
Words

Interests

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Who or what has ‘moral standing’, that is, what kinds of entities have a claim to be included in the deliberations of rational moral agents? The view that only those beings who have interests can have moral rights or moral standing was probably first put by Leonard Nelson some 30 years ago and has, since then, attracted widespread support (1).

An interest is thus the kind of thing that gives its bearer access to the moral sphere: the interest bearer is, or ought to be, among those entities that deserve moral consideration for their own sakes – not for the sakes of others.

But what are interests? A full answer to this question will not only delineate the moral sphere – or define what G J Warnock called the ‘object of morality’ (2) – but will also address issues relevant to action: the kind of respect we owe beings who have interests, and the nature of ‘the good’ which we seek to promote.

In an important paper, *The Rights of Animals and Unborn Generations*, Joel Feinberg argues that ‘the sorts of beings who *can* have rights are precisely those who have (or can have) interests . . . What is incapable of having interests is incapable of having rights’ (3). While Nelson never analyses the concept of interests, Feinberg does. For him, interests are compounded out of desires, aims and goals. It follows, then, that all those entities who have desires, aims and goals have interests and hence rights (‘having rights’ here always broadly understood as ‘having moral standing’).

In making desires, aims or goals the basis of moral standing, Feinberg deviates from a tradition – most commonly associated with Kant but also supported by other philosophers who do not regard themselves as Kantians – according to which only rational autonomous beings such as human persons can have moral standing. Feinberg’s move is a plausible one. The view that rationality is a necessary criterion for moral standing is implausibly narrow. Not only most animals, but also some humans (young children and those who are senile, for example) lack rationality. But this does not mean that those of us who are moral agents may ignore their claims on us: for example, to

have a toothache relieved, or not to be subjected to maltreatment. While it is true that only autonomous beings can be proper moral *agents*, it is a mistake to believe that they are the only ones who can be proper moral *patients*, that is, be benefited and harmed by the actions of others.

As Jeremy Bentham, the founding father of modern utilitarianism, put it, the question is not whether they can reason but rather whether they can suffer. *All* beings capable of suffering and enjoyment can be benefited and harmed; and to the extent that morality is concerned – at least in part – with benefits and harms, all those beings who are sentient (that is, capable of suffering and enjoyment) can be benefited and harmed and are hence the proper focus of moral action; they have interests which ought to be taken into account.

Since not only human but also many non-human animals are capable of suffering and enjoyment, this view constitutes a considerable expansion of the moral sphere over the Kantian model with some disturbing implications regarding our present treatment of animals – for example, their confinement in factory farms and their use as tools for research. Practices such as these show, Peter Singer argues, that we do not give equal consideration to the interests of animals. But to the extent that morality demands the equal consideration of all interests – irrespective of whose interests they are – we are ‘speciesists’, that is, we are no better than the racist who discriminates between people on account of the colour of their skin, their race or nationality (4).

It is nowadays widely agreed that sentience is a *sufficient* condition for moral standing – although, as Singer so convincingly argues, this recognition is not always reflected in our practices. But, some philosophers ask, is sentience also a *necessary* condition for moral standing?

In an interesting article, Kenneth Goodpaster attempts to show that not only sentient beings, but all living things – including plants – have interests and hence moral standing. Referring to Joel Feinberg’s analysis of interests in terms of desires, aims and goals, Goodpaster argues that since non-sentient living things also have goals (and hence needs) they have interests and should thus be accorded moral standing. Take a

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tree, Goodpaster says; a tree needs sun and water for its continued existence. Like other living things, trees are teleological systems with a good of their own, much like human beings and animals. Why, then, exclude them from the moral sphere (5)? Goodpaster is right: non-sentient living things have a good of their own and insofar as certain things are conducive to their well-being, they have needs. If a tree is deprived of water, it is harmed because it will not flourish. Hence, one might want to say that it is in a tree's interests to receive sufficient water.

However, whilst we can meaningfully speak of non-sentient living things having interests, this understanding of interests as teleological needs or wants has the awkward result that we will have to attribute moral standing not only to all living things, but to non-living things as well: if a tree has interests because it needs water, then my car has interests because it needs oil, and the Bombe Alaska I just made arguably has an interest in being in the refrigerator rather than on the work-bench.

That it would require this enormous expansion of the moral sphere suggests that this broad notion of interests will not do either to define the object of morality, or to provide principles for action. One might thus say that philosophers are not wrong when they suggest that non-sentient living things can be benefited and harmed, but that they are wrong when they assume that morality has to do with benefits and harms in this broad sense. It is true, my friend's book will be 'harmed' if I leave it out in the rain, but I am not doing anything *morally* wrong to the book. If my deliberate disregard for the book is nonetheless wrong, it is wrong because it will upset my friend – because I fail to take *her* interests into account. Interests in the morally relevant sense presuppose what Feinberg refers to as a 'conative life' and what Peter Singer calls 'sentience', or the capacity for suffering and enjoyment:

'The capacity for suffering and enjoyment is a prerequisite for having interests at all, a condition that must be satisfied before we can speak of interests in a meaningful way. It would be nonsense to say that it was not in the interests of a stone to be kicked along the road . . . A stone does not have interests because it cannot suffer. If a being is not capable of suffering, or of enjoyment, there is nothing to take into account' (14).

Such an understanding of interests thus presupposes consciousness, because without consciousness a being cannot have a conative life or the capacity for suffering and enjoyment and can hence not be benefited and harmed in a morally relevant way.

At the very basis of the sentience criterion as a prerequisite for moral standing is thus the view that only states of consciousness are of moral import. Beings capable of experiencing pleasant and unpleasant states of consciousness have interests or a

good of their own; those lacking experiences or mental states do not. They are, in the words of Feinberg 'mere things' or 'mindless creatures' and, however valuable to others, have no (moral) good of their own (3).

This seems plausible. But we must proceed with care. If it is in virtue of being conscious and sentient that beings have interests, then there are two different ways in which interests can be understood. Interests can be understood as being compounded out of desires and aims (Feinberg's view) or, alternatively, out of the experiences which sentient creatures find agreeable or disagreeable.

It may initially seem that it is but a minor matter whether we adopt the 'experience model' or the 'desire model' of interests – but clearly it is not. On the 'experience model' a being's interests are satisfied when he or she is happy or pleased. On the 'desire model' a person's interests are satisfied when his or her desires are satisfied. But the fact that a desire is satisfied does of course not mean that the person is happy or pleased; indeed, disappointment or even harm may accompany the satisfaction of some desires.

The classical utilitarians (Jeremy Bentham, John Stuart Mill and Henry Sidgwick) tended towards the experience model. More recent utilitarians have objected that this model is too narrow. They argue that the notion of interests should either be expanded to include the satisfaction of desires, or else be defined entirely in terms of the satisfaction of desires or preferences.

This shift seems indicated because of certain serious difficulties with which the experience model is faced. Take the case of killing. If we consider the painless killing of a normal adult person who wants to go on living, he or she will suffer no unpleasant states of consciousness and will, of course, not be around to experience the loss of future pleasant ones. But does this mean that such painless killings are therefore permissible? Hardly. It is true, classical utilitarians can point out that such killings are not permissible because they will reduce the overall pleasure in the world (there now being one person less who could have experienced pleasant states of consciousness); and, they might add there will also be undesirable side-effects. For example, friends and relatives will mourn the loss of the loved one and, in addition to that, might also be afraid that they will be the next victims of such killings. This, a hard-nosed classical utilitarian might insist, is what makes such killings wrong. However, while these side-effects should not be ignored, they do not seem to touch on the real wrongness of killing. Killings, we think, are primarily wrong because of what they do to the victims: they are wrong because they override the victims' interests in the most fundamental way.

Here the desire model or, as it is frequently called preference utilitarianism offers a better explanation as to why killing someone who wants to go on living is directly wrong. To the extent that people have desires

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for the future – for example, to go on a skiing trip to Austria, to complete an article on ‘interests’, to see their children grow up, and so on, it would be wrong to kill them because it would leave a whole range of future-directed desires unsatisfied – including the desire not to be killed against one’s wishes.

The desire model also offers a plausible explanation as to why some killings are *not* directly wrong – for example, those where an incurably ill and suffering patient does not want to go on living. If the doctor accedes to the patient’s request to be killed, such a killing does not override a desire to go on living and is hence not directly wrong. On the contrary, in this case killing would, other things being equal, be in the patient’s interests.

What about other killings – those involving non-human animals and human fetuses, for example? Again, preference utilitarianism can offer a plausible explanation as to why the killing of, say, chickens for food or the killing of fetuses to protect the interests of the mother are not the moral equivalents of killing an adult person who wants to go on living.

The philosopher Michael Tooley argues – convincingly in my view – that human fetuses and most non-human animals do not have a right to life because they do not have the conceptual wherewithal to conceive of themselves as distinct entities, existing over time with a past and a future. Hence killing a fetus or a chicken is not a direct wrong done to the being killed because it does not override that being’s desire for, or interest in, continued existence (6).

If Tooley is correct, then killing beings who do not have the capacity to desire to go on living is not a direct wrong done to them. This conclusion will strike many people as shocking because it means that not only fetuses, but also newborn infants do not have a right to life. But is this conclusion as shocking as all that – and so much at odds with contemporary practices? The practice of letting handicapped infants die is widespread and has recently received much attention in the medical and philosophical literature. Admittedly, handicapped infants are not generally killed – they are ‘merely’ allowed to die – but it would be a mistake to assume that letting die is in the infant’s interests, whereas killing is not (7). On the contrary, and this brings me to my next point, philosophers who take the view that some beings do not have a right to life do not generally hold that those beings do not have any other rights or interests – for example, an interest not to suffer. Fetuses, animals, newly born infants and the grossly retarded and deranged still have moral standing on account of their being sentient. Hence, while it may not be directly wrong to kill a severely handicapped infant, it would be directly wrong to subject such an infant to a drawn-out and painful process of letting die.

There is some debate as to how the interests of sentient creatures who do not have a right to life are best understood – as simple desires or preferences, which can be incorporated in the ‘desire model’, or as states of consciousness, to which the ‘experience

model’ applies. I shall not enter this debate – although much depends on which model we adopt and on whether we think that the interests (however defined) of not-as-yet existing but ‘possible’ beings ought to be taken into account. For example, most of us think that it would be wrong for a woman deliberately to bring into existence a handicapped child whose life would be such that few, if any, of its interests could be satisfied; but would symmetry not then demand that we also take the interests of not-as-yet-existing beings into account, whose future interests could most likely be satisfied, in effect, that a woman ought to have all the normal and potentially happy children she could have? But, as I said, I shall not pursue these questions. Instead, I want to focus briefly on some difficulties with which the now popular desire model, or preference utilitarianism, is faced in the case of normal adult human beings or persons.

In a much-discussed article, Tom Regan distinguishes between

‘Good health is in John’s interests’ and ‘John has an interest in good health’ (8).

The first draws attention to the fact that John has a good of his own, to which good health is conducive. The second is bound up with John’s desiring or wanting good health. As has repeatedly been pointed out in the literature, these two senses of ‘interest’ need not coincide. For example, even though good health is in John’s interests in the sense of contributing to his well-being, it may well be the case that John has no interest in good health – he simply might not care. This means that good health can be in John’s interests without John having an interest in good health; in fact, John may have an interest in things that are detrimental to his health – for example, smoking (9).

The desire model requires that we maximise the satisfaction of desires; hence, it is the second sense of ‘interest’ on which it rests. (The first, it will be remembered, being that sense of ‘interest’ in which also non-sentient entities such as trees and man-made objects can be said to have a good of their own.) But what precisely are the desires which we are to maximise?

It is easy to imagine the following situation: John wants to smoke today and has wanted to smoke for years, but five years from now, he will desire that his past desires had not been satisfied – for example, because he is now suffering from lung cancer. Ought we, then, to ignore people’s present desires and try to satisfy their future ones? If this is the suggested answer there is an obvious problem: not only do we not know what future desires people are going to have (one person may desire that her past desires for a cigarette had not been satisfied, whereas another person will be glad that they were), but the real difficulty is of course that those people do not now *have* the future desires (whatever they will be) which we should seek to maximise. So it might initially seem that there is very

little we can put against the satisfaction of present desires.

However, one plausible move is to suggest that what is required is not the satisfaction of desires as such, but rather the satisfaction of *rational* desires (10). For example, addiction to smoking with its statistically significant link to lung cancer and other disabling or lethal effects is not something I would desire or want if I were fully rational and informed about all the facts of the situation. I would realise that even though I desire to smoke now, it would not be prudent to satisfy this desire because its satisfaction may prevent me from satisfying many of my future desires. Whilst I do not now know what exactly these desires will be, I can confidently expect that I will not be able to satisfy many of them unless I am alive and in reasonably good health.

This means that rather than looking at isolated individual desires of mine, I need to take account of the entire range of preferences or desires I have and am likely to have for my life, and rank them in some kind of hierarchical order. If this seems difficult, it is not a difficulty unique to preference utilitarianism. Most of us – utilitarians and non-utilitarians alike – do in fact devise some kind of ‘life plan’ which we follow – with varying degrees of success – through the deliberate frustration of some desires and the satisfaction of others.

But one major difficulty nonetheless remains: even the satisfaction of rationally ordered desires or preferences does not necessarily provide a link with happiness or well-being. I may, once I have attained it, find that I detest the object of my desire. And yet, even though I experience deep disappointment, the desire model says that my interests have been satisfied. But to say that my interests are satisfied by my being disappointed is odd. Should we therefore stipulate that it is only then in a person’s interests to have a desire satisfied, if its satisfaction contributes to that person’s happiness? If we did this, LW Sumner points out, then we would have trimmed the desire model to coincide with the experience model (11); and the experience model has, as we saw above, its very own problems.

I could, and perhaps should, have raised many more questions – for example: do the dead have interests that survive them regarding disposal of their property, their reputation, or treatment of their bodies? Do future generations have interests, and how are we to understand them if not only the well-being of future people, but their very existence depends on our actions today? These are formidable questions which must be faced by those whose moral vocabulary contains the word ‘interest’ – and that means virtually all of us. While it may be true that the natural home of the concept of interest is utilitarianism, there would be few philosophers today who would want to defend the view that morality need take no account of the desires or the well-being of individual human beings and sentient animals. But if most of us take the view that individual interests ought to count in our moral

deliberations, then it is quite clear that the difficulties I raised above are not a unique problem for utilitarianism. Rather, they are a problem for all of us.

In its recent report *Deciding to Forego Life-Sustaining Treatment*, the prestigious American President’s Commission for the Study of Ethical Problems in Medicine and Biomedical and Behavioral Research puts forward the view that the decision to provide or forego life-sustaining treatment ought to be based on the ‘best interests’ of the patient (12). But, as we have seen, what the best interests of particular patients are might well require some further philosophical reflection.

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