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Moral treatment for all

Commentary on **Mikhalevich & Powell** on *Invertebrate Minds*

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Abstract: There is no way to include invertebrates within the moral sphere without being "extreme" — to use Mikhalevich & Powell's term. This is because of the profound difficulties in correctly attributing sentience. This commentary argues that we have a moral duty to be extreme.

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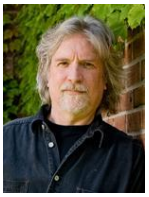

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The Mystery of Sentience. Mikhalevich & Powell (2020) (M&P) reject the simple move of extending membership in the sentience club — and hence the club of moral standing — to all bilaterian animals because such overgeneralization has moral costs. If these costs are substantial (as they are likely to be), "then we have strong moral incentives to get the attribution of sentience right; extreme positions that require either very high or very low levels of certainty ought to be rejected."

But we can never be confident that we've gotten the attribution of sentience right. In fact, we will never have any good evidence at all that we are attributing sentience to all and only those who have some. This is because sentience is an intractable mystery — "It is unsolvable for principled, logical reasons" (Dietrich and Hardcastle, 2004). One roadblock to getting the attribution of sentience right is the *problem of other minds*.

Step 1: The Problem of Other Minds. Are other beings sentient? Take humans for example: We don't know that other humans are sentient. At least, we don't know this if we are being philosophically careful. All we know is that they behave as if they were sentient. Yes, out in the

world, we find it impossible not to attribute at least some sentience to those who seem very much like us. And yes, there is "indirect evidence": if a human drops a bowling ball on their foot, they will engage in pain behavior. This behavior, along with remembrances of our own direct association of pain and hurt appendages in our own personal case results in our ineluctably and quickly "concluding" that the other human is in pain. But if we are being philosophically careful, we can see that pain behavior needn't be associated with pain; actors and actresses, for example, feign pain in movies. Acting works because of the loose connection between experiencing something and appearing to experience something. One can cry and not be sad, one can laugh and not be happy, one can scream in pleasure and not have an orgasm. All experience can be faked, even unintentionally. In this way, it is possible that the pain which the invertebrates seem to be feeling is not pain as we know it, but some other behavior, devoid of feeling, which evolved over time.

The importance of the problem of other minds is that it forces us to leave it to our prejudices to determine which other Earthlings are sentient — as M&P discuss at length. Since we don't really know who is sentient, we impute sentience most readily to other beings who look like us, and less readily, or not at all, to other beings who don't look like us. The less like us they look, the less likely we are to admit them into the sentience club. (M&P stress this point.) Furthermore, we must then be willing disregard our feelings of disgust and encourage our empathy in direct contradiction to our instinctive behavior; if a spider is sentient, we must fight against our urge to strike at it, because if it is aware, it deserves to be held in higher regard and not be killed.

Step 2: Panpsychism. Panpsychism, on one view, is the idea that sentience is ubiquitous. Sentience could well be a universal property that doesn't reduce to any of the universe's other properties. Just as electricity won't reduce to mechanics (Chalmers, 1996, p. 127), so sentience doesn't reduce to neural firings or anything else.

If one is disposed to panpsychism at all, one might find it easy to accord sentience to all invertebrates. Perhaps, then, we could extend this to all living things including the members of the plant kingdom. Trees are sentient.

Yes, this seems extreme. But when considering sentience, this is hardly a robust objection. M&P's central argument is that some invertebrates have brain structures and behavior *similar enough* to ours so that we should include them in the moral realm. But M&P are also concerned that moral standing may be wrongly denied because the beings in question don't have the right behavior. "Similar enough" is a fluid notion, and moral advancement seems to require relaxing it along various dimensions. So taking M&P's concern seriously leads one to doubt standard arguments that trees aren't sentient: trees aren't sentient because trees don't have the right behavior. Instead, we conclude that behavior, though important, should not be decisive.

Are rocks sentient? We don't know. But it is not implausible that every living being is sentient, at least to some extent. So a line could be drawn here as long as we remain open-minded on the issue. When it comes to sentience, Ockham's Razor is not useful; it is gambling.

The moral issue here is that not being extreme could well inflict harm on something that feels the harm and so doesn't want to be harmed, but doesn't have the "right" behavior relative to us. So we must embrace "extreme positions." Contra M&P.

It Is Impossible to Be Only Moral. We can never be confident that we've gotten the attribution of sentience right because of how resistant to scientific explanation sentience is. Matters are so bad that we are forced to conclude from behavioral data that others are sentient — hoping that the behavior is not faked or that it is recognizable to us as sentience-associated behavior. Our proposed solution is to embrace a form of panpsychism, one perhaps restricted to living beings. We thus get: invertebrates are sentient because they are alive.

But given our reliance on panpsychism, one might object that a simple action such as mowing the lawn will kill many invertebrates. Sadly, we need to accept this. Each human's existence results in the death of many other living beings; there is no way around this. We live in a universe where every moral act results in a further immorality; it is not possible to be only moral (Slote, 2011).

So, our path now seems clear. We must be extreme. Every invertebrate must be included in the moral sphere. We might as well do this because we have Slote's problem in any case: even in our ordinary endeavors, we will make animals suffer who should obviously not suffer (other mammals or other humans, for example). So our real goal should be to harm as few living things as possible. Remember this the next time you are in the supermarket passing the lobster tank.

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