AUTONOMY AND THE VALUE OF ANIMAL LIFE

In Anglo-American society, virtually every moral theory of any note, including any plausible form of utilitarianism, places great stress upon autonomy, treats it as intimately bound up with morality, and regards it as of considerable moral significance to normal adult humans and to the value of their lives. In these respects, Kantianisms, contractualisms, rights-theories, and utilitarianisms are very alike. They are also alike in that their emphasis upon autonomy inevitably sets up fully autonomous beings as something of a special or privileged class, against which the lives of non-autonomous beings, such as infants, the very severely mentally-enfeebled, the seriously brain-damaged, the irreversibly comatose, and animals are viewed and their value assessed. The attempts theorists of all stripes make to squeeze as many beings as possible into the autonomous class illustrate the special or privileged character of that class in our moral thinking. (I have examined some of these attempts in several forthcoming papers, in which I consider such notions as impaired autonomy, potential autonomy, and trusteeship or proxy agency. So far as animals are concerned, I argue that these notions do not successfully shift them into the autonomous class.1)

Does it matter that infants, seriously defective humans, and animals are not autonomous? The answer, I think, is that it both does and does not matter. Where the suffering of a being is concerned, autonomy does not matter. If one pours boiling water on a severely handicapped infant, what makes what one does wrong is the suffering the infant undergoes. Rights, for example, are superfluous here, as if what made the act wrong was some alleged right of the infant, say, not to be tortured; the act is wrong because of the suffering it causes. The same is true, were we to replace the infant with a dog. In other words, the fact that the infant and the dog are not autonomous does not affect the wrongness of pouring boiling water on them. And the wrongness of the act is not for reasons of the sort Kant embraced, not, that is, for reasons to do with the increased prospect of our performing such an act upon an autonomous being; the wrongness of the act has to do with the suffering it causes in the infant and in the dog. But what about the rightness or wrongness of killing the severely handicapped infant or the dog? Here, I think, autonomy, or the lack of it, matters.

Some utilitarians (and non-utilitarians as well) endorse the view that what matters in killing is whether the thing killed is an autonomous person...
or continuing self,2 able to see itself as existing over time, able to have desires with respect to the future, including the desire to go on living, and able, therefore, to have these desires frustrated. To kill an autonomous person, that is, to kill a being that has a concept of self, that can envisage itself with a future, and that can have desires with respect to that future is typically to kill a being that has a very powerful desire to go on living; and this is wrong. On this view, animals will be persons only if, among other things, they have a concept of self, something which I argued against in Interests and Rights;3 and it seems reasonably certain that infants, the very severely mentally-enfeebled, and the irreversibly comatose (and, very probably, the seriously brain-damaged) are not persons. Thus, the way is open to infanticide or the killing of severely handicapped new-borns:4 the killing of such new-borns is not the destruction of autonomous beings, and it is this on the present view that is of crucial moral significance in killing. Equally, the way is open to (some cases of) euthanasia; for just as a human being becomes a person so a human being can cease to be a person, though, as it were, the ‘human shell’ remains. Obviously, the way is also open to the killing of animals.

In the above, autonomy is linked to personhood; but it could have been understood in other ways. Some theorists take autonomy to be or to imply agency and agency to involve such things as rationality and action upon reasons, self-awareness, self-critical control of one’s desires, the application of norms to one’s conduct, and deliberative choice. Some take autonomy to be about making one’s own decisions, at least in the important affairs of life, and directing one’s life. Some take it to be about constructing or building a life of value for oneself; and some take it to be about adopting and living out a life plan. On all these views,5 animals almost certainly turn out not to be autonomous, and the relevance of this result to killing comes about through the fact that autonomy matters to the value of a life.

Killing and the value of life are inextricably linked; for if a particular life had no value, it is hard to see why taking it would be wrong. We do not think that animal life is of no value, so that we need not trouble ourselves about taking it; but most of us also do not think that animal life has the same value as normal human life. In this regard, we are not egalitarians. Nor is this a speciesist reaction on our parts: for numerous reasons, which I have set out in Rights, Killing, and Suffering6 and do not have space to go into here, we find normal human life to be of a much higher quality than animal life, not on the basis of species, but on the basis of richness;7 and the value of life is a function of its quality. One result is that the threshold for killing animals is lower than that for killing normal humans; another is that the threshold for killing severely defective humans is lower than that for
killing normal adult humans. (As we shall see, this fact affects several important uses to which variants of the argument from marginal cases are put.)

So many different things have been meant by 'autonomy' that it may seem foolhardy to claim that what holds good of one or several senses holds good of most or all of them. But I am inclined to think that the main senses found in contemporary moral and political philosophy—autonomy as personhood, as agency, as self-direction, as constructing or building a life of value for oneself, as adopting and living out a life plan—all fundamentally move in the same direction. Autonomy matters because of what it enables us to make of our lives.

In this view, the emphasis falls at three places. First, it falls upon our making something of our lives. A learned friend of mine, whose life became something of a misery because of his academic wife's deep anxieties over promotion, finally was driven to offer to write the rough drafts of several papers for her, and she reacted with revulsion. For though she wanted promotion, she wanted to achieve it for herself. One can easily romanticize this sort of thing; but one can also fail to appreciate just how powerfully we desire to achieve things for ourselves. People who have, with considerable effort, turned themselves into cancer research specialists want to do medical research; it is not merely their own ethics or the ethics of scientific research, therefore, that keep them from appropriating the research of others. They want to do the work themselves. Doubtless all good, professional tennis players aspire to win Wimbledon; but to gain the title through computer fraud or bribery or the disqualification of or injury to all the excellent players is not what they have in mind. Of course, the desire for academic success, scientific honours, and the trophies of tennis can sometimes get the better of our strong desire to achieve things for ourselves; but it is significant, I think, that where this does occur we often try to justify the reward in question both to others and to ourselves, as if it really were a reward, a reward for our own efforts. The woman academic who takes her husband's papers and gains promotion may well tell herself that she took the papers only in order to save time, that her own papers would have been equally as good, and that her husband's ideas are very much in line with, if not derived from, her own.

This desire to achieve things for ourselves partially explains why paternalism, even when its exercise on our behalf succeeds in bringing us what we in fact want, can seem so hateful a thing to us. Much the same applies in the case of fanciful examples: I do not want to swallow a pill and have exactly the same set of experiences I should have had if I had beat Lendl in the final at Wimbledon; I want actually to beat Lendl in the final. To be sure, I want
the relevant experiences; but I want them to come through and as a result of actually beating Lendl on the day. And the prospect of failure matters: unless I play the best tennis of which I am capable, Lendl will easily triumph; and this fact that I can lose adds spice to my desire to win. I do not want to lose; but the prospect of losing, and what it forces me to find within myself on the day, matter very much to me. Finally, any view that tries to reduce what I want here to a set of experiences has to contend with another fact: I want to beat Lendl, but I also want him to acknowledge that he was beaten. My wants here are not just restricted to myself and so, e.g., to my own experiences; I want something to occur in Lendl as well. A pill that gives me the experience of beating Lendl, without actually having played him, does not give Lendl the experience of having been beaten by me; and part of what I want is that, on the strength of that experience, he acknowledge that I beat him in the Wimbledon final.

Second, the emphasis falls upon our making something of our lives. Our academic wife wants to produce papers of note; in order to bring this to pass she has not only to cultivate in herself the habits of mind and work that could make this possible but also to gain control of her activities and desires and try to regulate them, if not to serve an academic life, at least not seriously or too often to impede such a life. She has, in other words, to mould or shape her life, and part of what this involves is gaining control of her desires, fostering some, shedding others, and trying to engender still others. A certain ordering of her life is required, if she is going to put herself in a position to be able to produce serious academic work. The same is true in the cases of the medical researcher and the tennis player: they need to order and regulate their lives if they are going to live the lives, respectively, of scientist and athlete. In the sense intended, one cannot be a professional athlete without turning one’s life into that of a professional athlete; the life of an academic or a scientist just will not suit.

The above explains what is misleading about asking the academic wife what she would give to write a distinguished paper or the tennis player what he would give to win an important tournament; for what is centrally at issue for them is not a one-off affair but a way of life. Part of what one has to decide in deciding to become an academic or a tennis player is whether one wants to live the life of an academic or tennis player; and, often, the decision is very difficult. The son of a philosopher friend of mine is one of the leading, young chess players in the United States; and if the boy is to go further in his chess, a decision about his future will shortly have to be made. The boy is very good at chess, and its rewards, by all accounts, are many; yet, to devote one’s life to chess from an early age is to close off other opportunities and other lives, in favour of a life, some would say, that is ex-
cessively remote, self-absorbed, and narrowly-focussed. The father is of two minds about such a life for his son and so unsure what advice to offer.

Third, the emphasis falls upon or moulding or shaping our lives in accordance with our ends or conception of the good life. Certainly, we ourselves want to make something of our lives; but this cannot be the root of the matter, since a man can make something of his life while living out a conception of the good life that is not of his own choosing. A man may be pushed into the family business and may in time turn himself into a successful businessman, while all the time wanting most profoundly to be a painter. Such a man could throw up his present life, though we all can point to countless factors that weigh against any such course; and doubtless he strikes many as weak. Yet, he is successful in business and gains happiness to some extent through it. The real charge against this man is servility: he has allowed, for whatever reason, others to impose their conception of the good life upon him; and he proceeds to live out that conception. To be sure, he is no slave; but we can be servile without being a slave. Such servility is anathema to most of us; just as we want to make something of our lives, so we want to lead our own lives, to lead them in accordance with that conception of the good life that we at the moment embrace. It matters, then, that we retain control over our conception of the good life, and some conception becomes our conception—it may be relatively unambitious, wholly lacking in the activities that stretch us to the limits of our abilities, and utterly passive, just as it may be otherwise—through being chosen or embraced by us. It need not be thought up or devised by us.

Control over one's conception of the good life is a serious matter; for making our own decisions and directing our lives in accordance with our conception of the good life can enable us to construct lives of great accomplishment and fulfilment. Unlike many others, I think autonomy is only instrumentally valuable; but it possesses in the typical case enormous instrumental value. For it enables us to live our lives as we see fit and to make of them what we will; it becomes, then, a means to that rich full life of self-fulfilment and achievement, quite apart from any satisfaction and fulfilment that comes through the satisfaction of our appetites, that so separates men from animals. When we look back and say of a human being that he led a rich, full life, we allude to something incomparably beyond that to which we would allude, were we to say the same thing of a chicken or dog. And autonomy is a key to this notion of a life of accomplishment and self-fulfilment, lived according to one's conception of the good life.

There are good practical reasons for not surrendering control both over one's decisions in the important affairs of life and over one's conception of the good life. After all, we are much better placed than anyone else to know
what we want and how we want to live, and no one is likely to be nearly so assiduous in making decisions in favour of what we want and how we want to live. Control in these senses, then, is crucial to a further and significant dimension of value to our lives. The life of the most servile man imaginable can have some value, since some of his first-order desires and all of his appetites may be satisfied; but such a life lacks the further and significant dimension of value described above, to which autonomy as control is the key. When we speak of the richness of life, when we describe a man as having led a rich full life, we precisely do not mean that he overly indulged or was a slave to his first-order desires and appetites. Just as we think of such a life as incompatible with being the slave of another, so we think of it as incompatible with being the slave of one’s first-order desires and appetites. We can lose control over important decisions and our conception of the good life through illness, accident, mistake, and the coercive interference of others in our lives; but we can also lose it through failure to order and regulate our lives, and so through failure to gain control of our first-order desires and appetites, in the service of our conception of the good life. Bishop Butler noted long ago that a man’s particular passions may be so strong and his indulgence of them so pronounced that he can fail to serve, not merely the dictates of conscience, but even those of self-interest. The same is true in the present context: some of our first-order desires (and appetites) may be so strong and our indulgence of them so pronounced that we lose control over our decisions in the important affairs of life and our conception of the good life.

Autonomy as control, then, requires us to be free not only of the coercive interference of others in our lives but also of the undue influence of our first-order desires (and appetites). Gaining control of these desires (and appetites), fostering or restraining or shedding some and engendering others, is a significant part of what is involved in moulding or shaping our lives, in accordance with and in the service of our conception of the good life. If first-order desires (and appetites) are part of our nature, then it is important to note both that they are not the only part and that we are not their slave. Often, for example, we use second-order desires—desires to have or not to have certain desires—either to try to engender in ourselves (some) different first-order desires or to try to shed completely some such desires. Once our academic wife realizes that her desire for an extensive social life may be impeding her efforts at producing serious academic work, she may well come to desire no longer to have this desire or, at least, to desire to restrain it.

A good deal more needs to be said even to begin to flesh out this sketch of autonomy as control; but I hope the above will suffice to indicate part of what supports the claim that autonomy matters (over killing) because it af-
fects the value of a life. Autonomy affects the value of a life because of what it enables us to make of our lives: making our own decisions and directing our own lives in accordance with our conception of the good life enables us to mould and shape our lives into lives of accomplishment and self-fulfilment. The happiness such a life brings comes in part through the strong sense of achievement that attends it, of plans fulfilled and purposes accomplished; a life has been moulded and shaped into something of immensely greater value than any mere record of the satisfaction of first-order desires and appetites could indicate. This further dimension of value to our lives, to which autonomy as control is the key, is part of what demarcates the value of normal human life from the value of seriously defective human life and of all animal life. Plainly, then, it forms one of the grounds for firmly resisting any egalitarianism over the value of life.

In addition to trying to exploit the notions of impaired autonomy, potential autonomy, and proxy agency, in order to squeeze animals into the class of autonomous beings, there is, of course, the possibility of specifying a weaker or different sense of autonomy from those I have above referred to as the main senses found in contemporary moral and political philosophy. This is the course that Tom Regan follows in his book *The Case for Animal Rights* and in a subsequent paper of the same name. Regan’s sense of ‘autonomy’ is precisely designed to join the argument where, on the other senses, animals are ruled out as autonomous; on his showing, animals are autonomous beings, possessed of rights and of lives of equal inherent worth to human lives. What he does is to specify a sense of autonomy, moulded by his intuitions about whom he wants in the special or privileged class, that encompasses animals; he then grafts on to this sense a theory of rights that does not require, e.g., agency in order to possess the rights in question.

Regan’s account of these matters is innovative; but it is, I believe, flawed. Any account whatever that takes the form that Regan’s does must, I think, face a test: it must specify a sense of autonomy that makes it the case that animals are autonomous without draining that sense of the significance for the value of a life that we take autonomy to have. Regan’s account, I believe, fails this test.

Before turning specifically to Regan’s views on autonomy, I want first to comment upon his views on several related issues. His positive case for animal rights features at least four central claims; these are that animal and human life are of equal inherent worth, that animal life possesses inherent worth in the first place, that the scope of his theory of rights cannot be limited to humans, and that animals are autonomous. In my view, the first
three claims all suffer from the same weakness, while the fourth suffers from the flaw already indicated.

Regan is convinced that animals have rights. Of his rights view, he says that ‘of course, if it were possible to show that only human beings are included within its scope, then a person like myself, who believes in animal rights, would be obliged to look elsewhere’. Presumably, Regan so believes in animal rights that any theory whatever that failed to accord them rights would, even if it condemned all the practices he condemned and found wrong the maltreatment of animals, be unsatisfactory. It is difficult to know, therefore, how arguments stand that try to weaken his faith in the rights of animals. Are they as it were, bound to go awry, a priori? I am unsure exactly how Regan would respond to such questions; that is, I do not know what counts as, indeed, whether anything at all counts as, a challenge to his intuitions on this score. In any event, nothing that follows turns upon Regan’s intuition that animals have rights, that they are rights-holders; this intuition, though I do not share it, is not here at issue.

What is at issue is Regan’s reliance upon variants of the argument from marginal cases to support his claims. In each case, I do not believe these variants do support his claims, do not believe, that is, that appeal to the cases of defective humans does the work on behalf of animals that Regan supposes it does.

First, then, there is Regan’s claim of the equal inherent worth of human and animal life:

Well, perhaps some will say that animals have some inherent value, only less than we have. Once again, however, attempts to defend this view can be shown to lack rational justification. What could be the basis of our having more inherent value than animals? Their lack of reason, or autonomy, or intellect? Only if we are willing to make the same judgment in the case of humans who are similarly deficient. But it is not true that such humans—the retarded child, for example, or the mentally deranged—have less inherent value than you or I.

This affirmation turns entirely upon our agreeing that all human life, however deficient, has the same value; and I, as the reader will know, do not agree. For me, the value of life is a function of its quality, its quality a function of its richness, and its richness a function of its scope or potentiality for enrichment; and the fact is that many humans lead lives of a very much lower quality than ordinary normal lives, lives which lack enrichment and where the potentialities for enrichment are severely truncated or absent. If, then, we confront the fact that not all human life has, not merely the same enrichment, but also the same scope for enrichment, then it follows that not all human life has the same value. (Anyone who thinks that we do
not use this argument in order to trade off lives of very low quality would do well to read some of the contributions by health care professionals to many of the contemporary debates in medical ethics over death and dying.) If not all human life has the same value, then Regan's claim of the equal inherent worth of animals collapses; for we do judge some human lives of less value than others.

Second, there is Regan's claim, not of equal inherent worth, but of inherent worth in the first place:

Some there are who resist the idea that animals have inherent value. "Only humans have such value," they profess. How might this narrow view be defended? Shall we say that only humans have the requisite intelligence, or autonomy, or reason? But there are many, many humans who fail to meet these standards and yet are reasonably viewed as having value above and beyond their usefulness to others.14

Again, the case of deficient humans is being appealed to, this time to cede animal life inherent value at all. But I do not regard all human life as of equal value; I do not accept that a very severely mentally-enfeebled human or an elderly human fully in the grip of senile dementia or an infant born with only half a brain has a life whose value is equal to that of normal, adult humans. The quality of human life can plummet, to a point where we would not wish that life on even our worst enemies; and I see no reason to pretend that a life I would not wish upon even my worst enemies is nevertheless as valuable as the life of any normal, adult human. As the quality of human life falls, trade-offs between it and other things we value become possible; and if this is what one is going to mean by the phrase "usefulness to others", then I see no reason to deny that that label can be applied to me and my views. (But so, too, can it be applied to countless other people. Regan's book is littered with warnings against utilitarianism; but any of the numerous textbooks on medical ethics now on offer will show in, e.g., their sections on death and dying that all kinds of people, utilitarians and non-utilitarians alike, are no longer prepared to concede all human life, irrespective of quality, equal value.) Accordingly, Regan's claim of the inherent worth of animals is compromised; for there are good reasons not to judge deficient human life either of equal value to normal, adult human life or, in extreme cases, even of much value at all.

By lives of not much value at all, I have in mind lives whose quality is so low that they are no longer worth living. I concede the difficulty of determining in many cases when a life is no longer worth living; but in other cases, including cases quite apart from those involving the irreversibly comatose, the matter seems far less problematic. Work recently done in Oxford by Ronald Dworkin on some of the policy implications of the prevalence of
Alzheimer’s disease leaves me in little doubt that a life wholly and irreversibly in the grip of senile dementia is a life not worth living; and the case of infants born without any brain whatever seems an even clearer instance.

Third, there is Regan’s claim that attempts to limit the scope of his rights view to humans come unstuck:

Animals, it is true, lack many of the abilities humans possess. They can’t read, do higher mathematics, build a bookcase or make baba ghanoush. Neither can many human beings, however, and yet we don’t (and shouldn’t) say that they (these humans) therefore have less inherent value, less of a right to be treated with respect, than do others.13

Perhaps Regan is right, that a human who cannot build a bookcase does not per se have a less valuable life than other humans; but what about very severely mentally-enfeebled humans or elderly people fully in the grip of senile dementia or infants born without a brain? I think these lives have less value than ordinary human life. What is the difference between these cases and the bookcase example? It is that the inability to build a bookcase is unlikely, bizarre circumstances apart, drastically to affect the quality of one’s life, whereas severe mental-enfeebledness, senile dementia, and the absence of a brain quite obviously have a seriously negative effect on the quality of life. But one need not go so far afield to find such negative effects: some of the patients in the final stages of AIDS come to the view, I gather, that life is no longer worth living, as first one illness and then another ravages their bodies.

A word on Regan’s point about treating deficient humans with respect is necessary. He ties talk of respect in the passage above to some right to respect, without explaining what justifies this linkage; but the real problem is that the use of some right to respect in the present context begs the question. A doctor friend recently described to me the case of a very severely handicapped child who managed to be kept alive to the age of four through a series of eleven operations; the doctor’s wife described the case as one of ‘keeping the child alive long enough for nature to kill it’, which nature duly did. How exactly does one show respect to this child? By yet another operation, to extend its life a few weeks longer? It is all well and good to advocate treating deficient humans with respect; in the absence of some statement in a particular case about what constitutes respect, however, such talk does not come to much. How, for example, does one show respect for an individual with AIDS, who has thought long and hard about suicide and decided to kill himself? By intervening and stopping him? Or by not intervening and permitting him to carry on?

In dealing with the first three of Regan’s claims, I have not explicitly invoked that further dimension of value to ordinary human lives to which
autonomy as control is the key; but it clearly reinforces the difference between the value of ordinary and defective human life. Since it concedes nothing to Regan’s appeal to defective humans, it simply adds to the case against his claims of the inherent worth of animal life and the equal inherent worth of animal and human life. Indeed, in the light of the passages quoted above concerning these claims, in both of which Regan refers to autonomy, it seems quite clear that autonomy as control provides answers on its own to them. For a difference in autonomy as control between ordinary and defective human lives amounts or is related to a difference in their value; and this means that Regan cannot appeal to the equal value of all human life as a means of forcing us to concede the inherent and equal inherent worth of animal life. His variants on the argument from marginal cases do not support his claims, then, since it is not true, even if we focus solely upon autonomy as control, that ordinary and defective human lives have the same value.

Finally, there is Regan’s claim that animals are autonomous:

An alternative view is that individuals are autonomous if they have preferences and have the ability to initiate action with a view to satisfying them. It is not necessary . . . that one be able to abstract from one’s own desires, goals, and so on . . . ; it is enough that one have the ability to initiate action because one has those desires or goals one has and believes, rightly or wrongly, that one’s desires or purposes will be satisfied or achieved by acting in a certain way.16

It is Regan’s view that ‘mammalian animals, at least, are reasonably viewed as creatures meeting the requirements for possession of preference autonomy’.17 In time, this preference view of autonomy becomes part of a wider notion, which Regan refers to as being the ‘experiencing subject of a life’; such a subject is ‘a conscious creature having an individual welfare that has importance to us whatever our usefulness to others’.18

If Regan wants to construe ‘autonomy’ in this preference sense, so be it. But it is so impoverished a sense that (i) it comes nowhere near accounting for the significance to the value of a life that we take autonomy, as the control sense makes evident, to have and (ii) it has nowhere near enough significance to the value of a life to support the claim that defective and ordinary human life have equal inherent worth and so to support the claim that animal and human life have equal inherent worth. Elderly people wholly in the grip of Alzheimer’s disease have desires and initiate action on the strength of them; people suffering from all kinds of mental illness, including severe cases of derangement and paranoia, have desires and initiate action on the strength of them; and people suffering from severe mental-enfeebleness have desires and initiate action on the strength of them. In
none of these cases, however, does this fact come anywhere near to accounting for the significance to the value of a life that we take autonomy to have. Indeed, the preference sense has been drained of all those features of the control sense—e.g., control and assessment of our desires, fostering some, shedding others, engendering still others; the moulding and shaping of our lives to a pattern or plan or conception of the good life; the use of second-order desires to affect our first-order ones in the service of our conception of the good life; etc.—that make a life valuable. In none of the above cases, moreover, does the fact that the parties have desires and initiate actions on the strength of them support the claim that defective and ordinary human life have the same value. The point is not just that ordinary human life is of a much higher quality and with the added value that the control sense of autonomy enables us to give it; it is also that merely having desires and initiating actions on the strength of them does not in itself explain how this sort of thing is related to the value of a life. I have explained this in the control sense of autonomy through its connection with conceptions of the good life; but there is nothing in the preference sense that performs this function. In other words, what we have to believe is that just having desires and initiating actions on the strength of them, even if these desires come in helter-skelter fashion and even if they come into conflict with each other, as in Alzheimer’s patients they frequently do, not merely confers value on the life of the Alzheimer’s patient but equal value with ordinary human lives. I can see no reason whatever to believe this, certainly, with respect to conferring equal value upon lives, but even with respect to conferring value at all upon lives. Only if one held that the satisfaction of just any of a person’s present, actual desires added value to one’s life would this be true, and no desire theorist has held this, for an obvious reason. A woman who loves being a model and wants to carry on in this career hardly seems to be conferring value upon her life, let alone immense value, if she satisfies her present, actual desire for mutilation.

Without repeating what I said earlier about the control sense of autonomy, I think it is quite evident what Regan’s preference sense lacks and why it is so impoverished. What matters is not having desires; what matters is (i) critically evaluating, assessing, and ordering first-order desires and (ii) doing so in the service of some conception of the good life. The preference sense leaves these out, yet their inclusion is crucial, I think, if we are to account for why we think autonomy confers value upon a life. The rational evaluation, assessment, and ordering of our first-order desires in accordance with our conception of the good life are precisely why the model will not satisfy her present, actual desire for mutilation, are precisely
why the academic wife who needs to produce serious academic work to enhance the prospects of a career that matters to her will not constantly indulge her present, actual desire to lie in the sun.

I said earlier that we are not the slaves of our first-order desires, and it should be evident that our capacity for critical evaluation, assessment, and ordering of our first-order desires is part of the explanation. Because of this rational capacity, we can mould and shape our lives in accordance with our conception of the good life; we can make our lives into things of value. Where this capacity is absent, however, it is far from clear that the creatures that have first-order desires are not the slaves of them or that the explanation for why they are not is, e.g., whim. What is involved here is a complex, second-order, rational activity, and I see no reason to think that either the very severely mentally-enfeebled or animals are capable of it.

Lastly, our capacity critically to evaluate, assess, and order our first-order desires, and our capacity, by second-order desires, to foster and shed some first-order desires and to engender in ourselves others, enable us to mould and shape our lives by means of a conception of the good life that we impose upon them. There is nothing like this sense of imposition to be found in the typical cases of defective humans and animals. Our lives are not, or are not merely, a series of unfolding desires or events or happenings of which, as it were, we are the experiencing subject; we are not condemned merely to live our lives according to our species or to seek no further than the scope of our present first-order desires. We can live our lives according to conceptions of the good life that we impose upon them; and the richness of our lives is partly a matter of the sense of achievement and self-fulfilment that living out such conceptions typically brings. Both a dog and a man may be the experiencing subjects of lives; yet, the man’s life is both richer and richer through being a life that he has, in the appropriate sense, made for himself.20

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NOTES


4. Unless one's utilitarianism contains a series of safeguards, the way will also be open to the killing of perfectly healthy new-borns, who equally are not persons. Any even remotely plausible utilitarianism, of course, will contain such safeguards, though I suppose critics of utilitarianism may remain doubtful about the stringency of safeguards generally in a utilitarianism. At least with some utilitarianisms, such as that put forward by R. M. Hare in *Moral Thinking* (Oxford: Clarendon Press, 1983), such doubts strike me as misplaced.

5. I discuss these views, and a specific question to do with how they relate to the value of a life, in 'Conceptions of the Good Life and the Value of a Life', in T. Attig, D. Callan, L. W. Sumner, (eds.), *Values and Moral Standing*, forthcoming.


8. For a further discussion of this matter, see my paper 'Anatomy and Conceptions of the Good Life', *op. cit*.

9. These are also, of course, conditions of responsibility.

10. Tom Regan, *The Case for Animal Rights* (Berkeley, University of California Press, 1983). This is much the best work in support of rights for animals.


13. Ibid., p. 23.


15. Ibid., p. 22; italics in original.


17. Ibid., p. 85. In order to be in a position to assert his, Regan argues against views of mine in *Interest and Rights* in chapt. 2 of his book. I am not persuaded of the adequacy of his arguments, but none of these disputes to do with belief and language is at issue in this paper.

18. 'Case for Animal Rights', *op. cit.*, p. 22.


20. I am grateful to Joel Kupperman, Hans Oberdiek, L. W. Sumner, Henry West, and especially James Griffin for discussions in and around the issues of this paper. Griffin's views in particular have influenced me.