

Killing in self-defense and the case for biocentric individualism

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Abstract: The primary method for defending biocentric individualism—a prominent theory of the moral value of organisms—is to appeal to the fact that there are certain things that are good for and bad for living creatures, even if they are not sentient. This defense is typically and frequently met with the objection that we can determine what is good for some living creature without thereby having any moral reason or obligation to promote or avoid undermining it. In this paper I show how a theory of the morality of defensive violence undermines this objection.

Keywords: interests, moral status, biocentric individualism, self-defense, defensive violence

It is by now a commonplace that the history of moral thought features an expanding “moral circle.” Environmental ethicists—confronted with environmental degradation and another mass extinction event—have discovered the need to widen the moral circle beyond the boundary set by the utilitarians. A promising suggestion is this: things which have interests are intrinsically valuable.¹ Intrinsically valuable things are morally considerable, or in other words, have moral status. The thesis that all and only living creatures have intrinsic value is called biocentric individualism.² Further, one might think, we ought not to violate or infringe upon the interests of intrinsically valuable creatures. Perhaps we even have obligations or *pro tanto* reasons to promote those interests. Biocentric individualism combined with an anti-interest-violation moral

¹ The following philosophers recognize something like this: Rolston 2012, Varner 1998, Taylor 1986, Agar 2001.

² Taylor 1986, Attfield 1987, Varner 1998, Agar 2001. Sometimes it is called simply “biocentrism,” Brennan and Lo 2015.

principle offers a simple and elegant environmental ethic which stands in opposition to environmental holism.³ My aim here is to contribute to a defense of biocentric individualism.

In this paper I first argue that considerations about the ‘good-for’ of a creature suggest that creatures which have a good-for can be harmed and thus have interests. I assume that it is typically wrong to violate another’s interests. Therefore, creatures with a ‘good-for’ can be wronged.⁴ This gives us prima facie practical and moral guidance. I do not intend to offer a full-fledged defense of this claim. Rather, the goal is to describe some of the considerations in favor of the view.

Having described and motivated a form of biocentric individualism, we can then understand a common worry that environmental ethicists have about the cogency of such a view. The primary concern is that this move (from ‘goods-for’ to moral guidance) does not work the way proponents of biocentric individualism think it does. Prominent environmental ethicists object that claims about a living thing’s interests leave us with a problematic fact-ought gap.⁵ There are creatures, who in virtue of being alive, have interests, and these are determined in part by biological facts. Nevertheless, we don’t think we ought to promote those interests, or so goes the objection. It is a familiar one, dating back at least to Aristotle.⁶ Even Taylor, who argues that we ought to respect all living things, raises a similar worry:

³ Often inspired by Leopold’s *A Sand County Almanac*, holists criticize individualists for failing to recognize the value of *the land* or the earth itself. Holism is an environmental axiology which takes environments, ecosystems, species, and the like to be morally considerable instead of individual creatures. See Callicott 2013 for a recent defense.

⁴ The “good-for” terminology is from Von Wright 1963, cited by O’Neill 2009.

⁵ O’Neill et al 2008, O’Neill 2009, Hargrove 2003, Callicott 2013. Only O’Neill uses the term ‘fact-ought gap,’ but the underlying concern is the same.

⁶ Aristotle in the *Metaphysics* notes that when a thing is “complete,” we call it good, even if the thing is in fact bad. We call a complete thief a good thief, even though it is bad to be a thief. See Aristotle 1908: 1021b.

[C]onsider the logical gap between the fact that a being has a good of its own (an is-statement) and the claim that it should or should not be treated in a certain way (an ought-statement). [...] One does not contradict oneself by saying, "Yes, I know that this action of mine will adversely affect the good of living things, but nevertheless there is no reason why I shouldn't do it."⁷

Proponents of interest-based accounts of intrinsic value and corresponding moral obligations recognize that a moral principle is required to go from the 'is' to the 'ought.' Taylor does not explain why something like 'we ought not to interfere with the welfare-interests of creatures' is insufficient; perhaps he has concerns similar to O'Neill's and others' in mind.⁸ The aim of the final sections, and the primary goal of the paper, is to show that considerations about killing in self- and other-defense, combined with a graduated approach to the weight of interests, straightforwardly handle these purported problem cases. In other words, there may be serious problems with biocentric individualism, but they do not include the most frequently deployed objection.

1. "Goods-for" and Interests

I understand intrinsic value to be non-instrumental and non-derivative value. In other words, it is value that does not depend on the thing's usefulness to some other goal, nor does it depend on its relation to other things.⁹ So, for example, a human's intrinsic value is determined

⁷ Taylor 1986, pp. 71-72.

⁸ In section 2 I defend the claim that if a creature has a good of its own (or a 'good-for') then it has welfare interests.

⁹ More specifically, other things *extrinsic* to the being in question. There is a tendency to take 'relational' to mean 'extrinsic,' but we can have intrinsic relational properties. Hopefully you have more teeth than you have fingers: this is intrinsic to you and relational.

by her own properties; the fact that she is related to other humans via biological, conspecific, communal, or familial relations is not relevant to her intrinsic value. This account of intrinsic value is straightforwardly inegalitarian and individualistic; some intrinsically valuable creatures matter more, morally speaking, than others.¹⁰

I've suggested that an interest-based axiology is of tremendous use to environmental ethics. In order for this to be so, it needs to be the case that non-minded creatures can have intrinsic value and moral status, for much of nature is non-minded. In turn, on my view, they must have interests.

Many, perhaps most, environmental philosophers agree that even non-minded creatures have a 'good for.' As opposed to 'good' simpliciter, a 'good for' is a thing or event that benefits a particular individual. A mosquito bite is not good for you, nor perhaps good simpliciter or all-things-considered, but it is good for the mosquito doing the biting.¹¹ One might insist that mosquitos are minded creatures, but trees are not; still, it is good for a tree to get enough sunlight and water.

I hasten to add that this is not to say that extrinsic value, whether instrumental or relational, has no place in a theory of environmental value.

¹⁰I assume in this paper that intrinsic value is graduated, or on a spectrum. See McMahan 2002 and Singer 2009 for defenses of graduated approaches to moral status, though neither think that non-minded creatures make it onto the graduated scale.

¹¹See Richard Kraut's *Against Absolute Goodness*, in particular chapter six "Being Good and Being Good For Someone" for a discussion of the distinction and a rejection of the need for good simpliciter (what he calls absolute good). See Moore's *Principia Ethica* for an objection to the notion of 'good for.'

Many philosophers deny that non-minded creatures can have interests. In order to have an interest, the thought goes, one must be at least *capable* of being interested in the thing.¹² In other words, interests require desires. Joel Feinberg and others seem to reason as follows:

1. If an individual has interests, it has desires
2. The non-minded do not have desires
3. So the non-minded do not have interests

Call this the ‘Interests Require Desires’ argument. The second argument typically offered in favor of the claim that interests require psychology requires a further claim that has been dubbed ‘Feinberg’s Dictum’ by Gary Varner.¹³ Feinberg claims that the functions of non-minded organisms are, like artifacts, assigned by humans.¹⁴ If that’s right, then if the fulfillment of this assigned function is good, artifacts can have a good-for, and thus interests. Here’s one way of making the argument:

1. If a tree has interests, then a chair has interests
2. A chair does not have interests
3. So trees do not have interests

The thought is that since there is no way to distinguish a plant from a chair in terms of function fulfillment or goal satisfaction, and thus welfare, if one allows that non-minded life can have welfare interests, then so too must objects like chairs. But this is unacceptable, and we must

¹²In order to accommodate the view that humans like very young children have interests despite being unable to be interested, one might claim instead that in order to have interests, one must have the capacity to develop the capacity to have interests. This appears rather ad-hoc. Another option is to make the move Feinberg makes in *Harm to Others* regarding “future interests.” I discuss this shortly.

¹³Varner 1998, p. 63-74.

¹⁴Thanks to an anonymous referee for help on this point.

reject the view that non-minded organisms have interests. In this section, I focus on responding to these arguments in turn.

1.1 Interests Don't Require Desires: The Appeal to Harm

The view that interests require psychology—desires in particular—enjoys widespread agreement. The argument against the possibility of non-minded welfare interests appeals to a premise which simply asserts the view. In an early essay, “The rights of animals and unborn generations,” Feinberg claims that interests are “made” out of wants and desires, and are thus necessarily cognitive. But why think that this is the case? Interests *can* and often *are* made of wants and desires, but it’s a different claim to say that interests are *only* made of wants and desires. As far as I can tell, the view is usually asserted, rather than argued for, perhaps due to its initial plausibility. If there were no reason for thinking that non-minded life could have welfare interests, this wouldn’t be problematic. But consider the following argument:

1. Death is a prima facie harm.
2. Harm is a setback of interests.
3. Non-minded creatures can die.
4. So, non-minded creatures can be harmed.
5. So, non-minded creatures have interests.

Premise (2) relies on a rather widely accepted conception of harm, first developed by Feinberg.¹⁵ But because Feinberg denies that non-minded creatures have *welfare* interests, proponents who accept (2) on Feinbergian grounds will claim that in its current formulation, (1) is mistaken. Only the death of minded or soon-to-be minded creatures is a harm, they’ll say.

Here is Feinberg on this point:

¹⁵Feinberg 1984.

By smashing windows, vandals are said to harm people's property; neglect can harm one's garden; frost does harm to crops. Quite clearly this is harm in a transferred sense; we don't feel aggrieved on behalf of the windows or the tomatoes, nor are they the objects of our sympathies. Rather our reference to their "harm" is elliptical for the harm done to those who have interest in the buildings or the crops, those who have in a manner of speaking "invested" some of their own well-being in the maintenance or development of some condition of those objects. By breaking windows, the vandals have done direct harm to the interests of the building's owner; they have harmed windows only in the derivative and extended sense.¹⁶

I don't find this compelling for the following reasons. The first reason is a sort of Moorean consideration: I think we should be more confident in our judgements about some cases than in a theory of what counts as harm in virtue of a further theory about what counts as an interest. This is not to say that at no point is it rational to revise our intuitions about a case as a result of adopting some theory. Rather, it is to say that the theory must be particularly strong to warrant abandoning the intuitive (to me at least) view that death is a harm even for non-minded creatures. Once one agrees that even non-minded creatures have a good-for, the conclusion that it is bad for (and harmful) for a non-minded creature to die is not far off. What reasons, then, does Feinberg give in favor of the view that non-minded creatures cannot have interests? As far as I can tell, none, which is what makes Feinberg's claim a "dictum" (at law, a *simplex dictum* is "a mere assertion; an assertion without proof").¹⁷

Feinberg simply presumes that non-minded creatures lack interests:

¹⁶Feinberg 1984, p. 32.

¹⁷*Black's Law Dictionary*, 6th edition (St. Paul: West Publishing Co., 1990), p. 454. Thanks to an anonymous referee for help on this point.

Harm can be caused to a person before his birth, or before the commencement of personhood in pregnancy, in virtue of the later interests of the child that can already be anticipated. A prepersonal fetus, however, presumably has no actual interests...¹⁸

Here Feinberg is discussing whether an individual can be harmed prior to developing a mind. On his account, a non-minded human can only be harmed if it will eventually have a psychology. If a fetus is damaged in the uterus, but dies before developing a mind, that damage does not constitute a harm. In the first place, it seems to me that the view that actual interests require psychology is seriously under-motivated; in Feinberg's case it is merely presumed. Furthermore, such an account also has the implausible implication that if a prepersonal fetus is "damaged" then it would be better, for that fetus, to be aborted prior to acquiring a mind.¹⁹ This way it cannot be harmed.

It makes sense to think of the life of a non-minded creature as going better or worse. One way our life can go worse is due to ill-health; the same is true, I contend, for non-minded life. Because life can go better or worse for the non-minded, we should reject the psychologized account of harm. Instead, we should note that *some* interests require cognition. If this is right, then it counts against Feinberg's requirement that all interests require psychology. Many environmental ethicists are already on board with the claim that non-minded creatures have a good-for. Again, pre-theoretically, this is a plausible view. If a creature has a good-for, then that creature's life can go better or worse. If a life can go better or worse, then there is something

¹⁸Feinberg 1984, p. 96.

¹⁹I say "would be" because if the fetus acquired a mind it would then be harmed.

which contributes to its wellbeing.²⁰ So if a creature has a good-for, then it has the potential for a type of wellbeing.²¹

In this vein, consider Feinberg's initial characterization of an interest: "If I have an interest, in this sense, [...], I have a kind of stake in its well-being. All interests are in this way types of risks...."²² When Feinberg says "in this sense," he is distinguishing a notion of harm from two other notions: the harm that can befall non-minded life and non-living objects, and a notion of harm as wrongdoing. But as I just noted, he simply presumes non-minded creatures cannot have interests. Feinberg then says:

These interests, or perhaps more accurately, the things these interests are in, are distinguishable components of a person's well-being: he flourishes or languishes as they flourish or languish. What promotes them is to his advantage or in his interest; what thwarts them is to his detriment or against his interest.²³

The language of 'flourishing' and 'languishing,' even in ordinary language, does not seem out of place when describing non-minded organisms.²⁴ And in light of the above argument for thinking that non-minded creatures have levels of well-being, I think even Feinberg ought to

²⁰It has been objected to me that e.g. the tree doesn't care if it is bonsai-ed or not. I simply grant this. The welfare of a tree is not psychological, so this is no objection to my account.

²¹This seems to me to independently count against hedonic and preference-satisfaction accounts of wellbeing. But there are other well known objections to these accounts, and if they are false, this makes defending the claim that non-minded creatures have welfare interests even easier. It leaves an objective-list account of wellbeing as the remaining prominent contender, and in light of the thought that a life can go better or worse for non-minded creatures, this gives us reason for thinking that at least one item on the list can be non-psychological. The upshot is that it makes good sense to think of a non-minded creature's life going better or worse, and this gives us reason to think that the interests they have are genuine (although not particularly weighty) welfare interests.

²²Feinberg 1984, p. 33.

²³Ibid p. 34.

²⁴Feinberg 1974 rejects this line of argument, but I take my criticism of his view in this paper to apply to his remarks in both his 1974 and 1984.

conclude that living things in general have welfare interests. At least, it seems to me, the burden of proof is on those who would deny welfare interests to the non-minded. Indeed, it seems that some of the motivation for accepting one of these views is going to come down to concerns about which notions are prior to others in our moral theory. If we take notions like ‘health’ and ‘goods-for’ to be theoretically prior to well-being and harm, then this counts in favor of the view I’ve defended. At this point, there’s reason to think that premise (1) in the ‘interests require desires’ argument can be rejected.

Once we have secured the premise that non-minded creatures have interests, and recognize that it is uncontroversial that minded creatures have interests, we can conclude that all living things have interests (of varying strength). A few plausible auxiliary premises give us the conclusion that we have negative obligations (of varying stringency) to or in regard of all living things:

1. We ought not to harm.
2. Harm involves the setback of interests.
3. So we ought not to violate or set back a thing’s interests.
4. If we ought not to ϕ , then we have a pro tanto negative obligation against ϕ ing.
5. So, we have pro tanto negative obligations with regard to those with interests (living things).

I take it, then, that if harm plays a prominent role in moral theory, it follows that we have some (negative) obligations to all living things.

1.2 Interests Don't Require Desires: The Appeal to Intrinsic Bad

Unfortunately, 'harm' is a contested notion in ethics. Ben Bradley suggests that, because of the failure of most accounts of harm, we ought to do away with the notion entirely.²⁵ Alastair Norcross argues that 'harm' is necessarily contextual (or indexical), and concludes that it lacks the metaphysical robustness needed to play a foundational role in moral theory.²⁶ Bradley suggests it is better to invoke notions of intrinsic and extrinsic badness. Especially in light of the notion of a 'good-for' discussed above, this is not ultimately a problem for my view. Consider the following:

1. Death is *prima facie* an intrinsic bad.
2. Non-minded creatures can die.
3. If something is an intrinsic bad for a creature, it is against the interests of that creature.
4. So, non-minded creatures have interests.

Again, one might here insist that death is bad because of the loss of experiential value. The first premise is vulnerable to a prominent objection. It is possible to deny (1) on grounds of an account of the badness of death which itself has an ineliminable psychological component. A number of philosophers endorse a deprivation account of the badness of death wherein the relevant thing one is deprived of is experience.²⁷

Shelly Kagan's formulation of the deprivation account is interesting for my purposes:

²⁵Bradley 2012.

²⁶Norcross 2005 p. 171.

²⁷See Nagel 1979, Fisher 2011.

Most centrally, what's bad about death is that when you're dead, you're not experiencing the good things in life. Death is bad for you precisely because you don't have what life would bring you if only you hadn't died.²⁸

On one reading of this, the badness of death does have an ineliminable psychological component; Kagan references *experiencing*. On another, it does not; death is bad because one misses out on what life brings one while alive. On the latter reading, it isn't necessary that one misses out on *experiences*.

In response to those who insist that death is bad because the dead are deprived of experiential goods, I'll note that death can be bad in more than one way. Even if you're convinced that death is bad or harmful for us because it frustrates future desire satisfaction or something similar, this need not exhaust the reasons for thinking death is a harm.²⁹ Just as plausible accounts of health and disease need to accommodate the non-minded, so too do plausible accounts of the badness of death (that is, so long as one accepts that certain things can be good for non-minded creatures, and thus that other things can be bad for them).

Because 'intrinsic bad' is supposed to replace harm for theorists like Bradley, it is plausible to say that, *prima facie*, we ought not do something intrinsically bad to a creature.³⁰

Perhaps one might reject premise (3) of this argument by generating counter-examples. The point

²⁸Kagan 2012, p. 233.

²⁹This can be articulated in a more general way: absent some forceful argument, our theorizing about well-being, harm, the badness of death, and similar notions, ought not to be constrained by considerations related to persons. Although there is a particular account of the badness of the death of persons, this need not exhaust the reasons death is bad. Many philosophers have recognized this, and given accounts of, for example, the badness of death and the wrongness of killing that includes non-human animals. I'm suggesting that we should think also about the non-minded when theorizing.

³⁰Because something can be intrinsically, but not all-things-considered, bad for something, sometimes it can be permissible to do something intrinsically bad to an individual. Euthanasia is an example of this.

of the argument, however, is not to establish that all bad-doing in fact violates a creature's interests *on balance*. All that this argument needs to succeed is that in some cases an event which is intrinsically bad for a creature violates an interest it has. After all, the conclusion I'm aiming at is that even non-minded creatures have interests. The counter-example strategy won't work; one would need to show that *no* intrinsic bad violates a non-minded creature's interests. It strikes me as strange to think that an event could be intrinsically bad for a creature and yet never, in any circumstance, violate some of its interest. Finally, if it is bad to ϕ , then one ought not to ϕ unless the balance of interests and reasons indicates that we should ϕ . In other words, we have *pro tanto* negative obligations against ϕ ing if it is bad to ϕ .

1.3 Interests Don't Require Desires: Against 'Feinberg's Dictum'

Let us now turn to the argument which relies upon 'Feinberg's Dictum.' The objection is that if we think that plants and other non-minded creatures have welfare interests, why not mere objects like tables and chairs? If there is no reason forthcoming, this serves as a *reductio* of the view I've described here. Varner, and many others, have much to say in response. Because I have argued that even non-minded creatures have interests by starting with the premise that death is an intrinsic bad or a harm, I have an easier option available to me: I can simply note that tables and chairs cannot die. Because they are not living, they lack any level of welfare, and so they lack welfare interests. Any attribution of well-being or interests to a mere object must be metaphorical. Feinberg makes the same argument with respect to non-minded life, but it seems to me that health is a non-metaphorical good. In other words, the only reason one would be compelled to accept premise (1) of argument that relies upon 'Feinberg's Dictum' would be if their case for thinking that (e.g.) plants have welfare interests didn't allow them the resources for denying welfare interests to chairs. I do not have this problem, and premise (1) can be rejected.

In either case, then, whether one is a harm theorist, or denies a fundamental role to the notion of harm, it follows from plausible premises that even non-minded creatures have interests, and thus that we have some negative obligations in their regard.

A creature's intrinsic value is determined by its intrinsic properties. The properties which are morally relevant are those which give rise to interests. Because creatures have different interests, they have different morally relevant properties. In turn, they have different levels of intrinsic value and corresponding different levels of moral status. Thus, my account does not imply that all living things have the same moral value and status. It does not even imply that most living things have a high moral status. In the following section I respond to a common objection to this axiological account.

2. The Standard Objection

John O'Neill has suggested that looking to the 'good-for' a creature will eliminate the fact-value distinction, in the sense that there are (in some cases at least) uncontroversial facts about the good-for of an organism, or what is valuable for it. Because friendship is good for us, it is valuable; because sunlight is good for the maple tree, it is valuable. Unfortunately, say O'Neill and others, in its place we are left with a fact-ought distinction that appears to be difficult to bridge.³¹ The reason we have such a distinction is because there are a host of problem cases in which we seem to be able to recognize a good for, yet purportedly have no reason (no *ought*) to promote it or not to interfere with it. If the 'good for' of a creature does not entail a corresponding ought or obligation, then what initially appeared to be a simple and efficient way of recognizing the intrinsic value of a creature and yielding practical guidance from it appears to fail. One version of the objection claims that an interest-based axiology generates no practical or

³¹O'Neill et al 2008; O'Neill 2009, Hargrove 2003, Callicott 2013.

motivational force, and is to that extent objectionable.³² A second version of the objection takes issue with the axiological account itself: we need not value the interests of creatures merely because we recognize or discover those interests.³³ Both objections rely upon cases which are purportedly problematic for proponents of biocentric individualism. If the critics are correct, then we either need a new account of intrinsic value and interests, or a way to bridge the gap.

In this section I defend biocentric individualism from these objections. Once we have in place a particular theory of killing in self-defense and we strengthen it with a graduated weighting of interests, what seemed at first to be problem cases turn out not to be problems. Biocentric individualism does not require Aristotelianism, nor does it require anthropocentrism or anthropogeneticism about value at all.³⁴ For those with metaethical realist leanings, this is another feature of the view that I defend. I'll outline the problem cases and the argument they motivate before responding.

There are very many examples that can be given to illustrate the purported problem. I'll focus on a few that are used in the environmental ethics literature: the AIDS virus, parasitic aliens, thieves and tyrants, and mice carrying hantavirus. The first is from O'Neill, the second Hargrove, the third and fourth from Aristotle, and the fifth from Callicott.³⁵ In each case, we can determine the 'good-for' of the creature in question, but also in each case we seem to lack a reason to promote it. Thus, we can argue as follows:

³²O'Neill et al 2008, O'Neill, 2009.

³³Hargrove 2003.

³⁴Unlike the suggestions of Hargrove 2003, Callicott 2013, and Taylor 1986.

³⁵O'Neill 2009 p. 106, Hargrove 2003 p. 179, the Aristotle examples are cited by O'Neill et al 2008, and Callicott 2013, p. 129, respectively.

1. If an organism's interests ground negative obligations in regard of the organism, then we always have negative obligations in regard of viruses, harmful parasites, thieves, tyrants, etc.
2. But we don't always have negative obligations in regard of viruses, harmful parasites, thieves, tyrants, etc.
3. So an organism's interests do not ground negative obligations in their regard.

The argument can be made using anything that has a good for but which we think we lack obligations to. If (3) is right, then biocentric individualism runs into trouble. But, I will argue, premise (1) is false.

This argument can be slightly modified such that the first and second premises concern what we are obligated to do to creatures, and the conclusion concerns our positive obligations and oughts. Positive obligations and oughts are obligations and oughts to do things, as opposed to negative obligations which are obligations to refrain from doing things. I avoid the formulation of this argument concerned with positive obligations in this paper for the sake of simplicity. Some philosophers deny that we have positive obligations to most persons, let alone animals or the non-minded. On this view, even though we have negative obligations to others, we lack positive obligations. Indeed, to show that we lack positive obligations to all organisms is not to show that interests don't ground other (negative) obligations. Amongst those who agree that we have positive obligations (and positive rights), there is considerable disagreement about what grounds them. Here I do not take a stand on this dispute. But because proponents of the view that we have positive obligations and rights typically agree that we also have negative obligations and rights, focusing on negative obligations is simply easier and less controversial.

3. The Defensive Violence Response

Rather than appealing to Aristotelean considerations to bridge the fact-ought gap, we can appeal to theories of the morality of defensive violence to deny that there is a gap that cannot be bridged by appealing to interests. More specifically, I am not committed to the claim that there is no fact-value or fact-ought gap. Rather, I am committed to the claim that “we ought not to violate interests without good reason” is sufficient to bridge this gap. This is the claim that O’Neill, Hargrove, and others reject, thinking either that the premise is false or insufficient.

A theory of killing in self-defense enables biocentric individualism to avoid the objection discussed in §3. Those who make the objection need it to be the case that we have no obligations in regard of some creatures with interests, and they point to various instances wherein this is thought to be the case. But consider killing a person in self-defense: persons have weighty interests or perhaps even moral rights. When we are the subject of unjust aggression, the aggressor doesn’t *lose* his interests, but rather forfeits or has overridden his right to life. Borrowing a term from Jeff McMahan, we might say that the aggressor becomes *liable* to lethal defensive force.³⁶ This gives us the resources to deny that in the purported problem cases interests fail to generate obligations, and instead say that those interests do in fact generate obligations, but these obligations are outweighed or overridden.

With the exception of those committed to pacifism, everyone accepts that it can be permissible to kill another person in self-defense. While there are widespread disagreements about the permissibility of killing in defense of others, and killing innocent non-aggressors in self- or other-defense, there’s very little disagreement about the permissibility of killing an unjust aggressor in order to save one’s own life. We can (and should) apply this to non-persons.

³⁶McMahan 2009.

Applying this view to our interactions with non-human creatures is easy in one respect and difficult in another. It is easy for the following reason: if it is permissible to kill a person in self-defense, then surely it is permissible to kill a creature who is less morally valuable, or who has lower moral status, in self-defense. The appeal to self-defense has the benefit of not requiring a graduated account of moral status. The moral value of a bacterium is significantly lower than the moral value of a person; the graduated account only makes the self-defense argument stronger. If we suppose all living creatures have the same value, and we think it is permissible to kill a person in self-defense, then consistency requires us to think it permissible to kill non-humans in self-defense. As I mentioned above, the only alternative is an absolute pacifism.

Applying the self-defense case is in another respect difficult. If a person gets pleasure out of killing other persons, and attempts to kidnap and kill someone, he is an unjust aggressor. He is an *unjust* aggressor because he is doing something morally wrong for which he is blameworthy. But most (probably all) non-humans are not moral agents, so they cannot be *unjust* aggressors. There is a bit of controversy over whether it is permissible to kill an innocent threat in self-defense. If it is not permissible to kill a non-unjust aggressor in self-defense, my view will fail. Nevertheless, I take it that there are very good reasons to conclude that it is permissible.³⁷ If we adjust the aforementioned case such that the person killing for pleasure has some agency eliminating mental disorder, one has the option of requiring individuals to accept their death or granting that it is permissible to kill an innocent threat in self-defense. The latter strikes me as plausible.

The case of innocent threats is easier to handle given a graduated account of moral status. Part of what makes killing an innocent aggressor so morally troublesome is that it requires

³⁷See Kaufman 2010 for a discussion.

killing an innocent individual with substantial moral value. Still, if it would be worse, all things considered, for the individual threatened to die than for the innocent threat to die, this counts in favor of enabling the individual threatened to continue living. This is so independently of considerations about the right to act in self-defense. The upshot is that any worries about the morality of killing an innocent threat in self-defense are significantly mitigated when the innocent threat has a comparatively low moral status. I turn now to the individual cases.

3.1 AIDS Virus

If a creature's interests (determined by its 'good for') yield obligations or oughts with respect to it, then we might have an obligation to promote the interests of the AIDS virus.³⁸ At the least, we might have an obligation not to violate them. But since we clearly have no obligation to promote the AIDS virus, and are permitted to destroy it, we cannot read obligations or oughts off of interests, or so goes the objection from O'Neill.

This line of reasoning fails. Perhaps we have a pro tanto reason not to violate the interests of a virus. But just as we have a pro tanto reason to refrain from violating the interests of persons that can be overridden or outweighed, the reason can be outweighed or overridden by other moral considerations. If a person is an unjust or even innocent aggressor, we are permitted to kill him. Similarly, if a virus is an innocent threat, we are permitted to kill it.

One might here object that only in rare circumstances are our reasons or obligations to refrain from harming persons outweighed or overridden, and this is clearly not the case when it comes to viruses. My response is this: because the AIDS virus is necessarily (in practical terms) a threat to us, we will never have an all-things-considered negative obligation in their regard

³⁸This assumes that viruses are in fact living. If they are not, then the objection can be replaced with one featuring a harmful bacterium.

when in proximity to us. It will perhaps be helpful to consider a somewhat analogous case. If there were a highly contagious person who would very likely transmit a deadly disease to whomever he came in contact with, and he refused to remain in quarantine, we would be permitted to harm him in self-defense. We may even be permitted to kill him in self-defense. In both cases, the living thing endangers others by posing a serious risk to their health, and also has interests that we are permitted to disregard in self-defense.

Additionally, given that it is plausible that we are permitted to kill a threat who is going to do us harm that is lesser than killing us (e.g. rape or long term incarceration), we are similarly permitted to kill a virus which is less harmful than the AIDS virus. The AIDS virus case is instructive because it reveals the way in which the risk posed by a creature allows their interests to be overridden.

3.2 *Thieves and Tyrants*

O’Neil and coauthors cite Aristotle’s remarks on thieves, murderers, and tyrants in the same spirit.³⁹ We can determine the ‘good-for’ of thieves qua thieves without recognizing a corresponding negative obligation to them. Again, we have negative pro tanto reasons or negative obligations to persons almost all of the time. But if that person takes up a role which is *necessarily* unjust, the permission to kill or be violent in self-defense overrides those reasons or obligations. So this explains why we almost never have a reason to promote the interests of thieves or tyrants qua thieves or tyrants; those interests are often constitutively unjust.

We can construct fanciful thought experiments in which thieves target only the extremely wealthy who look on with indifference as others starve to death, or tyrants who rule over a citizenry made up entirely of would-be terrorists and who prevents them from terrorizing. In

³⁹O’Neill et al 2008.

such cases, it's plausible to conclude that we ought to promote their interests or that we have a non-interference obligation to them. Again, we don't need additional considerations to connect interests with oughts or obligations; we need only the resources to identify the cases in which those obligations are overridden. The thief or tyrant case is instructive because it highlights the fact that certain interests can be constitutively unjust, and that the problem is not with interests per se, but that certain interests are almost automatically overridden.

3.3 Hargrove's Aliens Case

Eugene Hargrove offers an example of parasitic aliens (of the films *Alien* and *Aliens*) in order to pursue the same line of reasoning.⁴⁰ These aliens hatch from their eggs and enter the chests of humans, and when the time is right, explode, killing the human. Hargrove notes that these aliens have 'goods-for' of their own, and according to biocentric individualism, have intrinsic value. But we're not obligated to promote them, nor do we have a non-interference obligation to them. My response by now will be familiar. Because these aliens are threats (whether they are innocent or not is unclear to me), we are permitted to kill them in self-defense. When we do this, their interests are *overridden*; nevertheless, when not overridden, their interests generate obligations or moral reasons for action.

The alien case is instructive, however, for the following reason. When in close proximity, the risk they pose to humans is so high that we can kill them in self-defense. If we have some way to keep them at a distance without killing them, we ought to. And if we come upon their home planet, we do in fact have non-aggression obligations to them. Similarly, it is impermissible to provoke someone to attack you, and then retaliate in self-defense. Thus, I take it that issues having to do with risk and proximity motivate Hargrove's, O'Neill's, and others'

⁴⁰Hargrove 2003.

skepticism about the oughts and obligations arising from the 'goods for' and interests of living creatures who put us at risk. Where there's sufficient risk, and no possibility of mitigating it by decreasing our proximity, we can kill in self-defense. But the morally preferable option is to keep distance where possible, and in that respect recognize our non-aggression obligations.⁴¹

3.4 Callicott's Mice

Finally, at the risk of being redundant, I turn to Callicott's objection. Callicott, in a dismissive treatment of Peter Singer, offers the following remark after recounting his experience with mice living in his vacation home and making their presence known:

But, pace Singer, I never thought that I had a duty actively to give equal consideration to their interests as to those of my human companions. Had the mice significantly interfered with our interests – say, for example, posed a threat of hantavirus infection – my weekend companions would have included a hungry cat or two.⁴²

The point here is not to offer a defense on behalf of Singer, but rather to highlight the fact that even though Callicott finds it permissible to kill the infected mice—and this would be widely agreed upon, I suspect—this does not undermine the view that oughts or obligations arise directly out of welfare interests. Callicott, like everyone who makes this objection, points to a case wherein the interests of a creature who poses some danger to us. Again, if it is permissible to kill an innocent person who is a threat in self-defense, surely it is permissible to kill a mouse who poses risks to our own well-being. Because it is a case of killing in self-defense, the interests and obligations in question are overridden or outweighed. It's not as if they were never there.

⁴¹This point highlights the problem of proportionality in the self-defense literature. I bypass this issue due to space constraints.

⁴²Callicott 2013, p. 129

4. Final Remarks

This is not idle axiology with no ramifications for public policy. Consider the recent efforts to genetically modify species of mosquitos which transmit malaria such that they are driven to extinction.⁴³ There is no doubt that we have strong moral reasons to aid in the prevention of malaria, and that the death of persons is of extreme moral significance. Were one in a position to know that the mosquito about to bite them would give them malaria, it would be morally permissible to kill it, according to all serious approaches to ethics. According to biocentric individualism, mosquitos are morally considerable, yet the permissibility of killing in self-defense overrides their interests. Still, this account requires us to opt for programs which make the mosquitos malaria resistant, if it is at all a possibility. And because it is a possibility, we need strong evidence that no available malaria-resistance program will be successful before opting for the aforementioned genetic modification aimed at specicide. This is so, I claim, independently of the reasons we have for refraining from eliminating an entire species of animal because of its effect on the ecosystem in general and other creatures which rely upon them for food.

This, however, leaves the biocentric individualist with a different problem. The core problem in the literature on population ethics is trying to address the Repugnant Conclusion: “For any world full of happy people, a world full of people whose lives were just barely worth living would be better, provided that the latter world contained enough people.”⁴⁴ Without getting into the details of the arguments for the Repugnant Conclusion, it is sufficient to note that

⁴³http://www.nature.com/news/mosquitoes-engineered-to-pass-down-genes-that-would-wipe-out-their-species-1.18974?WT.mc_id=FBK_NatureNews Accessed 12/17/2015.

⁴⁴This was noticed first by Parfit 1984. See Huemer 2008 for an excellent overview. This formulation of the Repugnant Conclusion comes from Huemer.

the problem is that if there are enough people, there will be enough total value in the world to make it a better or more valuable world than one containing a smaller number of happier people. Similarly, biocentric individualists are left with the possibility that the interests of the non-minded could swamp or outweigh the interests of the minded. Given the massive amount of non-minded life on Earth, this is something the biocentric individualist needs to address. I leave that problem for the future.

I've argued that there's good reason to think that even non-minded life has welfare interests, and suggested that we can understand intrinsic value with reference to these interests. Further, because violating an interest is intrinsically bad or harmful, and we ought not do intrinsically bad or harmful things, that welfare interests are necessarily connected to oughts and obligations. Finally, a theory of killing in self-defense undermines the standard objection made to biocentric individualism. *Pace* Taylor, one does contradict themselves if they recognize that the good of an individual will be compromised and fail to recognize *any reason at all* against compromising it.

The dialectical situation is this. We start with the recognition that nonhuman life can go better or worse for the creature in question. On this, I agree with those whom I've criticized in this paper. But next, a variety of environmental ethicists offer a series of cases which suggest that recognition of the interests of others does not give us oughts, obligations, or practical guidance. Finally, and in light of these cases, they conclude that more needs to be said about how we are to generate oughts and obligations from the recognition of interests. My goal for the paper is to motivate the inference from 'goods-for' to welfare interests, and to reject the common objection against an interest-based axiology. If my responses to the purported problem cases work, then we do in fact get guidance from the recognition of interests and intrinsic value.

I suspect that the argument I've presented here will be more compelling to environmental ethicists than others. If one does not recognize the moral significance of nature in some form or another (that is, individual creatures or ecosystems themselves), then the argument presented in §2 will have little traction. I remain ambivalent about the success of biocentric individualism. Though I think there are good reasons to endorse the view, it remains a bit counterintuitive. Nevertheless, the main goal of this paper has been to motivate biocentric individualism, and to show that its main objection is unsuccessful.⁴⁵

⁴⁵I would like to thank Ken Shockley, Neil Feit, and two anonymous referees for helpful comments on this paper.

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