Shelly Kagan. *How to Count Animals, More or Less*. Oxford University Press 2019. 320 pp. $35.00 USD (Hardcover ISBN 9780198829676).

According to Shelly Kagan, common sense gets things both basically right and desperately wrong about animals. Common sense is basically right to reject unitarianism: the view that like interests deserve equal moral consideration, regardless of whose interests they are (as that thesis is usually interpreted). Common sense says that it matters whether those interests belong to a person or animal, and Kagan agrees. However, he doesn't agree because he's a speciesist, someone who thinks that our belonging to a particular species is itself a morally significant fact about us. Instead, it's because he thinks that the various properties that ground moral status—in particular, autonomy and sentience—come in degrees, and most animals have those properties to a lesser degree than most human beings. We should, he thinks, endorse a hierarchical theory, one according to which animals count morally, but not as much as humans. At the same time, Kagan thinks that common sense is very seriously mistaken. The common sense position is that while animals matter, they don't matter that much, which explains why, for instance, it's fine to raise and kill them for food in intensive systems. On Kagan's view, by contrast, '[o]ur treatment of animals is a moral horror of unspeakable proportions, staggering the imagination' (5).

I've given one reason why Kagan thinks that we ought to adopt a hierarchical theory of moral status. On its own, though, it isn't terribly compelling. You might think that while status-grounding properties come in degrees, that just means that the bar for full moral status is very low. This is, of course, a standard argumentative strategy in the animal ethics literature. You point out that the relevant standard for full moral status would effectively imply that those with severe cognitive disabilities (or infants or the comatose) lack full moral status. And since it seems implausible that those individuals are indeed less important than normal adult humans, you conclude that the threshold for full moral status is quite low: perhaps you have full moral status if you are sentient. Kagan, however, rejects this sort of argument, insisting that we should indeed accept both intra- and interspecies hierarchies.

The central argument for this view assumes that we are committed to some distributive principle or other—say, an egalitarian one, or a sufficientarian one, or a prioritarian one. Then Kagan points out that given the massive inequalities between human and nonhuman animals, we are going to get seriously revisionary results when we extend, for instance, our egalitarianism to animals. Instead of being obliged to shift resources from wealthy people to poor people, we are going to be obliged to shift resources from people generally to camels and crows and cockroaches. Kagan says that this is 'an absurd conclusion,' and he finds it 'impossible to take seriously the suggestion that [human/animal] inequality is, in and of itself, morally objectionable—that the mere fact that mice are worse off than us is morally problematic, and so we are under a pressing moral obligation to correct this inequality' (64-65). But if it's true that it's an absurd conclusion, and if we're unwilling to give up the relevant distributive principle, then it must be the case that the interests of animals don't count for as much as the interests of people, even when those interests are relevantly similar. And if that's right, then unitarianism is false and we ought to adopt a hierarchical theory of moral status.

There is much to appreciate about Kagan's book. It contains an intriguing discussion of the idea that there may be multiple grounds of moral status. It maps out many of the ways that we might understand the hierarchical approach. It makes suggestions about the moral significance of both potential and 'modal status,' that status a being has in virtue of the capacities it could have had. It

considers the prospects for hybrid approaches to our duties, such as the one captured by Robert Nozick's famous slogan, 'Utilitarianism for animals, Kantianism for people.' And it includes provocative, exploratory discussions of the ways in which other dimensions of our moral theory will need to evolve when animals are taken seriously, such as the right to self-defense.

At the same time, the book is frustrating in a number of respects. First, there is almost no engagement with the rest of the animal ethics literature. Kagan is quite aware of this, and says at the outset that his 'goal here is not to offer a careful critical assessment of the specific theses or arguments other theorists have put forward, but rather to sketch an alternative to approach animal ethics, a view which, if not altogether original, nonetheless does seem to [him] to differ in significant ways from the views commonly put forward by others' (*x*). This isn't particularly objectionable in a lecture series, which is the event that spurred Kagan to write the book. But it is indeed objectionable in a research monograph, especially when it's written by a prominent person whose work threatens to displace the work of less well-known philosophers.

This point is related to the second aspect in which the book is frustrating: Kagan is not particularly clear about why the unacceptable conclusions are unacceptable. Consider, for instance, his claim that we simply can't extend our egalitarianism to animals. There are people in the animal rights literature who are sympathetic to just such an extension. Why, exactly, are their views absurd? Presumably, it's only because such a conclusion is deeply counterintuitive. But Kagan himself has said that our ordinary intuitions don't count for that much in moral philosophy, and in any case, they surely count for less when they can be explained as flowing from a systematic bias against animals. However, the book is surprisingly silent on the issue of methodology in animal ethics, and Kagan seems content to trust his gut.

(N.B., this is particularly disappointing because Kagan has the resources to say interesting things about such problems. For instance, at the end of the book, Kagan suggests that we should endorse 'practical realism,' where our moral theory takes 'into account the various cognitive and motivational limitations of moral agents' (285). It would've been interesting to see Kagan explore the possibility that our moral intuitions are useful not because they reveal normative truth, but because consulting them is a reasonably good way of learning about our own motivational limitations, and so what morality might require from imperfect beings. Instead, we get confidence in our intuitions where they support Kagan's views, and skepticism where they don't.)

The third aspect in which the book is frustrating is that there is essentially no engagement with the empirical literature on animal minds. Again, Kagan is well aware of this, and regularly inserts disclaimers to the effect that he can't assess some particular claim because it turns on empirical matters that are beyond his expertise. No one can know everything, and it would be unreasonable to expect Kagan to become an expert in every domain his work touches. However, while Kagan claims to be doing purely conceptual work, he often isn't. He insists, for instance, that monkeys and chickens are agents, at least to some degree, but flatly denies that sponges and plants are. I find this plausible enough. But given Kagan's expansive conception of agency (which is broadly functionalist, allowing that robots are agents), the absence of empirical information is troubling: we simply can't tell what Kagan's view implies about who matters morally, and so can't tell whether it has absurd conclusions.

Finally, the book is disappointing because it essentially provides no reason to accept one of the claims with which we began: namely, that common sense gets things desperately wrong about animals by seriously underestimating their moral significance. To appreciate this point, consider the capacities that are characteristic of normal adult human beings. For all Kagan says, those capacities ground the sort of moral status that we ordinarily associate with normal adult human beings, and as

soon as you lack any of those capacities—or have them to some diminished degree—your moral importance plummets dramatically. What about babies or those with severe cognitive disabilities? Here, we can simply appeal to the bump in moral status that you get from your potential and/or modal status; these beings can be 'leveled up' to a status that closely approximates the one enjoyed by normal adult humans. And given this combination of views, we get something much like the commonsense picture.

Granted, *Kagan* doesn't accept this combination of views: he doesn't think that moral importance plummets dramatically as soon as your capacities aren't those that we typically associate with normal adult human beings, and he doesn't think that your potential capacities and your modal status are as important as I've suggested. But he doesn't offer any arguments for these conclusions: he simply reports the views to which he's drawn. So it's true that, according to Kagan, common sense gets things desperately wrong. But it's also true that the hierarchical view, as Kagan describes it, is perfectly compatible with affirming common sense. Admittedly, we might think that this is a feature, not a bug: perhaps it would have been ad hoc to set up the hierarchical view so that it doesn't allow this possibility. Once this possibility is on the table, however, it would have been nice to have seen some good arguments against it. It's a shame that there weren't any.

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