from kinship might be similar or different from a Kantian approach.

1.2 Tethered Values

Foundational to Korsgaard's account is the idea that "nothing can be important without being important to someone—to some creature, some person or animal" (Korsgaard 2018, 9). The reason that values exist—that things are good or bad—is that they are good or bad *for* someone in a morally relevant sense. For Korsgaard, value is "tethered" insofar as it is tightly connected or bound to some creature *for whom* things can have value. The use of the word "tethered" to denote this type of connection arises from the use of a rope, or *tether,* for fastening or restraining an animal. While the etymology of the term is tightly connected with agricultural practices and the *confinement* or *restriction* of grazing of animals, Korsgaard's theory of

"tethered" value is instead intended to provide grounding for ethical obligations to the other animals—having, in some sense, a *liberatory* potential from many of the very practices the term arises from.

Korsgaard's (2018) account of tethered value is based on a loosely Aristotelian philosophical conception of what it means to be an animal, part of which includes being the kind of entity that has a good (17). In determining what it means to be an entity that has a good, we might think of good in what Korsgaard refers to as the *evaluative/functional* sense or the *final* sense. The *evaluative/functional* sense of the good is the sense in which we might say that a knife is "good" because it is sharp. The evaluation of something as "good" (or bad) in this sense is directly related to its ability to fulfill its function. In the example of a knife, this is a fairly obvious and straightforward connection: a good knife is good insofar as it is able to fulfill its intended function of cutting.

On the other hand, when we think of good in the *final* sense, we "consider it worth having, realizing, or bringing about for its own sake" (Korsgaard 2018, 17). In thinking about the human "good," we might think of this as being the things that we pursue for their own sakes, or the desirable circumstances that result from successful pursuit of these things. The use of "good" in this context might appear to be *evaluative;* perhaps in this instance, we could say that we are evaluating a specific set of circumstances as "good" in relation to a life. However, because evaluation is connected to function, and by definition, lives and ends do not have *functions*, it is unclear *to what evaluative standard* we are appealing.

Ultimately, Korsgaard (2018) suggests that what determines whether a life is "good" in the *final* sense is how the life appears *to the creature whose life it is* (21–22). In saying that a life is good, we mean to recognize that a life is good-for the particular individual who experiences it.

Even when we use good in the evaluative or functional sense, inherent in these evaluations is the idea that there are certain things that are good-for or bad-for the knife (insofar as they enable or hinder the knife in fulfilling its function). For example, it may be good-for the knife to sharpen it regularly, while it may be bad-for the knife to use it on surfaces that cause it to dull. So, even in simpler cases where we *do* have a clear evaluative standard, it still seems as though this standard is indexed *to* something. The standard is relative to the thing we are evaluating.

In order to evaluate what it means for a creature's life to be good, then, we need to define what it means for something to be a creature, as well as understand what it might mean for their life to be experienced by them as good or bad. To better understand this, Korsgaard turns to an Aristotelian account of living organisms and their functions. For Aristotle, a living organism's function is the maintenance of their forms (or what we might think of as their species-being).[2] While every substance has both a "form" and a "matter", living organisms are unique in two ways.[3] The first is that they are self-maintaining. Living organisms take in materials from their environments through a nutritive process and assimilate these materials into new parts of themselves. Second, they create new living things like themselves—they reproduce. As Korsgaard (2018) writes, Aristotle's insights allow us to understand a great deal about living organisms by viewed them as "objects that have the function of maintaining their own forms, in these two senses: first, they maintain themselves in existence, as individual members of their kind, and second, they maintain their species by producing new members of their kind" (19). By viewing living organisms in this way, as having these two *functions*, we are better able to make sense of what it means for something to be good-for or bad-for a creature. The conditions that

[2] This view is expressed in Aristotle, *Nicomachean Ethics* (2009), 1.7; as well as the *Metaphysics* (2016) and *On the Soul* (2018).
[3] Aristotle's view on form and matter is found in the *Physics* (2008), while his discussion of the nutritive and reproductive qualities of living organisms can be found in *On the Soul* (2018).

enable a creature to stay alive and reproduce are good-for them insofar as they allow them to fulfill her function.[4]

Korsgaard recognizes two important differences between the function of living organisms and the function of objects or artifacts. The first is that an organism's functioning has a *self-referential character*. Unlike objects, living organisms tend to their own well-functioning and that of their species. According to Korsgaard (2018), this "is really all that organisms do: they look after themselves and their offspring, and so keep themselves and their kind in being" (20). This act is *self-referential* insofar as an organism's function is "more or less to continue functioning, in the way that is characteristic of her kind" (Korsgaard 2018, 20). The second difference regards the *valenced character of representations*, and highlights an important distinction between animals and plants.[5] Unlike plants, animals function in part by *representing their environments to themselves* through the senses, and acting on these representations. These representations have a *valenced character* insofar as the things that a creature encounters in her environment strikes her as "attractive or aversive, welcome or unwelcome, pleasant or painful, in particular ways, depending on whether and how they are good- or bad-for her" (Korsgaard 2018,

[4] It seems like there are cases in which we will have clear objections to this idea. One objection might be in the application of this reasoning to humans. There are good reasons to reject the idea that conditions that bring about continued survival and reproduction are *always* good-for a person. I think the self-referential character of tethered value allows us to think about these functions in a nuanced way such that it might not be the case that continued survival or reproduction is a creature's sole function, nor is it *always* the end of their pursuits. For instance, humans may hold other more important values that override a desire for continued survival. However, in these instances, these values are often related to our ideas about what it means for us to live good or meaningful lives. In other words, the thought that creatures' lives *matter to them* in a certain way, which I take to be most foundational to Korsgaard's argument, still seems to hold in these instances. Korsgaard addresses some of these questions in *Self-Constitution: Agency, Identity, and Integrity* (2009) and *The Sources of Normativity* (1996).

[5] In many instances, it is difficult to determine how we should draw the line between plants and animals, and many organisms seem to challenge the distinction altogether. Because Korsgaard's argument is aimed at providing an account of obligations to *sentient* animals, the distinction of being capable of representing one's environment to oneself in a certain way seems to suffice. Korsgaard provides more details about the distinctions she draws between plants, non-human animals, and humans in "What's Different About Being Human?" in *Fellow Creatures* (2018), as well as "Facing the Animal You See in the Mirror" (2009), "Interacting with Animals" (2011), and "Fellow Creatures: Kantian Ethics and Our Duties to Animals" (2004).

20). Animals experience things in their environments as attractive or aversive, and therefore as things that are worthy of pursuit or avoidance. They experience their own condition, and the things that affect their condition, i.e. the things that are good- or bad-for them.

However, the things that are good- or bad-for a creature are "not merely good or bad in the functional sense, but in the final sense too, since getting things that are good-for her and avoiding things that are bad-for her *have become the ends of action*" (Korsgaard 2018, 21). Creatures are "designed" to tend to their own well-being and well-functioning. They *experience* the conditions of their lives, and the ends of their actions are *tending to* this condition by pursuing things conducive to their own well-functioning and avoiding things detrimental to it. In other words, creatures function by taking their own well-functioning *as an end*. Because of the experiential character of their lives, animals that function in this way *experience their lives*—their very existence—*as a good*, so long as they *are* in fact well-functioning and able to maintain themselves.

Korsgaard (2018) says that "it is a mistake to think of life as a big empty space into which good or bad things may be equally inserted. Life is a good, *existence* is a good, except when it is bad—and that is not a tautology" (22). What Korsgaard means to emphasize is that most creatures experience *life itself* as a good. Most of the time, "well-functioning" is synonymous with simply being alive and in good health. Because the things that contribute to well-functioning are experienced *as good*, and many creatures are able to experience *enjoyment* of these goods, life itself becomes something that is consciously experienced as good. So long as it is not characterized by experiences of pain and aversion, then it seems like *life itself* becomes a good to the creature who experiences it. When something is a *final* good, then, it "constitutes or contributes to the well-functioning of an entity who experiences her own functional condition in

a valenced way, and pursues her own functional good through action" (Korsgaard 2018, 22). As Korsgaard concludes, "final good" comes into the world with creatures that are capable of experiencing their lives as such.

In summary, Korsgaard's account of tethered value argues that for something to be good or bad, it must be good- or bad-for *someone*. For living organisms, things that are *functionally good* contribute to their well-functioning, which includes looking after themselves and other members of their kind. This kind of good has a *self-referential character*; how we evaluate whether or not something is good for a creature is relative to the creature itself. However, animals are also living beings that *experience* their own lives. The representations of their environments to themselves have a *valenced character*, which leads them to pursue the things that appear good to them and avoid things that are painful or aversive. In doing so, the end of a creature's action becomes the pursuit of her own well-functioning.[6] The things that seemed *functionally good* for a creature are also a *final good* insofar as a creature experiences her life as something that is *good in itself*, and the things that promote her well-functioning become the ends of her actions.

Korsgaard's account of tethered value is foundational to her argument for our obligations to other animals, which I discuss in the next section. However, before doing so, it seems an additional question needs to be addressed. Namely, if it is the case that the final good is something that constitutes or contributes to a creature's well-functioning, from that creature's perspective, how are humans supposed to gauge what constitutes a final good for other

[6] This claim seems to be dependent on things that *appear* good to us *actually being* good for us, or things that *appear* bad for us, *actually being* bad for us. We might think of any number of examples in which this fails to be the case. However, Korsgaard's discussion of the way that creatures are "designed" to tend to their own well-functioning suggests that the case in which a creature is mistaken about what is good-for them is itself a failure of the creature's well-functioning. In other words, a well-functioning creature will not make the mistake about which things are good- or bad-for their own well-functioning.

creatures? In other words, what is the standard from which we are to evaluate a final good? Korsgaard suggests that we need to employ a standpoint of empathy. Although we cannot know exactly what a creature takes to be a final good, we might be able to use empathy to place ourselves in her position to try to understand the significance of something from her point of view. This raises another question about the extent to which we are actually able to *imagine* another creature's point of view, but I will set this question aside for now and return to it in the next section.

1.3 The Kantian Case for Duties to Other Animals

Korsgaard's theory of tethered value and account of what it means to have a final good is foundational to her argument for a Kantian grounding of duty and obligations to other animals. Korsgaard (2018) interprets Kant as excluding animals from the moral community on the grounds that they are not able to participate in reciprocal legislation of moral laws; however, she argues that this is not decisive because "it is possible that rational beings legislate moral laws whose protections extend to the other animals" (131). Although, for Kant, the "only possible source of law and obligation is a rational will" and non-rational animals cannot be the source of such an obligation, it does not follow that there is *no sense* in which animals can obligate us (Korsgaard 2004, 96). Because Kant (2012) views moral laws as—by their very nature—universal (4:402), it is possible for a moral law to extend protection to someone who cannot participate in its rational legislation. The moral law that recognizes ethical obligation on the basis of the fact that a being is an "end-in-themselves" thus cannot be limited to only humans or rational beings, but must be extended to *all* beings that are ends-in-themselves. In order for it to

be plausible that we have obligations to other animals, we must be able to illustrate that not only humans, but other animals, are ends-in-themselves.

Leading up to his statement of the Formula of Humanity, Kant (2012) says:

> Beings the existence of which rests not on our own will but on nature, if they are without reason, have only a relative worth, as a means, and are therefore called *things*, whereas rational beings are called *persons* because their nature already marks them out as an end in itself, that is, as something that may not be used merely as a means (4:428).

While this passage may be interpreted as a metaphysical claim about the intrinsic value "conferred" on certain beings by rationality, Korsgaard reads Kant as making the claim that rational beings possess a kind of value in response to which we must respect their choices. In other words, the rational beings are valuable in a way such that we must respect their choices in two senses: (1) we must leave them free to determine their own actions, and (2) we must regard their chosen ends (so long as they are not immoral) as things that are good and worthy of pursuit.

The reason that this is true is that, as Kant believed, we cannot have knowledge regarding matters outside the realm of experience, besides claims that can be established by the necessary presuppositions of rational activity itself.[7] Because supposed truths about value, such as the thought that "rational beings are ends in themselves" cannot be established empirically, Kant cannot be merely claiming that rationality "confers" value upon any being that has it. Instead, Kant establishes that "we must presuppose that rational beings have value as ends in themselves in order to engage in practically rational activity at all" (Korsgaard 2018, 134). Because Korsgaard's account necessitates that value depends on *valuing*, it seems like if we value

[7] Regarding knowledge in general this is, as Korsgaard acknowledges, a simplification of Kant's view. Korsgaard argues for this interpretation further in *The Constitution of Agency* (2008) and *Self-Constitution* (2009). Regarding moral laws and the grounds of obligation, Kant (2012) claims in the preface of the *Groundwork* that these "must not be sought in the nature of the human being, or in the circumstances of the world in which he is placed, but a priori solely in concepts of pure reason" (4:389), which seems to support Korsgaard's interpretation that claims about moral value cannot be established empirically.

anything, then there are some particular things that we must rationally accord value, including valuing ourselves as ends in ourselves.

But why is it that we must rationally accord such a value to ourselves, and how does this relate to the reciprocal legislation of moral law? To answer this, Korsgaard returns to her theory of tethered value and *absolute good*. Korsgaard (2018) argues that when we think something is good absolutely, we mean "not that it has a free-floating goodness, but that it is good-for everyone for whom things can be good, in the final sense of good, or good from everyone's point of view" (135). Korsgaard suggests that we might also understand this type of good as something that is shared universally in common, or is good that we can all pursue together. Because anything that is good or bad must be good- or bad-for some creature, to say that something is absolutely good means that it is good (or at least not bad) from every point of view—that is, from the point of view of every creature.

From Korsgaard's account of tethered value it follows that because we are rational beings, when we choose an action, we place *value* on the ends of this action. Presumably, we take ourselves to have some *reason* for acting a certain way—namely, we take the end of this action to be *good*. Korsgaard (2018) argues that Kant takes "the judgment that the end is good to imply that there is reason for *any* rational being to promote it—that is it good absolutely" (138). It is not that we all must necessarily decide to pursue the same ends, but rather that "if my caring about an end gives me a genuine reason for trying to make sure that I achieve it, then everyone else has reason to value my achieving it as well, a reason not to interfere with my pursuit of it, and even a reason to help me achieve it if I need such help" (Korsgaard 2018, 138). Most of the things that we in fact decide to pursue are not things that are taken to be absolutely good, but instead are objects of our own individual inclinations. However, we often take these things to be

good for us, and expect others to help us achieve them or, at the very least, not to interfere with our pursuit of them. We suppose that the things that are good-for us ought to be considered good absolutely.

The reason that this is the case, Korsgaard argues, lies in Kant's Formula of Humanity. We take our ends to be good absolutely because we take ourselves to be ends in ourselves. In other words, we subjectively "represent" ourselves as ends in ourselves, and therefore necessarily take the ends of our actions to be *absolutely* good insofar as they are good-for us. As Korsgaard (2018) puts it, it is like whenever we make a choice we say, "I take the things that are important to me to be important, *period*, important absolutely, because I take *myself* to be important (139). In acting in a way that takes our ends to be good absolutely, we make a claim to the standing as ends in ourselves. However, the right to confer absolute value on my own ends is limited by everyone else's right to do so. This means that my action must be universally justifiable—it must be acceptable from everyone's point of view, or in other words, it must conform to the categorical imperative. According to the categorical imperative, what makes an action right is that everyone can agree to it. So, according to Kant (2012), we can make our actions right (and therefore, our ends absolutely good), when we choose them in accordance with the categorical imperative (4:402). Korsgaard (2018) views this argument as staking the claim that our rationality allows us to *make* our ends absolutely good through moral choice (141). In other words, Korsgaard is claiming that Kant views our *moral choices* as what mark us out as ends in ourselves. Clearly then, because animals are not capable of participating in the reciprocal legislation of the moral law, nor can they properly be thought of as moral agents, they cannot be thought of as ends in themselves.

Korsgaard (2018) contests this last point, arguing that Kant employs "end in itself" in two different senses: an *active* and a *passive* sense (141). A creature is an end in itself in the active sense when they are able to participate in reciprocal legislation; they are capable of *placing* me under an obligation of respecting their choices, and demanding that I limit my own choices in a way that is compatible with their value as an end in themselves (Korsgaard 2018, 141). However, a creature might also be considered an end in themselves in the passive sense when I am obligated to treat their own ends as absolutely good. Korsgaard (2018) believes that animals fall into this second category as passive ends in themselves (141). While they cannot *place me* under the obligation to treat them in a certain way, I am nonetheless obligated to treat the things that are good-for them as things that are absolutely good.

Why we must view other animals as "ends in themselves" in the passive sense needs further clarification. In view of Korsgaard's account of tethered value, what it means for a creature to be an end in itself is that they are valued in the proper way *by someone*. We value a creature for their own sake when we value them not as a means-to-an-end, but instead when we value what is good for them in the final sense of good: *for their own sake,* or *because it is good for them*. Importantly, we view this from a standpoint of *empathy* (Korsgaard 2018, 22). Although we can never entirely assume another creature's point of view, that we are fellow creatures who both have a final good suggests that we have an affinity with one another. This affinity is based on the recognition that there are things that are good or bad from the creature's own point of view. So, valuing a creature as an end-in-themselves means that we attempt to look at the things that are functionally good from their own point of view and see them as the ends of action. What is important is that we value the creature's final good not "for its own sake", but *for the creature's sake*. Creatures are entities that take the pursuit of their own functional good (in

pursuing things that appear attractive and avoiding things that are aversive, for example) as the ends of their action. This means that it is the nature of sentient beings to necessarily *care* about and *value* themselves. So, on Korsgaard's (2018) view, what it means for a creature to be an end in itself is that "we should accord the creature the kind of value that, as a living creature, she necessarily accords herself, and we therefore see her final good as something worth pursuing (137). We might contrast this with another view: it is not that creatures have inherent value that makes things that are good for them good "for their own sake," but rather that *creatures themselves* view their final good as something worth pursuing (i.e. as ends in themselves), so we too should accord them this value. In this way, other animals are "passive" ends in themselves. While they cannot participate in reciprocal legislation of moral law, we are nonetheless obligated to treat the things that are good-for them as good absolutely.

Another reason why this is the case is that the types of things that we take as the ends of our actions (and therefore things that are absolutely good) are not only things that are good-for us as rational beings, but they are things that are good-for us *as animals*. Just as we take ourselves and our lives to be valuable, so too do other animals. In moral legislation, we are affirming the value of animal nature itself insofar as we are expressing the regard for ourselves that we necessarily have *as animals*. Ultimately the foundation of the claim to standing as an end in itself is the same for all creatures and of morality: "the essentially self-affirming nature of life itself" (Korsgaard 2018, 146). In other words, when we legislate that we are to be treated as ends in ourselves, we legislate that things that are good- or bad-for us *as creatures* be taken as good or bad *absolutely*; namely, that *animals* are to be treated as ends in themselves. Although animals cannot participate in this legislation, the universality of the law includes *all creatures*, and therefore we ought to include them as members of the moral community.

1.4 Obligations to Our Fellow Creatures

When we recognize animals as *fellow creatures* who have a good of their own, we must view them as ends in themselves. However, our moral relations with animals have a different basis and entail different obligations than our moral relations with other humans. Although we have a basis for "admitting" animals to the moral community, we nonetheless must think of them as "passive" instead of "active" members. For Kant, "members of the moral community are *reciprocally committed* to valuing one another" (Korsgaard 2018, 148). While we can take what happens to other animals to matter, we cannot reasonably expect animals to value what happens to *us*; we cannot enter into *reciprocal* relations with animals.[8] The moral relations that we stand in to humans and animals, respectively, each have a different basis. Our moral relation to other humans is one of mutual legislation and respect for *rational autonomy*, while our moral relation to other animals is based on the recognition of them as *fellow creatures* that have their own good, i.e. that are ends in themselves.[9] Because we stand in a different type of moral relation with humans than we do with other animals, it seems like we will also have differing moral obligations to each of these groups. However, it seems reasonable to accept that we might say that these different obligations involve ways that the human good differs from the good for other animals insofar as we are rational beings that create plans for our lives. In other words, we might

[8] It seems wrong to me to say that animals are *never* capable of taking what happens to us to matter. In cases where humans and animals share strong bonds, it is not unheard of for animals to respond in ways characteristic of sadness should something happen to the well-being of their human companion. However, I agree with the general point that we cannot enter into relations that are properly understood as reciprocal in this sense with most non-human animals.

[9] Korsgaard recognizes that these two apparently different grounds of obligation complicate the way that we think about our duties to human beings. She considers three different possibilities for how we might think about this, but ultimately concludes that the duty to promote the good of other rational beings *takes the form* of respecting their autonomy (Korsgaard 2018, 149).

consider our obligations to animals as ends in themselves while recognizing that doing the same for humans might also involve additional obligations.

So then what obligations do we have to animals? What does treating a creature as an end in itself entail? When interacting with other humans, we often use one another as means, however we have the obligation not to one another as "mere means." As Korsgaard (2011) reads Kant, the difference between using someone as a "mere means" and using someone in a way that is morally permissible is whether we have their informed and uncoerced *consent* (109). However, other animals cannot give uncoerced and informed consent in the same way that humans can; in fact, in many situations they are not able to *choose* to interact with us. While we might take this to mean that we should avoid interacting with animals *at all*, Korsgaard (2011) recognizes that in present conditions, "the fate of most animals will inevitably be determined by what human beings do" (110). Therefore, we ought to interact with animals in ways that we think they could *plausibly* consent to; that is, ways that are fair and mutually beneficial, and that allow animals to live something like their own sort of life. It is a difficult question exactly what this looks like in practice. For example, it seems to be morally permissible to have animals as companions, so long as we treat them in a fair manner and allow them a reasonable amount of autonomy in the determination of their own lives.[10] Yet in many ways, our interactions with animals can never be without some kind of control or domination. However, there are some clear cases that we might be able to distinguish as clearly morally impermissible. It seems obvious that a creature who cares about her own life would not consent to being killed before the term of her

[10] Korsgaard discusses the conditions of the moral permissibility of having "pets" in more detail in section 10.2 of "The Animal Antinomy, Part 1" and 12.6 on "The Animal Antinomy, Part 2" in *Fellow Creatures*. Korsgaard uses the term "pet" here to denote a category of human-animal relationships within a broader category of "companion animals." In my discussion of her text, I will follow her use of the term "pet" to denote animals that do not "have work to perform in their households", such as seeing-eye dogs and guard dogs, which would fall under the broader category of "companion animals." See *Fellow Creatures*, xii for Korsgaard's discussion of these terms.

natural life is over to be eaten or have her pelt used, nor would she consent to being tortured in the name of scientific discovery.[11]

For Korsgaard, the fundamental matter of morality is how we should *interact with* and *relate* to others. What is important about these interactions is that they are worth it *for their own sake* "as an expression of respect for, and solidarity with, the creatures on this planet who share our surprising fate—the other beings *for whom* things can be naturally good or bad" (Korsgaard 2011, 111). Although the moral permissibility of specific interactions with animals need to be fleshed out in much more detail, Korsgaard's account as sketched in the previous few sections gives us a starting point for thinking about how we ought to interact with other animals.[12]

1.5 Duties and Kinship

In the final section of this chapter, I discuss three ways in which Korsgaard's Kantian approach to animal ethics demonstrates the necessity for further theorizing around the concept of kinship and the ethical significance that it holds. The first is that Korsgaard's account of tethered value illustrates some of the reasons that kinship relations are valuable, as well as what this means ethically. Second, beyond illustrating the moral value of kinship, the grounding of ethical obligations on Korsgaard's account itself can be understood *as a recognition of kinship with other animals.* Finally, the consequences of Korsgaard's account gives us occasion to reflect on

[11] Korsgaard recognizes that the keeping of pets involves doing things to them that involve force, deception, and coercion. This might also include things that they may not consent to, such as being spayed or neutered. Korsgaard considers the argument for the "abolition" of the practice of "pet-keeping", such as the one presented by PETA. This argument suggests that animal lives would be better if pet-keeping never existed, and that the practice should be phased out. Part of this phasing out includes ensuring that our pets do not reproduce. Korsgaard gives consideration to the complicated ethical dilemmas that arise from the keeping of pets and the question of whether it is morally permissible—or required—to do things to them that they might not consent to for what we take to be good for them. This also involves complicated questions about the relationship between the individual animal and their potential future descendents or species. For further discussion on this, see *Fellow Creatures*, pages 177-9 and 233-7.

[12] Korsgaard addresses specific concerns about our interaction with other animals, such as practices of hunting, use of working animals, and scientific experimentation in more details in "Part III: Consequences" of *Fellow Creatures*.

how duties (or moral permissibility of actions) that follow from kinship might be similar or different from her Kantian account.

1.5.1 The Value of Kinship

Korsgaard's theory of tethered value posits that everything that is good is good *for some creature*. Additionally, that we take ourselves as ends in ourselves means that we take the things to be good-for us as things that are good *absolutely*. One of the things that seems to be good-for us is the relationships that we share with our kin. We might think of these relationships as "good-for" individuals in two senses. The first is that we rely on our kin for meeting our basic needs related to survival and sustenance. One of the first relationships that likely comes to mind when we think of "kin" is the relationship between a parent or someone in a caretaking position and a child. We tend to think that caretakers are obligated to care for their children not because a child is the kind of creature that has things that are good- or bad-for them, but most fundamentally, *because they are their kin*. This also includes other individuals that contribute to the upbringing of a child outside of a parent-child relationship. Extended family or other individuals with whom we form close relationships early in life are fundamental to our very development. Any number of individuals involved in raising a child might be thought of as standing in a kinship relation with them, and this relationship is good-for the child insofar as it means their most basic needs are satisfied by their caretaker.

However, kin relations are good-for us in ways that go beyond satisfaction of our basic needs related to survival. These relationships enrich our lives and are often fundamental to our identities and what we take ourselves to be doing in our life projects. In short, kinship allows us to make sense of our lives and contributes to the meaning of our lives. Our very identity or sense

of self is tightly connected to our upbringing and the individuals who are involved in this, who we often take to be our kin. Furthermore, the relations that we form with others throughout our lifetimes, whether through partnerships, caretaker-child relationships, or other close relationships, are foundational to our understanding of ourselves. The relational positions that we occupy as partners, children, parents, siblings, or any other familial positions contribute to our sense of self. Additionally, these relations frequently allow us to make sense of our life projects and what we take ourselves to be doing. The way that the pursuit of a certain end affects our kin or contributes to their well-being is likely part of our considerations in determining whether a certain end is valuable.

Returning to Korsgaard's account, it is not only that we pursue the things that are good-for *ourselves,* but we might also pursue ends that are good-for our *kin*. We might even think that things that are good-for our kin are also good-for ourselves, even if this seems counterintuitive to the ways that might typically think of things that are good-for us. This is related to the ways in which kinship relations make our lives meaningful. For example, depriving ourselves of sleep might not typically be something that we think of as good-for ourselves, but caretakers of an infant frequently do just that, and may even take it to be something that is not only good-for their child, but also something that is good-for themselves because this kin relation contributes to the value and meaning of their lives. In this instance, it is not obligation that comes from the recognition of an infant as a creature for whom things can be good or bad, but the recognition of them as our own kin that makes this activity a worthwhile activity to pursue. In other words, *kinship itself* is something that is good-for us.

It is clear that kinship relations are something that contribute to a human's final good, but what does this mean for thinking about kinship with other animals? One might argue that just

because kin relations contribute to a human's final good, it does not necessarily follow that they contribute to another creature's final good. It does not make sense to say that kin relations contribute to an animal's sense of self, nor do they play a role in making sense of their life projects (in fact, it seems like most other animals do not have life projects). Yet at the very least it is apparent that for some species kinship is a necessary part of the rearing of young. Elephants, for example, form intricate social and familial networks where members play various roles in rearing and raising young. It seems like for some species then, kin relations are fundamental in providing for the basic things that are good-for a young individual's survival. Additionally, it seems plausible to say that kinship might also add meaning to the lives of at least some animals, as many animals are clearly capable of forming bonds with both members of their own species and other species.

Kinship contributes to the final good not only of humans, but also of creatures of other species. The relationships that humans form with other animals should also be recognized as kin relations. We can occupy the position of caretakers for other animals which might be considered a kin relation, but more importantly, our relationships with animals can contribute to our sense of self and the value of our lives much in the way that relationships with other humans do. In her discussion of companion animals, Korsgaard recognizes that in many ways our relationships with these animals is *good-for us.* For humans, and for other creatures, part of our good is the meaningful relationships that we form with our fellow creatures. It seems then, that on Korsgaard's account we might think of kinship as something that is good-for us, and therefore when we think of ourselves as ends, we also assert that these kinship relations are something that should be valued absolutely.

If we understand kinship in this way, then it might play two roles in Korsgaard's account. It might be thought of simply as one of the many things that can be good-for us as creatures. However, we might also recognize kinship as a "supplementary" ground for ethical obligations. As mentioned earlier, we have obligations to our kin not *only* because we recognize them as creatures who are ends in themselves, but also because they are our kin. It might seem strange, for example, for a parent to say that they feed their child because a child is a creature for whom things can be good or bad, and feeding the child is good-for them. While this is all true, it is also true that they feel an obligation to care for their child *merely* because they are their parent—because they stand in a relation of kinship, and we care for our kin. Either way, it seems like kinship is part of the story regarding ethical obligation on Korsgaard's account.

1.5.2 Fellow Creatures as Kin

If we extend the concept of kinship beyond those with whom we have direct interpersonal relationships, we might think that kinship has an even larger role to play regarding ethical obligation on Korsgaard's account. Korsgaard argues that our obligations to other animals are based on recognition of them as *fellow creatures*, which can also be thought of as the recognition of a *kinship*. In her discussion of her choice of the term "fellow creatures", Korsgaard (2018) says:

> Etymologically, "creature" suggests a created being, and that might in turn suggest a being created by someone, say by a god. But the implication I want is not that one, but one traditionally associated with it, especially when "creature" is used in conjunction with "fellow." It is the implication that *we are related in something like the way that children of the same family are*, just as we would be if we were all children of the same parental god (4, emphasis added).

Korsgaard's account of tethered value provides justification for the claim that other animals are ends in themselves, which in turn grounds the recognition of them as fellow creatures. However,

if the phrase “fellow creatures” is supposed to have the connotations of a relationship such as that of “children of the same family”, then recognizing other animals as our fellow creatures simultaneously entails recognizing them *as our kin*. Korsgaard’s emphasis on the term “fellow creatures” *presupposes* the normative force of something like kinship. It is not just that animals have a final good and are ends in themselves, but that they are “like us” in this way. Recognizing that we share a “good” with other animals means recognizing a likeness that we share with other animals. Korsgaard means this recognition to imply that humans and other animals are “like children of the same family.” What gives this claim normative ethical force is the presupposition that we have a certain affinity for our kin, and this relationship grounds ethical obligation.

Korsgaard’s discussion of empathy also suggests that there is a kind of affinity that we share with other animals. In occupying a standpoint of empathy in an attempt to understand what is good-for another creature, we recognize our commonality with them and the possibility of relating to them. Although we are never able to “fully” occupy a standpoint of empathy—we are never able to fully assume the standpoint of the other—the suggestion that we might be able to do so at all suggests that we are able to recognize shared characteristics that suggest a relationship. This relationship, which grounds the claim that other animals are our “fellow creatures”, is one of kinship. *Kinship* is in fact the very concept that grounds ethical obligation to other animals on Korsgaard’s account. The normative force of Korsgaard’s argument comes not only from the idea of tethered value, but also from our recognition of kinship with other animals.

That said, the concept of kinship as it operates in Korsgaard’s account needs further examination and clarification. While the recognition of other animals as “fellow creatures” may be the recognition that we share a kind of kinship, it is not immediately clear that this is the *same kind* of kinship we share with other humans, nor is it obvious that once the concept of kinship is

given further clarification that the ethical implications that follow from these relationships are the same as those Korsgaard proposes.

1.5.3 Obligations to Kin

One reason for thinking that the concept of kinship needs further elucidation before we can come to these conclusions is the fact that kinship varies historically and culturally. Because there is no *one* notion of kinship, there may be duties (or moral permissibility of certain actions) related to kinship that are even at odds with Korsgaard's account. For example, Korsgaard argues that we should never kill animals for our own purposes, as it uses them as a means to an end, or at the very least, is something that they would not plausibly consent to. But if we take kinship to be an additional ground of ethical obligation, this type of interaction with animals is not *necessarily* precluded by a kinship relationship with them.

In "Is the Moose Still My Brother If We Don't Eat Him?", Margaret Robinson (2016) discusses the Mi'kmaq creation story of the birth of *Kluskap* in relation to the Mi'kmaq philosophy regarding meat consumption:

> A number of versions describe the birth of *Kluskap's* grandmother, *Nukumi*, who was formed by the sun shining on a dew-covered rock. *Nukumi* explains to *Kluskap* that due to her advanced age she cannot survive on plants and berries, and will need to eat meat. *Kluskap* calls to Marten (a weasel relative), who was swimming in a river nearby, and asks him to give up his life so that *Kluskap's* grandmother can eat. *Kluskap* is friends with all the animals, and because of this friendship Marten agrees. In exchange for his sacrifice *Kluskap* makes Marten his brother. This story exemplifies the relationship basis for meat consumption in Mi'kmaq philosophy. We must only kill an animal for food when it is necessary to do so. The sacrifice of the animal cements a sibling relationship between *Kluskap* and Marten, building on a preexisting friendship between *Kluskap* and the animals (270).

Robinson's retelling of the story emphasizes the importance of Marten's sacrifice in cementing the kinship connection between Marten and *Kluskap*. In the story, *Kluskap* and the animals have

an existing affinity for one another, but it is Marten's sacrifice of his life that makes him *Kluskap's brother*. Robinson (2016) emphasizes that this story "exemplifies *the relationship basis* for meat consumption in Mi'kmaq philosophy" (270). Kinship is both the basis for, and cemented by, sacrifice and consumption.

Thinking about this story in relation to Korsgaard's account, we might say something like *Nukumi's* consumption of Marten is permissible because of Marten's consent to voluntarily give his life in sacrifice. However, this seems to be a reductionist account of what is going on in the story, and putting Marten's sacrifice in terms of consent seems to misconstrue or diminish its importance. Robinson recounts this story in order to emphasize the connection between the sacrifice of Marten and the kinship that emerges between Marten and *Kluskap*. The significance of the story lies in the *relationship* between humans and other animals and the sacrifice and respect that is involved in Mi'kmaq practices of meat consumption. Robinson's work, including her discussion of eating moose meat and argument for possible alternatives, warrants further discussion in thinking about the ethical obligations related to kinship and how these might vary across cultures and time. However, for now, I take it to illustrate some of the difficulties that might arise in trying to think through kinship in relation to Korsgaard's account of our obligations to other animals.[13]

1.6 Conclusion: Kinship with Our Fellow Creatures

In sum, this chapter examined Korsgaard's Kantian account of the grounding of our ethical obligations to other animals and the ways that it relates to the normative concept of kinship. Korsgaard's theory of tethered value is based on an Aristoteian conception of living

[13] Questions about kinship, sacrifice, and consumption that are beyond the scope of this chapter, however they emphasize the importance of further theorizing around the concept of kinship in animal ethics.

organisms, and posits that everything that is good or bad must be good or bad *for some creature*. This account of value allows us to think about kinship as something that is good-for creatures in a variety of ways. Additionally, Korsgaard's value theory is fundamental to her argument that we must recognize other animals as fellow creatures—that is, as entities for whom things can be good or bad, and therefore who are ends in themselves. It is based on this recognition of other animals as ends in themselves that we ought to grant them membership in the moral community. The recognition of non-human animals as ends in themselves is also the recognition of them as our *fellow creatures.* What makes this such a powerful claim is the idea that we share common characteristics with other animals that means we are related to them in a moral significant way. Korsgaard's use of the phrase "fellow creatures" is intended to invoke the idea that humans and other animals are children of the same family—that we are *kin*. It is the recognition of our kinship with other animals that grounds the ethical duties and obligations that we have to them. Part of what makes Korsgaard's claim that we are fellow creatures so powerful is the idea of kinship that it invokes, and the recognition of the normative ethical force of kin relations.

However, when we recognize the normative force of kinship, it seems as though work needs to be done to clarify exactly what we mean by "kinship", and exactly who (or what) can be considered kin. It may also be the case that there are different kinds of kinship that ground different ethical obligations. We might also think of kinship in the sense of more "immediate" kin relations, which seem to act as another basis for recognizing our duties towards others. For example, it seems to be reason enough for parents to care for their children that they stand in a relation of kinship. While children certainly are ends in themselves, it seems like kinship alone offers grounding for ethical obligations.

Furthermore, on a Kantian conception, when we recognize animals as ends in themselves and therefore as members of the moral community, it follows that we ought to refrain from using them as mere means. While we would usually ensure that we refrain from using others as a mere means in our interactions with other humans through obtaining informed and uncoerced consent, it is not possible for animals to consent. Korsgaard argues that *generally*, our interactions with animals should be ones that they would plausibly consent to, and that we ought to allow them the freedom to determine their own lives as much as possible. This seems to prohibit the killing of animals for consumption, while it is not clear that such an action is inconsistent with also thinking of animals as our kin. Therefore, there may be some conflicts between what is considered morally permissible on Kantian grounds and what might be morally permissible based on obligations related to kinship.

CHAPTER 2

Kinship Beyond Utility, Species, and Capability

2.1 Introduction: Capacities, Kinship, and Moral Consideration

The utilitarian approach to animal ethics first articulated by Peter Singer in *Animal Liberation* and expanded throughout a number of additional articles and books is in many ways foundational to the animal rights movement, as well as philosophical considerations of animal rights. In *Animal Liberation,* Singer argues for the moral equality of all animals on the basis of the fact that they have the capacity for experiencing pleasure and pain, which means that they have interests that ought to be given equal moral consideration. Singer fine-tunes his view through a number of other articles and books, arguing for a graduated view of moral status on the basis of cognitive ability. In this chapter, I argue that while Singer's utilitarian approach may consider kinship to some degree, it fails to fully account for the moral significance of kin relations.

I begin by first examining the three basic principles that ground Singer's account of the moral equality of all animals in *Animal Liberation*: (1) that the capacity for suffering is a prerequisite for having interests that warrant moral consideration, (2) the ethical principle of equality is prescriptive rather than descriptive, and (3) the principle of equality does not require equal treatment, but equal consideration. I then turn to Singer's discussion of "Killing Humans and Killing Animals" to critically engage with the graduated nature of his view, arguing that this

later view is inconsistent with his argument in *Animal Liberation*. In the final section of this chapter, I argue that utilitarianism can account for some elements of kinship, but it reduces the ethical significance of kinship to the pleasant and unpleasant experiences associated with it. Singer's view therefore fails to adequately capture why kinship matters morally, which, I argue, also demonstrates the moral significance of kinship itself. I conclude that kinship is better able to account for the epistemic relevance of emotions, the moral significance of both relationships and singularity, and the necessity of critically examining social and political conditions that shape our ethical relations with others.

2.2 A Utilitarian Conception of Moral Equality

In chapter 1 of *Animal Liberation*, "All Animals are Equal," Peter Singer argues that the ethical principle grounding the equality of human beings requires us to also extend equal moral consideration to other animals. He makes this argument on the basis of three main principles: (1) the capacity for suffering and/or enjoyment is a prerequisite for having interests that warrant moral consideration, (2) the ethical principle of equality is prescriptive rather than descriptive, and (3) the extension of the principle of equality to other groups does not require equal treatment, but equal *consideration*. In this section, I briefly examine each of these principles before turning to Singer's article "Killing Humans and Killing Animals" where he further discusses some of the implications of his view.

2.2.1 The Moral Relevance of Suffering

The first principle expresses the basic utilitarian commitment that what matters morally is the capacity to experience pleasure and pain. This stands in contrast to other moral frameworks

wherein moral status is "conferred" on another basis such as having the capacity to reason or use language, or simply for being a member of the human species. For Singer, whether or not a being can use language or reason is not relevant for moral consideration, unless it is in some way meaningfully connected to suffering. Singer references Jeremy Bentham's claim that when it comes to the moral standing of nonhuman animals, "the question is not, Can they reason? nor, Can they talk? but, Can they suffer?"[14] Singer, like Bentham, takes suffering to be the characteristic that gives a being the right to equal moral consideration. Singer argues that the capacity for suffering alone is necessary for determining whether a being has *interests*, which entitles them to equal moral consideration. In this case, it follows that nonhuman animals capable of suffering have interests that should also be given moral consideration.

However, this raises the question of whether nonhuman animals feel pain, and how we can know that they do. Singer (1975) states that "pain is a state of consciousness, a 'mental event,' and as such it can never be observed", so in theory, we could be mistaken even when we assume that other human beings feel pain (10). At the same time, we often *do* think that we are justified in the inference that other humans experience pain: we recognize physical signs of the experience of pain and we assume that they are beings like us, with nervous systems that produce similar feelings in similar circumstances (Singer 1975, 10-11). Because the external signs that indicate pain in humans can also be seen in other species, and we know that many of these animals have nervous systems that are very similar to ours, we are similarly justified in making the inference that these beings are also capable of experiencing pain. This inference can be made regardless of other considerations, such as the ability to convey experiences of pain through

[14] Jeremy Bentham, *Introduction to the Principles of Morals and Legislation,* chapter 17 xvii.

language.[15] For example, human infants may be unable to use language, but we do not deny that they can suffer. Singer (1975) concludes, "there are no good reasons, scientific nor philosophical, for denying that animals feel pain," and, if we do not doubt that other humans can experience pain, we are unjustified in doubting that nonhuman animals do as well (15). According to Singer, to do otherwise—or to still insist that humans ought to be afforded a special moral status that other animals capable of suffering are not—would be "speciesist"—to unjustifiably favor our own species over another.

2.2.2 The Moral Principle of Equality

Although the capacity for suffering makes the case that nonhuman animals should be given moral consideration, we might still think nonhuman animals are "second-class" moral citizens or, at the very least, that they are not equal to humans. However, Singer argues for the stronger claim that—the very title of the first chapter of *Animal Liberation*—all animals are equal. To many, this may seem implausible. How is it the case that *all* animals, despite their wide variety of physical, emotional, and cognitive capacities, are *equal?* This leads into the second principle that grounds Singer's argument: the ethical principle of equality is *prescriptive* rather than descriptive.

For Singer, the claim that all animals are equal is analogous to the claim that all humans are equal. Each claim expresses a principle of equality that is a moral idea and not "an assertion of fact" (Singer 1975, 4). Singer (1975) argues that "the principle of the equality of human

[15] It should be noted that the objection Singer considers here expresses a more narrow conception of language. Certainly an expanded conception of language might be attributed to nonhuman animals. Many nonhuman animals *do* seem to communicate their experiences of pain whether through vocalizations or other "external signs" that Singer references. Plants and fungi have modes of communication through electrical pulses and chemical signals. However, Singer's rejection of even the more narrow conception of language as sufficient for giving us reason to doubt whether nonhuman animals experience pain means that any expanded conception would only strengthen the point at hand.

beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat human beings" (5). The moral principle of equality is *prescriptive* insofar as it does not describe a state of affairs in which all humans are actually equal in their capacities or abilities, but rather it prescribes how we ought to treat others. The implication of the principle of equality is that "our concern for others and our readiness to consider their interests ought not to depend on what they are like or on what abilities they may possess" (Singer 1975, 5). Therefore, if we support a principle of equality that recognizes that a person's interests ought to be given equal moral consideration regardless of their individual abilities or capacities, then the principle of equality ought to hold for *all beings with interests*. As Singer (1975) states, the "basic element" of the principle of equality, which is "the taking into account of the interests of the being", must be "extended to all beings, black or white, masculine or feminine, human or nonhuman" (5).

Thus, on the basis of principles (1) the capacity for suffering is a prerequisite for having interests that warrant moral consideration and (2) the prescriptive nature of the ethical principle of equality, Singer (1975) concludes that there is no moral justification for regarding the pain of non-human animals as less important than the same amount of pain felt by humans (15). As Singer (1975) writes, "how bad a pain is depends on how intense it is and how long it lasts, but pains of the same intensity and duration are equally bad, whether felt by humans or animals" (17). Pain and suffering are intrinsically bad, and because both human and non-human animals have the capacity to suffer, they have interests—such as the interest of avoiding pain and suffering—that warrant moral consideration. The prescriptive nature of the ethical principle of equality establishes that it does not matter *who* is experiencing pain or suffering. Pain and suffering are bad whether they are experienced by a human or a horse; the relative badness of

pain is instead indexed to the *amount* (eg. intensity and duration) of pain that an individual experiences.

2.2.3 Moral Consideration

The final principle that grounds Singer's argument is that the principle of equality requires not that we extend equal *treatment* to all animals, but that we give the interests of each being equal *consideration.* Drawing a distinction between equal treatment and equal consideration helps to further justify the claim that the ethical principle of equality necessitates the recognition of the equality of all animals. If we accept the first two principles, there might still be a question of what it would mean to "take into account the interests" of all beings. Because there are "obviously important differences between humans and other animals", each will have different interests (Singer 1975, 2). Thus, it cannot be the case that the principle of equality necessitates equal "treatment" for all animals, as our treatment ought to respond differently to the varying interests of each. Singer argues that this is naturally apparent in the claim that all humans are equal, such as in the case of the argument for the right to an abortion. Because only people who can become pregnant can have abortions, it does not follow that the campaign for equality means also supporting the right for people who cannot become pregnant to have abortions.[16] Singer uses this example to illustrate that equality does not necessarily mean uniform treatment of individuals, but rather recognizing the differences in their interests and giving them due consideration.

[16] Singer frames this argument in terms of the supporters of Women's Liberation and the fact that many feminists hold that women should have the right to an abortion on request, but that their commitment to equality does not entail that they must support that men have the right to an abortion, since they cannot have abortions (Singer 1975, 2). I have changed the language used to account for the fact that gender identity does not necessarily indicate whether or not someone has a uterus or is able to become pregnant.

In the case of non-human animals, so too does equal "consideration" follow from the principle of equality, but equal treatment does not. There is no moral justification for regarding the pain of non-human animals as less important than the same amount of pain experienced by humans. In this sense, their interests must be given equal consideration. However, the same treatment might cause different amounts of pain for different individuals. Singer (1975) uses the example of slapping a horse and slapping a baby to illustrate this point:

> If I give a horse a hard slap across its rump with my open hand, the horse may start, but presumably it feels little pain. Its skin is thick enough to protect it against a mere slap. If I slap a baby in the same way, however, the baby will cry and presumably feel pain, for its skin is more sensitive (15).

Given the differences between a human baby and a horse, the same action (a hard slap) will presumably cause them different amounts of pain. As Singer (1975) concludes, "it is worse to slap a baby than a horse, if both slaps are administered with equal force" (15). Taking the interests of the baby and the horse into equal consideration in this case warrants different treatment given the ways that they are differently affected by the same action.

However, Singer (1975) continues, there is presumably some type of action, such as hitting a horse with a heavy stick, that will cause the horse the same amount of pain that a baby experiences when slapped (15). In this instance, if we consider it wrong to inflict this amount of pain on a baby for no good reason, we must consider it equally wrong to inflict this amount of pain on a horse for no good reason (Singer 1975, 15). In this case, too, giving the horse's and baby's interests equal consideration means considering inflicting the same amount of pain on either to be equally bad. However, the treatment that follows from this will differ: slapping a baby will inflict a significant amount of pain and slapping a horse will not be comparable, while hitting a horse with a heavy stick might be. In this sense, the principle of equality warrants equal consideration for both the horse's and the baby's interests, however this will result in different

treatment of each being morally permissible. One can imagine analogous examples for different species comparisons as well: just as slapping a baby would be worse than slapping a horse based on the amount of pain it inflicts on each, so too does it seem like slapping a cat or similar small mammal would be worse than slapping a horse in the same way.

However, Singer also emphasizes that the interests of *individual* animals are going to differ significantly and will not always fall along species lines. It follows that the moral treatment afforded each animal (when they are given equal moral consideration) will also not be dictated by species membership. Singer (1975) writes that "normal adult human beings have mental capacities that will, in certain circumstances, lead them to suffer more than animals would in similar circumstances" (15). However, he continues, there will also be circumstances in which "nonhuman animals and infants and retarded [sic] humans are in the same category"(Singer 1975, 16). In other words, Singer believes that there may be cases in which the moral treatment of individual humans might be more comparable to the moral treatment of nonhuman animals than other humans.

To illustrate this point, Singer appeals to the practice of experimentation on animals and the reasons that are usually provided as justification for this practice. Singer (1975) writes that if "we decided to perform extremely painful or lethal scientific experiments on normal adult humans, kidnapped at random from public parks for this purpose, adults who enjoy strolling in parks would become fearful that they would become kidnapped" (15). The fear and terror that would result from this would cause additional suffering separate from the suffering caused by the experiments themselves. Doing these experiments on nonhuman animals who cannot anticipate being kidnapped and experimented upon would cause relatively less suffering. However, Singer notes, the same argument used to justify experimentation on nonhuman animals could be used to

justify experiments on humans who would similarly not be able to anticipate what was going to happen to them. Singer concludes that if we think that experimenting on humans is wrong (even those who would not know what is going to happen to them), then we must similarly conclude that it is wrong to do this kind of experimentation on nonhuman animals. In this instance, species alone cannot determinate what moral treatment is warranted for each individual given the differences between individuals of the same species.

Singer further emphasizes the problematic ways in which we typically make unwarranted distinctions among species lines in his discussion of the value of life. Singer (1975) argues that if we believe that human beings have something like the moral right to life, "to avoid speciesism, we must allow that all beings who are similar in all relevant respects have a similar right to life—and mere membership in our own biological species cannot be a morally relevant criterion for this right" (19). The implications of this argument are twofold. The first is recognizing that there are some features of human lives that are shared with other animals and that make their lives more valuable than beings whose lives do not share this feature. If we believe that self-awareness and the capacity for forming meaningful relationships makes human lives more meaningful than others, then this must also hold for animals like chimpanzees, dogs, or pigs (Singer 1975, 19). For Singer, it also follows from this view that "there will surely be some nonhuman animals whose lives, by any standards, are more valuable than the lives of some humans" such as "a severely retarded [sic] infant or someone in a state of advance senility" (Singer 1975, 19). While Singer's focus in *Animal Liberation* is making the case for bringing nonhuman animals into our sphere of moral concern, he also emphasizes that doing so may allow us to "come to reconsider our policy of preserving human lives at all costs" and that "a rejection of speciesism does not imply that all lives are of equal worth" (Singer 1975, 20). For Singer, the moral issue of

inflicting pain is different than taking life, the latter issue which he largely sets aside in *Animal Liberation*. However, Singer's discussion of the value of life recounted above already begins to develop his graduated view of the value of life and the moral commitments or treatment that follows, which I discuss in more detail in the following section.

2.3 Ethical Treatment and Killing

From the three principles discussed in the previous section that (1) the capacity for suffering is a prerequisite for having interests that warrant moral consideration, (2) the ethical principle of equality is prescriptive rather than descriptive, and (3) the principle of equality does not require equal treatment, but equal consideration, Singer argues that we ought to give the interests of nonhuman animals equal moral consideration as the interests of humans. Singer is committed to the basic utilitarian principle that the right action is the one that minimizes pain or suffering and maximizes pleasure or happiness overall. Beings that are capable of experiencing suffering have interests that should be taken into moral consideration. Furthermore, the suffering of all animals matters equally; what matters when it comes to minimizing suffering is the degree and extent of suffering. Because individual humans and nonhuman animals have different capacities and abilities beyond the capacity to experience pain, it follows that they will be capable of suffering in different ways and therefore, they will have different interests that need to be taken into account. At the same time, all animals should be considered equal despite these differences. What "equality" warrants in this case is that each animal's interests are given equal *consideration*, but the actual treatment that follows from this might vary given the differences in what might reasonably be considered their "interests."

In the remainder of *Animal Liberation,* Singer discusses the fair treatment of nonhuman animals that would follow from giving their interests equal moral consideration as human interests. He presents evidence of the vast amount of suffering that is inflicted on nonhuman animals in the context of factory farming (as well as animal experimentation). Ultimately, Singer argues that we ought to become vegetarian given the fact that this amount of suffering cannot be outweighed by any amount of pleasure that humans might gain from this practice. While this discussion is certainly significant for Singer's view, his discussion of a utilitarian account of the moral status of killing in "Killing Humans and Killing Animals" is also instructive for examining the implications of his view both for humans and nonhuman animals. This account expands on the graduated account of the value of lives and the moral commitments and treatment that should follow. In this section, I argue that the grounding principles of Singer's argument about the value of life are inconsistent with his earlier argument for the equality of all animals insofar as the former makes unjustified assumptions about what it means to have a "preference" and requires rejecting the ethical principle of equality. I begin with a brief discussion of Singer's argument in "Killing Humans and Killing Animals," especially focusing on the implications of this view for the treatment of cognitively disabled human beings.

2.3.1 Singer's Graduated View of the Value of Life

In "Killing Humans and Killing Animals", Singer considers three utilitarian approaches to the question of the wrongness of killing. Singer begins with the most clear objections that a utilitarian would have to killing, which are the negative consequences or the pain and suffering that would likely result such as grief that loved ones would likely experience, or fear and insecurity that might be felt by the larger community. However, Singer acknowledges non-

utilitarians often argue that these consequences are inadequate for capturing what is wrong about killing; it seems like there must be something that is wrong with the killing *itself,* rather than only in the consequences for everyone else.

Ultimately, Singer argues that utilitarianism should approach the problem of killing from two different views: the "total" view and the "prior existence" view. It might seem obvious that killing is wrong because utilitarianism takes pleasure to be valuable, and killing reduces the amount of pleasure in the world by reducing the number of individuals leading pleasant lives. However, pleasure could also be diminished by making pleasant lives unpleasant. While we would prefer a pleasant life over an unpleasant one, we cannot move automatically from this preference to the preference of a pleasant life over no life at all (Singer 1979, 147). For Singer, this problem is made clearer by demonstrating how pleasure could also be increased in two ways: either by increasing the amount of pleasure experienced by those who are currently alive, or by creating more pleased beings.

The "total" version of utilitarianism holds that we ought to increase the total amount of pleasure, regardless of whether this is done by increasing the pleasure of beings who are already alive or by increasing the number of pleased beings. This view "regards sentient beings as valuable only insofar as they make possible the existence of intrinsically valuable experiences like pleasure" (Singer 1979, 150). In a way, beings are viewed as "receptacles" for valuable experiences. Applying this to thinking about the issue of eating meat, the total view would hold that so long as animals live relatively pleasurable lives, it does not matter if individual animals are killed so long as others are bred to take their place. Singer refers to this as the "replaceability" argument, which suggests that the wrongness of killing would lie only in whether it does not increase the total amount of pleasure.

On the other hand, the "prior existence" view takes into consideration only the pleasure of those that exist *prior* to the decision that is to be made, or who will exist independently of that decision (Singer 1979, 149). This view holds that there is no value in bringing about more pleasure by increasing the number of beings with pleasurable experiences. To illustrate this view, Singer uses the example of a couple who are trying to determine whether they should have a child. The prior existence view would hold that the potential pleasurable experiences of the child should not be part of their consideration. However, Singer sees an asymmetry in this view insofar as it would also not consider the possible *unpleasantness* of a child's life to be a reason against having children. Singer uses the example of a child who will inherit a genetic defect that causes them to live a short and painful life, and says that "we would think it wrong for a couple to knowingly conceive such a child" (Singer 1979, 149).

Ultimately, Singer (1979) argues that the total view should apply to "beings that do not exist as individuals living their own lives", whereas we should apply the prior existence view to beings that are self-conscious (153). For Singer, the important difference between beings who are self-conscious and who are "merely conscious" is that the former are able to aspire to a longer life. In other words, they have a conception of themselves as a being with a future (Singer 1979, 151). Importantly, Singer recognizes that classical hedonistic utilitarianism is not able to account for these differences, but that "preference utilitarianism" supports this distinction. Preference utilitarianism takes into account the preferences of all who are affected by an action, including the strength of these preferences (Singer 1979, 151). With regard to self-conscious and merely conscious beings, Singer (1979) states that "it is only in the former case that I could have a desire to live which will not be fulfilled if I am killed", but in the latter, their deaths could be balanced by "the creation of a being with similar prospects of pleasurable experiences" (152).

This distinction is important for better understanding Singer's graduated view of the value of lives and the moral commitments that follow from this. While he identifies self-consciousness as the distinguishing factor in this instance, this distinction demonstrates the way in which a difference in capacities and abilities will warrant different moral treatment in Singer's view. Singer concludes his argument with a reflection on how this view allows us to reach some practical conclusions about killing humans and killing animals. Beginning with animals and the issue of rearing and slaughtering them for food, Singer concludes that this practice is wrong if an animal is capable of self-consciousness. Given that the prior existence view applies in this situation, the animals who exist prior to the decision (whether or not they ought to be killed) have a preference for continued life, and therefore they are not "replaceable" as receptibles of pleasurable experiences. However, in the case of certain animals that are members of species that are not capable of self-consciousness, the total view dictates that it would not be wrong to raise them and kill them for food, provided that they live pleasant lives and are replaced by another animal that lives a similarly pleasant life (Singer 1979, 153). In order to avoid "speciesism," Singer also briefly considers how this framework would apply in the case of humans. Singer states that just as for nonhuman animals, members of our species who are self-conscious should be given consideration under the prior existence view, and that members who "lack the relevant capacity" (self-consciousness) would fall under the total view. According to Singer, this view justifies the infanticide of infants who have genetic conditions that cause them to live very brief and often painful lives since they cannot have a preference for continued life and infanticide would ultimately reduce the amount of unpleasant experiences in the world.

2.3.2 Preference Utilitarianism, Hedonism, and the Value of Life

The view Singer presents in "Killing Humans and Killing Animals" is a graduated view about the value of life. This is a departure from his view in *Animal Liberation*, which focuses mainly on the badness of pain and suffering. For Singer, the moral issue of inflicting pain is separate from the moral issue of killing and the value of life. Singer turns to a version of preference utilitarianism as the basis for his graduated view of the value of life, departing from the hedonistic version of utilitarianism that grounds his argument about the badness of pain and suffering. Singer's appeal to preference utilitarianism is ultimately what grounds his claims about the importance of the distinction between self-conscious and "merely conscious" beings, as well as the role that cognitive capacity has in determining the value of one's life. However, this version of preference utilitarianism is not consistent with the hedonistic utilitarianism Singer presents in *Animal Liberation*.

These views are inconsistent in at least two ways. The first is that Singer's version of preference utilitarianism employs a narrow understanding of "preferences" that is inconsistent with his claims regarding the ability of nonhuman animals to feel pain. Second, Singer's hedonistic utilitarian argument in *Animal Liberation* emphasizes that pain and suffering are bad *regardless* of cognitive capacities, whereas his argument in "Killing Humans and Killing Animals" views cognitive capacities as the determining factor of the value of one's life. The latter argument's emphasis on cognitive capacities is inconsistent with Singer's discussion of the ethical principle of equality. In the remainder of this section, I examine each of these inconsistencies in detail.

Turning to the first inconsistency, in chapter one of *Animal Liberation*, Singer is careful to refute the idea that nonhuman animals—even "merely conscious" ones—do not experience

pain, yet his version of preference utilitarianism fails to consider these animals might have preferences for similar reasons. Singer (1975) recognizes that "nearly all the external signs that lead us to infer pain in other humans can be seen in other species" such as behavioral signs including "attempts to avoid the source of pain" and "appearance of fear at the prospect of its repetition" (11). This evidence, combined with the fact that we know that the nervous systems of nonhuman animals are similar to humans and that they have evolved similarly, Singer concludes that we have no good reasons to deny that nonhuman animals experience pain. For Singer (1975), "pain is a state of consciousness, a 'mental event,' and as such it can never be observed" (10). We might think of preferences or desires as mental states in a similar way. While we cannot directly observe the mental state of preference or desire, there are behavioral signs that are often associated with these states. For example, attempts to avoid the source of pain seem to indicate not only that a being is capable of experiencing pain, but that they have a preference or desire to avoid the experience of pain. On the other hand, the active pursuit of something pleasurable often indicates that it is desirable, or that the pursuer has a preference for attaining it rather than failing to do so.

In "Killing Humans and Killing Animals," Singer's (1979) argument focuses on the "desire to live" rather than the desire to pursue pleasure and avoid pain (152). He writes that "if I imagine myself in turn as a self-conscious and a merely conscious being, it is only in the former case that I could have a desire to live which will not be fulfilled if I am killed" (Singer 1979, 151-2). Singer clearly recognizes that even "merely conscious" beings experience pain and will often seek to avoid sources of pain, but he views this as distinct from having a desire to live. In a footnote, Singer states that the fact that animals struggle when an attempt to kill or capture them is made indicates only that they perceive the situation as undesirable, not that they have the

desire to continue living.[17] However, it is not clear that the desire to live is entirely distinct from the desire to pursue things that are attractive or pleasurable and avoid things that are aversive or painful. When prey animals flee from predators, it is not that they do so just to avoid the possible pain associated with being attacked, but they also seem to exhibit a desire for continued life or self-preservation. While there may be some animals for whom this is not the case, it appears that there will be many for whom the avoidance of pain is also linked to self-preservation and the desire for continued life. If we accept behavioral signs as evidence for the capacity to experience pain (among other things like knowledge of the structure of the animal's nervous system and evolutionary factors), then it is unclear why we should reject this as evidence of a desire to live.

Additionally, as Singer writes in *Animal Liberation* (1975), evolutionary history points to the fact that "a capacity to feel pain obviously enhances a species' prospects of survival, since it causes members of the species to avoid sources of injury" (11). Pleasure and pain have a clear role to play in an animal's survival. They are frequently indicators of things that are good or bad for the animal and their continued survival. As Christine Korsgaard discusses in *Fellow Creatures* (2018), pleasure and pain are forms of experience that make creatures conscious of their own conditions—which is necessary for their well-functioning and continued survival (161.) Though Korsgaard's conception of pleasure and pain diverge from Singer's, it is nonetheless clear that the same evidence of the capacity to experience pain provides evidence for these same "merely conscious" animals having a desire to live. Given the similarities in the evidence that Singer draws on to justify the claim that nonhuman animals experience pain with the evidence that "merely conscious" animals have a desire to live, it seems like Singer employs

[17] Singer discusses this in footnote 19 in "Killing Humans and Killing Animals" (1979, 156). Singer does note that for chickens (the example he is referencing), it may be the case that they also have the desire to live and we should give them the benefit of the doubt. However, I think there are reasons to question this distinction and narrow conception of preferences for other animals, too, as mentioned above.

an unjustifiably narrow conception of "preferences" in "Killing Humans and Killing Animals" that is inconsistent with his defense of his claims in *Animal Liberation*.

The second inconsistency between Singer's two versions of utilitarianism is the moral significance of cognitive capacities in relation to Singer's discussion of equality. In *Animal Liberation*, much of Singer's argument rests on the premise that the capacity to experience pain and pleasure alone is a prerequisite for having interests that warrant moral consideration, and that these interests ought to be given equal consideration regardless of whether they are the interests of a human or nonhuman animal. In this instance, cognitive capacities are not morally significant aside from the ability to experience pain or pleasure. Singer's preference utilitarianism is a clear departure from this view, emphasizing that one must have a certain level of cognitive capacities for their lives to have value *in themselves*. As discussed in section 2.2 (specifically subsections 2.2.2 and 2.2.3), Singer argues that the ethical principle of equality is *prescriptive* rather than descriptive and warrants extended equal *consideration* rather than equal treatment. However, it seems like the ethical principle of equality does not hold in Singer's account of preference utilitarianism. Although Singer treats the moral issue inflicting pain as separate from the moral issue of killing, we would nonetheless expect the grounding moral theory for both to be (at least) consistent with one another—including the ethical principle of equality.

The idea that the ethical principle of equality is prescriptive rather than descriptive arises from Singer's discussion of the vast amount of difference that we see in individuals both across species and in members of the same species. This is a foundational premise in Singer's argument for extending the ethical principle of equality to nonhuman animals insofar as it recognizes that cognitive capacities are only morally significant to the extent to which they play a role in an individual's capacity to experience pain. Beyond that, cognitive capacities should not determine

whether or not the principle of moral equality is extended to an individual; the capacity to experience pain or to suffer alone is sufficient for recognizing that an individual has interests that warrant moral consideration. However, when Singer turns to preference utilitarianism to ground his argument about the graduated value of life based on cognitive capacities, the principle of equality is not similarly extended to those with "lower" cognitive capacities. Although "merely conscious" individuals have interests that warrant moral consideration, this is an insufficient reason for considering their lives to be valuable. While self-conscious beings "are not mere receptacles for containing a certain quantity of pleasure, and are not replaceable", merely conscious beings are "receptacles" for pleasure and pain, whose lives are replaceable (Singer 1979, 152).

The views that merely conscious animals are individuals with interests that deserve equal consideration and that they are mere receptacles for pleasure and pain are inconsistent. Viewing certain animals as "receptacles" means accepting that the individuals themselves do not matter, but the painful or pleasurable state of consciousness does. On the one hand, it is not possible to conceive of a state of consciousness without a being to experience it. On the other hand, we cannot make sense of individual animals having interests without recognizing the significance of these states of consciousness as uniquely belonging *to them*. Otherwise, we must say something like the individuals themselves do not have interests, but the states of pain and pleasure still matter.

Singer (1979) does not think that viewing some animals as replaceable is inconsistent with giving their interests equal consideration. He writes:

> To take the view that non-self-conscious animals are replaceable is not to say that their interests do not count. I have argued elsewhere that their interests do count. As long as a sentient being is conscious, it has an interest in experiencing as much pleasure and as little pain as possible. Sentience suffices to place a being within the sphere of equal

> consideration of interests; but it does not mean that the being has a personal interest in continuing to live (152).

In the latter half of this quote, Singer re-emphasizes the point that having an interest in avoiding pleasure is different from having a personal interest in continuing to live. For reasons I have raised above, such as the behavioral signs and evolutionary factors that seem to point to the desire for continued life in many even "merely conscious" animals, this matter may not be as simple as Singer makes it seem. However, what is perhaps most significant is Singer's (1979) statement that "as long as a sentient being is conscious, it has an interest in experiencing as much pleasure and as little pain as possible" (152).To say that an animal has an *interest* is to recognize that the individual *themselves* matters in some way. In other words, it is inconsistent to hold that animals who are capable of experiencing pain have interests *and* that these beings are mere receptacles for experiences. These beings are viewed as "receptacles" for experiences, which means that it is the experience *itself* that is morally significant and not the animal's "ownership" of these experiences. The focus is placed on the experience itself rather than the being that *has* these experiences.

On the other hand, if we consider these animals to have interests, it is not clear why their interest in experiencing as much pleasure and as little pleasure as possible ought to be considered morally relevant in the case of inflicting pain, but not for the problem of killing. In the former case, we fail to get the animal *themselves* in view. The focus is shifted to disembodied "experiences" of pleasure and pain rather than the singular being who actually experiences them. However, in the latter case, we recognize the singularity of the being in question when it comes to the moral problem of pain, but not the moral problem of killing. If the principle of equality asserts that we should give equal consideration to animals regardless of cognitive capacities, it seems like we run into application problems in both cases. In this first case, it is not clear how

the principle of equality is applied since we cannot properly get the beings who are supposed to be equal in view. In the second, the principle of equality is applied inconsistently depending on the moral problem we are considering.

2.3.3 What Does Equality Mean?

In conclusion, Singer's hedonistic utilitarianism in *Animal Liberation* is inconsistent with his argument in "Killing Humans and Killing Animals" grounded in preference utilitarianism. Singer fails to apply the same evidence for animals' capacity to experience pain to his consideration of which animals might have preferences for continued life. Furthermore, his version of preference utilitarianism fails to consistently apply his principle of equality. One interpretation of his view fails to adequately allow us to get in view the singular beings that are supposed to be equal, and the other fails to apply the principle of equality consistently across the consideration of different moral problems. The inconsistencies between these views also illustrate some of the shortcomings of Singer's utilitarian view, as it is unable to take into account the nuances of particular situations and moral problems without being inconsistent, as well as failing to account for the moral significance of recognizing the singularity of beings in themselves. In the next section, I bring Singer's view into conversation with the ethical concept of kinship to demonstrate some of the ways that it accounts for kinship, as well as how kinship as a normative concept can account for some of the shortcomings of Singer's view.

2.4 Utility and Kinship

In this section, I examine the ways in which Singer's utilitarian approach might be able to account for the moral significance of kinship, including kinship with nonhuman animals. I begin

by discussing the first principle that grounds his view of equality—the moral relevance of suffering—and the elements of kinship that this principle captures. Ultimately, I argue that his hedonistic and preference utilitarian frameworks miss important moral considerations that could be captured by recognizing the normative ethical force of kinship, such as the epistemic relevance of emotions, the moral significance of both relationships and singularity, and the necessity of critically examining social and political conditions that shape our moral relations with others.

2.4.1 Kinship and the Principle of Utility

The first principle that grounds Singer's account of moral equality in *Animal Liberation* recognizes the moral relevance of suffering and expresses the general utilitarian commitment that the right action is the one that minimizes suffering or pain and maximizes happiness or pleasure. The most obvious way that this relates to kinship is that the relations that we hold with those we consider our kin will often be the source of heightened pleasant or unpleasant (or painful) emotional experiences. This is apparent in the way that humans grieve or mourn the loss of someone who we consider our kin or those with whom we had close relationships in ways that we do not for strangers.

Practices of bereavement, grief, and mourning commonly involve our nonhuman kin as well. This is perhaps most apparent in the fact that many people mourn the loss of a companion animal, but grief is also often felt among those who own farm animals or who work in animal service occupations when an animal has gone missing, must be relinquished, or who has died (Chur-Hanson 2010). Nonhuman animals show signs of grief and mourning for the loss of their kin as well. In 2018, an orca mother captured international attention with what National

Geographic referred to as an "unprecedented show of mourning." The orca, originally referred to as J35 and nicknamed Tahlequah, carried her dead calf for 17 days and over 1,000 miles, pushing it through the water and diving down to retrieve it when it fell away (Baker 2020). While orcas and similar animals have been witnessed performing these kinds of mourning behaviors a number of times, the length of Tahlequah's mourning serves as further evidence of the depth and complexity of the emotional lives of these animals and the connections that they share with their kin. Two years after the death of Tahlequah's calf, headlines celebrated the birth of Tahlequah's new calf.[18] These experiences demonstrate that kinship relations of all kinds are not only sources of painful emotions, but they are also frequently sources of rich experiences of pleasant emotional experiences such as bliss, inspiration, and fulfillment.

Utilitarianism is able to account for the importance of kinship to the extent that it recognizes the pleasure and pain that one might derive from kin relations. For example, if we return to the issue of killing and Singer's discussion of the negative consequences that result, the grief that is felt very strongly by the kin of the victim is recognized by utilitarianism as part of the bad consequences of killing (Singer 1979, 145). Additionally, kinship itself is relevant insofar as the loss of someone with whom we have a close relationship is generally going to cause more intense pain and feelings of sadness than the loss of a stranger. This is similarly the case with the loss of nonhuman kin; whether the feelings of grief are felt by humans or nonhuman animals, the moral wrongness of killing—or even inflicting pain on another—will also have bad consequences for their kin, perhaps in the form of emotional suffering or fear. In this case, kinship matters morally—but only insofar as it recognizes that something like killing or inflicting pain upon someone will decrease the pleasure in the lives of the victim's kin. Singer

[18]For example, Mike Baker, "Orca That Carried Dead Calf for 17 Days Gives Birth Again," in *The New York Times*, September 6, 2020, https://www.nytimes.com/2020/09/06/us/orca-calf-j35-j57-whale.html.

(1979) recognizes that non-utilitarians regard the effects on others (rather than the victim themselves) as mere "side-effects" (145) and thus tries to provide an argument for why killing in itself is wrong—at least for fully self-conscious beings. Kinship also demonstrates that the pain and suffering that we feel when something happens to one of our kin are not merely "side-effects" of the wrongness of killing. However, it is not clear that utilitarianism is able to fully account for what makes kinship morally significant—the recognition of a singular, unique being whose loss matters *in itself*, regardless of whether they are a self-conscious being or not.

2.4.2 Kinship Beyond Utility

Considering a case wherein the killing of the being may not be considered morally wrong "in itself" on Singer's account better illustrates both how the principle of utility might account for kinship and the ways in which it fails to recognize kinship's moral significance. If we accept Singer's argument that the total view should apply to beings that are not self-conscious, then it may follow that killing chickens is not in itself morally wrong.[19] However, suppose that the chicken is living their life out at an animal sanctuary and has formed a close bond with their caretaker. Such is the case for Clarissa, a hen who was rescued from a factory egg farm fire and who, after a leg amputation, will now live the rest of her life out at Rancho Relaxo, an animal sanctuary in New Jersey. Should Clarissa tragically be killed after this journey, her death would not be rectified by being replaced by another hen. Her death would cause anguish for those who

[19] In "Killing Humans and Killing Animals," Singer uses the example of chickens as animals who may be "merely conscious" and whose killing may not in itself be morally wrong. In Singer's (1979) view at the time, they may be an example of animals that therefore fall under the "replaceability" argument and the total view (153). Singer later revises his view in *Practical Ethics*, where he says that chickens may have future-oriented interests (102). However, it is my hope that the example in this section serves to demonstrate not that killing *chickens* in itself is morally wrong, but rather the flaw in the kind of thinking that only considers whether or not an animal has future-oriented interests in determining whether killing is wrong. Thus, we might imagine any number of animals being substituted into this situation in which kinship with them captures the reasons that killing is morally wrong in a way that Singer's view alone cannot.

worked to rescue her and to get her the necessary medical procedures for her to even have a chance at living a pleasant life. They would likely feel this because of the relationship that they share with Clarissa specifically. In this case, the principle of utility allows us to account for the suffering that would result from Clarissa's death as a morally relevant consideration for the wrongness of her killing.

Yet, it seems like reducing the ethical significance of kinship to the pleasant and unpleasant experiences associated with it both fails to adequately capture why kinship matters morally and demonstrates the moral significance of kinship. In the case of Clarissa, her caretakers decided to have her leg amputated so that *she* might have a chance at living a pleasant life—not to increase the pleasure of their own lives or to mitigate the unpleasantness of their own experiences. When we care about what happens to our kin, we care *for their own sake* rather than for ours—and we think that others ought to as well. Singer's version of preference utilitarianism is able to account for this to an extent, however wanting what is best for our kin *because* they are beings capable of having the preference for continued life also seems to miss something important about kinship. In fact, it seems like this would demonstrate callousness and would be a moral failing in itself.

For example, in his reflection on J. M. Coatzee's *The Lives of Animals,* Peter Singer depicts an imaginary conversation between himself and his daughter, Naomi. In it, the imagined "Peter" says, "When it comes to the wrongness of taking life, for example, I've always said that different capacities are relevant to the wrongness of killing" (Singer 1999, 87). Singer portrays Naomi as replying, "That's a relief. When I was little I used to wonder who you would save if the house caught fire, me or Max" (Singer 1999, 87). Singer depicts Peter as kneeling next to Max, the family's dog, and reflecting on how Naomi had the capacities to wonder about who her

father would save and to chatter about what she wanted to be when she grew up, while Max cannot. Singer continues, depicting the conversation as follows:

> "And that would make a difference?" It was Naomi, rather than Max, who responded. "What about before I was old enough to think about what I was going to be when I grew up? Would you have tossed a coin—heads I save Naomi, tails I save Max?"
> "No, silly. I'm your father, of course I would have saved my lovely baby daughter. But the point is, normal humans have capacities that far exceed those of nonhuman animals, and some of these capacities are morally significant in particular contexts" (Singer 1999, 87).

The latter part of Peter's response reiterates the main point that Singer makes in "Killing Humans and Killing Animals," but it fails to respond to the heart of Naomi's question. Naomi is questioning what the right action would be *before* she was a self-conscious being capable of conceiving of herself as an individual and aspiring to live a longer life. As Singer (1979) argues in "Killing Humans and Killing Animals," *potential* self-consciousness is not a sufficient consideration, since "a potentially self-conscious human being has never desired to go on living" (154). Instead, it is the first part of Peter's response that addresses Naomi's question. *Of course* Peter would have saved Naomi, because he is her father, and she is his *lovely baby daughter*.

On Singer's account, the justification for Peter saving Naomi in this case would necessarily be based on the "side effects" of failing to do otherwise and not the death itself because this scenario would fall under the total view. Yet it seems as though Peter has morally significant reasons to save Naomi aside from the pain that would result for other people. Despite the fact that infants, and some nonhuman animals, are not self-consciousness, it still seems as though there are moral reasons why their lives are valuable that are separate from this. Among these reasons is kinship: they hold special moral significance to certain individuals who have formed these relationships with them, e.g. father and daughter.

Before I return to examine Singer's reflections on infanticide, it is important to note that Singer (through "Peter" in his reflection), recognizes that we may hold special emotional attachments to certain individuals, regardless of whether or not they are self-conscious. Peter, after articulating how the "replaceability argument" might apply to Max[20] and being chastised by Naomi for such a "*horrible* thought" says, "I don't mean that *everything* would be fine if Max were killed and replaced by a puppy. *We* love Max, and *for us* no puppy would replace him" (Singer 1999, 89). However, Peter also expresses the idea that these feelings are a "side effect", which again fails to adequately recognize the moral significance of sharing kinship with Max as a singular, unique being. Additionally, many working in feminist ethics and specifically the feminist care tradition have challenged the idea that emotions have no moral epistemic value—a point I return to in detail in chapter three.

2.4.3 Moral Decisions

In the final part of this section, I return to Singer's reflections on infanticide at the end of "Killing Humans and Killing Animals" to demonstrate the ways in which this discussion makes unjustified assumptions about human beings and how recognizing the normative ethical force of kinship allows us to better account for this moral problem. Throughout this article (and in his other work, including *Animal Liberation*), Singer makes reference to "normal" and "defective" human beings. In the second paragraph offering an initial account of the wrongness of killing humans, Singer (1979) states that "if we are considering killing a normal human being, the utilitarian can point to the obvious bad effects that the killing of one normal human has on others" (146). It is important to note that the phrase "normal human being," especially as it is

[20] Singer generally accepts dogs as more than "merely conscious" beings, which is addressed later in the reflection. However, the point stands for any beings that might fall into this category.

later placed in contrast with "defective" humans, implicitly sets a normative standard. As Singer will later argue, this means that the killing of "normal" human beings will usually be morally wrong, whereas the killing of "defective" ones might be morally justified, or at least not obviously morally wrong.

The use of this language is problematic at least on two accounts. The first is that it is unclear which members of the human species Singer intends to indicate with the descriptors of "normal" and "defective". It is assumed that we will understand who is considered "normal" and who is not. Based on Singer's emphasis on the importance of cognitive capacities, self-consciousness, and his graduated view of the value of life, we can infer that he means to discern human beings who are severely cognitively disabled from those who are not. Singer's vast amount of work in applied ethics and discussions of issues related to the moral treatment of humans and nonhuman animals makes this less of an issue as his language is subsequently clarified. Second, the language used to refer to severely cognitively disabled humans as "defective" is normatively loaded and dehumanizing. The dichotomy of "normal" and "defective" is not only inaccurate, but also shaped by ableist and neurotypical frameworks that presume one "correct" or "normal" way of being and depict any deviation from this as "defect."

The language of "normal" and "defective" human beings weighs heavily into Singer's argument about infanticide, which focuses on two examples. The first is the practice of testing the amniotic fluid during pregnancy when individuals are at a higher risk of giving birth to a "defective child" (Singer 1979, 154). Singer (1979) states that many times when it is the case that the fetus will have certain birth defects, parents will be offered, and usually accept, an abortion (154). On the version of preference utilitarianism that Singer argues for, this practice is morally justified, and perhaps even morally *required* of the prospective parents. The second

example Singer (1979) considers is the practice of "allowing defective newborns to die", such as in severe cases of spina bifida (154). Many times, hospitals will only provide treatment with the goal of minimizing pain. This practice is morally justifiable in Singer's view, but because he does not recognize a significant difference between killing and letting die, it follows that direct killing of the infant may also be justifiable (Singer 1979, 155). Additionally, because the moment of birth does not relate to any morally significant considerations, it is morally justified to allow them to die after birth and not significantly different from abortion.

However, it seems like the differences between having an abortion, letting an infant with severe congenital disorders die, or killing them would be significant for parents who find themselves facing these difficult decisions. While Singer's account does not view the moment of birth as corresponding with something that is morally significant, some parents decide to go through with labor and giving birth, even if this means that their child will only live for a couple minutes. These moments of brief connection may be extremely significant to the family, despite the fact that an abortion may have allowed them to avoid the physical pain and emotional turmoil of labor, as well as give them the opportunity to try to have another child sooner. In this instance, Singer's view can account for these emotions as "side effects" of the death of the child. While it may be perfectly valid for parents to hold these kinds of views, they are thought to have little impact on actually determining what is the *right* decision. This is expressed by one of Peter's statements in Singer's reflection on *The Lives of Animals*: "We can't take our feelings as moral data, immune from rational criticism" (Singer 1999, 89). As many in the feminist care tradition have argued, this is a flawed conception of human being and of moral judgments. The next chapter examines the care ethic tradition moral closely, so I return to this issue then. At the moment, it is important to note that an account of the normative ethical force of kinship would

likely recognize that informed parents are in the best position to be able to make such a difficult decision. Ultimately, the appeal to utility alone is not sufficient for determining what the parents should do in this situation.

Singer's views on infanticide and his presumptions about what makes the life of a human being worth living fails to account for the social and political conditions that contribute to the difficulties that disabled people face. Eva Feder Kittay and Sunaura Taylor are two (among many other) critics of Singer who have pointed out the problematic assumptions he makes about people with disabilities. In "The Personal is Political," Kittay (2009) points out that Singer "has very little knowledge of people with the sorts of impairments about whom he purports to speak" (402). Kittay (2009) recounts a conversation that she had with Singer and Jeff McMahan at a Stony Brook conference and how in this conversation she attempted to challenge their idea that there must be "a list of morally significant psychological properties" (409). Kittay (2009) aims to challenge the notion that there is one set of capabilities that define what it means to be "human" or to have moral personhood, instead appealing to the relationship that she has with her daughter, Sesha, to argue that based on the special relation of parenthood we ought to recognize a child as possessing moral personhood (409-10). She argues that as a parent, she has obligations to her child and that among these is ensuring that her child's life is protected and that the child's development and growth are fostered (Kittay 2009, 410). However, parenthood and raising a child does not occur in a vacuum—the social and political institutions we live under significantly impact our lives. Thus, Kittay (2009) concludes, in virtue of her relationship with her daughter, she has a moral obligation to carry out her caring for her daughter in a public form, namely, through attempting to secure "just treatment and moral protection" for her daughter (411). In this instance, it is the kinship that Kittay shares with her daughter that drives her to not only work in

relating rightly to her daughter *herself*, but also working to secure the social and political conditions under which her daughter can live and flourish.

Kittay's critique demonstrates that Singer—in his ignorance of the lives of the people with disabilities he writes about—falls back into ableist assumptions about what it means to be human and what makes a life valuable. However, in her critique, Kittay herself fails to adequately recognize the ways in which we have kinship with non-human animals. In *Beasts of Burden,* Sunaura Taylor discusses the ways in which ableist frameworks harm both disabled people *and* non-human animals. Taylor (2017) writes

> The capabilities that Singer and other philosophers like him espouse as necessary prerequisites for personhood are subjective and embedded in ableist, neurotypical, and speciesist frameworks. That some beings lack capabilities valued by neurotypical humans tells us little about other morally relevant capabilities these beings may possess—capabilities that may be rooted in sensuality, in aesthetics, or in alternative temporalities (132).

Taylor, in recognizing the ways in which these assumptions are harmful both for people with disabilities and non-human animals, recognizes a certain *kinship* between humans and other animals. While I discuss this more in chapter 3, what is important to note now is that it is possible to affirm the value of the lives of animals without appealing to problematic assumptions about what psychological capacities make a life worth living. By appealing to a notion of kinship as the basis for thinking about how we ought to rightly relate to others, we can begin to move past arguments for the moral protection of non-human animals that are based on capabilities.

While this does not offer as clear action-guidance as an account such as Singer's, I believe this is a virtue of the account rather than a flaw. In reflecting on some questions such as whether we are to say killing of humans and chickens are equally wrong, Taylor (2017) writes,

> I would rather leave these uncomfortable questions unanswered than embrace theories of personhood that demean the value of intellectually disabled people and nonhuman animals… I would rather ask how we can begin to create a world in which choosing

> between the lives of animals and the lives of humans (whether disabled or able-bodied) is understood as a false dichotomy (132-3).

Being able to account for something like the ethical significance of kinship and the complexities of these relationships and discerning how to rightly relate to our kin thus seems like one of the ways we can reject this false dichotomy and being to imagine a world in which we do not have to appeal to notions of personhood or capabilities in thinking about who and what are due moral consideration.

2.5 Conclusion: No Liberation without Kinship

In this chapter, I have argued that Singer's approach to animal ethics based on capacities is not only inconsistent with his earlier arguments that intend to establish moral obligations towards non-human animals, but his view is also unable to adequately account for the ethical significance of kinship. This is a weakness of Singer's account, as failing to account for kinship also corresponds with his failure to account for the epistemic significance of emotions, the moral significance of both relationships and singularity, and the necessity of critically examining social and political conditions that shape our moral relations with others. While Singer purports to develop an argument for equal moral consideration of all animals, he instead reinforces a problematic hierarchy in which animals possessing certain capabilities are valued more highly than others. This hierarchy is based on ableist assumptions about what makes a life worth living as he fails to recognize the many ways in which individuals (both humans and nonhumans) may have meaningful relationships with others in their lives despite the fact that these do not correspond with what is recognizable as such to many able-bodied and neurotypical individuals. In turn, these assumptions both weaken Singer's account and reinforce ableist and speciesist

notions of what it means to live a good life. Singer's view is unable to reckon with the complexities of ethical life, as it erases a significant part of it: our kinship with other beings.

On the other hand, acknowledging kinship with others carries both an affective weight that transforms ethical thought. Rather than asking ourselves questions about whether the psychological capacities a certain being possesses means they should be given moral consideration, we must ask ourselves whether we are rightly relating to this being as kin. At the same time, we must critically examine the ways in which social and political institutions impact who we view as kin, and how these impact the lives of others. When we become attuned to the fact that the nonhuman animals around us are our kin, we become aware of the significance that these relationships have on our lives and the importance of working towards creating better social and political conditions under which we can relate ethically.

CHAPTER 3

Caring for Our Kin

3.1 Introduction: Feminist Care Ethics, Kinship, and Affect

In the previous two chapters, I examined Korsgaard's Kantian approach and Singer's utilitarian approach to animal ethics. In the first chapter, I argued that Korsgaard's argument is ultimately based on the recognition of a kinship that we share with other animals and the normative ethical significance of the concept. In my discussion of Singer's approach in chapter two, I argued that kinship is implicit in some of Singer's claims, but that ultimately, the failures of his account are partially failures to adequately account for the ethical significance of kin relations. In the latter, I also discussed some of the critiques of Singer's view, especially his claims about the lives and moral status of individuals with disabilities. I argued that in many ways, the concerns raised against Singer include an appeal not only to the ethical significance of care, but also of kinship. In both of these cases, kinship plays an important yet unacknowledged role in generating ethical obligations. Furthermore, what makes kinship ethically significant is its *affective* weight, as affects also go unacknowledged in Korsgaard and Singer's accounts. It is also because of its affective significance that kinship has a *motivational* role in the experience of

ethical life and decision-making; in other words, it is what makes kinship a significant part of ethical life.

In the history of Western Eurocentric ethical thought, affect, singularity, and relationships are frequently dismissed in favor of reason, universality, and an emphasis on autonomous individuals. Feminist and decolonial thinkers have challenged the assumptions underlying this tendency, such as revealing the untenability of the dichotomies and value hierarchies that are perpetuated even within the fields of animal ethics and environmental ethics. In this chapter, I specifically examine some of the critiques, challenges, and transformations of ethical thought by those working in feminist care ethics, as their focus on care and affect are extremely important to the concept of kinship. For example, in "The Liberation of Nature: A Circular Affair," Marti Kheel (2007) emphasizes the necessity of recognizing that *affect* plays an essential role in ethics, stating that "what seems to be lacking in much of the literature in environmental ethics (and in ethics in general) is the open admission that we cannot even begin to talk about the issue of ethics unless we admit that we care (or feel something)" (48). While the field of feminist care ethics varies greatly, this quote exemplifies two foundational commitments: (1) the need for recognizing the role of affect in ethical thought and moral theory, and (2) the fundamental ethical significance of *care*.

In this chapter, I examine some of the contributions of feminist care ethicists to the field of animal ethics and environmental ethics, in particular, focusing on their discussion of the role of affect and care. I argue that while kinship operates similarly to care as an ethical concept, kinship differs from care insofar as it carries a more fundamental affective component. Many care ethicists recognize the limitations of rational argumentation in establishing the value or rights of non-human animals and nature, affirming the value of emotion in our moral choices.

One of these feelings is care. However, among the things that fundamentally *make us care* about someone or something is a feeling of kinship with them. Additionally, kinship is able to capture the depth of ethical relationships with non-human others in ways that care alone cannot by emphasizing the ways in which these relationships can be co-constitutive of individuals. I conclude this chapter by examining some of the ways that feminist care ethics can serve as a model for developing a future robust ethic of kinship.

3.2 Care and Affect in the Feminist Care Tradition in Animal Ethics

While the contributions of feminist care ethicists to the field of animal and environmental ethics are diverse and vary greatly, care, affect, and interdependence are concepts that are (among others) central to feminist care ethics. Recognizing the value of care as an ethical concept challenges presuppositions operative in traditional Western moral theory, such as the role of reason as ultimate arbiter of moral theorizing and taking the individual moral agent to be the primary point of focus. In this section, I examine the relation of care and affect as these have been taken up in the feminist care tradition in relation to animal ethics and environmental ethics, and in section 3.3 I examine some of the ways that kinship is foundational to care.

I begin with a discussion of the ways that feminist care ethics challenge existing dichotomies and value hierarchies, focusing specifically on how care gives rise to a recognition of the value of affect and the epistemic significance of emotions in ethical thought and decision-making. I then examine the ways that care transforms the notion of the "individual" as the primary point of ethical focus and shifts to an emphasis on interdependence. Throughout this chapter, I examine the ways in which the role of affect and the notion of interdependence in ethical thought are related to considerations of kinship as an ethical concept. In doing so, I also

review some distinctions from Korsgaard and Singer's approaches to animal ethics, as well as contrasts with Tom Regan's rights-based approach and accounts of environmental ethics such as "deep ecology" and Callicott's "land ethic."

3.2.1 Connections Between Care and Affect

As Virginia Held argues in *The Ethics of Care: Personal, Political, and Global*, the recognition of the ethical significance of care entails recognizing care as both value and practice. Care is perhaps most obviously a practice. We actively *care for* and *about* others: we experience feelings of care, we engage in activities of caring for others, and there is an economy of care work. However, there is often a lack of recognition of care as a value. Valuing care is twofold: it involves valuing—and recognizing the ethical significance of—caring *relations*, but also the practice of care itself. The work of feminist care ethicists often involves both examining how valuing caring relations transforms our approaches to ethics, but also how valuing care as a broader social and political level would transform actual practices of care.

Recognizing the ethical significance of care and caring relations challenges the traditional dichotomy between reason and emotion by asserting that *emotions* associated with actual care practices and caring relations are *epistemically* significant for ethical decision-making. As Held (2005) writes, many of the feelings associated with care and caring relations, such as "sympathy, empathy, sensitivity, and responsiveness are seen as the kind of moral emotions that need to be cultivated not only to help in the implementation of the dictates of reason but to better ascertain what morality recommends" (10). Emotions associated with care bring things to our ethical attention in a way that rationality alone does not.

This is one of the ways that the recognition of care as ethically significant serves to challenge traditional dichotomies. The challenging of dichotomies in Western thought and the value hierarchies associated with them is central to feminist theory, and this methodology apparent in feminist ethics of care in the recognition of emotion as epistemically significant and beyond. Feminist care ethicists—as well as ecofeminists—argue that in traditional Western thought, dichotomies such as reason/emotion, human/nature, human/animal, and masculine/feminine have been used to justify a value hierarchy in which the former is valued over the latter.[21] In feminist care ethics, there is twofold movement involving challenging traditional dichotomies and recognizing the ethical significance of care. Challenging value-hierarchies such as reason/emotion and public/private are necessary for paving the way for the recognition of care as ethically significant; however, the ethical significance of care also serves to illustrate the ways these dichotomies are untenable. In what follows, I briefly review how this idea is fundamental to the ecofeminist position, as well as how it is taken up by feminist care ethicists and the ways that this transforms traditional moral thought, particularly in relation to the recognition of the ethical significance of affect.

3.2.2 Ecofeminsim and the Domination of Women, Animals, and Nature

In "The Power and Promise of Ecological Feminism," Karen Warren (1990) describes ecofeminism as "the position that there are important connections—historical, experiential, symbolic, theoretical—between the domination of women and the domination of nature" (126).[22] Many of these issues stem from *oppressive conceptual frameworks* that "explain, justify, and

[21] For example, this has been discussed by Marti Kheel, Val Plumwood, Vandana Shiva, and Karen Warren among others.

[22] Warren also recognizes that Western society is also structured by dualistic categories of race, class, age, and affectional orientation that are also part of value-hierarchical thinking and a logic of domination.

maintain relationships of domination and subordination" and are categorized by three main features: value-hierarchical thinking, value dualisms, and a logic of domination (Warren 1990, 127). In Western thought, the dualism of human/nature runs parallel with the mental/physical dualism, with the human and the realm of the "mental" associated with each other and taken as superior to nature and the realm of the physical. The value-hierarchy in which the side of the "human" and the "mental" is valued over "nature" and the "physical" contributes to a logic of domination that drives the human domination and exploitation of nature.

Ecofeminist thought recognizes that these dualisms are interrelated and mutually reinforcing and are based on the same logic of domination. One example of this is the way that the subordination of women is predicated on the same logic that justifies the subordination of nature (Warren 1990, 129-30). While women are traditionally identified with nature and the realm of the physical, men are identified with the "human" and realm of the mental. In each of these dichotomies, more value is placed on the first part of the duality—man, human, mental—and less on the latter part—women, nature, physical.

Many feminist care ethicists also recognize the connection between the subjugation of woman and the domination of non-human animals and nature. This connection is a conceptual one insofar as it results from the hegemony of untenable, oppressive dichotomies in Western thought. However, feminist care ethicists also emphasize the role of care, empathy, and compassion in recognizing the lived experience of connection between of women and non-human animals. While many feminist care ethicists take up the ecofeminist framework for understanding subjugation through a "logic of domination," the value of care and the lived experiences of the women who were often at the forefront of the animal rights movement are fundamental to their approach to animal ethics. This means that feminist ethics of care are

committed both to recognizing the lived experience of felt connection or kinship, as well as the dismantling of the conceptual and socio-political framework that perpetuates dualistic thought and sustains a logic of domination.

3.2.3 Dismantling Dualistic Thought and Value Hierarchies

This methodology is apparent in early discussions of animal and environmental ethics in the feminist care tradition. For example, in "The Liberation of Nature: A Circular Affair," Marti Kheel highlights the importance of dissolving dichotomies and value hierarchies present in many of the prevailing approaches to environmental ethics at the time. Kheel (2007) recognizes the dismantling of Western dualistic thought in favor of holistic thinking as being central to feminist thought and identifies the need for an approach to animal ethics and environmental ethics that dissolves hegemonic dichotomies (39). Kheel's argument emphasizes both the conceptual links between the subjugation of women and nonhuman animals and nature, as well as the necessity of lived experience, emotion, and empathy for dissolving the dichotomies that perpetuate this subjugation. Many early approaches to animal ethics and environmental ethics can be understood as largely falling into one of two categories: "holistic" approaches and interest- or rights-based approaches—both which operated within and continued to reinforce dualistic thought.

While feminist thought calls for more "holistic" thinking on Kheel's account, this is ditinct from "holistic" approaches to environmental ethics that perpetuate dualistic thought and value hierarchies. As Kheel argues, many "holistic" approaches—such as Aldo Leopold's and J. Baird Calicott's early articulations of a "land ethic"—still involve value hierarchies. Despite the fact that a land ethic recognizes the value of the biotic community holistically as an interconnected web, it nonetheless contains "its own system of ranking" wherein "individuals are

valued on the basis of their relative contribution to the good of the whole" (Kheel 2007, 41). In this way, holistic approaches to environmental ethics perpetuate the distinction between the "whole" and its constituent parts and establish a value system wherein the former is valued over the latter.

On the other hand, interest- or rights-based approaches to environmental ethics and animal ethics that aim to eliminate dichotomies involving the distinction between human and animal, for example, often operate on and reinforce other dualisms such as reason/emotion and masculine/feminine. As some feminist care ethicists recognize, interest- and rights-based models of animal ethics frequently appeal to the similarities between humans and nonhuman animals.[23] Tom Regan and Peter Singer both aim to dissolve the value hierarchy inherent in the dichotomy of human and animal by recognizing the similarities between humans and nonhuman animals that necessitate the moral consideration of animal interests. As discussed in the previous chapter, Singer rejects the privileging of human interests over nonhuman animal interests as "speciesist" and argues that the interests of both ought to be considered equally.

However, attempting to dissolve the human/animal dichotomy, Singer creates a new value hierarchy in which "higher" capacities that are often associated with the traditional concepts of reason and rationality associated with masculinity and "the human" are privileged over "lower" capacities that are typically associated with the other half of these traditional dichotomies: emotion, the feminine, and nature. The perpetuation of this kind of dualistic thinking is perhaps most clear in Singer's preface to the 1975 edition of *Animal Liberation*. Singer describes how neither he nor his wife, both ethical vegetarians at the time, are particularly "fond of" animals and emphasizes that the principles underlying his argument for giving

[23] For example, Josephine Donovan and Carol J. Abrams.

nonhuman animals are "demanded by reason, not emotion" (xxii). As Josephine Donovan (2007) argues in "Animal Rights and Feminist Theory," Singer's apparent indignation at the statement that he is "interested in" animals or that he might be "fond of" them demonstrates that he "fears that to associate the animal rights cause with 'womanish' sentiment is to trivialize it" (59). While Singer (1975) does expect readers to have emotional reactions to his book, he emphasizes that he does not "appeal to the reader's emotions where they cannot be supported by reason" (xxii). In Singer's view, emotions themselves hold no epistemic value in moral thinking or decision-making, but are—at best—secondary to the rational demands placed on us.

Not only are the dichotomies and value hierarchies perpetuated by accounts like Singer's, Regan's, and even "holistic" accounts problematic insofar as they continue to reinscribe arbitrary value hierarchies, but—as Kheel points out—they are also untenable. As discussed earlier in this section, the new value hierarchy established in "holistic" accounts typically values individuals based on their relative contribution to the good of the biotic community. Kheel (2007) compares this kind of value hierarchy with utilitarianism, arguing that "in both systems, the individual is treated as a means for the attainment of a greater end" (42). Whereas in utilitarianism the "greater end" is overall utility or happiness, in the case of holistic accounts this greater end is the good of the biotic community. Kheel (2007) concludes that both utilitarianism and this kind of holism "share the problem inherent in any scheme that claims the ability to compare the relative value of such abstractions as 'happiness' or the 'biotic good—that is, who should establish such values and how" (42). Despite the fact that holistic and utilitarian accounts (or other rights-based accounts, such as Regan's) seek to challenge existing value hierarchies, they do so by establishing new ones that are similarly untenable.

The dualistic thought that is perpetuated by these accounts is problematic insofar as it contributes to the value hierarchies that underlie the logic of domination that justifies the subjugation of groups who are not associated with the more valued side of the dichotomy. These dichotomies are also untenable. In fact, many accounts like Singer's that strive for a purely "rational" grounding of animal ethics implicitly rely on appeals to emotion or intuition. Singer's argument for the equal consideration of animal interests relies on the intuitions he expects us to have about the wrongness of treating humans with severe disabilities in the same way that we treat many animals (such as experimentation on them, for example) and the comparison between the capacities of these human beings and those of nonhuman animals. While Singer's discussion is problematic in ways I elaborated in my previous chapter, what is important to note here is that his argument hinges on the expectation that we will have an intuition, or *feel*, that the treatment of human beings with severe mental or physical disabilities is wrong. As Kheel (2007) argues, Regan's account relies on similar appeals to intuition, demonstrating the "limitations of rational argument" and that in trying to establish purely rational grounds for something like animal rights, "we fall back on the need to recognize and affirm the significance of feeling in our moral choices" (47).

Not only is the distinction between reason and emotion untenable in Singer and Regan's accounts, but also in thinking about ethics at all. Kheel (2007) demonstrates the difficulty of trying to maintain the distinction between "rational" thinking and emotion in ethics generally, arguing that we "cannot even begin to talk about the issue of ethics *unless we admit that we care*" (48, emphasis added). The emphasis that feminist ethics places on emotion, connection, and personal experience challenges the understanding of moral thinking as purely rational, or as something that aims for universal principles and maximum abstraction from personal experience.

When we recognize the way in which moral thinking is always already imbued with feelings of care, commitment, or responsibility, the necessity of rethinking the traditional dichotomy of reason and emotion becomes clear.

Feminist ethics of care seek to remedy this divorce between reason and emotion conceptually, emphasizing the ways in which reflection, judgment, action, and emotion are all essential, connected parts of morality.[24] While Singer expects readers to experience emotions like anger and disgust at descriptions of factory farming practices and experimentation on animals, these emotions are at best secondary to rational argumentation and only serve to help provide motivation for action. In other words, Singer recognizes that emotion often helps motivate us to act on moral principles but believes that emotions themselves are not epistemically valuable. The emotions that Singer expects readers to have should *follow from* accepting the rational argument: if we accept that animals are capable of suffering and this means that they, too, have interests, then we should be outraged at testimonies of their suffering.

On the other hand, as discussed at the beginning of this section, feminist care ethicists recognize the epistemic value of emotion itself in moral thinking and decision-making. Rather than viewing emotions as an appropriate reaction based on the moral principles we rationally accept, they recognize that emotions themselves are informationally rich. Tracing back to the roots of the contemporary animal rights movement, Kenneth Shapiro argues that animal activists typically express a caring attitude towards animals that arises from a habitual way of experiencing the world. Many animal rights activists are motivated by an emotional and intuitive grasp of a relation with animals rather than an intellectual justification (Shapiro 2005, 157). Generally, this caring attitude arises from an empathetic style of understanding the world that

[24] For example, Mary Midgley, Sara Ruddick, Robin Morgan, Elizabeth Dodson Gray, and Carol McMillan.

Shapiro (2007) contrasts with the "objective paradigm" of understanding in science that obscures the relation with animals (159). Emotions in this context reveal to us a morally significant relation that is otherwise hidden from view. Feminist ethics of care require us to recognize the value of emotional sensibilities in moral thought and to conceptually unify reflection, judgment, and emotion, as well as work towards dismantling many of the other dichotomies that dominate Western thought.

While traditional ethical theories are often characterized by a movement away from kinship and individual connections towards universality, the recognition of kinship as an ethically significant concept also breaks down the distinction between reason and emotion and emphasizes the ways in which emotions like care and empathy, as well as reflection and judgment, are necessary for ethical decision-making.

3.3 Kinship as Foundational to Care

Recognizing care as a fundamental ethical concept requires challenging the dichotomies and value hierarchies that persist in Western ethical thought. Among these is the emphasis on the epistemological significance of emotions and practices involved in care such as empathy, sensitivity, attentiveness, and responsiveness. The affective dimension of care is one of the reasons that it is essential both in ethical theory and in ethical life. Returning again to Kheel's (2007) claim that "we cannot even begin to talk about the issue of ethics unless we admit that we care" (48), it is apparent that care and affect is necessary for motivating ethical theorizing at all. But what is it that *makes us care?*

As discussed in the previous section, feminists working in the care tradition in animal ethics give numerous examples of feelings of care, empathy, and connection that are motivating

factors for animal activists. Approaches to animal ethics and environmental ethics in the feminist care tradition often begin with the ethical significance of care and caring emotions with respect to non-human animals and non-sentient beings. For example, in "Animal Rights and Feminist Theory," Josephine Donovan describes how early women animal rights theorists often have as a basis for their theory a sense of "emotional bonding" with animals. Donovan draws on the work of Mary Midgley as an example of this, as Midgley (1985) argues that "what makes our fellow beings entitled to basic consideration is surely not intellectual capacity but emotional fellowship" (60).

Donovan argues that Midgley's emphasis on "emotional fellowship" challenged the dominant rationalist approach of the time, which focused on capacity and abilities as a basis for moral consideration. Donovan (2007) identifies the rationalist approach as implicitly at work in Regan's and Singer's "rejection of emotion", arguing it is indicative of "the inherent bias in contemporary animal rights theory toward rationalism, which, paradoxically, in the form of Cartesian objectivism, established a major theoretical justification for animal abuse" (59). As Donovan (2007) argues, Cartesian objectivism established this justification through the "scientific imposition of the mathematical machine paradigm on all living forms" which erased animals as living beings capable of experiencing pain or suffering and instead portrayed them as mechanistic bodies incapable of feeling or producing genuine, non-mechanistic responses to stimuli (68). Donovan (2007) cites an anonymous critic of Descartes who noted how this paradigm directly influenced Cartesian scientists who performed horrifically painful experiments on dogs such as vivisection and who did so "with perfect indifference" (68). In this instance, Cartesian objectivism served as an abstraction that allowed vivisectionists to ignore—or to fail to properly "see"—the suffering of the animals upon which they experimented.

On the other hand, recognizing care as a value entails acknowledging the ethical significance of the "emotional fellowship" that we share with other animals. In contrast to the Cartesian machine paradigm, realizing this emotional fellowship means appreciating the complex social and emotional lives of other animals, which in turn necessitates a recognition of them as entitled to basic moral consideration. Donovan (2007) suggests that if vivisectionists had allowed for an epistemological shift away from the machine abstraction through which they viewed animals, they "presumably would have "seen" the pain—the suffering and emotions—of the animals" (69). However, I propose that there was—and continues to be—something deeper at work that *allows* for an epistemological shift that acknowledges the emotionally complex lives of animals to take place. Part of this is certainly a recognition of the value of care and empathy, but this kind of epistemological and ethical shift that recognizes animals as worthy of moral consideration also is motivated in part by a *feeling* of kinship.

3.3.1 Kinship as an Affective Basis for Solidarity

Midgley's (1985) recognition of an "emotional fellowship" acknowledges that other animals are socially and emotionally complex, and that they are capable of forming deep and meaningful lasting relationships (60). When we recognize the value of care, we are able to more clearly bring the lives of animals into our view. Beyond this, however, Donovan identifies a deeper feeling of connection or relation that likely motivated the women who were the primary activists of the anti-vivisection movement in the nineteenth century. Donovan (2007) describes how at the end of the late nineteenth century, "pseudoscientific medical theories" such as those of the sexologists operated to suppress the social realities of women in a way analogous to the mathematical machine paradigm that was imposed on non-human animals (70). She goes on to

suggest that the analogous experiences of women and of animals led to a deeper sense of connection:

> Perhaps this is why many women of the period seem to have felt a *kinship* to animals. Both were erased (at best) or manipulated (at worst) to behave in accordance with paradigms imposed by the rationalist lords—whether vivisectors or sexologists. Women in fact became the primary activists and energizers of the nineteenth-century antivivisection movement, which should be seen, I propose, as one manifestation of a counter-hegemonic resistance undertaken by women against the encroachments of the new disciplines (Donovan 2007, 70, emphasis added).

Donovan suggests that a feeling of kinship likely arose from the recognition of a shared experience of erasure, manipulation, and exploitation. The motivation for the women who were early antivivisection activists was likely not only care for fellow animals, but also a feeling of kinship that made this movement part of a larger resistance against the treatment of both animals and the treatment of women. In Donovan's example, it is a feeling of connection and kinship that primarily seems to be at work in even recognizing another as worthy of care or empathy. This demonstrates that *one of the reasons we care for and about others is because we view them as kin.*

In Donovan's example, kinship appears to be based on the presumption of a shared experience of erasure, manipulation, and oppression. A shared experience may be a basis for a feeling of connection or kinship, but it is necessary that this relationship is characterized by *attentiveness* to the other that does not seek to subsume them under pre-existing notions or projections of the self in the name of unity. Proper kinship relations seek to recognize the uniqueness and singularity of the other and their experience, creating the need for a *solidarity* movement based on kinship that can be understood by examining feminist solidarity movements discussed by ecofeminists.

While ecofeminists argue for the connection between the domination of historically oppressed groups, ecofeminism also preserves the important historical and experiential differences in various forms of oppression. In contemporary society, actual experiences of oppression are far from monolithic (Warren 1990, 131). Every human identified with some gender, race, class, age, affectional orientation, regional or national background or political status experiencing oppression will do so in different and overlapping ways. Ecofeminists recognize that feminism must be a solidarity movement rather than a "unity" movement insofar as the idea of unity only serves to further reinforce domination by refusing to recognize difference (Warren 1990, 132).[25] However, the recognition that the common logic of domination that is "used to justify domination of human by gender, racial or ethnic, or class status is also used to justify the domination of nature" means that ending the domination of nature is "properly viewed as an integral part of any feminist solidarity movement to end sexist oppression and the logic of domination which conceptually grounds it" (Warren 1990, 132). Just as ecofeminism seeks to recognize the connections between the mechanisms and institutions that perpetuate oppression without erasing important differences in *experiences* of oppression, an ethics based on kinship can do something similar.

Shared experiences of erasure or oppression may be one way in which we may feel a sense of kinship with another, but kinship necessarily goes beyond this kind of connection. When we recognize another as our kin, we recognize them as the kind of being with whom we feel a sense of connection and feel a deep desire for their well-being and flourishing. Kinship is characterized by mutual care and a recognition of the ways in which one's values and sense of

[25] Here, Warren cites Maria Lugones (1987): "Unity—not to be confused with solidarity—is understood as conceptually tied to domination" from "Playfulness, "World"-Travelling, and Loving Perception." *Hypatia* 2 (2):3-19.

self is shaped by the other. However, kinship also entails a recognition of irreducible difference between the self and the other—the recognition of one's singularity.

The ecofeminist position recognizes the intrinsic connections between various forms of oppression that are based on the logic of domination and that the only path to liberation involves eliminating all forms of oppression. The feminist solidarity movement that ecofeminism calls for both acknowledges the sense of connection between different members of oppressed groups, but also maintains that there are important, irreducible differences in the actual experiences of oppression. While ecofeminism largely examines the theoretical, institutional, and structural relationship between forms of oppression, on the affective level, this sense of connection that maintains the recognition of irreducible singularity and difference entails the same kinds of feelings characterized by kinship.

Perhaps more simply, properly enacting kinship intrinsically involves *caring* for others. While kin relations can also be fraught with conflict, in thinking about kinship as fundamentally about the question of how to *rightly relate*, we must strive towards developing healthy, life-affirming relations with our kin. In this case, when someone is considered our kin, we want to see to their care, safety, and overall well-being. Under oppressive systems and institutions, this requires working towards the liberation of our kin. However, this does not end at the liberation of our own kin, but also the liberation of others. Because kinship is mutable and changing, we can recognize others with whom we may have some sense of shared experience or connection as those with whom we *could* share a kinship relation. Recognizing another as someone who could be kin means understanding that they are worthy of the same kind of value that we give our own kin. Additionally, taking up the ecofeminist position, kinship entails a recognition that we must

work towards the liberation of all, and in doing so, must work to challenge the dualistic thought that gives rise to the logic of domination.

The connection between kinship, care, and the dismantling of dualistic thought is exemplified by the intersection of feminist care ethics, animal ethics, and environmental ethics. Acknowledging kinship with others involves recognizing the ways in which our affective experiences inform ethical life, and the ways in which caring for and about others is involved in kin relations. Kinship plays an *affective* role insofar as it allows us to recognize the experiences of others as ethically significant—as worthy of care. When we consider others our kin, these relations bring new reasons and considerations into our ethical vision, much as it did for the early anti-vivisectionist activists who felt a kinship with the animals who were subjected to this experimentation.

3.3.2 Kinship, Care, and Interdependence

While kinship is one of the things that can bring our attention to the experiences of others as ethically significant—it can make us care— it can also capture important elements of ethical relationships that care alone does not. One of the core elements of feminist care ethics is a recognition of the ways that we are interdependent, challenging notions of radical individuality and notions of independence based on self-sufficiency. While feminist care ethicists recognize our interdependence, particularly when it comes to thinking about non-human animals, the focus is placed more on non-human animals as those that are *cared for* or that are *deserving of care*. While this plays an important role in bringing non-human animals into our ethical vision, it does not fully capture the entire nature of what an ethical relation with these animals would look like. While these beings are often dependent on us—particularly domesticated animals—they also

have their own lives and agency. Each individual stands in a broader web of interdependence with human and non-human others that go beyond care alone. Adding to the conversation a recognition of these relations as kinship helps to capture the ways in which we have co-evolved with other animals and the significance of these relationships for both human and animal lives.

Sunaura Taylor takes up this issue in "Caring Across Species and Ability" in her book *Beasts of Burden*, arguing that discussions of care in feminist ethics thus far have largely focused on *caring for* and *about* others, noting there is little discussion from the perspective of those who are *cared for*. Taylor brings together insights from disability studies scholars and feminist care ethicists to argue for a new path forward for thinking about our relationships with non-human animals—in particular, those that are domesticated—based on a disability liberation framework. In many ways, the path forward that Taylor describes is a recognition of kinship.

Taylor (2017) begins the chapter by describing her own "complex" relationship with care, stating, "As a disabled person, I espouse a philosophy of interdependence, of which care is a vital component, while simultaneously resisting the narrative that care—especially in the form of goodwill or charity—will somehow allow me to live a more liberated life" (205). Taylor's relationship with care reflects the complications in thinking about care that have historically been expressed by disability rights advocates. On the one hand, recognizing the fact of our interdependence means affirming care as valuable and necessary. However, within disability studies, care has also been recognized as a form of oppression that includes "abuse, coercion, a history of physical and metaphorical institutionalization, and a denial of agency" (Kelly 2012, 3). Part of the reason for this is the close connection between ideas about what it means for someone to be cared for and the positioning of them as dependent in a negative and ableist light. Ableist notions of dependency typically entail a (false) dichotomy between independence and

dependence, affirming a life of independence and self-sufficiency of optimal, and therefore assuming a life of dependency as lesser, undignified, or perhaps even one that is not worth living. When individuals are considered worthy of moral consideration on the basis of rationality and autonomy, this conception of dependency serves as justification for exploitation, oppression, and a lack of regard for the lives of dependent others. The positioning of disabled people as dependent (in this negative light) thus contributes to care as an oppressive practice.

Taylor (2017) also emphasizes the ways in which domesticated animals are also seen as dependent and unfit for lives in the wild (208). She argues that "Disabled people and domesticated animals are among those who have to contend with society's stereotypes about what it is to be unnatural and abnormal, as well as assumptions about the indignity of dependency. In many ways we have been presented as beasts and as burdens" (Taylor 2017, 208). As in the case of ableist notions of dependency contributing to oppressive systems of care and the exploitation and disregard for the lives of disabled people, the stereotype of domestic animals as dependent serves as justification for their exploitation or oppression on the one hand, and their extinction on the other (Taylor 2017, 214).[26] Taylor (2017) summarizes the influence of ableism in these cases, stating that the "ableist assumption that it is inherently bad, even unnatural, to be a dependent human being is here played out across the species divide, showing once again just how much ableism informs our ideas of animal life" (214). Taylor's arguments make apparent the need to recognize the false dichotomy between dependence and independence and to instead move towards a conception of all beings as interdependent that is informed by a disability liberation framework.

[26] Here, Taylor cites Hugh Fearnley-Whittingstall's argument for the continued use of domesticated animals and Gary Francione's "animal abolitionist" argument for the extinction of domesticated animals, both of which take as justification for their (opposing) conclusions the fact that domesticated animals are dependent and vulnerable.

Taylor (2017) describes how feminist disability studies scholars more recently have grappled with the complicated history and role of care, building a theory of care that recognizes both the value of care and the oppressive hierarchies involved in being cared for and being a caregiver (206). Taylor (2017) brings these insights into conversation with the work of feminist care ethicists in animal advocacy, particularly the ways in which this framework recognizes dependency not as justification for oppression, but reasons against it (206). Specifically, Taylor (2017) argues that "a feminist ethic of care offers a liberatory framework that has the potential to complicate conceptions of dependency by paying attention to domesticated animals' agency as vital participants in and contributors to our shared world" (207). While feminist care ethicists maintain the need for a critical examination of the systems in place that contribute to animal suffering, they also insist on the necessity of attending to the specific needs of individual animals (Taylor 2017, 207).[27] Taylor (2017) argues that this close attention to personal difference is crucial in "moving conversations about animal and disability liberation away from limited narratives about suffering and dependence to more radical discussions about creating accessible, nondiscriminatory space in society where humans and animals can thrive" (207-8). Taylor proposes that this can be brought about by viewing the dependence of domesticated animals through the lens of a disability liberation framework.

Taylor is not alone in examining the relationship between humans and other animals through the lens of disability liberation and feminist ethics. In her 2016 article, "Service Dogs: Between Animal Studies and Disability Studies," Kelly Oliver argues for an ethics of proximity based on interspecies companionship that rejects ableist and capitalist notions that reduce

[27] Exemplary of this kind of attention is the ethical relation described by Lori Gruen in her work on empathy, which Taylor cites here. This ethical relation entails understanding and responding to one another's needs, interests, perspectives, etc. not by imposing what one thinks these might or should be, but by as much as possible working to grasp these from the perspective of the other. (Gruen 2015).

individuals to their "functionality" or "productivity." Examining the relationship between individuals and their service dogs, the ethics of proximity Oliver proposes emphasizes the emotional interdependence and companionship that characterizes these relationships, despite the way in which service dogs are legally considered property and evaluated in terms of their functionality. The movement away from the disavowal of our interdependence with other animals and the value of compassion and emotional entanglements has much in common with Taylor's proposal of thinking about domestic animals through the lens of a disability framework.

Taylor views this method as bringing about a potential "third" path in thinking about our relationships with domesticated animals—namely, one that does not entail their continued exploitation nor a path towards their extinction, but instead one that seems to be largely based in *kinship*. Taylor (2017) describes this "third path" at the end of her chapter:

> Instead of continuing to exploit animals or leading them to extinction, we could realize our responsibilities to these animals we have co-evolved with, and whom we also helped create. We could take seriously the ways domesticated animals contribute to our lives and world, in ways that don't involve slaughter. We could recognize our mutual dependence, our mutual vulnerability, and our mutual drive for life. We could also start listening to what those who need care are communicating about their own lives, feelings, and the care they are receiving (218).

This paths forward proposed both by Oliver and Taylor entail many of the same kinds of things as the kinds of ethical obligations that hold in kinship relations: an assumption of a certain level of responsibility for the wellbeing of our kin, a recognition of the ways in which kin shape the lives and identities of one another, a dedication to trying to understand and respond to the needs and feelings of our kin, and an acknowledgement of our interdependence and mutual vulnerability.

Our kin are those with whom we have "co-evolved" or helped to create—both in the sense that our kin are sometimes individuals we are related to by blood, but also in the sense that kinship relations are constitutive of our identities and sense of self. Kinship relations shape each

individual into who they are and who they will be. Just as kinship with other persons entails a recognition of the ways in which they contribute to our lives, so too does kinship with non-human animals. One example of this is the relationship between dogs and humans.

In *The Companion Species Manifesto,* Donna Haraway traces the co-evolution of dogs and humans, highlighting the ways in which our lives have become inextricably intertwined. She suggests that from co-evolution arises "co-constitutive companion species" (Harraway 2003, 32). In this case, the "co-constitutive" nature of the relationship between dogs and humans is based in part on the ways that it has altered the minds, bodies, and lives of both species over time (Harraway 2003, 31). This is a long-standing kinship relation, which Haraway (2003) recognizes, calling her book a "kinship claim" (9). Relationships between individual humans and dogs are also co-constitutive on a biological level. Studies have shown that infants who live with companion animals have a higher diversity of microbiome in their guts as compared to infants that do not (Gupta 2017). The relationship with these animals is constitutive of their very being. Beyond the biological, kinship relations are co-constitutive of one's sense of self, often shaping one's understanding of who they are, their goals and aspirations, and responsibilities.[28]

The idea that we must be dedicated to understanding and responding to the needs of our kin and that our relationship is based on a recognition of mutual interdependence and vulnerability is largely captured by the intersection of kinship and care. Care remains an essential part of ethical relations. As discussed in the previous section, care and kinship are not synonymous, but care remains an important part of kinship relations.[29] However, examining

[28] One might contest that humans have a sense of responsibilities that arise from kinship in a way that other animals do not. While this may be true in the sense that my dog, for example, does not have a concept of "responsibility," he nonetheless seems to have some sense that it is his "responsibility" to warn our household of any potential dangers (be it an unwelcome guest of any species or even just some thunder).

[29] Additionally, it remains important to understand the inequalities in care work, including both how care work is often performed by women and people of color, and how this is underpaid due to the fact that care is under-valued.

kinship as an ethical value and practice alongside care can illuminate the ways in which we are deeply interconnected with the ones around us and can provide an affective grounding for recognizing both human and non-human others as worthy of care and ethical attention.

3.4 Conclusion: Feminist Care Ethics and Futures of Kinship

In this chapter I have argued that within feminist ethics, the notion of kinship can illuminate elements of ethical thought and ethical relations in two major ways that care alone cannot. The first is that kinship is one of the things that *makes* us care. The fact that one is kin is reason enough alone to care about (and sometimes for) them. Kinship and care are closely connected, as care is a part of developing and maintaining kinship. For example, kinship is also performative—it involves concrete expressions of (among other things) care in a relation. We cannot care without acting on that care, and we cannot cultivate and maintain kinship without embodying the actions and attitudes involved in kinship.

Second, in discussions of care there is an inherent asymmetry. While we say that someone might *care for* someone else (and this other person *is cared for* or *receives care*), we would say that two individuals *are kin*. Kinship as a reciprocal relation emphasizes interdependence that the language of care alone does not. This is not to suggest that there are not kinship relations in which there is an inherent asymmetry in, for example, the vulnerability of each individual. Furthermore, as with care, it is important to recognize these asymmetries and to critically examine relationships to ensure that they are ethical relations of care or kinship. But what is brought to the fore by thinking of kinship as a reciprocal relation is the fact that kin are co-constitutive of one another. Additionally, this language moves the emphasis away from negative connotations of dependency and reframes our mutual dependency and vulnerability as

interdependency: we are all interdependent, and this may look different across time and relationships, including kinship relations with unique others.

Aside from the ways in which kinship and care are connected, feminist care ethics can serve as a model for thinking about how we might further develop kinship as an ethical concept. The feminist project of challenging the hegemony of patriarchal thinking that undermines the value of care work reminds us to critically examine who is typically considered "kin" within Western, Eurocentric, and English-speaking cultures. Within these traditions, immediate family members—either blood or legal relatives—are typically thought of as kin. While some individuals may recognize beloved companion animals as their kin, the concept is typically not expanded beyond this group of individuals to include other humans, non-human animals, or parts of nature. Other notions of kinship—such as ones entailed by ontologies of nature in some Indigenous cultures and those posited by feminist anthropologists—do recognize kin relations as expanding beyond this narrow notion of kin as blood or legal relatives.

Additionally, feminist ethicists theorizing of care serves as a model for how we might go about determining what constitutes a proper kinship. In the introduction to this dissertation, I proposed that we think of kinship as consisting of at least five elements, the first three of which are essential to *proper* kin relations: (1) responsiveness and care, (2) reciprocal responsibility, and (3) recognition and respect. Just as feminist care ethicists recognize the value of care without valorizing *all* care relations, we can develop a critical account of kinship. For example, I have argued that kinship relationships are emotionally weighty—however, this is not always positive. We might think of instances in which there are bad things that result from the unique relations we share with our kin, such as individuals who hate their family member(s), or people who commit crimes of passion. Despite the fact that these actions might be motivated by the fact that

someone is their kin and they share a unique relationship with them, in these cases there are clearly harmful and damaging relations. It is essential then that we keep in mind again the question that is fundamental to kinship: how we *rightly relate* to our kin. Ultimately, kin relations that are not based in responsiveness and care, reciprocal responsibility, and recognition and respect (at the very least) are not healthy kin relations. This mirrors the way in which feminist care ethicists maintain a critical analysis of the inequities and exploitation that often inheres in care relations. As in the case of care ethics, an ethics based in kinship must also critically examine kin relations to ensure that they are mutually life-affirming and contribute to the flourishing of each relative.

In this chapter, I have examined the ways in which kinship and care intersect and diverge when we take up each as an ethical concept. While in the previous chapters I have largely focused on kinship as it relates to animal ethics, in the next chapter I shift my attention to thinking about kinship with nature more broadly and the ways in which kinship transforms environmental ethical thought. Importantly, as we consider kinship beyond human-animal relatives, it is important to keep in mind the ways in which Western language, culture, and social and political institutions have contributed to the historical disavowal of this kinship in many of the same ways as described in this chapter, such as through the hegemony of dualistic thought and value hierarchies. However, keeping in mind the lessons from feminist approaches to ethics, we can endorse a broader notion of kinship that further expands our ethical orientations in a way that allows us to recognize and honor our kinships with non-human others beyond other animals.

CHAPTER 4

Merleau-Ponty's Strange Kinship of the Flesh

4.1 Introduction: Flesh, Kinship, and Ethical Horizons

In the previous chapters, I argued that kinship is foundational to contemporary approaches to animal and environmental ethics, in particular Korsgaard's Kantian approach, Singer's utilitarian approach, and feminist care ethics. In this chapter, I examine contemporary eco-phenomenological approaches to environmental ethics in order to argue (1) that these accounts similarly rely on a notion of kinship to give them normative ethical force, (2) that recognizing the "flesh" in a notion of kin as one's own "flesh and blood" allows one to recognize kinship with non-human animals and nature, and (3) the phenomenological nature of kinship relations expands our ethical horizons in a way that brings concerns related to environmental ethics to our immediate attention.

In this chapter, I argue that by understanding the flesh as *kinship*, we are able to expand traditional Western conceptions of kinship in a way that grounds environmental ethical thought in values of connectedness, attention, and mutual recognition and respect. In the first section, I offer an interpretation of flesh as a reflexive relation between the self and other. In this section, I also examine the ways in which the flesh has been discussed in relation to environmental ethics by David Abram, Ted Toadvine, and Bryan Bannon. I argue that while these accounts provide a new way of thinking about the human relationship with nature in the tradition of Western philosophy, the notion of the flesh alone is limited in its ability to transform our ethical landscapes.

In section two, I examine Merleau-Ponty's idea of "strange kinship" between humans and animals and the ways that this has been used to argue for ethical obligations to animals, drawing on Kelly Oliver's account in *Animal Lessons*. I argue that by understanding the flesh as a relation with nature, we can re-imagine Western notions of kinship as a relationship between not only humans and other animals, but also with non-sentient beings and inanimate parts of nature. Finally, I argue that the phenomenological nature of kinship expands our ethical orientation in a way that brings ecological and environmental concerns more clearly to the fore of ethical thought.

4.2 Environmental Ethics of the Flesh

In this section, I offer an interpretation of Merleau-Ponty's notion of the flesh, namely: (1) it is a kind of *relation* that posits both continuity and difference between the self and the other, (2) this relation is *reflexive*, and (3) relations of the flesh transcend human experience, although any attempts to articulate the concept of the flesh are tied to human perspectives and

understandings. Next, I examine three different interpretations of the flesh and the ways the concept is employed in relation to environmental ethics in the work of David Abrams, Ted Toadvine, and Bryan Bannon. Finally, I conclude that while all three accounts offer us means of rethinking the human relationship with nature, ultimately the flesh alone lacks the normative and affective weight that is necessary for transforming ethical orientation.

4.2.1 Flesh as Reflexive Relation

Although there are different interpretations of the flesh—three of which I discuss below—I argue that we can identify three key characteristics based on Merleau-Ponty's discussion of the flesh in *The Visible and the Invisible.* First, the flesh is a kind of *relation* that posits ontological continuity of the self with others, and second, this relation is *reflexive*. Finally, relations of the flesh transcend human experience, opening up the possibility of reflexive relations with non-human beings and entities. Importantly, this means that relations of the flesh are not limited to human experience, although any articulation of the flesh must also recognize the ways in which this practice itself is limited to a human perspective and understanding.

Most fundamentally, the flesh is a kind of *relation*. In *The Visible and the Invisible,* Merleau-Ponty (1968) writes that the flesh is "a relation of the visible with itself that traverses me and constitutes me as a seer, this circle which I do not form, which forms me, this coiling over of the visible upon the invisible, can traverse, animate other bodies, as well as my own" (140). Described as such, this relation posits both continuity and difference between the self and the other. Both the self and the other are traversed by the flesh, creating a continuity between the two through mutual implication in this circle of relation. The self is partially constituted by this relation insofar as the self is a seer or perceiver only in relation to the other which is perceived.

While the flesh posits continuity between the self and the other, it also maintains a recognition of difference. The relation between the "perceiver" and the "perceived" is reciprocal and reflexive insofar as the self and the other simultaneously participate in both sides of this relation, yet each perception remains unique from the other. Thus, the self and the other stand in continuity with one another as mutual participants in this circular relation, yet maintain their difference, never becoming identical with one another. The relation is reciprocal and reflexive, but not *reversible*.

The articulation of any notion of the flesh is ultimately tied to human perception and understanding, however, the flesh itself transcends human experience. Merleau-Ponty (1968) describes the flesh as a way that we relate to the world: it is "an ultimate notion, that is not the union or compound of two substances, but thinkable by itself" that holds the potential of "expanding our horizons" (140). The idea that the flesh is not the union or compound of substances but is instead something that is "thinkable by itself" reiterates the idea expressed in the quote above that humans do not form this relation but are merely participants in it. The fact that the flesh is thinkable by itself also suggests that the flesh implicates non-human bodies in the circles of relations that constitute it as well.

While we can easily make sense of how other sentient animals are implicated in a reflexive relation like perception, the flesh also encompasses relations with other bodies and entities. To some, it may not sound strange at all to say that one can both perceive *and* be perceived by a tree or a mountain. However, relations of the flesh form parts of the self that also arise from reflexive relations in a broader sense. When one experiences a forest, the forest impacts them just as they impact the forest. We might imagine as they walk, they shift their attention in turn to the chirping of birds above, the gentle rustle of wind in the tree branches, and to the crunch of dried leaves underfoot. They might be struck by the sights of colorful fall

foliage, the smell of moss and damp wood, or the touch of rough bark as they navigate on their stroll.

For someone who has spent much of their life here, the forest quite literally constitutes part of the self: perhaps in their conceptions of themselves as someone who traverses this land, or in the sense-memory that the forest holds. Even someone who encounters the forest for the first time is impacted through attentive perception: we might imagine that as their minds become occupied with the experience of the forest, other worries temporarily fade from mind. Their mental landscape has shifted, expanded, or changed. At the same time, as one encounters the forest, the forest encounters them. The soil meets the trekker's footsteps as they meet the soil. The physical landscape of the forest also changes as each footstep gradually displaces soil, brush, or leaves. This changing of landscapes occurs not only through and with human interactions with the forest, but in the interactions of other animals and plants, fungi, wind, soil, and water. Though different from perception, the shifting of landscapes also constitutes a reflexive relation through the flesh that goes beyond human experience or participation.

The notion of the flesh thus seems to have the potential to shift our landscapes and expand our ethical horizons. Merleau-Ponty (1968) writes that the flesh allows us to begin to understand that what is visible to us as individuals in our own "landscapes" also elsewhere "closes over upon itself," allowing us to see that there are other landscapes besides our own (140-141). This constitutes a reorientation of the self to our landscapes. It is in large part this reorientation towards the world that makes the concept of the flesh enticing for thinking about environmental ethics. Acknowledging our connectedness with our environments through the flesh shifts our conceptual landscapes in a way that may at the same time bring our *actual* landscapes more clearly into moral view. The expansion of our horizons beyond the self and towards ideas of interconnectedness holds the potential for an *ethical* reorientation as well. This

reorientation involves an expansion beyond the concept of the self as an atomistic individual navigating the world, recognizing a self that exists in virtue of these connections instead. Directing attention towards the nuances of each relationship through the flesh allows for an opening up of the concept of "the self" that at the same time leaves room for the exploration of specific relations.

A phenomenology of flesh that is able to radically shift our worldview in this way naturally seems to bring many of the values often understood as essential for environmental ethics more naturally to the fore of ethical thought. A movement away from the concept of an atomistic, radically independent self and towards recognition of connectedness and mutual interdependence entails a recognition of the ways in which non-human parts of nature are not beyond our moral horizons, but clearly within our ethical landscapes. In these terms, it is immediately clear why some philosophers have turned to the idea of the flesh when thinking about environmental ethics.

I have offered an interpretation of the flesh as a reflexive relation that posits ontological continuity of the self with others. The flesh becomes evident through experience and perception, but flesh itself transcends human experience, opening up the possibility of recognizing reciprocal relations with non-human others. The flesh entails a relationship not only with sentient beings, but also with other parts of nature. As an ontology of nature, the flesh is a shift from traditional notions of the relationship between humans and nature in Western philosophy. Turning away from an atomistic understanding of nature to embrace interconnectedness demands a recognition of the ways in which all parts of life depend on one another. The flesh emphasizes interconnectedness without positing a hierarchy that places a notion like the "ecosystem" or the "biosphere" above individuals, since the flesh is only recognized and becomes real in *actual* relationships. As described above, it seems as though a phenomenology of the flesh may be able

to shift our understanding of ourselves and the world around us—thus also shaping our ethical values and the ways in which we engage in ethical relations with nature.

However, the flesh's transformative power is limited insofar as it is an ontology of nature. It posits a continuity and reflexive, reciprocal relation between the self and the other, but normative standards cannot be derived from the fact of this relation alone. While this ontology is important for shifting our understandings of ourselves and others, and is perhaps an important shift in the philosophy of nature, the *fact* of relation does not tell us what these relations *ought* to look like. In the next section, I turn to examine three different accounts of the flesh and its potential for transforming environmental ethical thought in order to examine this problem in more detail.

4.2.2 The Flesh and Environmental Ethics

David Abram and Ted Toadvine, among others, have also proposed ways we might understand the flesh and the potential this holds for environmental ethics.[30] In this section, I examine Abram's and Toadvine's discussion of the flesh in relation to environmental ethics, as well as Bryan Bannon's concerns with each of these views. I begin with Abram's view of the flesh as *material* and *reversible*, animating beings in nature through its activity. In response, Bannon argues that Abram's interpretation of the flesh fails to recognize the inherent asymmetry of the flesh, which importantly helps to resist anthropomorphism. I then turn to Toadvine, who offers a reading of the flesh as part of Merleau-Ponty's philosophy of nature that contains an inherent asymmetry and gap between human and nature. However, in this case, Bannon articulates a concern about the threat of anthropomorphism and the problems with drawing

[30] Others such as Renaud Barbaras, Melissa Clarke, and Isis Brook for example.

normative conclusions from this ontology. Finally, I conclude this section by arguing that this will be inherent in any ontology of nature, and that while this may be productive for shifting our perspective of the human relationship with nature, understanding the flesh as kinship holds much greater normative weight and potential for expanding our ethical orientation.

In *The Spell of the Sensuous,* David Abram (1996) argues for a "new environmental ethic" that would "lead us to respect and heed not only the lives of our fellow humans but also the life and well-being of the rest of nature" (69). Abram (1996) argues that this can be achieved primarily through a new attentiveness to the perceptual dimension that underlies all of our logics, revealing a sensory empathy with the "living land that sustains us" (69). Accordingly, the flesh offers a way of returning to this perceptual dimension, as it is "the mysterious tissue or matrix that underlies and gives rise to both the perceiver and the perceived as interdependent aspects of its own spontaneous activity" (Abram 1996, 66). In claiming that the flesh has its own "spontaneous activity" in which beings are "interdependent aspects" or participants, Abram describes the flesh itself as material. In Abram's view, because the flesh is material, it is "reversible" insofar as both the perceiver and the perceived are intertwined by it and mutually implicated by its activity. Abram (1996) suggests that "both the perceiving being and the perceived being are *of the same stuff,* that the perceiver and the perceived are interdependent and in some sense even reversible aspects of a common animate element, or Flesh, that is *at once both sensible and sensitive*" (67). For Abram (1996), the reversibility of the flesh entails a recognition that each being is both *sensible* and sensitive or *sentient*:

> Once I acknowledge that my own sentience, or subjectivity, does not preclude my visible, tactile, objective existence for others, I find myself forced to acknowledge that *any* visible, tangible form that meets my gaze may also be an experiencing subject, sensitive and responsive to the beings around it, and to me (67).

Recognizing the possibility of sensitivity and subjectivity in *every* entity we experience radically shifts our worldview. Suddenly, everything around us springs to life, possibly experiencing, sensing, responding. Accordingly, it seems this shift holds implications for how we understand ethical relations with other entities in the world—we hold responsibilities towards other beings because we are equally composed of, and implicated by, a reversible relationship that arises through the material flesh.

Abram's emphasis on the reversibility of the flesh is attractive for helping to justify the existence of responsibilities to non-human beings. Once we recognize the interdependence of the perceiver and the perceived, we are compelled to recognize subjectivity and meaning outside of human experience. In other words, the animate materiality of the flesh proposes a new worldview that posits subjectivity and meaning outside of the (human) self, and thus compels us to consider ethical relationships with these sensitive, responsive others.

However, Bannon sees the "reversibility" of Abram's interpretation of the flesh as a potential pitfall. He first suggests that the notion of flesh as animate materiality leads to an ontological animism that Merleau-Ponty himself is careful to avoid (Bannon 2011, 332).[31] More pressing for Bannon however is Melissa Clarke's argument against the "animistic inference" that follows from Abram's notion of the flesh as reversible. Bannon (2011) argues that the asymmetry that is present in Merleau-Ponty's philosophy is extremely important as it preserves the resistance and alterity of the world (332). While I am less concerned about animism alone

[31] I agree with this view, as Merleau-Ponty seems to clearly reject the idea that the flesh is something material in *the Visible and the Invisible*, arguing that "the flesh is not matter, in the sense of corpuscles of being which would add up or continue on one another to form beings" (1968, 139). Furthermore, Merleau-Ponty continues, the flesh is also not a "'psychic material… brought into being by the things factually existing" nor is it "a representation for a mind" (1968, 139). Not only does he describe the flesh as something that is not material, he rejects animism insofar as he denies that it is any type of psychic, spiritual, or "mental" material or being. In short, Merleau-Ponty states "the flesh is not matter, is not mind, is not substance" (1968, 139), which seems to problematize Abram's notion of the reflexivity of the flesh insofar as it arises from some kind of materiality.

than Bannon and Clarke, the notion of the flesh as reversible risks erasing—or at the very least minimizing—difference. The danger of this lies in the fact that *reversibility* implies that the relation is the same either way it is looked at—that the experience of one entity can be projected onto the other.

On the other hand, *reflexivity* posits continuity while maintaining difference. As I have articulated above, it is possible to endorse reflexivity as an essential part of the flesh without claiming that the flesh is material or reversible. Merleau-Ponty (1968) claims that there is a fundamental narcissism to the flesh as there is to all seeing, but that there is also a passivity (139). While we may be the "seers" in the relationship of the flesh, at the same time we are "looked at by the things" (Merleau-Ponty 1968, 139). A recognition of being "looked at by the things" recognizes the ways in which a being is at once subject and object, but it does not suggest that this relation is fully reversible. While reversibility risks projecting one's perception or experience onto the experience of the other, reflexivity recognizes the ways in which self and other are intertwined in their positions as both perceiver and perceived, while preserving the possibility of radical difference in experience.

Other thinkers such as Ted Toadvine have also questioned the possibility of reversibility or symmetrical reflexivity, arguing that perceptual experience is, although reflexive, inherently asymmetrical. Toadvine argues that there is "an inherent paradox" of any phenomenology of nature. To the extent that phenomenology starts from *experience*, we are constrained at the outset to reduce nature to the range of our perceptual faculties, to "frame it in terms of our spatial and temporal scale, and to encounter it on anthropomorphic terms, that is, to humanize it" (Toadvine 2009, 52). In other words, there is an inherent asymmetry that is present in any phenomenology of nature and the reversibility Abram attributes to the flesh is not actually conceptually possible

for us. The very articulation of the flesh is intrinsically anthropocentric insofar as it arises out of a human phenomenological experience.

I agree with Toadvine's view that any articulation of the phenomenology of the flesh may be anthropocentric, insofar as it is tied to our own human perception and understandings. In *the Visible and the Invisible*, Merleau-Ponty (1968) emphasizes that through the flesh, the perceiver is at the same time looked at by the perceived (139). This supports the reading of the flesh as existing independent of human experience, however, as stated above, this relation is not *reversible* insofar as the perception of one will never be identical (or symmetrical) with the perception of the other. Although the relation itself exists independently of human experience and perception, we are presented with a conceptual limitation in our inability to ever entirely understand the ways we ourselves are perceived by the other.

Toadvine recognizes that phenomenology must start from human experience. It thereby contains an "inherent paradox," but experience is nonetheless a valid basis for phenomenological investigations into nature. According to Toadvine (2009), what Merleau-Ponty's exploration of perception reveals is that it is "the world of perception as revealed through experience that is the foundation of environmental philosophical exploration" rather than scientific realism (131). However, we "lack a language" that is able to describe nature as meaningful outside of one derived from consciousness or subjectivity (Toadvine 2009, 131).[32] Toadvine contrasts Merleau-Ponty's notion of chiasm with a tradition in the history of Western philosophy of nature that

[32] Toadvine traces the history of the philosophy of nature in Western, European thought throughout his book, so presumably the "we" indicated here is meant to capture languages in which the tradition of dualism in Western thought inheres. Importantly, this limitation is not absolute. For example, in "Mni Wiconi: Water is [More Than] Life," Edward Valandra explains "In the Oceti Sakowin Oyate's world view, 'ni,' a root term found throughout D/L/Nakota vocabulary, expresses aliveness" (2019, 82). Thus *Mni* (water), is recognized as alive and as having personhood that is "independent of humans 'giving' that standing or status" (Valandra 2019, 81). It is important to recognize that in this case, the very language used to describe water posits aliveness, agency, and meaning outside of human experience. For more, see Edward Valandra, "Mni Wiconi: Water is [More Than] Life" in *Standing with Standing Rock: Voices from the #NoDAPL Movement* (University of Minnesota Press, 2019): 71-89.

posits first a *continuity* of humans with nature and then a contemporary *alienation* from nature. Instead, the notion of chiasm aims to bring together the notions of nature and culture, recognizing the relationship between humans and nature as containing a fundamental gap. This gap is not a result of alienation, but rather a condition of our experience of nature, which is always mediated (Toadvine 2009, 132). Returning to the flesh, although flesh is reflexive and reciprocal, it nonetheless retains a notion of human subjectivity. There remains an inherent difficulty in trying to articulate a notion of the flesh that holds meaning outside of individual human experience.

Bryan Bannon expresses concerns with Abram's and Toadvine's interpretations of the flesh and how each relates to environmental ethics, suggesting two main problems arise when attempting to use the concept of the flesh in thinking about environmental ethics. The first is similar to the concerns about the human subjectivity inherent in the flesh. Bannon (2011) worries that looming on the horizon is the "danger of anthropomorphism arising from basing the ontology in perceptual experience" (337). The second is that even if we are able to articulate a notion of the flesh that avoids this, we will be unable to draw normative conclusions from these ontological arguments (Bannon 2011, 337). Bannon (2011) suggests that to avoid the first of these problems, we should, as Luce Irigaray argues, illustrate how the flesh is a common denominator between humans and other beings without "situating that commonality in the perceiver itself or a monistic substance" (343). We should not understand the flesh as something that is uniquely understood through *our* experience (as Toadvine suggests) nor as something that has its own materiality or "spontaneous activity" (as Abram suggests). Instead, in Bannon's view, the flesh should be understood as a *relationship*.

If the flesh is conceived of as a relationship consisting of elements we both can and cannot see, it posits the existence of this relationship outside of human consciousness or

understanding. Because the flesh is a "relationship," it does not have its own materiality. Yet at the same time, it is not something that is only posited by human understanding or human capacity as a "seer." Despite the fact that it is something that we may be able to see, it is also something that constitutes our own being in ways that we are unable to see or understand. Although Bannon's (2011) conception of the flesh goes well beyond this brief explanation, what is most important for this chapter is that he views the flesh as a relation that preserves "human ontological *continuity* with the rest of nature… since all bodies share a common nature, i.e., they are their flesh relations, but the specificity of various modes of being in the world is also preserved" (350). Unlike other conceptions of the flesh, flesh as relation not only allows for the idea that human existence is continuous with other forms of being in the world, but that each form of being is respected for its own singularity, *whether or not* this "being" involves "intelligence" or sentience.

Although the understanding of the flesh as a relation helps to overcome the first problem Bannon identifies, it remains unclear how it is able to generate normative claims. As Bannon recognizes, the flesh specifies only that there are relations—not what the nature of these relations *ought* to be. Toadvine (2009) also recognizes that any ontology of nature itself does not "lend itself to simple normative extension," arguing that it is "a mistake that has plagued environmental philosophy" (133). While Abram (1996) sees the potential for (as quoted above), "an ethic that would lead us to respect and heed not only the lives of our fellow humans but also the life and well-being of the rest of nature" (69), the ontology of our relations with nature as flesh alone is not sufficient to generate this "new environmental ethic."

Instead, I propose that understanding the relations of the flesh as *kinship* allows us to address this problem of the "gap" between ontology and normativity two ways. First, kinship helps address the lack of normative weight of the flesh alone insofar as it is a fundamentally

normative or *ethical* relation. Second, the notion of the flesh as kinship helps to transform our ethical landscapes more drastically than the flesh alone. The interpretation of flesh as kinship supports the recognition of kinship with beings and entities that are otherwise typically excluded by traditional Western concepts of kinship. The flesh should be understood as a kinship not only on the basis of what it offers for animal and environmental ethics but also on the basis of Merleau-Ponty's own work that supports this connection. In the section that follows, I examine kinship in the work of Merleau-Ponty and how kinship has been employed by Kelly Oliver to argue for an understanding of animals based on our "strange kinship" before turning to examine how we can extend this notion of kinship to nature more broadly.

4.3 Merleau-Ponty's Strange Kinship

Merleau-Ponty's *Nature* lectures contain an immense amount of analysis of (non-human) animal behavior wherein he identifies numerous ways in which humans and other animals have similarities in their behaviors. In *Animal Lessons*, Kelly Oliver (2009) characterizes Merleau-Ponty's discussion of kinship in his *Nature* lectures as attempting to "take us beyond both a subject-centered ontology and a human-centered one" (217). I begin this section by examining Merleau-Ponty's discussion of kinship between humans and other animals in virtue of a continuity in traits related to culture, modes of communication, and embodiment. I then draw on Oliver's work to examine the nature of this "strange kinship" and the potential that it holds for expanding our ethical landscapes to include non-human animals, as well as the potential difficulty in applying this conception of kinship to relations of the flesh that go beyond relations between embodied, sentient beings. Finally, I argue that Merleau-Ponty's discussion of kinship and the flesh together in *the Visible and the Invisible* suggests that relations of the flesh can be

thought of as kinship, thus providing more of the normative weight necessary for environmental ethical thought.

4.3.1 Culture, Communication, and Embodiment

Rejecting Heidegger's notion of non-human animals as "world-poor" and the Cartesian characterization of animals as machines, Merleau-Ponty recognizes that animals themselves have their own "style" or "culture" that includes their unique modes of existing and acting in the world. He argues that mechanistic and even behavioristic accounts are insufficient for capturing the complexity of animal life. Perhaps one of the reasons for this is the fact that "there is no precise border between attitude and action; the action of an organism can be considered a posture and an attitude" (Merleau-Ponty 2004, 146). Animal behavior is not reducible to the mechanistic interaction of parts, and it indicates a more complicated internal life, especially in "higher" animals (Ibid.). Higher animals also have a more robust sense of their environment, or Umwelt. In contrast to being "world-poor", Merleau-Ponty (2004) describes higher animals as capable of constructing an interior sense of world that allows them to respond and react in fine-turned, complex ways:

> In the arena of higher animals, the Umwelt is no longer a closing-off, but rather an opening. The world is possessed by the animal. The exterior world is "distilled" by the animal who, differentiating sensorial givens, can respond to them by fine actions, and these differentiated reactions are possible only because the nervous system amounts to a rejoinder to the exterior world [Gegenwelt], as a "rejoinder or retort", a "copy" (171).

The "unfolding" of Umwelt that occurs in animals is part of what contributes to their unique ways of being in the world. Higher animals do not mechanistically respond to their environments; instead, a sense of Umwelt brings along with it the possibility of different types of behavior even in identical external conditions (Merleau-Ponty 2004, 176). Although this might be complicated by the fact that animals appear to possess certain "instinctive tendencies",

Merleau-Ponty (2004) believes that these tendencies go beyond mechanistic explanation (191). Just as certain external conditions will not always bring about the same behavior in an individual animal or among members of the same species, sometimes animals will exhibit certain "instinctive tendencies" without reference to the expected external stimuli.

Merleau-Ponty (2004) illustrates this point with an example of a starling that, despite perceiving no prey, suddenly "takes off, makes the snapping gesture, and strikes the (nonexistent) herbivore with its beak to kill it; it makes a move of ingestion, then shakes as if it were satisfied" (192). He goes on to state that this instinct is not performed in order to accomplish some goal but is an activity for pleasure. What this demonstrates is that these behaviors are something altogether different from pure response to an object but are the "manifestation of a certain style" (Merleau-Ponty 2004, 192). In the sense that the action itself is "empty", it is capable of passing from instinctive activity to symbolic activity, which may acquire a new value as social evocation (Merleau-Ponty 2004, 195-7). Animal behaviors such as that of the starling go beyond instinctual activity and demonstrate a distinct culture or style of being that is often thought of as symbolic activity unique to humans.

In the passing of instinctive activity into symbolic activity, we can identify specific modes of communication and language exhibited by other (non-human) animals. Merleau-Ponty (2004) recognizes the animal as both a "physical being and a meaning" (150). Animal behavior not aimed at an object is instead aimed at meaningful symbolic communication. One example that Merleau-Ponty takes up to illustrate this is the mating ritual of sticklebacks. In this ritual, the female stickleback appears, and the male performs his zig-zag mating dance; the female responds with contemplation and the male then shows her to the nest he has built. The "chain reaction" continues and, if successful, results in fertilized eggs. However, Merleau-Ponty (2004) rejects the characterization of this ritual as a "chain reaction," recognizing this ritualization as a

"phenomenon of reciprocal expression" (197). He relates the function of animal behavior in significance to that of human language, stating that "just as the signification of our verbal concepts can be developed into different significations, sometimes even opposed to each other… so too does behavior take on different significations" (Merleau-Ponty 2004, 198). Merleau-Ponty identifies a continuity between animal modes of symbolic communication and human language, thus providing further evidence of a kinship between humans and non-human animals.

Underlying Merleau-Ponty's descriptions of animal behavior in his Nature lectures is an emphasis on embodiment. For an animal to have an Umwelt, culture, and modes of communication, they must perceive, act, and move within their environments. In his discussion of Umwelt, Merleau-Ponty recognizes the necessity of being able to differentiate sensorial givens and distill information. For an animal to have a sense of Umwelt, it must be able to move about, sense, and perceive its environment as an embodied, living being. The differences in ways of moving about the world are described as "styles"—they are all different ways a living body senses and navigates in its environment. Throughout his *Nature* lectures, Merleau-Ponty includes examples of human behavior and actions alongside discussions of animal behavior. When discussing a living body navigating its world, fundamentally, it does not matter if this body is human or non-human animal; human embodiment is *continuous* with animal embodiment. While humans and other animals have very different ways of perceiving and behaving, these all originate from the common fact that we are embodied beings.

4.3.2 Strange Kinship with Other Animals

Animal behavior—including "instinctive activities"—is not only directed at self-preservation but is often aimed at pleasure and exchange of symbolic meaning. Essential to this understanding is the idea that animals, like humans, are embodied and perceive, sense, and move

to navigate their worlds. Far from an understanding of animals as mechanistic or "world-poor", Merleau-Ponty's account suggests that we can see in animals many of the practices that make human life meaningful. As Oliver (2009) argues in *Animal Lessons*, Merleau-Ponty recognizes that there is a "fundamental kinship among all living beings through our shared embodiment" (218). According to Oliver (2009), Merleau-Ponty "identifies a type of continuity between animals and humans with shared embodiment, which entails perception and behavior or movement," but that this "continuity or kinship is 'strange' in that it contains a discontinuity at its heart" (218). There are many experiences that arise from embodiment that are shared by humans and other animals, but at the same time these are fundamentally different. So, although there is "kinship" between the two, it is a "strange kinship." However, Oliver also notes that this discontinuity does not give rise to a hierarchy. Unlike Heidegger who claims that humans and other animals are fundamentally different, and that humans are superior because of this, Merleau-Ponty's notion of difference is one that gives rise to a "lateral relationship" (Oliver 2009, 218). This strange kinship recognizes commonality without erasing (or hierarchizing) difference.

Given the moral significance of the concept of kinship, Merleau-Ponty's "strange kinship" may be able to provide a framework for thinking about ethical obligations that we hold to other animals as our "strange kin." However, why must these kin be considered strange? Kinship relations between humans similarly posit a continuity or commonality, while also recognizing difference. In fact, singularity—which is necessarily connected to difference—is a significant reason for why we value kinship relations. Thinking about kinship with non-human animals, many people express that their companion animals are members of their families. The kinship that someone shares with a dog, for example, matters because it is a meaningful connection with this dog specifically. The ethical significance of this kinship may involve values

that go beyond moral concern about this dog specifically and entail moral concern for dogs, or other animals, in general. However, it is the recognition of the singularity of this dog and the specific kinship that is shared with them that in part contributes to its meaningfulness and significance in our lives.

Kinship also posits a continuity or commonality while recognizing and preserving difference, meaning that animals might not be "strange" kin, but simply kin (or alternatively, perhaps all kinship entails a certain level of "strangeness"). But if Merleau-Ponty is "concerned with embodiment itself and what it entails" (Oliver 2009, 217-8) and it is embodied experience that gives rise to a kinship, what justification might there be for considering relations of the flesh—which encompass relationships with non-sentient beings in nature, or even inanimate nature—as kinship?

4.3.3 Kinship of the Flesh

Despite the apparent difficulty of applying Merleau-Ponty's concept of kinship to relations of the flesh, the two concepts are frequently discussed together in *the Visible and the Invisible*. In one instance, Merleau-Ponty (1968) writes that between the alleged visibles, we would find "the tissue that lines them, sustains them, nourishes them, and which for its part is not a thing, but a *possibility*, a latency, and a *flesh of things*" (132-3, emphasis added). The flesh is not a thing itself, but a "possibility" that we may be able to unearth by looking "between" what is visible. Yet Merleau-Ponty (1968) emphasizes that the flesh "is no analogy or vague comparison, and must be taken literally" (133). He then goes on to discuss the way we experience the world:

> Between the exploration and what it will teach me, between my movements and what I touch, *there must exist some relationship by principle, some kinship,* according to which they are not only, like the pseudopods of the amoeba, vague and ephemeral deformations

> of the corporeal space, but the initiation to and the opening upon a tacit world (Merleau-Ponty 1968, 133, emphasis added).

Experience and perception entail a relationship, or a *kinship*, that allows us an "opening upon" the world, presumably allowing us to be the "seer." The use of the word kinship here in reference to the relations between things supports the idea that Merleau-Ponty's conception of kinship includes the relations of the flesh.

Merleau-Ponty (1968) also more directly relates the idea of kinship to the flesh, claiming that a "participation in and kinship with the visible, the vision neither envelops it nor is enveloped by it indefinitely" in the same way as "flesh applied to flesh" (138). Just as the relation of the flesh is not constituted by human embodied experience alone, it also does not entirely surround (i.e constitute) human experience. This suggests that a relation of kinship is similar. Participating in kinship is not enveloped entirely by the human participant, nor is it enveloped by the "vision" — that which is held by the seer in the relation. Given the suggestions that a relation of kinship may be similar to the concept of the flesh, and that the flesh exists between humans and other animals, as well as non-sentient beings, then it makes sense to think of relations of the flesh as kinship, which helps to move beyond the mere *fact* of relation, bringing the flesh more clearly into the realm of the normative or ethical.

4.4 Conclusion: Kinship and Environmental Ethics

In this chapter, I have argued for a reading of Merleau-Ponty's notion of the flesh as a *reflexive relation* that posits both continuity and difference between the self and the other—but more importantly, as a *kinship* between the self and both human and non-human others. In the conclusion to this chapter, I sketch some of the ways that doing so allows for a greater transformation of environmental ethical thought than the notion of the flesh alone—namely, in

that understanding Merleau-Ponty's concept of the flesh as a kinship relation between beings, *including* those that may or may not be "intelligent" or sentient, compels us to shift our ethical landscapes in a way that brings our non-human kin into ethical thought. While this view is similar to Bannon's view of the flesh as a relationship, it goes beyond his view in recognizing the relationship of the flesh specifically *as kinship*. Recognizing relations of the flesh as kinship requires recognizing kinship with non-human animals, plants, fungi, and other parts of our environments.

Kinship relations hold moral weight because of their significance to us. In the example of caregivers of a child, the kinship relation is significant to the child insofar as it allows for their growth and development both physically, mentally, and as an individual. While kinship is perhaps most clearly associated with the value of care, kinship also entails values of respect and recognition that are necessary for mutually supportive and nourishing relationships. Oftentimes, these kinds of reciprocal relationships are significant for not only our well-being insofar as they are a source of a sense of purpose and connection, but they are also constitutive of the self. Relationships with our kin shape how we understand ourselves and our place in the world. Our goals, life projects, and even the ways we make sense of what we are doing in our everyday lives relies on our kinship with others. In trying to make an ethical decision, we do not only think of ourselves as independent, autonomous individuals faced with a choice that can be determined by reason alone. Instead, we view ourselves as situated in a specific place and time—intertwined with others who will be impacted by our decision.

Thinking back to the example of someone who takes a hike through a forest, the ways in which kinship is meaningful and constitutes our sense of self can be said for relations of the flesh. The experience of being-with the forest and becoming attuned to the relationship between oneself and the forest opens up the possibility for finding a new sense of meaning and

connection. As this being navigates the forest, they both shape, and are shaped by, their surroundings. There is a "natural" kinship between the individual being and each element of their surroundings. However, because kinship is also performative and mutable, cultivating this kinship requires proper attunement to this relation and exercising practices of care, respect, and reciprocity.

Although to some it may seem strange to say that a forest is able to demonstrate care or reciprocity, when we recognize that we already stand in reflexive relationships of the flesh, it becomes clear how this could be the case. The trees of the forest provide oxygen and prevent erosion; when they die, they are decomposed by fungi which return carbon and nutrients to other forms of life. Each part of nature, ourselves included, plays a reciprocal role that impacts the ecosystem that we all depend on for survival. Even rivers and soil participate in this reciprocity. While the impacts that each part has on the ecosystem can also be detrimental to the other beings or parts of the ecosystem, recognizing and enacting kinship means being attentive to the ways in which we contribute to—and are constituted by—these relations.

The greatest potential the concept of kinship holds for environmental ethics does not merely lie in providing a principle to ground ethical obligations, or even to give ethical obligations their normative force. Rather, the concept of the flesh as relational and reciprocal *reorients* environmental ethical thought. Becoming attuned to kinship with nature involves a *conceptual and ethical reorientation*. In an even deeper way than care ethics, kinship demonstrates that the self exists not as an atomistic individual, but rather as an interdependent part of a web of connection—and that these connections have ethical significance. Recognizing kinship with nature means expanding our ethical horizons and bringing values of connectedness, attention, reciprocity, and respect to the fore of environmental ethics and our own ethical lives.

CONCLUSION

Transforming Ethical Thought Through Kinship

In this dissertation, I have argued that by recognizing that our kin are not only our immediate, human families, but also non-human animals or other parts of nature, our ethical orientation is expanded in a way that brings these others more clearly within the realm of our ethical concern. I have attempted to do so by demonstrating some of the ways in which kinship implicitly operates within contemporary approaches to animal ethics and environmental ethics. In chapter one, I argued that Christine Korsgaard's Kantian approach to animal ethics relies on the notion of kinship for its normative force. While Korsgaard frames her argument around the notions of tethered values, duties, and what it means for one to be "an end in themselves," ultimately, her argument appeals to the idea of other animals as *fellow creatures*. Korsgaard acknowledges that she intentionally uses the word "creatures" in order to preserve the notion of humans and animals as *siblings* as children of a creator. Ultimately, it is her appeal to *kinship* that gives her account normative weight. I concluded this chapter with three main takeaways: (1) Korsgaard's account of tethered value allows us to think about some of the reasons that kinship relations are valuable, as well as what this means ethically, (2) Korsgaard's account is fundamentally grounded in *a recognition of kinship with other animals,* and (3) the obligations that arise from Korsgaard's account provides occasion for reflection on how duties (or moral permissibility of actions) that follow from kinship might be similar or different from a Kantian approach. It is my hope that this opening chapter both helped to establish some of the ways in which kinship plays a meaningful and ethically significant role in our lives, as well as some different ways we might conceive of kinship with our fellow creatures, such as through companion animals or traditional stories of kinship as described by Margaret Robinson.

In chapter two, I further sketched some of the ways in which kinship contributes to thinking about ethical relations with nonhuman animals by examining the ways that kinship intersects with and diverges from Peter Singer's "utilitarian" account of animal ethics. I argued that Singer's view in *Animal Liberation* that posits "all animals are equal" is inconsistent with his view in "Killing Humans and Killing Animals," which instead posits a graduated view of who is worth moral consideration based on psychological or intellectual capacities. I argued that these views were inconsistent in two main ways: (1) in "Killing Humans and Killing Animals," Singer's version of preference utilitarianism employs a narrow understanding of "preferences" that is inconsistent with his claims regarding the ability of nonhuman animals to feel pain, and (2) Singer's hedonistic utilitarian argument in *Animal Liberation* emphasizes that pain and suffering are bad *regardless* of cognitive capacities, whereas his argument in "Killing Humans and Killing Animals" views cognitive capacities as the determining factor of the value of one's life. Not only does Singer's later emphasis on cognitive capacities give rise to contradictions with his earlier claims about the moral principle of equality, it also reinforces ableist and speciesist assumptions about what makes a life worth living.

I argued that the flaws in Singer's view can be accounted for by the fact that his framework is unable to adequately account for the ethical significance of kinship. The principle of utility is able to take into consideration some of the ways in which kinship contributes to our pleasure and displeasure more so than other relationships. However, viewing kinship through the lens of utility is reductive insofar as it suggests that we only value these relationships or the lives of our kin because of the pleasure or pain it brings us, rather than recognizing that it is the *kinship relation* and *our kin* in themselves that are valuable. Furthermore, both Singer's hedonistic and preference utilitarian frameworks miss important moral considerations that could

be captured by recognizing the normative ethical force of kinship, such as the epistemic relevance of emotions, the moral significance of both relationships and singularity, and the necessity of critically examining social and political conditions that shape our moral relations with others.

The third chapter explores the more explicit connection between kinship and feminist ethics of care. In this chapter, I examined some of the contributions of feminist care ethicists to the field of animal ethics such as Marti Kheel and Josaphine Donovan, focusing primarily on heir discussions of the role of affect on care. I argued that kinship operates similarly to care as an ethical concept, but is more foundational to ethical thought in at least two ways. The first is that while care captures a necessary component of ethical life, one of the things that fundamentally *make us care* about someone or something ethically is a feeling of kinship with them. Second, kinship is able to capture the depth of our interdependence with non-human others in ways that care alone cannot by emphasizing the ways in which these relationships can be co-constitutive of individuals. In this chapter, I largely drew on the work of Sunaura Taylor (as well as Kelly Oliver) who examine human-animal relations through the lens of disability and feminist frameworks in order to argue that their recognition of our interdependence that rejects notions of functionality or reduces these relations to care is actually a recognition of kinship. Finally, I concluded this chapter by examining some of the ways that feminist care ethics can serve as a model for developing an ethic of kinship in more detail. The first is that the feminist framework reminds us to critically examine the ways in which Western patriarchal, colonial thought has shaped who and what we consider to be kin. The second is a critical examination of kinship itself and the ways in which kin relations can be complex, rife with conflict, and at times unhealthy or even violent. As feminist care ethics recognizes the need for a critique of care relations that are

exploitative or oppressive, so too must any examination of kinship as an ethical concept be committed to returning to the fundamental question of kinship: how to relate rightly. Keeping this in mind, we must be committed to developing kinship relations that are life-affirming and contribute to the flourishing of each relative.

Finally, chapter four shifted away from the focus on kinship with nonhuman animals to think about what it would mean to have kinship with nature and how this can transform environmental ethical thought. In this chapter, I argued that by understanding Merleau-Ponty's notion of the flesh as *kinship*, we are able to expand traditional Western conceptions of kinship in a way that grounds environmental ethical thought in values of connectedness, attention, and mutual recognition and respect. I began by offering an interpretation of flesh as a reflexive relation between the self and other and exploring some of the ways that the flesh might expand our ethical horizons. In doing so, I examined the ways in which the flesh has been discussed in relation to environmental ethics by David Abram, Ted Toadvine, and Bryan Bannon. Ultimately, I suggested that while the flesh provides a new way of thinking about the human relationship with nature in the tradition of Western philosophy, the notion of the flesh alone is limited in its ability to transform our ethical landscapes. Instead, I turned to Kelly Oliver's discussion of Merleau-Ponty's notion of "strange kinship" with other animals, suggesting that we can expand this "strange kinship" to include all relations of the flesh. I concluded that understanding relations of the flesh as *kinship* gives occasion for a *reorientation* of environmental ethical thought. Because kinship entails notions of responsiveness, reciprocal responsibility, and respect, recognizing kinship with nature means expanding our ethical horizons and bringing values of connectedness, attention, reciprocity, and respect to the fore of environmental ethics and our own ethical lives.

In large part, this dissertation has aimed to argue that kinship with nonhuman others *is already an essential part of our ethical lives*. I chose to engage with the work of Korsgaard, Singer, feminist care ethicists, and eco-phenomenologists in order to demonstrate that both "traditional" approaches and more contemporary approaches to ethics rely on a notion of kinship, whether it is largely ignored (in the case of Korsgaard and Singer), or more explicitly acknowledged (in the case of feminist care ethics and perhaps to some extent, eco-phenomenology). Throughout this project, I aimed to also draw out some of the different ways in which kinship relations establish moral obligations, shape our perception of what it means to relate ethically, and how they impact our lives.

However, one thing that largely remains to be done is drawing out in more detail the elements of kinship, as well as an account of an "ethics of kinship." In order to do so, we would need to examine the ways in which the notion of kinship has been employed and transformed throughout history and across cultures. While many Indigenous ontologies of nature acknowledge non-human others as kin, Western philosophy cannot—and should not—aim to simply take up this exact notion of kinship. As Robin Wall Kimmerer emphasizes in "Nature Needs a New Pronoun" alongside her suggestion that we use "kin" to signify the other beings we share the earth with, colonial violence has systematically worked to eliminate Indigenous cultures and knowledge. Furthermore, Western colonial, white-supremacist, and capitalist institutions have worked to maintain a notion of nature as object, justifying the exploitation and desolation of nature at the expense of marginalized persons, non-human animals, and other beings in nature. Keeping in mind that Western philosophy cannot adopt this notion of kinship as its own—and would risk further perpetuating the violent appropriation and erasure of Indigenous

culture and knowledge in doing so—where *exactly* does thinking about kinship with non-human others leave us ethically?

Acknowledging kinship with nature requires a recalibration of our understanding of the social and psychic worlds around us, but it also gives occasion to an ethical re-orientation in which kinship and relationality come to the front of moral thought and ethical life. While recognizing kinship with non-human others requires rethinking existing notions of kinship as biological and legal relatives, attending specifically to the relations we have with the other animals, plants, and land around us with openness and curiosity can allow for a recognition of the ways in which we are all deeply connected and interdependent. These connections have always been there and despite the fact that they have been disavowed, it is possible to "re-discover" them. This turn is not an attempt to take on an Indigenous worldview if kinship as one's own, but rather an invitation to exploring and acknowledging the relationships with non-human others that make one's own life meaningful. It is my hope that through my examination of kinship in relation to existing approaches to animal ethics and environmental ethics, I have shown that kinship already implicitly operates both in ethical theory and in our ethical lives and that through attention to this kinship, we can work towards "rightly relating" to our kin.

In Western, Eurocentric moral theory, hegemonic conceptions of what it means to be a moral agent, what it means to be human, and what it means to be deserving of moral consideration have led to the disavowal of kinship between humans and other animals, as well as nature. These understandings are often plagued with dualistic thinking and value hierarchies that draw dichotomies between reason/emotion, human/nature, human/animal, masculine/feminine, and white/other that have been used to justify value hierarchies in which the former is valued over the latter. Conceiving as our fellow Earthlings as our kin defies dominant conceptions of

human-nature relations, which requires a re-examination of what it means to be an individual, what it means to be human, and how these "boundaries" are constantly blurred.

This kinship involves a disruption of the notion of self as a radically independent, autonomous agent. This disorientation and reorientation is not merely psychic, as it also entails a disruption of moral categories. When one is constituted by their kinship with others, including kinship with non-human animals and nature, the boundaries of human and "other" begin to blur. This is not in virtue of something like the value to the biotic community as some approaches to environmental ethics suggest, or something like perceived intelligence or mental capacities as some contemporary approaches to animal ethics suggest. Instead, this is based on a recognition of our mutual *interdependence* the ways in which our relationships give our lives *meaning*.

This can give rise to a new ethical orientation that—instead of being grounded by the need for moral categories corresponding to supposed moral value/worth—is grounded in relationality and attention to the specific relationships we have to others. This stands in contrast to some approaches to environmental ethics and animal ethics which seek to expand our moral categories in a way that brings nature into the fold of moral consideration, but often re-inscribe new value hierarchies and fails to grapple with the complexities of ethical life. On the other hand, kinship posits that we must begin by attending to the relationships we have with particular others. This notion of ethical life does not propose universal, abstract moral categories or laws, but it does recognize that any notion of kinship is always already normative. When one is kin, there are certain duties, responsibilities, and obligations we have to them. As Kyle Whyte (2021) recognizes, this is a far stronger obligation than any notion of legal responsibility: "In Indigenous philosophy, being a good relative is an ethical and spiritual responsibility. An ethical responsibility of kinship has greater longevity than a legal obligation" (33). Additionally, by

disrupting the notion of individuality and what it means to be human, there is no longer a presumption of understanding who or what is due moral consideration, and we cannot appeal to moral laws or rules to understand how we ought to act ethically. Instead, kinship can give rise to an ethical recalibration in which we turn attention to our relationships with particular others and begin to examine how we can heal and honor these relationships.

Healing and honoring our relationships with others is an essential part of the recognition of kinship. Certainly, relationships with our kin can be rife with conflict. We may aim to relate to our kin with love, empathy, and understanding. However, our kinships often involve conflict and contradiction. However, this is not a problem for ethical thought but actually essential to it: it is important to recognize the ways in which kinship can contain at once love, empathy, and conflict, as it reminds us of the complexities of our relationships and emphasizes that when it comes to ethical thought, we must remain open and approach ethical problems with attention to the nuances of our relationships, and commitment to learning together how we can better relate to one another ethically. At the same time, this notion of kinship challenges conceptions of the self and the distinction between humans and other animals in a way that gives rise to a curiosity and openness to discovering how we might better stand in ethical relations to these others rather than provide a rigid framework that reinscribes new value hierarchies in place of the old.

In thinking about environmental ethics, kinship forces us to recognize the ways in which our environmental concerns are connected, and how they impact our kin. Attention to kinship allows us to recognize the connections between humans and non-human parts of nature, re-affirming the need to pursue solutions to the environmental crises that we now face that maintain a commitment to pursuing justice, especially for oppressed and marginalized peoples who are most deeply affected. This also means acknowledging the impacts of capitalism and colonization

and the ways in which these have contributed to environmental injustice and working to eliminate oppressive institutions. Many approaches to environmental ethics and animal ethics fail to account for the necessity of also attending to and caring for human others that are impacted by climate change, ecological destruction and degradation. If we are to truly grapple with the complexities of our current ecological and environmental crisis, we must have an ethic that is willing to acknowledge the ways in which the oppression and exploitation of marginalized human beings, non-human animals, and nature are all related.

While acknowledging the ethical significance of kinship demands that we attend to the needs of our kin specifically, kinship also has political implications. When we recognize another as our kin, we recognize them as the kind of being with whom we feel a sense of connection and feel a deep desire for their well-being and flourishing. This means that we must work to eliminate oppressive institutions that work against their flourishing. Ultimately, kinship is able to recognize the complexities and nuance of our entanglements, serving as a reminder to continually attend to our relationships with others and to strive for learning together how we can honor, heal, and strive to best relate to one another ethically. Kinship reminds us that we are all connected. Perhaps we are not autonomous individuals *in* relationships, but we in fact *are relationships*—after all, each of us is made up of colonies of billions of other beings. Attending to our kin and continuously returning to the fundamental question of kinship, *how to relate rightly*, is necessary for creating a better world for all of us.

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