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BRUNO, DANIELE - Humboldt University, Berlin

Value-Based Accounts of Normative Powers and the Wishful Thinking Objection

An attractive view of the normativity of promises combines a non-reductive *normative power*type account of promissory bindingness with a value-based grounding story of the promissory power. The central idea is that we can explain why promises bind by appealing to the value of a certain kind of normative control that is granted to us by the very fact that promises create obligations. This two-level-view, notably championed by Owens and Raz, combines theoretical virtues rarely seen together in theories of promising. It offers a fully extensionally adequate account of how and when promises bind, yet still gives an informative explanation of promissory normativity, thereby also ensuring compatibility with theories that seek to ground normative in evaluative facts.

Though attractive, this account gives rise to a serious problem. It invites a charge of wishful thinking, since it seems to involve reasoning of the sort [it would be good if p, therefore p]. This type of reasoning is usually specious: the fact that it would be good if we could fly clearly does not seem to show that we have this ability. In this paper, I argue that this objection from wishful thinking ultimately fails.

First, I clarify the challenge by distinguishing between two components of the promissory power. The *normative component* of the power just is the existence of a dependence relation between an obligation and the promissory speech-act. The *material component* of the power is our ability to perform this speech-act, which may require the existence of a promising convention. By clarifying that the two-stage view only requires a value-based grounding of the *normative* component, I show how it is importantly different from a putative value-based grounding story of the power to fly.

Secondly, I defend the form of explanation involved regarding the normative component. I show that explanations of the aforementioned form are needed to give convincing value-based explanations for other important normative phenomena, especially rights of autonomy.

I argue that the most plausible value-based grounding story for these rights appeals to the value of being able to make one's own decisions in the pursuit one's life. This value, I show, is served by the very existence of these rights, since this ensures a crucial "sphere of individual sovereignty" (Ripstein 2006). I show that rights of autonomy require a value- based grounding story proceeding from the value of their obtaining, not (only) disvalue of violation. I illustrate this with cases of apparently harmless but nonetheless intuitively wrongful violations of autonomy rights, such as unnoticed sexual trespass on a temporarily comatose person. Finally, I anticipate and defuse an objection according to which, contrary to my suggestion, these "bare wrongings" are in some serious way bad for the victim.

The upshot of the discussion is that, if one generally is on board with value-based explanations, then one has to countenance grounding of the type [it would be good if p, therefore p] to capture important moral intuitions. The wishful thinking worry therefore should not discourage us from taking up the two-level view.

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FEARNLEY, LAURA – University of Glasgow

The Hybrid View of Moral Worth

Not all right actions are morally praiseworthy. We're reluctant to praise the person who volunteers at a foodbank if she excessively posts her volunteering on social media. There's no question that volunteering at a foodbank is morally right, but given the frequency with which she publicity advertises her efforts, we begin to doubt the nature of her motivation.

Whether an action is morally praiseworthy depends not just on whether it conforms to the correct normative theory, it also needs to be motivated in the right way. An account of moral worth aims to identify what such good motivations consist in. In this paper, I'm interested in one particular answer to this question. On this answer, morally worthy actions are right actions which are performed in response to the relevant moral reasons, that is, the reasons making the action right. I'll call this the **Right Reasons Thesis (RRT**). The central idea behind this doctrine is that moral worth is not about doing something right because it is right, rather it is about doing something right for the reasons which make it right.

This paper has two primary ambitions. The first is to show that The Right Reasons Thesis is not quite as successful as contemporary discussions would appear to suggest. This is because the view fails to satisfy two important desiderate that any successful theory of moral worth ought to capture:

1) DEGREES. A theory of moral worth ought not merely stipulate if an action is praiseworthy or blameworthy, but also the extent to which it deserves praise or blame.

2) OVERDETERMINATION. A theory of moral worth ought to tell us if right actions produced from overdetermined motives have moral worth.

The second ambition of this talk will be to demonstrate that RRT can satisfy the requirements when the theory is supplemented with a counterfactual framework. Supplementing RRT with a counterfactual framework entails that when assessing an action's moral worth, we not only consider whether the agent was motivated by the right reasons in the actual world, but also whether she is responsive to moral reasons in other possible worlds. By aggregating the number of worlds the agent would respond well in we can determine how strongly she is motivated by the right-making reasons. The more worlds the agent acts well in, the stronger her responsiveness to right-making features. I argue that it is in virtue of attending to the agent's motivational strength, that the proposal is able to satisfy the above desiderata. Let us call The Right Reason Thesis + counterfactual framework The Hybrid View.

To clarify, my aim in this paper is not to defend RRT *per se,* rather, my aim is to argue that if you're an advocate of RRT then you have strong reasons to adopt my Hybrid View instead. Not only does an appeal to counterfactuals provide a successful theory of moral worth by satisfying the desiderata, it does so in a way that is uniquely unified and intuitive.

GRAY, GILLIAN - University of Michigan, Ann Arbor

Not-So-Neutral Counterparts

As Luvell Anderson and Ernie Lepore note in their 2013 paper "Slurring Words," it is a common assumption that slurs correspond to neutral counterparts which share their extensions.¹ While a slur may pick out the same group of people as its neutral counterpart, it seems to do something additional and distinct. Neutral counterparts (henceforth 'NCs') are often meant to be the baseline from which slurs deviate; often, when philosophers think about slurs and what defines them, they are thinking about the additional unique characteristics slurs have which distinguish them from their NCs. But it may be that slurs' socalled "neutral" counterparts are less neutral than we think. Considering how often NCs are referred to in the literature on slurs (especially pragmatic accounts of slurs), it is surprising how little has been said about them. It is far from clear in what sense and to what extent they are neutral. I argue in this paper that when we consider common views in the metaphysics of race, gender, and other social kinds, we can see that "neutral" counterparts of slurs fail to be neutral in three important ways. First, these NCs do not have meanings or extensions which are obvious, agreed-upon, or uncontroversial; second, they do not pick out morally, socially, or politically neutral facts about the world; third, they are not morally, politically, or socially neutral in function when used.

A more robust understanding of how NCs fail to be fully neutral can help guide further discussion of how slurs function. There is a growing body of literature which attempts to explain just what the difference is between use of a slur and use of its neutral counterpart. Slurs are said to express contempt;² to interpellate, derogate, and subordinate their targets;³ to reflect the speaker's perspective;⁴ to reveal the speaker's endorsement of a given ideology;⁵ and so on. It is true that slurs have a particularly offensive effect. We see this in the strong reactions they garner and the pain they cause their targets. I argue that if we do not fully understand the characteristics of NCs, we will likely also not fully understand slurs and the source of many of their harmful effects. It may be (and, I think, is) that we can learn a significant amount about how and why slurs work the way they do by examining the not-so-neutral features of their NCs. In addition to serving as a starting point for further examination of the relationship between NCs and slurs, my account has several explanatory upshots, including explanations of how slurs differ in force from insults; why some slurs cause significantly more offense than others; and why seemingly neutral terms often develop into slurs over time.

¹ Anderson, Luvell, and Ernie Lepore. "Slurring Words." Noûs 47, no. 1 (March 2013): 25-48.

² Jeshion, Robin. "Slurs, Dehumanization, and the Expression of Contempt." In *Bad Words: Philosophical Perspectives on Slurs.* Oxford: Oxford University Press, 2018.

³ Kukla, Rebecca. "Slurs, Interpellation, and Ideology." *The Southern Journal of Philosophy* 56 (September 2018): 7–32.

⁴ Camp, Elisabeth. "Slurring Perspectives." Analytic Philosophy 54, no. 3 (September 2013): 330–49.

⁵ Swanson, Eric. Forthcoming. "Slurs and Ideologies." In *A Volume on Ideology,* edited by R. Celikates. Oxford: Oxford University Press.

KIENER, MAXIMILIAN – University of Oxford

Consenting for a Reason

When does a coercive threat affect a person's decision-making so as to vitiate her consent, e.g. to sex or a medical procedure? Most people in the literature hold this view:

Simple Counterfactual View

A coercive threat vitiates consent if and only if *causes* consent, which requires that consent *counterfactually depends* on the threat.

In this presentation, my first aim is to reject this view on the basis of the following two counterexamples:

Preemption

Berta considers enrolling in a clinical trial. As she trusts Wayne, Berta eventually decides to participate. Wayne does not know this and thinks Berta will never consent freely. Being afraid of insufficient recruitment, Wayne threatens Berta with removing all her medical care if she does not enrol. After Wayne's threat, Berta loses all the trust in Wayne and her previous motivation for enrolment, and she consents to participation merely out of fear of losing her medical care.

Anonymous Blackmail

Berta urgently needs medical treatment to overcome some disease but is unwilling to consent to it. Her physician Wayne really cares about Berta's health and, seeing no other option, he sends Berta an anonymous blackmailing letter threatening to report Berta's drug crimes to the police if she does not consent. Berta thinks the letter is a bad joke from one of her friends, but the letter still prompts her to search for the name of her disease again online. She finds a video of another ill woman who became infertile as a result of having the disease. Being frightened that this may happen to her too, Berta now consents, but only for reasons concerning her own health.

I argue that *Preemption* shows that simple counterfactual dependence is not *necessary* for an influence to vitiate consent and that *Anonymous Blackmail* shows that simple counterfactual dependence is not *sufficient* for an influence to vitiate consent. I will then, pursuing the second aim in this presentation, propose my own alternative view:

Bad-Reasons-View

A coercive threat vitiates consent if and only if it makes a person consent for a bad reason. A reason is bad either if (a) it is the reason which the coercive threat purported to induce, i.e. consenting to avoid the threatened harm, or if (b) it is a reason that corresponds to a perceived threat which, if it were the actual threat, would qualify as a consent-vitiating influence.

The *Bad-Reasons-View* presents a distinctive proposal by explicitly focusing on a person's motivating reasons for consenting (condition a) and by allowing threats to vitiate consent even if there was a deviant causal chain from the threat to consent, making a person consent for a reason other than the one the coercer intended to induce (condition b). Condition (b)

also distinguishes my view from Tadros's account, according to which a person's consent has to be "a direct response" (Tadros, 2016: 226) to the threat. I support the *Bad-Reasons-View* by arguing that, better than any other view, it delivers the correct results in a wide variety of cases.

MAHESHWARI, KRITIKA – University of Groningen

Grounding the Wrong of Risking Harm

It is now a common assumption in the ethics of risk literature that risking harm is morally significant. Many philosophers think that just as we normally ask why is harming wrong, we can similarly ask of risking harm the following normative question: why is it sometimes prima facie wrong to risk harm?ⁱ. An intuitive answer is as follows: if harming is wrong and it's wrongness is explained by a certain fact, then it seems at least prima facie plausible that the wrong of risking that harm is explained by the same fact. Call this suggestive response to the normative question, the simple answer.

Philosophers remain divided over the plausibility of the simple answer. On one side of the divide are the Separatists, who think that the wrongness of harming and that of risking harm completely come apart because the latter enjoys a sui generis form of wrongnessⁱⁱ. On the other side of the divide are the Unifiers, who find the simple answer very plausible, and think that there exists some kind of close, undescribed, parasitic explanatory relationship between anything and everything that explains why harming is wrong, and that which explains why risking that harm is wrongⁱⁱⁱ.

In my paper, I take upon two tasks: firstly, to resolve the debate in favour of the Unifiers and explain precisely what the close relationship amounts to. And secondly, to show how and why the Unifiers are wrong in their thinking that everything that explains why harming is wrong also explains why risking that harm is wrong.

To achieve the first task, I begin with offering arguments for why, and how the wrongness of harming stands in an explanatory dependence relation with the wrongness of risking that harm. I will then explain how this dependence relation works, and argue that it is best understood in terms of normative grounding.

To achieve the second aim, I will offer what what I call the not all wrong-maker argument. By appealing to facts about the factive and transitive nature of general grounding relations, I will argue that some wrong-makers of harming ground the wrongness of risking harm only when the harm in fact obtains.

i Two clarificatory points. First, I will solely focus on risk of harm or risking harm but the discussion can be taken to apply to all other types of risks of unwanted or undesirable outcomes. I don't take a stand on which notion of harm

is the correct one. I will assume that my discussion applies to whatever we take our best theory of harm to be. Second, I will only focus on the question of risk's pro tanto objective wrongness, and will not presume or propose any specific answers to questions about overall or all things considered permissibility or impermissibility of risky actions.

ii (Wolff & de-Shalit 2012, Hansson 2003, Finkelstein 2013, 2017; Oberdiek 2012, 2018; Ferretti 2015; Placani 2017).

iii (Fried 2018; Slavny & Parr 2019).

Because this entails a widely rejected position of Actualism, namely, the idea that wrongness of risking harm is only realized when the harm materializes, we should reject some wrong-makers of harming as being part of the explanation of why risking harm is wrong, when it is.

This conclusion, however, doesn't entail a rejection of the simple answer or the Unifiers' position as such, for not all wrong-makers of harming entail Actualism about the wrongness of risking harm, or so I'll argue. I will conclude my talk by discussing the prospects of the simple answer, and argue why it should be of appeal to both the Unifiers and Separatists, or anyone curious about what, after all, makes risking harm wrong.

REILJAN, MERIKE - University of Tartu

The Ethics of Thinking for Others

The philosophical debate concerning the moral status of empathy has, for a long time, been focused on whether empathy is necessary or at least significant for our moral behaviour.

In my talk, I propose to shift the focus of the discussion to a range of moral questions concerning empathy that arise when we adopt the view that we can come to empathize with others using different empathetic strategies. I will argue that despite the many disagreements over the details, the existing literature on empathy suggests that empathy is a type of interpersonal understanding, distinct from mindreading, that can be gained via different empathetic strategies (e.g., in-his-shoes-imagining, direct perception, co-operation).

I will go on to explore the idea that while it is well recognized that the way we speak about and for others is morally criticizable, it has gone mostly unrecognized that the way we attempt to understand others and attribute mental states to them may also belong to the moral domain. The point is not that we should never "think for others" but that we have some moral reason to pick some empathetic strategies over others. I will argue that since empathy has other functions besides correctly grasping what is happening in other minds, epistemic goals alone cannot guide how we pick the ways we think for and about others. In the existing literature, empathy is characteristically described as a solitary enterprise commonly undertaken when watching movies, reading books, or observing other people. This view, however, undermines the importance of empathy for the target person and overemphasizes its role as an epistemic achievement for the empathizer. We do not just want to understand the emotions of others—we are equally motivated to be emotionally understood. As a result, empathy is frequently initiated by the target person.

In my talk, I hope to show that when this happens, the goal and form of empathy can and normally will shift in important ways. I will argue that empathy initiated by the target-person naturally takes the form of co-operation where the target person has an active role in the process. In this co-operation, the target person is not a mere vessel of mental states that the empathizer tries to represent but a participant in mutual understanding who is actively shaping both her own and the empathizer's mind. I will argue that the co-operative form of empathy is often ethically more desirable than the solitary kind.

SKRBIC, ARISTEL - KU Leuven

Reassessing the Moral Permissibility of Rights Differentiation for Temporary Workers

This paper assesses the moral permissibility of rights differentiation for migrant workers employed in temporary labour programmes (TLPs). While most TLPs in the democratic Western states grant workers a package of rights comparable to domestic workers, they admit many fewer workers than the more restrictive TLPs practiced in states like Qatar or Singapore. The latter are widely condemned for violating workers' rights, as well as abusing their human rights. However, remittances from these TLPs contribute more towards global poverty eradication and reducing global inequality than all transfers from OECD countries to the Global South. This presents global egalitarians with a dilemma. From the standpoint of non-ideal theory, immigration is one of the few ways to advance global equality in the medium term. However, there is a widely recognised trade-off between the number of temporary workers admitted and the package of rights they receive. So, either we advocate for accepting more temporary workers with rights restrictions and so compromise on our liberal principles or we defend the current practice of Western states and thus fail to adequately meet our obligations of global justice.

With some exceptions, such as Miller and Stilz, the liberal consensus ever since Walzer's *Spheres of Justice* is that differentiation of workers' rights is morally impermissible. We think such a principled rejection of restrictive TLPs is too hasty and advance two arguments with the aim of reframing the philosophical debate as a moral tension between persons' rights qua workers and their entitlements qua global citizens under conditions of extreme scarcity.

The first argument is internal to the Rawlsian framework. Some global egalitarians, such as Carens, treat the rights/numbers trade-off as a conflict between liberty and equality. The lexical priority of the former forbids restrictive TLPs. However, we suggest the tension lies between two aspects of liberty itself, the formal right and the actual ability to exercise this right. This means the trade-off cannot be solved abstractly but requires a stipulation about where the social minimum lies, casting doubt on lexical priority under conditions of extreme scarcity.

The second argument takes issue with the anti-tragic stance of contemporary analytic political theory. While the conflict between obligations of global and domestic justice is usually resolved by establishing a hierarchy of obligations, a tragic conception of human action tells us that in certain situations this conflict cannot be solved and every action will result in a serious moral wrong. From this perspective we can acknowledge that either equal treatment of workers in receiving countries or the worth of liberty of those workers left behind in source countries will be compromised, and that this is a tragic moral choice for a global egalitarian.

SMITH, LEONIE – University of Manchester

Asylum-seekers and Collective Media Discrimination

No instance in which the UK print press media ('PPM') discriminates against a group of people as a class can ever fall foul of the UK Editors' Code's anti-discrimination guidelines. Discrimination claims can be made against the PPM for reporting which contains 'prejudicial or pejorative' language with regard to identifiable *individuals*. But the guidelines specifically prohibit consideration of any complaint against *groups*. This results in the main regulatory body for the PPM concluding that articles describing asylum-seekers, as "spreading like a norovirus" and "a plague of feral humans", are not even investigable on grounds of discrimination, let alone punishable (IPSO case: 02741-15 Greer v The Sun).

Both opponents and proponents of this policy typically frame debate in terms of 'free speech vs harm'. Specifically, the need to balance:

- (A) A free press; with
- (B) The harms caused by derogatory reporting.

Those in favour of press freedom argue that the PPM's right to freedom of expression beats any perceived or actual harm caused, and those against argue the opposite. Predictably, little progress is made.

We ought to therefore try a different approach, and assess the PPM's freedom to report pejoratively on the basis of the fundamental values from which that freedom is derived: if we find a contradiction in upholding one of the fundamental values from which press freedom derives while *also* permitting discriminatory reporting, this would indicate that the policy needs revising, on pain of irrationality.

There are at least two strong contenders for such a value. First, that the PPM's role as a democratic institution might grant them special rights. And second, that regardless of any special role held, the PPM, individual news agents, journalists and editors have the right to *agential epistemic participation*. I consider the first contender elsewhere so, here, I focus on the second. I argue that, first, the actions of the PPM may increase the likelihood of *testimonial injustice* against asylum- seekers, undermining their right to fair agential epistemic participation. There is therefore a contradiction in upholding that value while allowing unlimited pejorative reporting against asylum- seekers. At the very least, this indicates the need to weigh up damage to practical agential epistemic participation on *either* side: claims should at least be investigated.

And second, when we examine the basis of the right to epistemic agency, as one grounded in equal status to personhood, we may have strong grounds for actually erring *against* the PPM in favour of marginalised groups as a default. When we consider who the relevant persons amongst the PPM are, I demonstrate that (i) there are some particularly powerful agents involved and that (ii) the exercise of freedom of pejorative expression by the PPM against asylum-seekers has the power to undermine the latter's personhood status altogether. As such, not only do we have good reason to consider cases of group discrimination on the same grounds as individual cases, we may have grounds for believing that the PPM carry the burden for demonstrating why *any* case of pejorative reporting is justified.

TÔN, KHANG – University of California, Davis

Valuing Disability In Itself: A Constitutive Account

In The Minority Body, Elizabeth Barnes appeals to disability-positive testimonies in support of the thesis that one can value disability in itself, or for its own sake (Barnes 2016: 122). The appeal to these disability-positive testimonies raises two distinct but related questions: (a) Can one really value being disabled in itself? And (b) is being disabled something valuable? Proponents of the welfarist account of disability favor a negative answer to (b), and take this to be a good reason for giving a negative answer to (a). In particular, welfarists maintain that disability is something sub-optimal, intrinsically bad, harmful to one's well-being, or makes one worse off; and prima facie one cannot value something that makes one worse off. Against the welfarist, I will give a positive answer to question (a). In what follows, I argue that one can value disability, or being disabled, in itself. I begin by discussing a number of considerations that motivate this project before moving on to show why Sam Scheffler's account of valuing is a useful working model for us to better understand how one can value disability (section I). After that, I will show why, even though Scheffler's account captures many important facets of what it means to value disability, it is still not sufficiently robust to support the stronger claim that one can value disability in itself, or for its own sake. In attempting to argue for this stronger claim, I will articulate my own account, one that I call 'Constitutive Valuing' (section II). Roughly, the guiding idea is that, for some people, being disabled is constitutive of their social and practical identity; and that it makes perfect sense for one to value that in and of itself. Once the notion of constitutive valuing is clarified, this can help illuminate our understanding of how disabled people can and do value disability in itself. Finally, I will explain what I take to be the main strengths and weaknesses of my proposal. First, my account respects and takes seriously the first-personal epistemic authority of people who give disability-positive testimonies. Second, my account is able to offer a plausible interpretation of what a person means when they claim to value being disabled in itself, which is that they value their practical identity insofar as being disabled is what they take to be constitutive of that identity. Third, my account aims to contribute to the current ameliorative project of combating systemic ableism and challenging the kinds of preexisting prejudices that unjustly devalue disability. I conclude that my account offers a useful model to help us better understand what - or an important part of what - it means to value disability in itself. Next, I will also consider and respond to two criticisms of my account of constitutive valuing (section III). My final conclusion is that, even if my particular proposal ultimately fails, we can nonetheless be optimistic about the prospects of a successful and theoretically illuminating account of what it means to value disability in itself.

WRAGE, BIRTE - University of Veterinary Medicine Vienna

Care Ethics and Caring Animals

There is growing anecdotal, observational and experimental evidence of complex care like altruistic helping, consolation and reconciliation, and possible mourning behavior in a range of nonhuman animal species. Dolphins in the wild have been observed to help a dying conspecific stay afloat (Park et al. 2013), rodents will free a trapped species member in experimental settings even at a personal cost (e.g. Ueno et al. 2019), great apes, cetaceans, corvids, voles, elephants and other species will console a conspecific in distress (see Pérez-Manrique & Gomila [2018] for a review), and elephants seem to support their disabled and ill family members (e.g. Bates et al. 2008) and show "dramatic reactions" to dead conspecifics (McComb et al. 2006, 26), to name just a few examples. Although the interpretation of these findings in terms of (proto-)morality is still contended, research into animals' pro-social behavior is gaining traction in biology and psychology, with philosophy as a third discipline weighing in on the debate on animal morality.

While philosophers have traditionally denied that animals may be moral beings on the grounds that they lack moral judgment and thus cannot be held morally responsible, less intellectualistic accounts of morality focusing on moral motivation have recently been proposed and may be attainable for some animals (e.g. Rowlands 2012). Promoting one such account, philosophers of animal minds Kristin Andrews and Susana Monsó argue in the forthcoming Oxford University Press handbook on moral psychology that caregiving including parental care can be considered an instance of animal morality, if the animal's care behavior is morally motivated, e.g. by moral emotions, like empathy, sympathy, or love (Monsó & Andrews forthcoming). Moreover, they make an empirically informed assessment that moral care thus defined is not a rare occurrence in a few select species closely related to humans, but seems to be relatively widespread.

This new appreciation of animals as potential moral beings in a minimal sense raises the question where such animals stand within established normative theories. As care ethics centers on care as a moral paradigm and moral practice, it provides an obvious opportunity to reflect on the status of animals who care in a moral sense. This reflection is the main task of this paper, since, so far, within care ethics, animals have only been proposed as possible *recipients* of *human* moral care (Donovan & Adams 2007). The question whether animals may be moral caregivers then seems to have been denied on the grounds that animals cannot equally reciprocate *human* care. However, if we focus on intra-specific care instead, not only may care ethicists have to acknowledge some animals as moral caregivers, animals' *intra-specific relationships of care* may appear as morally relevant, since the protection and promotion of such relationships is a major focus of human-centered care ethics. We argue that this is precisely the case and that such a new inclusion of caring animals by care ethics comes with major implications for the human-animal relationship.

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