

March 2, 2007

**Regan versus Narveson: “Inherent Value” (based on appeals to intuition) versus a rational contractarian approach (based on appeals to common sense)**

- **Results of the ‘Straw Poll’**

At the beginning of each discussion section, I took a show of hands to see whether or not you generally favored: **Regan’s central premise(s) in his argument** (i.e. the claim doing the bulk of the explanatory work: ‘inherent value’ supporting his ‘Rights View’), or **Regan’s conclusion(s)** (virtually identical to Singer’s: that animals should not be used as resources whatsoever) contrasted with **Narveson’s central point(s)/premise(s)** (his rational-contractarian described in pp. 154-5) or **Narveson’s conclusions** (defending his so-called ‘common sense’ position, i.e. that animals may be used as resources, provided that they are not treated cruelly.)

	Narveson			Regan		
	§0207 (10:00am)	§0202 (11:00am)	§0206 (12:00pm)	§0207 (10:00am)	§0202 (11:00am)	§0207 (12:00pm)
<b>Central points/premises</b>	<b>0</b>	<b>7</b>	<b>0</b>	<b>11</b>	<b>0</b>	<b>5</b>
<b>Conclusion</b>	<b>13</b>	<b>18 (all)</b>	<b>16 (all)</b>	<b>0</b>	<b>0</b>	<b>0</b>

The results of the above straw poll reflected by and large the ensuing discussions in all three sections. The overall trend, (as I suspected) when tallying up the results for all three sections revealed a marked ambivalence: one can sympathize somewhat with Regan’s lofty overtures towards notions like ‘inherent value’<sup>1</sup> and still disagree strongly with his rather absolute conclusions. Conversely, one could sympathize strongly with Narveson’s conclusions defending a ‘common sense’ position, while finding major fault in his contractualist account from which he bases his conclusions. At a certain point, in all three sections, the question arose: could one combine the best of what both may have to offer? That is to say, based on the overall consensus reflected in the straw poll: could one agree (in spirit) with Regan’s notion of inherent value, and nevertheless conclude in a manner defending Narveson’s appeal to common sense? Much would depend on how one adjusts and refines a notion like inherent value (which Regan stipulates and leaves largely unexplained).

<sup>1</sup> “All that philosophy can do...is to offer a version of what our deeds should aim at. And the why. But not the how.” So states Regan (*What’s Wrong*, p. 130). To which a more practical-minded reader may beg to differ: So she or he may retort that the burden of the philosopher’s theory should at least include *some* account of *how* the theory could or should work, all things considered.

- **Regan’s Argument Cross-Examined**

As the straw poll indicates, §0202 overall had the hardest time with how Regan hedged his premises. Recalling the argument<sup>2</sup>:

- P1.** Typical humans have the right not to be treated as resources for others.
- P2.** If one agrees with **P1.**, then any being (as an experiencing subject) has a right not to be treated as a resource for others.
- P3.** Many non human animals are the experiencing subjects of a life.
- C.** **Many non human animals have the right not to be treated as a resource for others.**

As in the case of Regan’s critics (like Narveson) most of you found **P2.** to be the most troubling. **Pearl Hong §0207** expressed this worry in the most general terms, concerning Regan’s presumed justification(s) of the conclusion. (“Any being (as an experiencing subject) has a right not to be treated as a resource for others.”) One could consider qualifications he glosses over and objections he sidesteps here.

Of course, what underwrites such a seeming leap to that conclusion is Regan’s notion of *inherent value*. “All who have inherent value have it *equally*, whether they be human animals or not.” (*What’s Wrong?* p. 150) As pointed out by Darren Hick in Tuesday, this notion Regan stipulates is left largely unexplained, let alone even well-defined for that matter. **Christopher Revelle §0207** further objected by pointing out that the concept itself is so vague that it does not useful explanatory work whatsoever. He pointed out that such a notion could no doubt be reduced to other notions like utility.

Many pointed out (**Ahmad Samarah §0202, Zakria Nur §0202**) that even provisionally agreeing in such an idea like ‘inherent value’ there still remains an equivocation Regan seems to make with that of an experiencing subject. How would this prevent one from being used (or using someone) as a resource? Regan states: “[A] conscious creature having an individual welfare that has importance to us whatever our usefulness to others...all these dimensions of our life...make a difference to the quality of our life as lived, as experienced, by us as individuals.” (149) But does this warrant the conclusion in **P2.** ? **Zakria Nur §0202** objected to the qualification “any” in the conclusion, as a result of this equivocation. **Ahmad Samarah §0202** and **Morgan Gerrard §0202** drove this point home further, reminiscent of the ‘louse’ (Tuesday’s lecture), isn’t Regan opening the door to a slippery slope to include all sorts irrelevant or even harmful life forms?

To Regan’s credit and defense, however, keep in mind that as in the case of Marquis he is using the I-B-E form of argument (Inference to the Best Explanation). So in such instances, one focuses on a family of cases we can all pretty much agree on: large non-human animal life forms typically exploited in farming and in experiments certainly possess some kind of subjective consciousness in which (recalling Singer) capacity for suffering is an issue (though cannot be articulated). Regan need not necessarily look at all life forms endowed with such a potential capacity for the form of his argument to work. (Again, because it’s an I-B-E).

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<sup>2</sup> See text, p. 142

Nevertheless objections were raised by **Jessica Elmore §0202** and **Katrina Taschmann §0207** that Regan makes no attempt to define such terms like ‘experiencing subject’ or ‘intrinsic value’ in a manner which at least *has some connection with science*. In other words, **Jessica Elmore §0202** pointed out that the ‘species’ concept Regan invokes is pretty much the folk-based classification (based on outward appearance) which has little or nothing to do with the way *biologists* often classify life forms (according to *function*, not *form*.) **Katrina Taschmann §0207** went on to point out that Regan’s problematic notion of ‘inherent value’ could have been more properly couched in terms of environmental science. Environmental scientists and philosophers talk of *species* (as opposed to individuals) having an inherent value, which is *functionally* defined according to the ecological niche they occupy. (In other words, a species of bird like a vulture has an innate value, i.e. a value independent of its utility to humans, as it functions as a scavenger in the ecosystem.)

Are these science-based objections that Katrina and Jessica bring up ‘red herrings’ for Regan’s ‘Rights View’? Regan might object that they are, but such objections serve a purpose by indicating that when giving such stipulated notions like ‘inherent value’ and ‘experiencing subject’ greater scientific clarity, inevitably the absolute character of the content of Regan’s argument is weakened. If nothing else, because one is made aware of notions like biological and ecological *utility*. Notions like ‘inherent value’ at best arise out of a life form’s *interdependence*. Nothing is unqualifiedly or absolutely innate or ‘independent.’ **Robin Fish §0202** drove this point further by pointing out that on a certain level, *all* life forms exploit each other as a resource. Again, the complaint arose that Regan equivocates notions of resource that become already misleading in **P1**. Similar to Narveson’s appeal to common sense, **Christine Dever §0202** asked whether an animal could still be ‘adequately compensated’ (by being given a life free of unnecessary suffering and by being treated with a natural dignity<sup>3</sup>) even if it clearly doesn’t belong to the ‘moral club’ (in the sense that it lacks the conceptual and linguistic capacity to understand terms of the ‘contract’ it is in, with respect to the human community)? Regan would certainly say ‘no’ but this is largely because of his rather contrived or slippery notion of the term ‘resource’.

- **Regan Defended, Narveson Critiques**

As the results of the straw poll indicated, there were many (most glaringly in §0202) of you who thought that the ambiguities in Regan as discussed above were serious enough to where the overall argument couldn’t be salvaged at all. Others of you however (especially in §0207) felt that compared to the contractarianism Narveson offers, Regan’s position (when suitably modified) can act as the lesser of the two evils. (Even if one doesn’t buy into Regan’s conclusions—as most of you didn’t!) **Jasmine Tirado §0207** pointed out, for example, through citing acts of genocide and injustice past and present, that a notion like ‘inherent value’ should serve some necessary purpose. (In other words, buying into a completely utilitarian view, by tossing such a notion out, not only allows for ‘ends-justify-means’ reasoning, as Regan pointed out, but also, as **Jasmine** emphasized, could lead one down a slippery slope towards dehumanization.) **Brian Phipps §0207** mentioned that (opposing Regan here) perhaps such a notion of inherent value has some kind of primitive ‘ranking.’ At first, it may seem subtly contradictory to state that (reminiscent of Orwell’s line in *Animal Farm*<sup>4</sup>) that though one can agree that

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<sup>3</sup> Recall pp 3-4, Feb. 23 notes

<sup>4</sup> “All animals are equal, but some are more equal than others.”

all experiencing life forms are inherently valuable, it still makes sense to speak of the value as rankable. But **Brian Phipps**, echoing **Katrina Taschmann §0207** emphasized that inherent value should be tied in some way to ecological functional terms.<sup>5</sup>

**Bashirah Moore §0206** further countered Narveson's contractarian position by stating that conflicts of values can come up. In other words, Narveson claims his rational contractarian view makes cruel treatment of animals impermissible, "though [animals] certainly can be used for human purposes in ways that will be undoubtedly uncomfortable or fatal to them." (156) Bashirah mentioned, in her example involving slaughter, that certainly there seems to be such a fine line between 'cruelty' and suffering here, as permitted by the value of utility that the animal has for as a resource (according to Narveson) that he fails to adequately separate unnecessarily cruel and harsh treatment from treatment involving the animal's 'necessarily' suffering (for us). In other words, a slippery slope. **Michael Donovan §0206** further mentioned that notions like utility that form the basis of Narveson's contractarian defense, seem to suffer unfortunate ambiguities (based on the relative nature of the domain(s) of utility: A horse has greater utility as a resource for an Amish, than for a city-slicker, to name an extreme case mentioned by Michael) that despite the shortcomings of Regan, at least his absolute views (like intrinsic value) may provide the lesser of the two evils here.

In that regard, one can see Regan versus Narveson as an example of the deep division between a primarily principle-based ethics of value or duty (defined in terms of absolute or intrinsic notions, functioning as ends-in-themselves) versus a utility-based ethics of consequence (defined in terms of relational notions, functioning as means to ends).

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<sup>5</sup> Which doesn't bode well for humans! The human species doesn't occupy a distinctive niche.