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Abstract

In his chapter, Gary Comstock introduces the notion of far-persons. Following Gary Varner, Comstock distinguishes near-persons, animals with a “robust autozoetic consciousness” but lacking an adult human’s “biographical sense of self,” from the merely sentient, those animals living “entirely in the present.” Comstock notes the possibility of a third class. Far-persons, he argues, lack a biographical sense of self, possess a weak autozoetic consciousness, and are able to travel mentally through time a distance that exceeds the capacities of the merely sentient. Far-persons are conscious of and exercise control over short-term cognitive states, states limited by their temporal duration. The animals in question, human and nonhuman, consciously choose among various strategies available to them to achieve their ends, making them subjects of what Comstock calls lyrical experience: brief and potentially intense, pleasures and pains. But their ends expire minute-by-minute, not stretching beyond, Comstock says metaphorically, the present hour. Comstock concludes by discussing the moral status of far-persons.

3

Far-Persons

Gary Comstock

[At the London zoo] the keeper showed [Jenny, an orangutan] an apple, but would not give it her, whereupon she threw herself on her back, kicked & cried, precisely like a naughty child.—She then looked very sulky & after two or three fits of passion, the keeper said, “Jenny if you will stop bawling & be a good girl, I will give you the apple.”— She certainly understood every word of this, & though like a child, she had great work to stop whining, she at last succeeded, & then got the apple, with which she jumped into an arm chair & began eating it, with the most contented countenance imaginable.

Charles Darwin, letter to Miss Susan Darwin, March 1838 (Darwin & Barlow, 1946)

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3.1 Introduction: What's It Like to Be a Pig?

Is Darwin right? Is Jenny the orangutan “precisely like” a naughty child? Can a nonhuman animal *sulk*, understand *admonishments*, and learn to control *her emotions*? Some biologists (Bateson, 2003) and philosophers (Griffiths, 1997) hypothesize that the behaviors of great apes have homologies with the behaviors of *Homo sapiens*, but this seems not to be Darwin’s claim. Darwin’s claim seems more radical: the mental, experiential, states of the orangutan and the child are *the same*. Should we believe Darwin about orangutans? And, if we should, what should we think about the mental states of our so-called food animals? Intuitively, Jenny seems to have more of what it takes to be a person than does, say, a pig. Even if Darwin is right about orangutans—*they* are like children—what about hogs and cows? Are the nonhuman animals we eat like children?

To answer these questions we must define persons, see to what extent the great apes qualify, and ask to what extent other mammals qualify. What are *persons*? Do *rights* attach only to persons? Might individuals with less-than-personhood status deserve the special protections rights afford? In his book, *Personhood, Ethics, and Animal Cognition*, Gary Varner provides nuanced and scientifically informed answers to these questions (Varner, 2012). I find his interpretations of the range and diversity of nonhuman animal consciousness compelling and will lean heavily on them in what follows. Varner understands and successfully eludes the two main interpretive mistakes: anthropomorphism, or ascribing human characteristics to nonhuman animals who lack them, and anthropodenial (de Waal, 1999), not ascribing human characteristics to beings who have them.¹

¹ Over- and under-interpreting the data are only two of the most visible pitfalls. Science itself can be misleading if we naively assume that it will tell us all we need to know. As Tom Nagel famously observed, reductive physicalist accounts of, say, bat consciousness may explain and predict bat behavior but they may not be of any help whatsoever with our question, that is, what is a bat’s internal subjective experience like (Nagel, 1974)? That said, science is critical for our task, in which we must triangulate three sources of information: systematic accounts of animal anatomical structures and neurological processes, neutral observations of animal behavior, and imaginative

73 Here is my strategy in this chapter. I intend to show that it is not
 74 difficult to enter other mammals' minds if we select the right kinds of
 75 human experiences as analogues. For nearly all humans have some of *the*
 76 *same* experiences as some other mammals. As my test case of other
 77 mammals I select pigs because they are the mammalian species slaugh-
 78 tered in the United States in the largest numbers.² I wager that if fair-
 79 minded observers come to understand what pig consciousness is like,
 80 they will also come to acknowledge the rights not only of pigs but of all
 81 individuals I call "far-persons."

82 It is beyond the scope of this chapter to mount a thorough defense of
 83 my claim. Here, I will only describe what a human far-person is and
 84 suggest that their mental states are a stepping stone to the mental states
 85 of other animals. I agree with Temple Grandin, the Colorado State
 86 University animal science professor, when she writes that humans with
 87 mental limitations such as autism—a disorder with which she copes—
 88 are "a kind of way station on the road from animals to humans"
 89 (Grandin, 2005).

92 3.2 Persons

94 Varner defines a person as an individual with a biographical sense of self
 95 and, following a well-developed philosophical tradition, argues that
 96 individuals of this sort deserve special treatment. The concept of a
 97 person, then, has two components, normative and descriptive.

98 Normatively, persons are individuals who have achieved a certain
 99 kind of status and, for this reason, they must be treated in particular
 100 ways. In ordinary moral discourse, we express a person's status by saying
 101 that she has rights, valid claims to protection from being used by others,
 102

104 renditions of how it may feel to be the animal in question (cf. Akins, 1993). This is the project I
 105 pursue here, however sketchily.

106 ²According to the United States Department of Agriculture, National Agricultural Statistics
 107 Service, US slaughterhouses killed 38,399,000 hogs in 2015. Of other mammals, cattle were
 108 the species killed in the greatest numbers, at 9,350,000. http://www.humanesociety.org/news/resources/research/stats_slaughter_totals.html?referrer=https://www.google.com/

109 claims that should rarely be denied. According to two-level utilitarian-
110 ism, the ethical theory Varner defends, “rights” are important concepts
111 in ordinary moral discourse and indispensable to what Varner calls the
112 Intuitive Level System (ILS).³

113 What capacities must someone have to be a person? Descriptively, a
114 person is an autobiographical being, an individual who understands the
115 serial progression of her experiences as a temporal whole. This narrative
116 self-understanding is active as well as passive, for persons can shape their
117 lives into the kind of life they want it to be. To have a biological sense of
118 self, an individual must be “rational and self-conscious, autonomous in the
119 sense of having second-order desires, and a moral agent” (Varner, 2012).

120 Varner argues that existing evidence from animal studies suggests that no
121 nonhuman animals have these capacities. He cautions us that not all of the
122 evidence is in yet, and that we should not be surprised if future scientific
123 discoveries cause us to change our minds. In the meantime, he continues,
124 there are reasons to be skeptical that any nonhuman animals will be found to
125 have “narrative self-constitution” (Schechtman, 1996). For being a person
126 means not only that I have desires and understand myself as having a story I
127 am living out in pursuit of those desires. It also means that I have desires
128 about my desires and understand myself to be crafting a story—my story—
129 for myself. In this way I am not what Harry Frankfurt calls a “wanton,” a
130 cognitively limited human being without preferences about one’s preferences
131 and, so, no ability to rank them (Frankfurt, 1971). Unlike wantons, persons
132 care about what sort of person they are, and about what others think of
133 them. Persons perceive gaps between their present selves and their ideal
134 selves, and we occasionally try to elevate our wants and desires to match our
135 ideal wants and desires.

136 To live as an active “narrating” self I must be rational, autonomous,
137 and self-conscious. One way to understand this claim, a way not
138

139
140 ³ ILS rules are the rules we ought to adopt to govern our everyday behavior. The ILS system differs
141 from what Varner, following R. M. Hare, calls the critical level, the set of rules and principles we
142 adopt when we have the time and resources actually to try to maximize the good. When thinking
143 critically, we may realize that, in extremely rare situations, achieving the overall good might
144 require us to violate rights. The details of two-level utilitarianism are beyond the scope of our
focus here, but I note that the utilitarian rules needed to protect persons have, as Varner puts it, “a
deontological flavor.”

145 inconsistent with Varner's view, I think, is to focus on the relationship
 146 between narrative, language, and time. Narratives are made of proposi-
 147 tions and propositions are made of words. It takes more time to form
 148 and understand a proposition than it takes to form or understand a
 149 word, and more time still to understand a narrative.

150 Words can be used to name objects, and such nouns can in turn be
 151 conjoined with verbs to form phrases. The order of the words can
 152 be changed to change the meaning of the phrase, and new phrases can
 153 be inserted into other phrases to form sentences. Sentences can be strung
 154 together into narratives which invariably have plots. Without the ability
 155 to think in plots, I arguably do not have sufficiently developed linguistic
 156 tools to understand the nuanced interplay of temporal sequences
 157 necessary for another capacity. The capacity to be a moral agent requires
 158 that I understand the plot in which my decisions conflict with other
 159 characters' decisions in scenes that involve our mutual entitlements and
 160 responsibilities. Plots emerge when persons threaten each other and
 161 when we must respond to such threats—cooperatively or agonistically.
 162 Suppose, as seems true, that children take many years to acquire the
 163 complex linguistic skills necessary for narrative self-constitution.
 164 Suppose that only animals with large brains living in complex social
 165 networks are capable of evolving to the point where language teachers
 166 will devote years of their lives to developing the ability of the young
 167 narratively to constitute themselves. If these are the facts about what it
 168 takes to produce a person, it is unlikely that we will discover any
 169 nonhuman animals outside the sphere of human culture with a biogra-
 170 phical sense of self.

171 So neither orangutans nor pigs, it seems, can be persons if persons
 172 come into being only as individuals grasp the fact that other individuals
 173 are, like them, conscious moral agents capable of shaping their own
 174 biographies. For to grasp this fact, a person needs a theory of their own
 175 mind that provides the story by which they form the desire to have
 176 correct, just, *right* desires, desires that properly guide their treatment of
 177 others. Persons are oriented, therefore, by the past, that is, by their
 178 conscious memories of how they have acted, morally and immorally.
 179 Such memories imbue a person's present with a valence that orients
 180 them to the future.

181 Without a conscious past, an individual has no impetus. But without
182 a conscious future, one has no trajectory. If pigs have only procedural,
183 habitual, memories, they do not have the kinds of cognitive resources
184 necessary to understand where they are, psychologically speaking, much
185 less form a picture of where they want to go. If pigs do not consciously
186 remember where and when specific events occurred or what and why
187 they behaved in certain ways toward other pigs, they cannot access their
188 past in the way required to adjust their behaviors to their ideals in the
189 future. They cannot, if this account is correct, deliberate, for example,
190 about the implications of their past conflicts with other pigs. Nor can
191 they try out alternative hypotheses about how they should act toward an
192 agonistic conspecific in the future in order to rectify past wrongs or
193 prevent future trouble. If pigs lack episodic memory and executive
194 control of desires, they do not have the kind of agency necessary to
195 have a future of their own.

196 How would we know if a nonhuman animal were an autonomous
197 agent capable of reflecting on her past, examining her motives and
198 intentions, and making future decisions in line with her values and
199 ideals? Varner suggests some empirical measures; the mark test as a
200 way of assessing self-recognition, story-telling about one's past as a test
201 for episodic memory, caching food for future use as a sign of future
202 planning, and deception of conspecifics as a harbinger of theory of mind.
203 Before we look at the evidence in each of these areas, let us say a further
204 word about theory of mind, the ability to understand others' behaviors
205 as motivated by their mental states.

206 Having an understanding of my own mind goes hand in hand with
207 having a theory of others' minds, especially if the ability to understand
208 the behavior of others as motivated by *their* mental states is a corequisite
209 for understanding my own behavior as motivated by *my* mental states
210 (cf. Carruthers, 2011). If a person's life has a narrative trajectory that
211 gets its direction from conscious awareness of one's past and future, and
212 this self-conscious narrative trajectory is itself dependent upon under-
213 standing the lives of others as having a similar narrative structure, then
214 the self-conscious capacity to think of oneself as a character in a story,
215 made possible by the mind-reading capacity to think of others as
216 characters in their stories, has important ethical implications.

217 The normative features of personhood arise with the appearance of
 218 theory of mind. For the trajectory of a person's life is aimed by them at
 219 goals they establish. It is the basis, too, of their personal understanding of
 220 what a good life is for them. To this extent, we are in control of our own
 221 behavior—or, at least, it certainly feels that we are. Whether we in fact
 222 have free will is immaterial to the pain we feel when others interfere with
 223 our plans or in other ways frustrate us in our pursuit of our goals. Being
 224 bound physically or psychologically against our will is, all else equal, a
 225 form of enslavement. Enslaving someone is *prima facie* wrong for many
 226 reasons, including that it violates their autonomy. To live a good life,
 227 agents who feel they are free should be allowed to think freely and to make
 228 decisions for themselves. For when others seek to control my thoughts and
 229 actions, they diminish my happiness and violate my right to liberty.

230 Individuals who do not experience the kind of freedom that comes
 231 with a biographical sense of self cannot be disrespected in the same way
 232 that persons can be disrespected. For if one never has the feeling of
 233 freedom, how can one feel its loss? If pigs do not aspire to live according
 234 to certain ideals the reason may be that they do not have the capacity to
 235 exercise executive control over their behavior. If pigs cannot choose to
 236 inhibit lesser desires in order to satisfy more important desires, they
 237 cannot choose, either, to govern their behavior according to their ideals.

238 In sum, persons have a biographical sense of self. They are rational and
 239 self-conscious, have desires about desires, and feel that they can act freely
 240 as moral agents. The mental tools necessary to constitute oneself narra-
 241 tively are concepts and words, phrases, and propositions used to describe
 242 good and bad characters and desirable and undesirable plots. Because
 243 persons have the feelings of freedom, they are morally responsible for their
 244 actions. For all of these reasons, persons are entitled to special protections.

245

246

247

248 **3.3 Near-Persons**

249

250 Individuals who lack a biographical sense of self but have what Varner calls
 251 a “robust auto-noetic consciousness” cannot narratively self-constitute
 252 because they lack the requisite long-term episodic memories, long-term

253 personal goals, and the feelings of being free to shape their narrative.
254 However, because they have a rich, deep sense of the recent past and
255 because they have procedural memories and facial recognition, they can
256 become conscious of themselves and others. They are capable of learning
257 how to perform new tasks, of taking pleasure in their successes in this area,
258 and capable of making plans for the intermediate future. By “intermediate
259 future” I mean, roughly, the rest of today and, a bit more precisely, a future
260 that stretches out as long as a few dozen minutes and perhaps a few hours,
261 but not beyond the onset of the next sleep-cycle.

262 Robust auto-noetic consciousness requires that an individual possess
263 some of a person’s cognitive capacities, including the ability to
264 understand concepts and to interpret others’ bodily gestures and
265 vocalizations as meaningful signs, that is, words or directives.
266 Words are sounds emitted by a sender who uses the representation
267 to designate objects to a receiver. Directives are sounds used to
268 request or demand specific responses. Near-persons understand repre-
269 sentation and causality. What they do not understand are proposi-
270 tional attitudes, the linking of nouns and verbs to form grammatical
271 phrases. Grammar allows us to form novel propositions by doing
272 nothing more than recursively changing the order of words and
273 phrases. Recursion allows us to embed phrases within phrases, and
274 other phrases within those phrases—and so on, and so on—almost
275 without end. With words, phrases, and propositions, one can create
276 narrative plots full of characters enacting what Aristotle called
277 “drama.” Plots, moral agency, and characters all become possible
278 with narrative, but only with narrative. Without plots and characters,
279 with only the lower-level cognitive resources of words and rudimen-
280 tary grammar, the possibility of an animal narratively constituting
281 itself disappears. Only auto-noetic consciousness remains.

282 Varner reviews the evidence about nonhuman animals’ use of lan-
283 guage and concludes that no nonhuman animals have the ability to
284 understand propositions, much less conjoin them into narratives. It is
285 clear, however, to me at least, that many pigs as well as orangutans
286 understand gestures and vocalizations as full-blown *representations*, that
287 is, concepts and, further, as *words* and *directives*. I employ those two
288 words intentionally without any ambiguity in their meaning. Nor do

289 I commit any anthropomorphizing mistake in using them. For while
 290 nonhuman animals apparently lack a full-blown biographical sense of
 291 self and are not characters, they need not have narrative in order to have
 292 *exactly the same* semantic resources possessed by human near-persons.
 293 When a vervet monkey vocally signals to another the presence of a
 294 specific predator, such as a leopard (*or* eagle, *or* snake), the monkey is
 295 using a *word* with pragmatic force (Seyfarth & Cheney, 2012). It is,
 296 literally, *issuing a warning* using a word that, translated into English,
 297 would be something like “leopard!” (or eagle! or snake!).

298 Some nonhuman animals also seem to perceive, understand, and
 299 represent their bodies as their own and so to be self-conscious.
 300 Individuals who pass the mark test (by wiping away a mark on
 301 their face when seen in a mirror) seemingly must have a memory
 302 of what their body looks like and the thought, “*that* image in the
 303 mirror is *my* face.” For if they see a strange mark on their forehead
 304 and try to remove it, they must have not only a procedural, habitual
 305 memory of how to wipe their forehead but an episodic memory as
 306 well of how their face is supposed to appear. “My face is not
 307 supposed to look like *that* face.” And it would seem they must
 308 further have some anticipation about how their face will look again
 309 in the near-term future after they have wiped the mark away. “Soon
 310 the image in the mirror will look like *me* again.”

311 All of these claims about the capacities of some mammals (in this case,
 312 great apes) are consistent with the claim those animals have a robust
 313 proprioceptive sense of their bodies, an intermediate past, and an inter-
 314 mediate future. But these capacities are a far cry from propositional
 315 knowledge, long-term temporal horizons extending beyond the next few
 316 hours, executive control of one’s behavior, narrative understanding and
 317 creativity, and moral agency. A chimp may desire to wash her face now
 318 but she does not want, for all we know, to clean up her social image
 319 starting first thing next week.

320 Orangutan Jenny doubtless has several stories that could be told *about*
 321 her life, but every such story will be the creation of a human person. Her
 322 life goes well or poorly for her and she has a welfare that can be promoted
 323 or undermined. But if, as I assume, orangutans lack second-order desires,
 324 Jenny does not have desires about which of various life-stories open to her

325 she would prefer to pursue. Nor does she have preferences about which
 326 sort of reputation she would like to have among her peers if she cannot
 327 entertain various visions of the good life or freely choose to pursue one
 328 ideal self over another. Consequently, Jenny does not and cannot tell
 329 herself or others the story of her life.

330 Which nonhuman animals may be near-persons like Jenny? Reviewing
 331 the evidence, Varner argues that the category includes great apes, cetaceans,
 332 elephants, and, perhaps, corvids and parrots. To defend his claim that great
 333 apes do not have the kind of episodic memory required to have a biogra-
 334 phical sense of one's past, he examines the evidence provided for believing
 335 that Koko, the gorilla, has narrative and uses it to communicate deeply
 336 emotional personal memories from the distant past.

337 Koko was five years old in July, 1976. According to Francine
 338 "Penny" Patterson, who worked more closely with Koko than anyone,
 339 in 1976 Koko narrated an event that had happened three days prior:
 340 (P = Patterson; K = Koko)

341 P: What did you do to Penny?

342 K: BITE.

343 P: You admit it? (Koko had earlier called the bite a SCRATCH.)

344 K: SORRY BITE SCRATCH.

345 (Penny shows the mark on her hand; it does resemble a scratch.)

346 K: WRONG BITE.

347 P: Why bite?

348 K: BECAUSE MAD.

349 P: Why mad?

350 K: DON'T KNOW

351
 352 (Patterson & Cohn, 1994, p.282)

353
 354 Koko's one and two word responses here, drawn from her knowledge of
 355 more than a thousand American Sign Language (ASL) signs, clearly show
 356 an understanding of concepts, words, and causal relations (What did you
 357 do to Penny? BITE). However, as Varner notes, there is no evidence here
 358 of episodic memory, in which one remembers oneself at a particular place
 359 at a particular time. Koko is using ASL which, Varner tells us, does not
 360 include tenses. Consequently, he observes, "temporal references must

generally be inferred from the context, and in these studies, that context is provided by the English sentences uttered by the human trainers” (Varner, 2012, p.155). Varner has his doubts about whether Koko is here communicating a conscious memory of what happened three days ago. Rather, Koko may simply be making signs she knows will succeed in eliciting the responses Koko desires from Patterson.

But if Koko is not capable of expressing memories of events three days in the past, she is able to communicate her emotions. When asked, “How do you feel?” she will respond appropriately, for example, with FINE, or HUNGRY, or SAD. In children, internal immediate-state language reporting one’s mood emerges in the third and fourth years. We are on firm ground, then, in thinking Koko has words and concepts, social communication, rationality in the sense of cause and effect thinking, emotions, awareness, and beliefs and desires. But she does not seem to have the second-order desires, executive control, or autonomy required for a biographical sense of self.

Varner is similarly cautious about long-term memories allegedly recounted by a gorilla, Michael, who was captured by poachers as an infant. Patterson made a video of Michael allegedly recounting this memory of the incident in which Michael’s mother was killed. In the recording we see Michael’s signings rendered in the following captions provided by Patterson: “SQUASH MEAT GORILLA. MOUTH TOOTH. CRY SHARP-NOISE LOUD. BAD THINK-TROUBLE LOCK-FACE. CUT/NECK LIP(GIRL) HOLD” (The Gorilla Foundation, n.d.). Varner, noting the ambiguity of the string of words, observes that “even Patterson’s sympathetic co-author Eugene Linden doubts her claim that Michael was telling the story about his mother’s death” (*Ibid*, pp.155–156). Varner concludes that in spite of such anecdotes and Patterson’s claim that Michael told her this story on several occasions, there is “no good evidence that apes understand or use language to express thoughts about the non-immediate past” (*Ibid*, pp.156). If Varner is wrong and Michael is recounting an episodic memory, Michael has an important claim to personhood. If Varner is right, perhaps Michael is just making signs he thinks Patterson is subconsciously nudging him to make, perhaps in Clever Hans fashion. In that event, Michael may not have episodic memories of the traumatic events.

397 Rather, he may only be signing in sequences he has learned satisfy
398 Patterson's promptings.

399 In sum, near-persons are sentient, rational beings with a clear sense of
400 the world around them. They learn from their experiences and are con-
401 scious of events in the intermediate past. They can make plans concerning
402 the intermediate future. But they lack what persons have, a full-featured
403 biographical sense of self. Near-persons do not have second-order desires
404 about their desires, episodic memories, or plans for tomorrow. They do not
405 have a theory of mind, cannot tell others stories about themselves, and
406 cannot shape their lives in accordance with their values.

408 409 **3.4 The Merely Sentient**

410
411 Varner's "merely sentient" nonhuman animals are individuals who live
412 entirely in the moment. Attracted to favorable stimuli and repulsed from
413 aversive stimuli, the merely sentient are neither able to exercise control
414 over the external forces that move them around in the world nor are they
415 conscious of those forces. The merely sentient do not have emotions,
416 rationality, or a robust sense of the world around them. They do not
417 learn from their experiences, recognize the faces of conspecifics, or
418 engage in social communication.

419 Which nonhuman animals are merely sentient? Whether fish feel
420 pains and pleasures is a matter of some dispute but assuming that fish
421 are sentient, this capacity may be the full extent of their mental powers.
422 In his earlier book, *In Nature's Interests?*, Varner observes that fish fail
423 tests of conscious problem solving, such as multiple reversal trials, and
424 suggests that if they learn from memories at all they learn only implicitly
425 and subconsciously (Varner, 1998). If fish feel pain but have only the
426 vaguest sense of immediate past events and an even less explicit and
427 shorter view of the future, fish are merely sentient.

428 What is it like to be merely sentient? Can one think about one's future
429 at all? Here is what Varner writes:

430
431 The merely sentient may experience a sense of ease based on what
432 psychologists call 'implicit memory' or anxiety based on what we might

433 call ‘implicit anticipation.’ An implicit memory is one that affects one’s
 434 choices, but without being available for conscious recall. (Varner, 2012,
 435 p.162)

436
 437 Squirrels, Varner claims, do not plan for the future, have episodic mem-
 438 ories, narrative autobiographies, or theory of mind. They are not persons.
 439 But neither, Varner surmises, are they near-persons because there is no
 440 evidence that they recognize themselves in mirrors, have personally
 441 indexed memories, or plan for the future. They have implicit memories
 442 and implicit anticipations, but these capacities are not sufficient to form
 443 conscious plans for the future. A squirrel hoarding acorns consciously
 444 desires “to get each acorn into its stash” but “is completely unconscious of
 445 the purpose of its hoarding behavior” (*Ibid*, p.164). Since, Varner con-
 446 tinues, the squirrel is not aware of the reason for its behavior, or of the
 447 long-term benefits of stashing, the animal consequently:

448
 449 ...can achieve no sense of satisfaction when it has stashed enough acorns.
 450 It cannot, in effect, say “There, I’ve accomplished *that!* Since *that* (the goal
 451 of laying up enough acorns for the winter) is something of which it is not
 452 conscious.” (*Ibid*)

453
 454 Varner allows that the squirrel can “achieve a sense of satisfaction” from
 455 getting an acorn into her stash. Squirrels have simple desires (“get this
 456 acorn into that hole”) and simple beliefs about cause and effect (“drop-
 457 ping this object into that gash will get this acorn into that hole”). But
 458 Varner does not allow, nor does it seem true, that the squirrel can get
 459 satisfaction from having put in an honest day’s labor, as it were. If the
 460 squirrel does not possess the intermediate-level concepts of “a day’s
 461 work” or “the cold season”—much less the higher-level concepts and
 462 grammar necessary to form propositions (“If I fail to put in a sufficient
 463 number of good days of work I will run out of acorns and face
 464 catastrophe in the cold season to come”)—the squirrel cannot have the
 465 narrative knowledge required to constitute herself as a subject who
 466 endures across a series of temporally discrete events. Given what we
 467 now know about squirrels, it seems right to say that they are not capable
 468 of the kind of experiences had by Jenny and Koko.

469 To summarize, the merely sentient feel pain and pleasure but lack
470 the ability to reflect on them. Their temporal horizons stretch out-
471 ward from the present, but no further into the past than a few
472 seconds and hardly, if at all, into the future. They lack a robust
473 auto-noetic consciousness.

476 3.5 The Problem, Restated: Are Pigs Merely 477 Sentient? 478

479 Varner suggests that while we presently do not have evidence for
480 auto-noetic consciousness in any nonhumans other than the candidates
481 for near-personhood, such evidence may be forthcoming as we become
482 more skilled at testing for the target capacities. Meanwhile, he points
483 out, we must make policies regarding the so-called food animals. He
484 suggests that we adopt what he calls the “Rumsfeld response,” namely,
485 that we do the best we can, forming regulations based on the evidence
486 we have rather than the evidence we wish we had. By implication, then,
487 since there are only two categories available, near-persons and merely
488 sentient, Varner’s framework would categorize pigs as merely sentient.
489 At least for the moment. And, at least for the moment, this under-
490 standing of pig consciousness would allow the killing of pigs for food
491 since the value of a pig would, in Peter Singer’s word, be *replaceable*
492 (Singer, 1993). As long as one merely sentient animal is brought into the
493 world every time one like it is dispatched, overall value is conserved.
494

495 Varner does not claim that pigs are merely sentient, but he finds no
496 experimental evidence to date that pigs pass the mark test, attribute false
497 beliefs to conspecifics, communicate to each other about their plans, and
498 so on. A positive case for the conclusion that pigs are merely sentient and
499 replaceable can be found in the kinds of arguments made by Donald
500 Davidson and R. G. Frey, arguments that coincide with Varner’s
501 assumptions about squirrels, that the animals lack intermediate- and
502 higher-level concepts such as “a day’s work,” “the young ones to be born
503 tomorrow,” and “putting in a good day’s work preparing for the births
504 to come” (Davidson, 2001; Frey, 1980). If pigs lack intermediate-level

505 concepts it is probably because they lack the linguistic capacity to form
 506 the phrases necessary to have the concepts in question. Lacking grammar
 507 and propositions, a sow cannot have a sense of satisfaction in reviewing
 508 her day's activities. Nor can she take pleasure in the fact that she has, for
 509 example, "built an enviable nest in preparation for the piglets," even
 510 though this is precisely what she has done.

511 Why can't she take such pleasure? Because her implicit memories and
 512 implicit anticipations are neither temporally extended in the way
 513 required nor is she capable of hooking them consciously together into
 514 a narrative. Neither are they pegged by the pig to herself. Consider a
 515 free-range sow, Oreo, building her nest (HeatherF27, 2007). Oreo
 516 apparently does not consciously plan for the future birth of her offspring
 517 even as she aims to get this mouthful of straw into the place she thinks it
 518 ought to go. For she is not conscious of the purpose of her movements in
 519 serially taking mouthful after mouthful of straw and placing them in a
 520 large pile. If this is the right description of how it feels to be a pig making
 521 a nest, as I believe it is, the sow is conscious of goals she aims to achieve
 522 in the next few dozen minutes but not conscious of any overarching goal
 523 she may achieve by successfully completing a series of such acts. Oreo
 524 can achieve satisfaction from successful completion of the proper place-
 525 ment of *this* mouthful of straw but not from successful completion of
 526 behaviors we would call, were they performed by a woman, maternal
 527 activities in preparation for tomorrow's births. To paraphrase Varner, a
 528 sow cannot, in effect, say, "There, I've accomplished *that!*" since *that*
 529 (the goal of preparing a warm nest in preparation for partuition) is
 530 something of which the sow is not conscious (cf. Varner, 2012,
 531 p.164). If all of this is correct, how it feels to be a squirrel or pig
 532 would be the same as how it feels to be a fish.

533 But is this correct? Isn't the nest building behavior itself evidence that
 534 Oreo has intermediate-term beliefs and desires? For it is essential to our
 535 description of her behavior that she is building a *nest*, an activity that
 536 takes hours to complete. Given her behavior, mustn't we allow that the
 537 sow has temporal horizons of a sufficient length and complexity to
 538 achieve this end? Her fussing with various configurations of the straw,
 539 hour after hour, strongly suggests she is making judgments about how
 540 well she is achieving the overall end. She does not serially grasp mouthful

541 after mouthful of straw and randomly place one here and another there.
542 Nor does she suspend operations after a few minutes, turning her
543 attention to other matters. If she behaved in this way, we might think
544 she was not *building a nest*. Were she to spend every waking hour
545 moving straw hither and yon, all day long whether pregnant or not,
546 we might think her a wanton who knows not what she does.

547 But these are not proper descriptions of Oreó's behavior. First, she
548 is pregnant; there is a reason for her behavior. Second, she pursues
549 her straw moving behavior all morning. Third, she is free to stop and
550 start as she wishes; she is neither playing around aimlessly nor
551 anxiously pacing stereotypically. Fourth, she does not cease what
552 she is doing until a structure sufficient to warm her coming offspring
553 is in place. The evidence is that Oreó has in mind a project that will
554 take her many minutes, perhaps hours, to finish. And this is evidence
555 that points to an important difference between porcine and fish
556 consciousness. I can think of no clearer way to put the difference
557 than in temporal terms. Whereas the "temporal window" of some
558 fish is, according to some observers, confined to a few seconds, the
559 temporal window of the pig stretches out for many minutes, perhaps
560 as far as an hour. At the beginning of her work, Oreó initiates a
561 project that she cannot accomplish *now*. And to make good decisions
562 about which step to take next, she must represent what she has built
563 so that she can compare it with the image of what she intends to
564 build. The structure she foresees will require for its completion
565 dozens of minutes of activity on her part, activity of which she is
566 conscious. Or so the evidence would suggest.

567 Hold on, one may object. The argument thus far has been based on
568 anecdotal evidence and arm-chair philosophy. Fair enough. Let us con-
569 sider a controlled experiment.

570 In a maze test conducted with two sows who forage together on a
571 daily basis, researchers placed two buckets behind a series of barriers
572 (Mendl, *et al.*, 2010). Only one bucket contained food. One pig, whom
573 I will call Informed, was allowed to search the arena to find which
574 bucket had the goods. She was then removed from the pen. Soon
575 thereafter the arena was reopened and Informed was allowed back in.
576 This time, however, she was accompanied by her larger mate, call the

577 mate Uninformed. The researchers' first question was, Can Uninformed
578 figure out that Informed knows where the food is and exploit that
579 knowledge in her attempt to eat? The answer is yes. The naïve animal
580 followed the smaller animal, apparently intuiting both that (a) Informed
581 was hungry, and (b) Informed knew where the reward was located.

582 The researchers discovered something else. After several iterations of
583 the trial, Informed began to exhibit behaviors suggesting that she was
584 reading Uninformed's mind. Upon entering the arena, Informed resisted
585 the impulse to head straight for the food. She took a meandering path
586 and did not head straightaway for the bucket. Was she trying to throw
587 off her heavier mate? There is no other plausible explanation. Whereas
588 Informed would initially go straight to the food, soon she began secretive
589 maneuvers. She'd move first behind a barrier and, keeping a steady eye
590 on her mate, wait until Uninformed was out of sight. She would then,
591 and only then, dart for the food.

592 Does Informed have the discriminative ability to see the world from
593 Uninformed's perspective? Are her deceptive movements' evidence that
594 she can shift her point of view to another pig's point of view? Clearly
595 Informed is inquisitive and attentive, conscious of her surroundings, and
596 able to learn the locations of objects. But she may also be suppressing a
597 strong desire to eat believing that doing so will allow her, in the long
598 run, to get more food. If this is what she is doing, then Informed is
599 consciously foreseeing the future, traveling mentally forward in time,
600 imagining herself alone at the trough. She is also rank ordering her
601 preferences, exercising executive control of the desires on which she
602 chooses to act. If she has these capacities, she may be thinking the
603 equivalent of "I must move my body over in this direction, watch for
604 my opportunity, and then run quickly to the bucket." And if she has
605 these capacities, she is capable of seeing two possible future scenarios—
606 one in which she is alone with the reward, one in which she is accom-
607 panied by Uninformed. She is also capable of consciously choosing the
608 future scenario she most desires, and she is capable of purposely con-
609 trolling her emotions in order to achieve it. On this interpretation,
610 Informed has the abilities to form hypotheses about how to achieve
611 her goals, consciously to decide on the path she thinks most likely to
612 help her achieve her chosen end, rank order her preferences, read

613 another pig's mind, and act on the preference she has given highest
614 priority. Can Informed think these thoughts?

615 I doubt it. The current evidence does not support such a conclu-
616 sion. While we might understand a person's analogous behavior as
617 motivated by the kinds of cognitive states just described, we have
618 little evidence at present to think that Informed has the ability to
619 understand other pigs' behaviors as motivated by mental states. In
620 the absence of such evidence, the anthropomorphizing dimensions of
621 the interpretation are unwarranted. If we assume Morgan's Canon,
622 as we should, we must prefer simpler, lower-level explanations over
623 more complicated explanations. The rule is only to attribute addi-
624 tional, higher-level, second-order psychological capacities when no
625 sufficient lower-level explanations are available (Karin-D'Arcy, 2005;
626 Morgan, 1903). However, in the food-seeking behavior, one can
627 explain the pig's movements in terms of first-order weak and strong
628 beliefs and desires (Carruthers, 2008). For Informed has two con-
629 flicting desires: a desire to eat now while sharing with a mate, and a
630 stronger desire to eat later while not sharing with a mate. Informed
631 has two consistent beliefs: a strong belief that if she runs directly to
632 the food she will have to share it, and a strong belief that if she first
633 deceives her mate she will not have to share it. So, given her beliefs
634 and her strongest desire, she acts on the stronger desire.

635 We need not attribute a theory of mind to Informed to explain her
636 behaviors because her behaviors can each be explained in terms of
637 "world-directed" beliefs. World-directed beliefs are beliefs about objects
638 in the world as opposed to subject-directed beliefs, which are beliefs
639 about subjects—other minds or persons. Nor need we postulate that
640 Informed has the capacity for executive control of her preferences
641 because the first-order, world-directed interpretation just offered will
642 suffice to explain her movements. Informed forms one association over
643 the course of several trials that if food is in location *X* and no other pigs
644 are in the arena, the best course of action is *Y*, to run straight to the food.
645 She forms a second association that if food is in location *X* and other pigs
646 are in the arena, the best course of action is *Z*, to meander away from the
647 food, to monitor the other pig's location and when its head is positioned
648 in a certain way, to run straight to the food. If so, Uninformed's

649 behavior is causally determined by whichever set of environmental
650 conditions obtains.

651 A deflationary interpretation of Informed's behavior inspired by
652 Morgan's Canon undermines the claim that she has all of the psycho-
653 logical capacities of a near-person. But it does not undermine the claim
654 that she has some of a near-person's cognitive skills. To the contrary, it is
655 accurate to say that Informed *feels* hungry, *desires* to try to lose her mate,
656 and *believes* that moving away from the food will buy her precious
657 competitor-free seconds at the trough. While the sow does not have
658 robust autozoetic consciousness, however, she has more than mere
659 sentience. She is able to formulate hypotheses, hold them in mind,
660 and choose among them. She is able to defer acting on immediate
661 desires to make possible the satisfaction of longer-term desires.

662 With respect to its duration, mammalian consciousness is unlike fish
663 consciousness. First, unlike fish, pigs and squirrels have conceptual repre-
664 sentations of objects such as acorns and sheaves of straw. Second, they have
665 the short-term projects of getting this acorn into her stash and placing this
666 sheaf of straw in an advantageous position. Third, they can recognize faces
667 and respond to others. They have basic social emotions such as happiness
668 and sadness. Fourth, they have basic communicative mechanisms they can
669 consciously deploy to alert and inform conspecifics of dangers and oppor-
670 tunities. Fifth, they can use their communicative mechanisms to deceive
671 others. Sixth, they can learn to maximize rewards by systematically mirror-
672 ing the choice that was rewarded on the just-completed trial (Varner,
673 1998). As these capacities are not available to the merely sentient, we
674 need a new category to represent these nonhuman animals.

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3.6 Far-Persons

679

680 A far-person is an individual with non-narrative experience, or what I
681 will call "lyrical" experience. A lyrical experience has a short duration
682 with a "minute" temporal horizon stretching no more than an hour or
683 two into the past and several minutes into the future. Lyrical experiences
684 are simple and often relaxed, or diluted. That said, these short simple

685 experiences can also be intense, concentrated, powerful. The “of the
686 moment” experiences of far-persons can be profoundly pleasurable and
687 horrifyingly painful. But they are not foreseen and their after-effects do
688 not persist in conscious memory. Far-persons cannot recall their experi-
689 ences later. They cannot organize their lives so as to produce more
690 pleasurable experiences or fewer painful experiences.

691 Lyrical experiences do not involve episodic memories or episodic
692 anticipations. They do require the ability to become habituated to new
693 circumstances, to learn new skills, and to develop novel beliefs and
694 desires based on implicit memories. On the basis of such unconscious
695 psychological capacities, individuals can form conscious hypotheses and
696 set goals for the short-term future. Lyrical experiences are laden with
697 value and often involve the so-called four basic emotions: happiness,
698 sadness, anger, and fear or surprise (Jack, *et al.*, 2014). Finally, lyrical
699 experiences involve awareness of one’s achievement; far-persons can take
700 pride in their successes and be frustrated by their failures.

701 Like near-persons, far-persons are sentient and conscious. They have
702 beliefs, desires, and emotions. They understand causal relations and can
703 reason about the best ways to achieve their objectives. They have a point of
704 view; they can remember the faces of their conspecifics and what those
705 conspecifics were doing a minute or two ago. However, unlike near – persons,
706 far-persons lack a robust auto-noetic consciousness. They cannot see their
707 bodies from another’s perspective, do not have desires about their desires, and
708 lack temporal horizons stretching beyond the present hour or two.

709 A far-person’s memory cannot index one’s self to yesterday, placing
710 one’s body in relation to temporally-ordered events or use the past as the
711 basis for tomorrow’s plans. The individual a far-person is today has few
712 if any conscious psychological connections with the individual they were
713 yesterday or will be when they next awake.

714 Before we proceed I must clarify an important issue. Far-persons are
715 not non-persons.⁴ *Non-persons* are nonconscious organisms whose

718 ⁴I depart here from the way Varner uses this term. He uses “non-persons” to describe any
719 individual who is not a person. I use it, instead, to refer more narrowly to that set of sentient
720 individuals that lack consciousness altogether and, therefore, any traits of far-persons.

721 autonomic systems maintain homeostasis and respond to environ-
722 mental changes by moving toward attractive stimuli and away from
723 aversive stimuli. Non-persons may be sentient but their lack of
724 consciousness means that their pains and pleasures are not accessible
725 to them. There is, in short, no “them” there, as it were, no central
726 information gathering and processing system to integrate across time
727 the organism’s mental states, if it has any. Non-persons, as I say,
728 may or may not be sentient, but they utterly lack concepts, words,
729 beliefs, desires, and emotions. Their ability to respond to environ-
730 mental signals is to be explained as blind movement determined by
731 physical forces. Humans who exist from birth to death in perma-
732 nently vegetative states are non-persons for, apart from their physical
733 resemblance to us, they are not recognizable as the kind of beings we
734 are.

735 Allow me one example. JD was born in 1959 unable to swallow,
736 move, or vocalize. By her twenty-third birthday she had made no
737 progress. She lay in bed, permanently comatose until she died at age
738 27. She learned one lesson when the nurses who cared for her
739 decided to train her to signal them when she eliminated urine or
740 feces. Under their tutelage, JD “learned” to squeeze a button when
741 she was wet. Apart from this one accomplishment, however, JD
742 showed no signs of habituation, procedural memory, or short-term
743 desires. She never reached out to others, spoke, or held objects. She
744 did not swallow when prompted, cry when poked, or laugh when
745 tickled. She did not try to adjust herself in bed, turn away from light
746 or toward a voice. She did not try to make the room temperature
747 warmer or cooler. The nurses who trained her to signal them when
748 she needed changing did not regard her button-pushing movements
749 as conscious or intentional. Rather, they thought of them as
750 Pavlovian automatic reflexes, conditioned responses to a stimulus.
751 JD died in 1986 of complications related to pneumonia, never
752 having exhibited any of the most rudimentary signs of being a far-
753 person (Comstock, 2009, 2010). Apparently, human organisms can
754 exist for decades not only without becoming far-persons but without
755 ever having the potential to become one.

We must be very careful before deciding an individual is a non-person for we know of many cases of persons unable to communicate or move because of physical limitations. In cases involving neurological damage, such as “locked-in” syndrome and amyotrophic lateral sclerosis, persons are unable to let others know they are psychologically intact. These cases are not the cases I have in mind when referring to non-persons.

Far-persons, as I say, are neither merely sentient nor non-persons. They have beliefs and desires, and can act rationally. They understand cause and effect and can recognize faces. They have lyrical experiences and temporal horizons, however minute. Table 3.1 summarizes their relationship to persons, near-persons, and non-persons.

I turn now to a normative question.

3.7 What Is the Value of Lyrical Experience?

To answer this question let us briefly survey three human cases that, I suggest, are candidates for far-person status.

Brooke Greenberg was born in 1993 with an unknown neurological condition diagnosed only as “Syndrome X.” She died at twenty years old, never having weighed more than sixteen pounds or having attained the mental capacities of more than a one-year-old (Walker, *et al.*, 2009). The seventeen-year-old Brooke recognized family members and demonstrated object constancy by, for example, tracking the dress she preferred when her mother would playfully hide it behind another dress. She enjoyed watching television with her sisters, gave appropriate if child-like responses to their simple commands and requests, and vocalized her displeasure at faces and events that displeased her (Bethge, 2010). She produced few sounds, if any, recognizable as words (Brown, 2009), but could vocally express to others an emotional repertoire that included affection, fear, and anger.

To try to understand how it feels to be a far-person, imaginatively recreate the point of view of a one-year-old. Just now, for example, picture Brooke trying to answer her mother’s question about which outfit she likes best. Her mother holds up two dresses. Brooke nods in the general direction

Table 3.1 Far-persons

	Persons		Near-Persons	Far-Persons	Non-Persons
	Biographical sense of self	Autonoetic consciousness	Lyrical consciousness	Autonoetic consciousness	Lyrical consciousness
SIMPLE MINDS	Yes	Yes	Yes	Yes	No
Unified perspectives consisting of first-order beliefs and desires					
Have words: Understand concepts, obey commands, issue warnings	Yes	Yes	Yes	Yes	No
Facial recognition	Yes	Yes	Yes	Yes	No
Six basic emotions	Yes	Yes	Yes	Yes	No
Form hypotheses and choose rationally among them to satisfy desires	Yes	Yes	Yes	Yes	No
COMPLEX MINDS					
Selves exercising executive control over short-term beliefs and desires					
Have <i>propositions</i> : Understand sentences	Yes	Yes	Yes	Yes	No
Executive conscious control over short-term desires	Yes	Yes	Yes	Yes	No
Self-consciousness	Yes	Yes	Yes	Yes	No
PERSONS					
Morally responsible agents					
Have <i>narratives</i> : Understand plot, character, mood	Yes	No	No	No	No
Have moral agency and responsibility	Yes	No	No	No	No
Have categorical desires, long-term desires to make something of one's lifetime	Yes	No	No	No	No

829 of the objects, and her mother smiles at Brooke's apparent choice. Brooke
830 in turn grins. I call attention to her smile, an intense lyrical expression of
831 contentment. The feeling is confined to the moment, it is not available to
832 Brooke for reflection or revision, and minutes later Brooke will not
833 remember it. And yet, at the moment it is deeply pleasurable for her.

834 The second case is Susan Wiley, known in the literature as Genie, a girl
835 locked in her bedroom by her father from the time she was twenty months
836 old until she was freed at thirteen years of age. Let us try to go inside the
837 confined girl's head. She is, at the moment, responding to her brother,
838 whom she trusts. He has poked his head in her door because he has a new
839 toy for her. How does she feel? She recognizes her brother's face and
840 distinguishes it both from her father's face and from her mother's face.
841 Her brother puts her at ease. She is able to track the hand that contains the
842 toy as he hides it playfully behind his back. It has been a few minutes. She
843 has heard her neighbor practicing piano, pleasant sounds that compete
844 with the songs of a waxwing that also waft through her open window. She
845 gives appropriate if child-like responses to her brother's whispered assur-
846 ances that her having the toy will be ok with Father. Clearly she is capable
847 of fear, anxiety, anger, and affection. She can understand that words
848 express speakers' intentions and that words can be used pragmatically to
849 issue assertions, requests, promises, and warnings. When freed, she will
850 understand a dozen or so words (e.g., mother, father, door, bunny), and
851 react appropriately when they are used to refer to their objects. However,
852 she will only be able to generate and verbalize two ideas, each idea
853 pronounced as a single word, "/stăpit/" and "/nômôr/." She will not be
854 able to learn to use grammar to string words together into sentences, use
855 phrases recursively, or tell stories (Brown, 2009).

856 Forget all that. Just now, focus on Susan's fascination with what her
857 brother produces from behind his back: her old familiar ragdoll in one
858 hand and, in the other, a shiny new yellow duck. Curious, she is reach-
859 ing eagerly for the unfamiliar object. She is smiling.

860 What is happening in this girl's consciousness as she examines
861 each toy and turns away from the familiar one? She is having
862 implicit memories, conditioned responses or habituations activated
863 by situations requiring the exercise of practical skills or habits

865 (Tulving, 2002, 1984, 1983). She is not having an episodic memory,
 866 explicit replaying a tape, as it were, in which she sees herself drag-
 867 ging around the ragdoll yesterday. She does not watch any episodes
 868 in her mind or place herself in the frame as the subject of experi-
 869 ences who must choose between two objects. Her memories are not
 870 indexed to specific place or time. And yet she smiles, and there is no
 871 doubt she feels happy.

872 During the years spent in captivity, Susan Wiley lacked second-
 873 order desires, the ability to form propositions, and the capacity to
 874 understand or produce narratives. She did not use the first-person
 875 pronoun and, in the judgment of Susan Curtiss, a sympathetic
 876 researcher who probably knew Susan Wiley better than anyone else,
 877 Wiley probably did not have a concept of herself when she was found
 878 (Curtiss, 1981, 1977; Fromkin, *et al.*, 1974). After years of intensive
 879 language therapy, Susan was able to use the pronoun “I” and engage in
 880 simple conversational back-and-forth. Here is one of the conversations
 881 Curtiss recorded:

882 (A = adult; G = Genie)
 883

- 884
- 885 A: Do you want me to play the piano for you a little bit?
 886 G: Long time.
 887 A: How’s the neck?
 888 G: Feel better.
 889 A: I told you it would feel better when you got to school.
 890 G: Hurt.
 891 A: It hurts? I thought it felt better.
 892 G: Little hurt.
 893 A: How should I reach it?
 894 G: Get ladder.
 895 A: Why aren’t you singing?
 896 G: Very sad.
 897 A: Why are you feeling sad?
 898 G: Lisa sick.
 899 A: How many sides does a triangle have?
 900 G: Three.

901 A: How many sides does a circle have?

902 G: Round.

903
904 (Curtiss, 1981)

905
906 Notice that Susan's responses are all one or two words, and always in
907 the present tense. Are her temporal horizons confined to the "minute"
908 present? It would seem so. She is clearly aware of the passing of time,
909 and of the fact that time comes in units of variable length. If this were
910 not true we could not offer a decent interpretation of her "long time"
911 response to the piano playing offer. Nevertheless, there is no evidence
912 here of episodic memory or use of tenses. Whatever narrative structure
913 is present must be inferred from the context, context provided by the
914 questions proffered by Curtiss. Wiley has the ability to learn new words
915 and skills but she does not, for all we know, have episodic memories
916 she can manipulate that extend more than a few dozen minutes into
917 the past. Despite years of specialized therapy, she would never attain
918 the linguistic competence of a three-year-old, the kind of competence
919 required to begin narratively to constitute oneself.

920 We come now to a third case. Clive Wearing (born 1938) is a British
921 former choir director and pianist who, having contracted herpesviral
922 encephalitis in 1985, suffered profound declines in cognitive function.
923 Mr. Wearing retains procedural, implicit, memories for playing the
924 piano and singing. However, he lacks almost all episodic memories,
925 unable to remember his wife's name or even the flavor of the food he is
926 in the act of swallowing. He cannot consciously plan his behaviors for
927 more than a few seconds into the future nor remember what he is
928 thinking seconds prior to his being prompted. Suffering from total
929 anterograde and severe retrograde amnesia, Mr. Wearing lives, as
930 Oliver Sacks put it, entirely in the present (Sacks, 2007).

931 What does it feel like to be Brooke, Susan, or Clive Wearing? First, it
932 feels like something. Theirs are not mental states like JD's which, to be
933 precise, are no mental states at all. Second, each individual faces different
934 circumstances and no doubt has different feelings from the other two.
935 We must be sensitive to these differences. Third, each one feels, at their
936 best, intensely happy. They feel the way we feel when we are most joyful,

937 when we are giddy to be alive, fully present and content in the moment.
 938 They feel, at their worst, the way *we* feel when we are suicidally
 939 depressed, desiring death now to whatever the future would bring were
 940 we forced against our will to endure it. As Clive Wearing's wife,
 941 Deborah, puts it in her memoir:

942
 943 It was as if every waking moment was the first waking moment. Clive was
 944 under the constant impression that he had just emerged from unconscious-
 945 ness because he had no evidence in his own mind of ever being awake
 946 before . . . "I haven't heard anything, seen anything, touched anything,
 947 smelled anything," he would say. "It's like being dead." (Wearing, 2006)

948
 949 Wearing's memory, if we believe him, as I think we must, extends no
 950 further than a minute or two into the past. He frequently reports
 951 being in a living hell in which he has no memories at all, as if he has
 952 just come out of a devastating coma.

953 On the other hand, far-persons feel at their best the immense satisfac-
 954 tions of consuming a great meal or drowsing off into napping bliss. After
 955 eating, if a far-person senses that a companion may be hungry, they may
 956 communicate the location of food with warm, low pitched grunts.
 957 Satiated, they may relay their sense of ease and contentment to familiars
 958 by laying down, or making other invitational body movements, welcom-
 959 ing trusted friendly faces to stretch out beside them.

960 I call these nonnarrative experiences lyrical because they do not
 961 involve what Aristotle called the two central elements of narrative:
 962 plot, the temporal arrangement of episodes, and character, the place of
 963 personal agency in connecting the causes and effects of actions (Aristotle,
 964 1997). All of the value of lyrical experience is packed into the present
 965 moment and none of it derives from the subject's knowledge of the
 966 distant past or anticipation of the distant future. Neither does it depend
 967 on the subject's being able to mind read. Since lyrical experience can be
 968 intense, it can be fully informed by the immediate past and directive
 969 with respect to the immediate future. Here is the way Oliver Sacks
 970 describes the value of Clive Wearing's music making. When Wearing
 971 plays or sings, he "is not, in the usual sense, remembering at all . . . [he is]
 972 wholly in the present" (Sacks, 2007).

973 Lyrical experiences have natural sounds and scenes as their objects. In
974 such experiences, the present moment “fills consciousness entirely.” The
975 present, not joined to the distant past or future, has no characters in it,
976 no plot to it, and can be absolute bliss or pure terror.

977 Here are three humans who may be *far-persons*, sentient moral
978 patients with extremely attenuated temporal bounds, each living, as it
979 were, with a past of no more than a few hours and a future of no more
980 than a few dozen minutes. They have procedural memories encoded in
981 habits that allow them to follow familiar melodies and move their
982 bodies and fingers in rhythm. Perhaps they will have a lucid, vibrant
983 musical experience in the morning in which they help to produce the
984 melodies using piano “know-how” skills. But the experiences will be
985 evanescent, not available to them for recall later that evening. Hours
986 later, they will not “know-that” they had the earlier pleasure, will not
987 be able to reflect upon their know-how or draw on their memory to
988 inspire them to try to plan a way to have similar experiences in the
989 future.

990 Far-person experience is lyrical but not auto-noetic. While far-persons
991 are aware of pleasures and pains they cannot assess these experiences,
992 recognize that they have not had as many pleasurable musical experi-
993 ences as they would wish, or regret that the past week has been one of
994 unyielding anxiety. Neither can they form beliefs about, much less
995 specific plans for, the future in the hope, perhaps, that it will bring
996 stimulating days.

997 If the foregoing analysis is correct, there is no reason to think that
998 you and I have not had, or at least could have, lyrical experiences
999 that are exactly the same as the experiences of human far-persons.
1000 Can we then claim that our lyrical experiences are exactly the same
1001 as those of *nonhuman* far-persons? I can see no philosophical impe-
1002 diment to our reaching this conclusion. So, how does Informed feel
1003 when she evades her companion and buys herself a few moments of
1004 solitude with her food? She feels exactly the same way Susan Wiley
1005 might feel were she pursuing a similar goal: initial curiosity about
1006 whether she can successfully deceive her companion, surprise upon
1007 learning that she has achieved the ruse, peace upon her awareness
1008 that she can luxuriate in a slower paced meal. On the other hand,

when confronted with an animal whose face she does not recognize, Informed may feel exactly the same sort of anxiety, fear, or anger that Susan might feel under similar circumstances. Informed may vocalize her displeasure, try to scare the stranger away with desperate high pitched screams. Once either far-person has eaten her fill, she may enjoy communicating the location of the food to her mate with low pitched warm grunts. After she has eaten her fill, she may look forward to lying down with her mate, making it clear that she welcomes nuzzling and grooming. And she may envision herself, dozens of seconds hence, stretched out beside a familiar.

3.8 The Moral Status of Far-Persons

When Jenny in the London zoo is getting herself under control and beginning to look past her frustrations, she may well realize that she has it within herself to stop crying. If she does, she exercises the same self-control we praise in our two-year-olds. When Oreo is satisfied with the shape of her nest in the barn and content that she has done what she can with the design, she is enjoying the kind of pleasure we appreciate in two-year-olds making forts out of blankets in the living room. When Informed figures out that Uninformed is watching her and schemes to mislead her, she is exhibiting the kind of cleverness and forethought we admire in our pre-kindergarteners. When a calf skips down a chute having improved the speed of her puzzle solving, she is showing a satisfaction in her ability to learn that we hope to see in our toddlers (Hagen & Broom, 2004).

To the extent that all lyrical experiences can be thought of as the satisfactions of desires, they display a common trait. There is a phenomenal state the subject is in, that state is oriented toward the future, and for the subject's current desire to be satisfied, others must not interfere with the subject. To the extent that these desires are harmless to those potentially affected by them, moral agents should adopt rules that protect the individuals with these desires. In Hare's and Varner's two-level utilitarian theory, this special status is expressed in the

1045 deontological language of moral rights. As a negative right to liberty
1046 entails as a condition of its satisfaction a negative right to life, far-persons
1047 in two-level utilitarianism possess both a right to life and to freedom.
1048 Exactly what scope and strength such rights have, and how and when
1049 they may be over-ridden, is a complex matter for another day (see
1050 McMahan, 2002; Singer, 1993; Varner, 2012, 1998).

1051 We have no evidence to date that pigs have a robust auto-noetic
1052 consciousness. But we do have evidence that they are more than merely
1053 sentient. Varner writes that “having auto-noetic consciousness doesn’t give
1054 one a biographical sense of self and make one a *person*, [and yet] good ILS
1055 rules will incorporate some kind of special respect for *near-persons*”
1056 (Varner, 2012). Similarly, having lyrical experiences doesn’t give one a
1057 robust auto-noetic sense of self and make one a *near-person*, and yet good
1058 ILS rules will incorporate some kind of special consideration for *far-*
1059 *persons*. Such special consideration must recognize that probably all mam-
1060 mals are far-persons insofar as they are subjects of a life of lyrical experi-
1061 ence. Because lyrical experiences are good in themselves, we should adopt
1062 ILS rules that, all else equal, prohibit raising, killing, and eating mammals.
1063 Such rules would also establish a strong presumption that, extraordinary
1064 circumstances aside, harming mammals in scientific research is also seri-
1065 ously wrong. The everyday rules must be formulated to help us form
1066 habits of respect for quasi-persons’ ILS rights to life and liberty.

1067 1068 1069 1070 **3.9 Conclusion**

1071
1072 Darwin’s suggestion, that orangutans have minds like children’s minds,
1073 may be true not only of the great apes but of all mammals. Pigs, for
1074 example, use concepts, understand words, sulk, and respond emotionally
1075 to admonishments. They can learn to deceive others, to defer acting on
1076 their immediate desires, and form hypotheses that require several minutes
1077 of sustained action to achieve the desired end. As a representative of the
1078 class of nonprimate nonhuman mammals, pigs probably lack robust
1079 auto-noetic consciousness but this fact, if it is a fact, does not mean their
1080 experiences have no overlap with human experiences. For at least some

pigs' experiences seem *exactly like* at least some experiences of children. Exactly like them because while it is true that pigs lack the potential to develop into persons, children with radical congenital cognitive limitations lack that potential, too. The purpose of this chapter has not been to mount a full defense of this claim. It has been more modest, to extend Darwin's claim from the great apes to all mammals while providing some evidence that all mammals are like humans in morally significant ways. I have argued that if we select the right target human experiences, namely, the lyrical experiences of human far-persons, then some mental states of some nonhuman mammals may be precisely like some of *our* mental states.

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