

## CHAPTER 7

# HUMANS AND OTHER LIVING CREATURES

### LEARNING OBJECTIVES

After reading this chapter, you will be able to:

- 7.1 Explain the different criterion for extending or denying rights to animals.
- 7.2 Evaluate the ethical issues involved in the use of animals for product testing and for scientific research.
- 7.3 Critically evaluate Peter Singer's Utilitarian argument for animal rights.
- 7.4 Create an argument for or against animal rights.



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## 7.1 ANIMALS AND THE CRITERION OF RIGHTS

Arguments pertaining to animal rights run the gamut from “They have none” to “They are equal in moral status to humans.” Most reasonable views, as with many issues, fall somewhere between these two extremes. The analysis of the moral status of animals involves several questions. The first question is what, if any, rights they possess. The question of rights is

complex, and there are still contentious debates as to what rights, if any, humans have, let alone other sentient nonhumans. The second question involves the treatment and use of animals.

## ANIMALS AND SOULS

A number of criteria have been employed to establish rights. Some, such as René Descartes, argue that rights are founded on having a soul; other philosophers, such as Immanuel Kant, argue that rights are founded on rationality. And others still claim that rights are founded on the capacity to feel pain or pleasure. This last claim has been the foundation of the animal rights movement and was first brought up by Jeremy Bentham.

The Cartesian view on animal rights is untenable as it is not possible to determine if animals possess a soul or not. The same is true for human souls, given that if they do exist, they are beyond the scope of human scientific understanding. There is certainly no method to establish whether animals have souls or not.

### MORAL PHILOSOPHERS: RENÉ DESCARTES (1596–1650)

René Descartes is renowned as the father of modern philosophy. His various books, including the *Discourse on Method* (1637) and *Meditations on First Philosophy* (1641), set the groundwork for modern philosophical discourse. He was also a brilliant mathematician. His ethics with regards to non-human creatures was that they were soulless machines. Descartes' view was that our treatment of animals cannot be wrong, for you cannot harm an object. Animals are no different than rocks or trees and have no sensitivity. Animals do not possess thoughts, feelings nor do they experience pain. He went so far as to propose live dissection (vivisection) of animals for medical or scientific purposes.



FRANCE - CIRCA 1937: a postage stamp printed in France showing an image of Rene Descartes, circa 1937.

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## ANIMALS AND RATIONALITY

Immanuel Kant's analysis of the status of animals fares better, in that rationality can be measured and in some sense quantified. Rationality involves the ability to reason and think about complex or abstract ideas, a skill that most animals lack. One's cat is not sitting on the couch contemplating the meaning of life or if tuna is better than chicken. One flaw of this analysis of rights is that other beings that lack rationality would also be deprived of any rights. Just as cats and most other animals are not rational (in this philosophical sense), so too do human babies lack rationality.

*"[Animals] are not self-conscious and are there merely as a means to an end. That end is man. ... Our duties towards animals are merely indirect duties towards humanity ... every rational being, exists as an end in itself and not merely as a means to be wantonly used by this or that will ... if they are not rational beings, [as animals are] have only a relative value as means and are therefore called things. Rational beings are persons inasmuch as their nature already marks them out as ends in themselves."*

Immanuel Kant (1785),  
*The Groundwork for the Metaphysics of Morals*

If animals do not have rights because they are not rational, then logic dictates that any other being that lacks the trait would also lack any rights. This would lead most to conclude that this line of reasoning is untenable and an alternative criterion must be employed for the establishment of rights (as babies would have no rights). It is worth noting that the Kantian approach includes judging that animals have no rights, because they are not rational beings, but that it would be wrong to be cruel to animals because someone who is cruel to animals might also be cruel to people, which would be wrong according to Kant's categorical imperative. It is a reasonable argument. One probably would not be inclined to hire Michael Vick as a babysitter, for instance, given his criminal conviction on charges of animal cruelty. But note that the reasoning has nothing to do with animal rights but rather with the moral agent performing the cruel acts; in other words, in this case Kant is offering an Aristotelian argument. Beyond that, animals have the same value to humans just as other possessions have value to humans. Humans count morally; animals and things do not.

## ANIMALS AND PAIN

The utilitarians, from Jeremy Bentham's period to this day, approach the issue of animal rights from a different direction. The classic utilitarian defense of animal rights is clearly stated in Peter Singer's landmark *Animal Liberation*, excerpted in this chapter. A utilitarian does not care if Fido can understand the meaning of life but rather if Fido can enjoy it. Utilitarians are concerned with **sentience**. Sentience is the power of perception by the senses, and a self-awareness, also known as consciousness. The capacity or sensitivity to feel pain provides the foundation for animal rights, according to many utilitarians. The fact that animals have the capacity to feel both pain and pleasure means that they have certain rights and, further, that humans have certain obligations toward them.



### ARE ANIMALS EQUAL TO PEOPLE?

Do you think our use of animals depends on their inherent capacities? Rocks clearly do not feel anything (being inanimate objects) so we have no moral obligations to them. Animals, on the other hand, are sentient beings, that is, they feel. But do they matter as much as we do? Putting it another way, is an animal's life equal to that of a person?

*"The day may come when the rest of animal creation may acquire those rights which never could have been taken from them but by the hand of tyranny. The French have already discovered that the blackness of skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may, one day, be recognized that the number of legs, ... is insufficient for abandoning a sensitive being to the same fate.... But a full-grown horse or dog is beyond comparison a more*

*rational, as well as a more conversable animal, than an infant of a day or a week or even a month old. But suppose they were otherwise, what would it avail? The question is not, Can they reason? nor Can they talk? but, Can they suffer?"*

Jeremy Bentham (1781),  
*An Introduction to the Principles of Morals  
and Legislation*

## ANALYSIS OF THE VARIOUS ETHICAL POSITIONS

The notion that animals feel pain can lead to both extreme and more moderate positions. On extreme interpretations, animals are placed on equal moral footing with humans. If you would not eat, experiment, or skin a person, then you should not do so to an animal. Proponents of this view may argue that animals should have the same rights, liberties, and freedoms as humans.

Opponents of such a view might point out that no one really believes that animals should have the exact same rights as humans—it would be rather odd to see goats driving down the Interstate or cows lined up to vote for the next president. The problem here is a result of equivocation (or ambiguity) in the use of the term “rights.” The term “rights” is being applied to both humans and animals, but the rights that each possesses are not defined or specified. A more complete analysis of the utilitarian position will require the utilitarian to specify what rights animals possess and what obligations those rights create for people.

However, the clearest implication of the utilitarian argument for animal rights may come down to a matter of fairness: in order to justify unhappiness, say that of torturing a young calf into becoming a veal cutlet, one had better had a comparable creation of happiness or elimination of unhappiness to balance those consequences.

A final, alternative analysis of animal rights is perhaps still best derived from the views of Kant. This version of the Kantian analysis focuses on the potential for rationality as a basis for rights. On this view, only beings with the potential for rationality have rights. As such, babies, which have the capacity to one day grow, mature and become rational, have rights, but animals (which lack this capacity) do not have rights. Coincidentally, this view, which focuses on potential rationality as the basis for rights, is the one that currently guides our medical practices in the United States.



## QUICK LOOK: CRITERION FOR OR AGAINST THE RIGHTS OF ANIMALS

- Descartes: Animals have no soul and therefore lack rights.
- Kant: Animals lack rationality and therefore lack rights.
- Neo-Kantian: Animals lack the potential for rationality and therefore lack rights.
- Utilitarians: Animals have the capacity to feel pleasure and pain and therefore have rights.

## 7.2 THE USES OF ANIMALS BY HUMANS

Humans use animals for food, medical research, clothing, and recreation. In most cases, these uses could be supplanted by modern alternatives that do not rely on animals. For example, over 10 billion animals are killed for food in the United States each year, according to USDA's National Agricultural Statistics Service. Animal products account for over half of the value of U.S. agricultural products, often exceeding \$100 billion per year. Beef and cattle, for example, generate 30-billion-dollars annually in the United States. Over 95% of all animals are farmed by means of factory farming. Factory farming is the practice of raising animals in extreme confinement and almost warehouse conditions, to maximize profits. Beyond intense confinement, practices associated with factory farming include administering massive doses of hormones and antibiotics and using various cages and crates. The most animals farmed under this method spend their entire lives in these miserable conditions until they are slaughtered.

### MORAL PHILOSOPHERS: MARY ANN WARREN (1946–2010)

**Mary Anne Warren** argues that animals may have some limited moral rights but such rights fall well short of the rights of humans. In her view, humans have rights in the fullest and strongest sense. Subsequently, Warren believes that our duties to animals are far weaker than our duties to other humans. Animals, for the most part, can be used for human's desire. The limited nature of the rights of animals is especially evident on her view in that it is normally morally permissible for humans to kill animals for food. Warren's argument for her view consists primarily of the belief that we have practical conflicts with animals that make it impossible to

### **MORAL PHILOSOPHERS: MARY ANN WARREN** **(1946–2010) *continued***

grant them rights equivalent to our own. She also questions the inherent value of animals. She questions why it should be a postulate that subjects of a life have inherent value? If the inherent value of a being is completely independent of the value that the being or anyone else places on its experiences, then why does the fact that it has certain sorts of experiences constitute evidence that it has inherent value. In her view, the needs and interests of humans always outweigh the needs and interests of animals.

Animals are also used for medical research. Although there is some correlation between animal research and human physiology, in many cases the test results are misleading or irrelevant to how a disease or drug will work in a human. For example, an FDA study says, of 198 new medications introduced to the market from 1976 to 1985, 52% were either withdrawn or relabeled because of severe side effects that were not predicted through animal studies. In another case of how varied diseases and drugs can be between animal species, studies conducted on mice and rats found that 46% of chemicals found to be cancer causing in rats were *not* cancer causing in mice. This finding seems amazing given the similarity between the two creatures. In fact, of 20 compounds known *not* to cause cancer in humans, 19 caused cancer in mice. This leads to serious questions as to the reliability and efficacy of animal studies for human medical purposes.

We also use animals for clothing. The leather and fur trades are billion-dollar businesses that result in the killing of tens of millions of animals each year. However, there are many alternatives to leather, including cotton, linen, rubber, ramie, canvas, and other synthetics. There are various synthetic materials that outperform leather. Many stretch around the foot with the same give as leather, provide good support, and are also machine-washable.

Finally animals are used for sport and recreation; from horse and dog racing to bull and dog fighting, animals are used for human pleasure and game. It is unclear if these uses are legitimate. Although few would argue that animals are equal to people, it is unclear if the pain and suffering they endure as a result of humans is outweighed by the benefit they provide us.



Scientist in laboratory injecting white rabbit.

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## 7.3 READING

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### READING: PETER SINGER: ALL ANIMALS ARE EQUAL

*In this excerpt from his pioneering book *Animal Liberation*, Peter Singer (b. 1946) lays out a contemporary interpretation of the classic utilitarian argument for animal rights. Animals are capable of both enjoyment and suffering, and eliminating the former as well as causing the latter is immoral, according to Singer.*

Animal liberation may sound more like a parody of other liberation movements than a serious objective. The idea of “The Rights of Animals” actually was once used to parody the case for women’s rights. When Mary Wollstonecraft, a forerunner of today’s feminists, published her *Vindication of the Rights of Woman* in 1792, her views were widely regarded as absurd, and before long an anonymous publication appeared entitled *A Vindication of the Rights of Brutes*. The author of this satirical work (now known to have been Thomas Taylor, a distinguished Cambridge philosopher) tried to refute Mary Wollstonecraft’s arguments by showing that they could be carried one stage further. If the argument for equality was sound when applied to women, why should it not be applied to dogs, cats, and horses? The reasoning seemed to hold for these “brutes” too; yet to hold that brutes had rights was manifestly absurd. Therefore the reasoning by which this conclusion had been reached must be unsound, and if unsound when applied to brutes, it must also be unsound when applied to women, since the very same arguments had been used in each case.

In order to explain the basis of the case for the equality of animals, it will be helpful to start with an examination of the case for the equality of women. Let us assume that we wish to defend the case for women’s rights against the attack by Thomas Taylor. How should we reply?

One way in which we might reply is by saying that the case for equality between men and women cannot validly be extended to nonhuman animals. Women have a right to vote, for instance, because they are just as capable of making rational decisions about the future as men are; dogs, on

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From *Animal Liberation*, 2/e by Peter Singer. Copyright © 1990 by Peter Singer. Reprinted by permission.

the other hand, are incapable of understanding the significance of voting, so they cannot have the right to vote. There are many other obvious ways in which men and women resemble each other closely, while humans and animals differ greatly. So, it might be said, men and women are similar beings and should have similar rights, while humans and nonhumans are different and should not have equal rights.

The reasoning behind this reply to Taylor's analogy is correct up to a point, but it does not go far enough. There are obviously important differences between humans and other animals, and these differences must give rise to some differences in the rights that each have. Recognizing this evident fact, however, is no barrier to the case for extending the basic principle of equality to nonhuman animals. The differences that exist between men and women are equally undeniable, and the supporters of women's liberation are aware that these differences may give rise to different rights. Many feminists hold that women have the right to an abortion on request. It does not follow that since these same feminists are campaigning for equality between men and women, they must support the right of men to have abortions too. Since a man cannot have an abortion, it is meaningless to talk of his right to have one. Since dogs can't vote, it is meaningless to talk of their right to vote. There is no reason why either women's liberation or animal liberation should get involved in such nonsense. The extension of the basic principle of equality from one group to another does not imply that we must treat both groups in exactly the same way or grant exactly the same rights to both groups. Whether we should do so will depend on the nature of the members of the two groups. The basic principle of equality does not require equal or identical *treatment*; it requires equal consideration. Equal consideration for different beings may lead to different treatment and different rights.

So there is a different way of replying to Taylor's attempt to parody the case for women's rights, a way that does not deny the obvious differences between human beings and nonhumans but goes more deeply into the question of equality and concludes by finding nothing absurd in the idea that the basic principle of equality applies to so-called brutes. At this point such a conclusion may appear odd; but if we examine more deeply the basis on which our opposition to discrimination on grounds of race or sex ultimately rests, we will see that we would be on shaky ground if we were to demand equality for blacks, women, and other groups of oppressed humans while denying equal consideration to nonhumans. To make this clear we need to see, first, exactly why racism and sexism are wrong. When

we say that all human beings, whatever their race, creed, or sex, are equal, what is it that we are asserting? Those who wish to defend hierarchical, inegalitarian societies have often pointed out that by whatever test we choose it simply is not true that all humans are equal. Like it or not we must face the fact that humans come in different shapes and sizes; they come with different moral capacities, different intellectual abilities, different amounts of benevolent feeling and sensitivity to the needs of others, different abilities to communicate effectively, and different capacities to experience pleasure and pain. In short, if the demand for equality were based on the actual equality of all human beings, we would have to stop demanding equality.

Still, one might cling to the view that the demand for equality among human beings is based on the actual equality of the different races and sexes. Although, it may be said, humans differ as individuals, there are no differences between the races and sexes as such. From the mere fact that a person is black or a woman we cannot infer anything about that person's intellectual or moral capacities. This, it may be said, is why racism and sexism are wrong. The white racist claims that whites are superior to blacks, but this is false; although there are differences among individuals, some blacks are superior to some whites in all of the capacities and abilities that could conceivably be relevant. The opponent of sexism would say the same: a person's sex is no guide to his or her abilities, and this is why it is unjustifiable to discriminate on the basis of sex.

The existence of individual variations that cut across the lines of race or sex, however, provides us with no defense at all against a more sophisticated opponent of equality, one who proposes that, say, the interests of all those with IQ scores below 100 be given less consideration than the interests of those with ratings over 100. Perhaps those scoring below the mark would, in this society, be made the slaves of those scoring higher. Would a hierarchical society of this sort really be so much better than one based on race or sex? I think not. But if we tie the moral principle of equality to the factual equality of the different races or sexes, taken as a whole, our opposition to racism and sexism does not provide us with any basis for objecting to this kind of inegalitarianism.

There is a second important reason why we ought not to base our opposition to racism and sexism on any kind of factual equality, even the limited kind that asserts that variations in capacities and abilities are spread evenly among the different races and between the sexes: we can have no absolute

guarantee that these capacities and abilities really are distributed evenly, without regard to race or sex, among human beings. So far as actual abilities are concerned there do seem to be certain measurable differences both among races and between sexes. These differences do not, of course, appear in every case; they appear only when averages are taken. More important still, we do not yet know how many of these differences are really due to the different genetic endowments of the different races and sexes, and how many are due to poor schools, poor housing, and other factors that are the result of past and continuing discrimination. Perhaps all of the important differences will eventually prove to be environmental rather than genetic. Anyone opposed to racism and sexism will certainly hope that this will be so, for it will make the task of ending discrimination a lot easier; nevertheless, it would be dangerous to rest the case against racism and sexism on the belief that all significant differences are environmental in origin. The opponent of, say, racism who takes this line will be unable to avoid conceding that if differences in ability did after all prove to have some genetic connection with race, racism would in some way be defensible.

Fortunately there is no need to pin the case for equality on one particular outcome of a scientific investigation. The appropriate response to those who claim to have found evidence of genetically based differences in ability among the races or between the sexes is not to stick to the belief that the genetic explanation must be wrong, whatever evidence to the contrary may turn up; instead we should make it quite clear that the claim to equality does not depend on intelligence, moral capacity, physical strength, or similar matters of fact. Equality is a moral idea, not an assertion of fact. There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to their needs and interests. *The principle of the equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat human beings.*

Jeremy Bentham, the founder of the reforming utilitarian school of moral philosophy, incorporated the essential basis of moral equality into his system of ethics by means of the formula: "Each to count for one and none for more than one." In other words, the interests of every being affected by an action are to be taken into account and given the same weight as the like interests of any other being. A later utilitarian, Henry Sidgwick, put the point in this way: "The good of any one individual is of no more importance, from the point of view (if I may say so) of the Universe, than the good of any other." More recently the leading figures in

contemporary moral philosophy have shown a great deal of agreement in specifying as a fundamental presupposition of their moral theories some similar requirement that works to give everyone's interests equal consideration-although these writers generally cannot agree on how this requirement is best formulated.

It is an implication of this principle of equality that our concern for others and our readiness to consider their interests ought not to depend on what they are like or on what abilities they may possess. Precisely what our concern or consideration requires us to do may vary according to the characteristics of those affected by what we do: concern for the well-being of children growing up in America would require that we teach them to read; concern for the well-being of pigs may require no more than that we leave them with other pigs in a place where there is adequate food and room to run freely. But the basic element-the taking into account of the interests of the being, whatever those interests may be-must, according to the principle of equality, be extended to all beings, black or white, masculine or feminine, human or nonhuman.

Thomas Jefferson, who was responsible for writing the principle of the equality of men into the American Declaration of Independence, saw this point. It led him to oppose slavery even though he was unable to free himself fully from his slaveholding background. He wrote in a letter to the author of a book that emphasized the notable intellectual achievements of Negroes in order to refute the then common view that they had limited intellectual capacities:

Be assured that no person living wishes more sincerely than I do, to see a complete refutation of the doubts I myself have entertained and expressed on the grade of understanding allotted to them by nature, and to find that they are on a par with ourselves ... but whatever be their degree of talent it is no measure of their rights. Because Sir Isaac Newton was superior to others in understanding, he was not therefore lord of the property or persons of others.

Similarly, when in the 1850s the call for women's rights was raised in the United States, a remarkable black feminist named Sojourner Truth made the same point in more robust terms at a feminist convention:

They talk about this thing in the head; what do they call it? ["Intellect," whispered someone nearby.] That's it. What's that got to do with women's rights or Negroes' rights? If my cup won't hold but a pint and yours holds a quart, wouldn't you be mean not to let me have my little half-measure full?

It is on this basis that the case against racism and the case against sexism must both ultimately rest; and it is in accordance with this principle that the attitude that we may call "speciesism," by analogy with racism, must also be condemned. Speciesism—the word is not an attractive one, but I can think of no better term—is a prejudice or attitude of bias in favor of the interests of members of one's own species and against those of members of other species. It should be obvious that the fundamental objections to racism and sexism made by Thomas Jefferson and Sojourner Truth apply equally to speciesism. If possessing a higher degree of intelligence does not entitle one human to use another for his or her own ends, how can it entitle humans to exploit nonhumans for the same purpose?

Many philosophers and other writers have proposed the principle of equal consideration of interests, in some form or other, as a basic moral principle; but not many of them have recognized that this principle applies to members of other species as well as to our own. Jeremy Bentham was one of the few who did realize this. In a forward-looking passage written at a time when black slaves had been freed by the French but in the British dominions were still being treated in the way we now treat animals, Bentham wrote:

*The day may come when the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny. The French have already discovered that the blackness of the skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may one day come to be recognized that the number of the legs, the villosity of the skin, or the termination of the os sacrum are reasons equally insufficient for abandoning a sensitive being to the same fate. What else is it that should trace the insuperable line? Is it the faculty of reason, or perhaps the faculty of discourse? But a full-grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day or a week or even a month, old. But suppose they were otherwise, what would it avail? The question is not, Can they reason? nor Can they talk? but, Can they suffer?*

Jeremy Bentham



WASHINGTON - NOVEMBER 29: Marchers of a farm animal rights group take part in the Global Climate March in Washington, DC on November 29, 2015.

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In the above passage Bentham points to the capacity for suffering as the vital characteristic that gives a being the right to equal consideration. The capacity for suffering-or more strictly, for suffering and/or enjoyment or happiness- is not just another characteristic like the capacity for language or higher mathematics. Bentham is not saying that those who try to mark "the insuperable line" that determines whether the interests of a being should

be considered happen to have chosen the wrong characteristic. By saying that we must consider the interests of all beings with the capacity for suffering or enjoyment Bentham does not arbitrarily exclude from consideration any interests at all-as those who draw the line with reference to the possession of reason or language do. The capacity for suffering and enjoyment is *a prerequisite for having interests at all*, a condition that must be satisfied before we can speak of interests in a meaningful way. It would be nonsense to say that it was not in the interests of a stone to be kicked along the road by a schoolboy. A stone does not have interests because it cannot suffer. Nothing that we can do to it could possibly make any difference to its welfare. The capacity for suffering and enjoyment is, however, not only necessary, but also sufficient for us to say that a being has interests-at an absolute minimum, an interest in not suffering. A mouse, for example, does have an interest in not being kicked along the road, because it will suffer if it is.

Although Bentham speaks of "rights" in the passage I have quoted, the argument is really about equality rather than about rights. Indeed, in a different passage, Bentham famously described "natural rights" as "nonsense" and "natural and imprescriptible rights" as "nonsense upon stilts." He talked of moral rights as a shorthand way of referring to protections that people and animals morally ought to have; but the real weight of the moral argument does not rest on the assertion of the existence of the right, for this in turn has to be justified on the basis of the possibilities for suffering and happiness. In this way we can argue for equality for animals without getting embroiled in philosophical controversies about the ultimate nature of rights.

In misguided attempts to refute the arguments of this book, some philosophers have gone to much trouble developing arguments to show that animals do not have rights. They have claimed that to have rights a being must be autonomous, or must be a member of a community, or must have the ability to respect the rights of others, or must possess a sense of justice. These claims are irrelevant to the case for animal liberation. The language of rights is a convenient political shorthand. It is even more valuable in the era of the thirty-second TV news clip than it was in Bentham's day; but in the argument for a radical change in our attitude to animals, it is in no way necessary.

If a being suffers there can be no moral justification for refusing to take that suffering into consideration. No matter what the nature of the being, the principle of equality requires that its suffering be counted equally with the like suffering-insofar as rough comparisons can be made-of any other being. If a being is not capable of suffering, or of experiencing enjoyment or happiness, there is nothing to be taken into account. So the limit of sentience (using the term as a convenient if not strictly accurate shorthand for the capacity to suffer and/or experience enjoyment) is the only defensible boundary of concern for the interests of others. To mark this boundary by some other characteristic like intelligence or rationality would be to mark it in an arbitrary manner. Why not choose some other characteristic, like skin color?

Racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favoring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case.

Most human beings are speciesists. The following chapters show that ordinary human beings- not a few exceptionally cruel or heartless humans, but the overwhelming majority of humans- take an active part in, acquiesce in, and allow their taxes to pay for practices that require the sacrifice of the most important interests of members of other species in order to promote the most trivial interests of own species.

There is, however, one general defense of the practices to be described in the next two chapters that needs to be disposed of before we discuss the practices themselves. It is a defense which, if true, would allow us to do

anything at all to nonhumans for the slightest reason, or for no reason at all, without incurring any justifiable reproach. This defense claims that we are never guilty of neglecting the interests of other animals for one breathtakingly simple reason: they have no interests. Nonhuman animals have no interests, according to this view, because they are not capable of suffering. By this is not meant merely that they are not capable of suffering in all the ways that human beings are—for instance, that a calf is not capable of suffering from the knowledge that it will be killed in six months' time. That modest claim is, no doubt, true; but it does not clear humans of the charge of speciesism, since it allows that animals may suffer in other ways—for instance, by being given electric shocks, or being kept in small, cramped cages. The defense I am about to discuss is the much more sweeping, although correspondingly less plausible, claim that animals are incapable of suffering in any way at all; that they are, in fact, unconscious automata, possessing neither thoughts nor feelings nor a mental life of any kind.

Although, as we shall see in a later chapter, the view that animals are automata was proposed by the seventeenth-century French philosopher Rene Descartes, to most people, then and now, it is obvious that if, for example, we stick a sharp knife into the stomach of an unanesthetized dog, the dog will feel pain. That this is so is assumed by the laws in most civilized countries that prohibit wanton cruelty to animals. Readers whose common sense tells them that animals do suffer may prefer to skip the remainder of this section, moving straight on to page 41, since the pages in between do nothing but refute a position that they do not hold. Implausible as it is, though, for the sake of completeness this skeptical position must be discussed.

Do animals other than humans feel pain? How do we know? Well, how do we know if anyone, human or nonhuman, feels pain? We know that we ourselves can feel pain. We know this from the direct experience of pain that we have when, for instance, somebody presses a lighted cigarette against the back of our hand. But how do we know that anyone else feels pain? We cannot directly experience anyone else's pain, whether that "anyone" is our best friend or a stray dog. Pain is a state of consciousness, a "mental event," and as such it can never be observed. Behavior like writhing, screaming, or drawing one's hand away from the lighted cigarette is not pain itself; nor are the recordings a neurologist might make of activity within the brain observations of pain itself.

Pain is something that we feel, and we can only infer that others are feeling it from various external indications.

In theory, we *could* always be mistaken when we assume that other human beings feel pain. It is conceivable that one of our close friends is really a cleverly constructed robot, controlled by a brilliant scientist so as to give all the signs of feeling pain, but really no more sensitive than any other machine. We can never know, with absolute certainty, that this is not the case. But while this might present a puzzle for philosophers, none of us has the slightest real doubt that our close friends feel pain just as we do. This is an inference, but a perfectly reasonable one, based on observations of their behavior in situations in which we would feel pain, and on the fact that we have every reason to assume that our friends are beings like us, with nervous systems like ours that can be assumed to function as ours do and to produce similar feelings in similar circumstances.

If it is justifiable to assume that other human beings feel pain as we do, is there any reason why a similar inference should be unjustifiable in the case of other animals?

Nearly all the external signs that lead us to infer pain in other humans can be seen in other species, especially the species most closely related to us—the species of mammals and birds. The behavioral signs include writhing, facial contortions, moaning, yelping or other forms of calling, attempts to avoid the source of pain, appearance of fear at the prospect of its repetition, and so on. In addition, we know that these animals have nervous systems very like ours, which respond physiologically as ours do when the animal is in circumstances in which we would feel pain: an initial rise of blood pressure, dilated pupils, perspiration, an increased pulse rate, and, if the stimulus continues, a fall in blood pressure. Although human beings have a more developed cerebral cortex than other animals, this part of the brain is concerned with thinking functions rather than with basic impulses, emotions, and feelings. These impulses, emotions, and feelings are located in the diencephalon, which is well developed in many other species of animals, especially mammals and birds.

We also know that the nervous systems of other animals were not artificially constructed—as a robot might be artificially constructed—to mimic the pain behavior of humans. The nervous systems of animals evolved as our own did, and in fact the evolutionary history of human beings and other animals, especially mammals, did not diverge until the central features of our nervous



Digital painting of a dead cow inside of a bacon cheeseburger with all the fixings.

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systems were already in existence. A capacity to feel pain obviously enhances a species' prospects of survival, since it causes members of the species to avoid sources of injury. It is surely unreasonable to suppose that nervous systems that are virtually identical physiologically, have a common origin and a common evolutionary function, and result in similar forms of behavior in similar circumstances should actually operate in an entirely different manner on the level of subjective feelings.

It has long been accepted as sound policy in science to search for the simplest possible explanation of whatever it is we are trying to explain. Occasionally it has been claimed that it is for this reason "unscientific" to explain the behavior of animals by theories that refer to the animal's conscious feelings, desires, and so on—the idea being that if the behavior in question can be explained without invoking consciousness or feelings, that will be the simpler theory. Yet we can now see that such explanations, when assessed with respect to the actual behavior of both human and nonhuman animals, are actually far more complex than rival explanations. For we know from our own experience that explanations of our own behavior that did not refer to consciousness and the feeling of pain would be incomplete; and it is simpler to assume that the similar behavior of animals with similar nervous systems is to be explained in the same way than to try to invent some other explanation for the behavior of nonhuman animals as well as an explanation for the divergence between humans and nonhumans in this respect.

The overwhelming majority of scientists who have addressed themselves to this question agree. Lord Brain, one of the most eminent neurologists of our time, has said:

I personally can see no reason for conceding mind to my fellow men and denying it to animals .... I at least cannot doubt that the interests and activities of animals are correlated with awareness and feeling in the same way as my own, and which may be, for aught I know, just as vivid.

The author of a book on pain writes:

Every particle of factual evidence supports the contention that the higher mammalian vertebrates experience pain sensations at least as acute as our own. To say that they feel less because they are lower animals is an absurdity; it can easily be shown that many of their senses are far more acute than ours—visual acuity in certain birds, hearing in most wild animals, and touch in others; these animals depend more than we do today on the sharpest possible awareness of a hostile environment. Apart from the complexity of the cerebral cortex (which does not directly perceive pain) their nervous systems are almost identical to ours and their reactions to pain remarkably similar, though lacking (so far as we know) the philosophical and moral overtones. The emotional element is all too evident, mainly in the form of fear and anger.

In Britain, three separate expert government committees on matters relating to animals have accepted the conclusion that animals feel pain.

After noting the obvious behavioral evidence for this view, the members of the Committee on Cruelty to Wild Animals, set up in 1951, said:

... we believe that the physiological, and more particularly the anatomical, evidence fully justifies and reinforces the commonsense belief that animals feel pain.

And after discussing the evolutionary value of pain the committee's report concluded that pain is "of clear-cut biological usefulness" and this is "a third type of evidence that animals feel pain." The committee members then went on to consider forms of suffering other than mere physical pain and added that they were "satisfied that animals do suffer from acute fear and terror." Subsequent reports by British government committees on experiments on animals and on the welfare of animals under intensive farming methods agreed with this view, concluding that animals are capable of suffering both from straightforward physical injuries and from fear, anxiety, stress, and so on. Finally, within the last decade, the publication of scientific studies with titles such as *Animal Thought*, *Animal Thinking*, and *Animal Suffering: The Science of Animal Welfare* have made it plain that conscious awareness in nonhuman animals is now generally accepted as a serious subject for investigation.

That might well be thought enough to settle the matter, but one more objection needs to be considered. Human beings in pain, after all, have

one behavioral sign that nonhuman animals do not have: a developed language. Other animals may communicate with each other, but not, it seems, in the complicated way we do. Some philosophers, including Descartes, have thought it important that while humans can tell each other about their experience of pain in great detail, other animals cannot. (Interestingly, this once neat dividing line between humans and other species has now been threatened by the discovery that chimpanzees can be taught a language.) But as Bentham pointed out long ago, the ability to use language is not relevant to the question of how a being ought to be treated—unless that ability can be linked to the capacity to suffer, so that the absence of a language casts doubt on the existence of this capacity.

This link may be attempted in two ways. First, there is a hazy line of philosophical thought, deriving perhaps from some doctrines associated with the influential philosopher Ludwig Wittgenstein, which maintains that we cannot meaningfully attribute states of consciousness to beings without language. This position seems to me very implausible. Language may be necessary for abstract thought, at some level anyway; but states like pain are more primitive and have nothing to do with language.

The second and more easily understood way of linking language and the existence of pain is to say that the best evidence we can have that other creatures are in pain is that they tell us that they are. This is a distinct line of argument, for it is denying not that non-language-users conceivably *could* suffer, but only that we could ever have sufficient reason to *believe* that they are suffering. Still, this line of argument fails too. As Jane Goodall has pointed out in her study of chimpanzees, *In the Shadow of Man*, when it comes to the expression of feelings and emotions language is less important than nonlinguistic modes of communication such as a cheering pat on the back, an exuberant embrace, a clasp of the hands, and so on. The basic signals we use to convey pain, fear, anger, love, joy, surprise, sexual arousal, and many other emotional states are not specific to our own species. The statement “I am in pain” may be one piece of evidence for the conclusion that the speaker is in pain, but it is not the only possible evidence, and since people sometimes tell lies, not even the best possible evidence.

Even if there were stronger grounds for refusing to attribute pain to those who do not have a language, the consequences of this refusal might lead us to reject the conclusion. Human infants and young children are unable to use language. Are we to deny that a year-old child can suffer? If not,

language cannot be crucial. Of course, most parents understand the responses of their children better than they understand the responses of other animals; but this is just a fact about the relatively greater knowledge that we have of our own species and the greater contact we have with infants as compared with animals. Those who have studied the behavior of other animals and those who have animals as companions soon learn to understand their responses as well as we understand those of an infant, and sometimes better.

So to conclude: there are no good reasons, scientific or philosophical, for denying that animals feel pain. If we do not doubt that other humans feel pain, we should not doubt that other animals do so too.

Animals can feel pain. As we saw earlier, there can be no moral justification for regarding the pain (or pleasure) that animals feel as less important than the same amount of pain (or pleasure) felt by humans. But what practical consequences follow from this conclusion? To prevent misunderstanding I shall spell out what I mean a little more fully.

If I give a horse a hard slap across its rump with my open hand, the horse may start, but it presumably feels little pain. Its skin is thick enough to protect it against a mere slap. If I slap a baby in the same way, however, the baby will cry and presumably feel pain, for its skin is more sensitive. So it is worse to slap a baby than a horse, if both slaps are administered with equal force. But there must be some kind of blow-I don't know exactly what it would be, but perhaps a blow with a heavy stick-that would cause the horse as much pain as we cause a baby by slapping it with our hand. That is what I mean by "the same amount of pain," and if we consider it wrong to inflict that much pain on a baby for no good reason, then we must, unless we are speciesists, consider it equally wrong to inflict the same amount of pain on a horse for no good reason.

Other differences between humans and animals cause other complications. Normal adult human beings have mental capacities that will, in certain circumstances, lead them to suffer more than animals would in the same circumstances. If, for instance, we decided to perform extremely painful or lethal scientific experiments on normal adult humans, kidnapped at random from public parks for this purpose, adults who enjoy strolling in parks would become fearful that they would be kidnapped. The resultant terror would be a form of suffering additional to the pain of the experiment. The same experiments performed on nonhuman animals

would cause less suffering, since the animals would not have the anticipatory dread of being kidnapped and experimented upon. This does not mean, of course, that it would be *right* to perform the experiment on animals, but only that there is a reason, which is *not* speciesist, for preferring to use animals rather than normal adult human beings, if the experiment is to be done at all. It should be noted, however, that this same argument gives us a reason for preferring to use human infants-orphans perhaps or severely retarded human beings for experiments, rather than adults, since infants and retarded humans would also have no idea of what was going to happen to them. So far as this argument is concerned nonhuman animals and infants and retarded humans are in the same category; and if we use this argument to justify experiments on nonhuman animals, we have to ask ourselves whether we are also prepared to allow experiments on human infants and retarded adults; and if we make a distinction between animals and these humans, on what basis can we do it, other than a bare-faced-and morally indefensible-preference for members of our own species?

There are many matters in which the superior mental powers of normal adult humans make a difference: anticipation, more detailed memory, greater knowledge of what is happening, and so on. Yet these differences do not all point to greater suffering on the part of the normal human being. Sometimes animals may suffer more because of their more limited understanding. If, for instance, we are taking prisoners in wartime, we can explain to them that although they must submit to capture, search, and confinement, they will not otherwise be harmed and will be set free at the conclusion of hostilities. If we capture wild animals, however we cannot explain that we are not threatening their lives. A wild animal cannot distinguish an attempt to overpower and confine from an attempt to kill; the one causes as much terror as the other.

*"Pain and suffering are in themselves bad and should be prevented or minimized, irrespective of the race, sex, or species of the being that suffers."*

Peter Singer

It may be objected that comparisons of the sufferings of different species are impossible to make and that for this reason when the interests of animals and humans clash the principle of equality gives no guidance. It is probably true that comparisons of suffering between members of different species cannot be made precisely, but precision is not essential. Even if we

were to prevent the infliction of suffering on animals only when it is quite certain that the interests of humans will not be affected to anything like the extent that animals are affected, we would be forced to make radical changes in our treatment of animals that would involve our diet; the farming methods we use; experimental procedures in many fields of science; our approach to wildlife and to hunting, trapping, and the wearing of furs; and areas of entertainment like circuses, rodeos, and zoos. As a result, a vast amount of suffering would be avoided.

SO FAR I have said a lot about inflicting suffering on animals, but nothing about killing them. This omission has been deliberate. The application of the principle of equality to the infliction of suffering is, in theory at least, fairly straightforward. Pain and suffering are in themselves bad and should be prevented or minimized, irrespective of the race, sex, or species of the being that suffers. How bad a pain is depends on how intense it is and how long it lasts, but pains of the same intensity and duration are equally bad, whether felt by humans or animals.

The wrongness of killing a being is more complicated. I have kept, and shall continue to keep, the question of killing in the background because in the present state of human tyranny over other species the more simple, straightforward principle of equal consideration of pain or pleasure is a sufficient basis for identifying and protesting against all the major abuses of animals that human beings practice. Nevertheless, it is necessary to say something about killing.

Just as most human beings are speciesists in their readiness to cause pain to animals when they would not cause a similar pain to humans for the same reason, so most human beings are speciesists in their readiness to kill other animals when they would not kill human beings. We need to proceed more cautiously here, however, because people hold widely differing views about when it is legitimate to kill humans, as the continuing debates over abortion and euthanasia attest. Nor have moral philosophers been able to agree on exactly what it is that makes it wrong to kill human beings, and under what circumstances killing a human being may be justifiable.

Let us consider first the view that it is always wrong to take an innocent human life. We may call this the "sanctity of life" view. People who take this view oppose abortion and euthanasia. They do not usually, however, oppose the killing of nonhuman animals-so perhaps it would be more

accurate to describe this view as the "sanctity of *human* life" view. The belief that human life, and only human life, is sacrosanct is a form of speciesism. To see this, consider the following example.

Assume that, as sometimes happens, an infant has been born with massive and irreparable brain damage. The damage is so severe that the infant can never be any more than a "human vegetable," unable to talk, recognize other people, act independently of others, or develop a sense of self-awareness. The parents of the infant, realizing that they cannot hope for any improvement in their child's condition and being in any case unwilling to spend, or ask the state to spend, the thousands of dollars that would be needed annually for proper care of the infant, ask the doctor to kill the infant painlessly.

Should the doctor do what the parents ask? Legally, the doctor should not, and in this respect the law reflects the sanctity of life view. The life of every human being is sacred. Yet people who would say this about the infant do not object to the killing of nonhuman animals. How can they justify their different judgments? Adult chimpanzees, dogs, pigs, and members of many other species far surpass the brain-damaged infant in their ability to relate to others, act independently, be self-aware, and any other capacity that could reasonably be said to give value to life. With the most intensive care possible, some severely retarded infants can never achieve the intelligence level of a dog. Nor can we appeal to the concern of the infant's parents, since they themselves, in this imaginary example (and in some actual cases), do not want the infant kept alive. The only thing that distinguishes the infant from the animal, in the eyes of those who claim it has a "right to life," is that it is, biologically, a member of the species *Homo sapiens*, whereas chimpanzees, dogs, and pigs are not. But to use *this* difference as the basis for granting a right to life to the infant and not to the other animals is, of course, pure speciesism. It is exactly the kind of arbitrary difference that the most crude and overt kind of racist uses in attempting to justify racial discrimination.

This does not mean that to avoid speciesism we must hold that it is as wrong to kill a dog as it is to kill a human being in full possession of his or her faculties. The only position that is irredeemably speciesist is the one that tries to make the boundary of the right to life run exactly parallel to the boundary of our own species. Those who hold the sanctity of life view do this, because while distinguishing sharply between human beings and other animals they allow no distinctions to be made within our own species, objecting to the killing of the severely retarded and the hopelessly senile as strongly as they object to the killing of normal adults.

To avoid speciesism we must allow that beings who are similar in all relevant respects have a similar right to life-and mere membership in our own biological species cannot be a morally relevant criterion for this right. Within these limits we could still hold, for instance, that it is worse to kill a normal adult human, with a capacity for self-awareness and the ability to plan for the future and have meaningful relations with others, than it is to kill a mouse, which presumably does not share all of these characteristics; or we might appeal to the close family and other personal ties that humans have but mice do not have to the same degree; or we might think that it is the consequences for other humans, who will be put in fear for their own lives, that makes the crucial difference; or we might think it is some combination of these factors, or other factors altogether.

Whatever criteria we choose, however, we will have to admit that they do not follow precisely the boundary of our own species. We may legitimately hold that there are some features of certain beings that make their lives more valuable than those of other beings; but there will surely be some nonhuman animals whose lives, by any standards, are more valuable than the lives of some humans. A chimpanzee, dog, or pig, for instance, will have a higher degree of self-awareness and a greater capacity for meaningful relations with others than a severely retarded infant or someone in a state of advanced senility. So if we base the right to life on these characteristics, we must grant these animals a right to life as good as, or better than, such retarded or senile humans.

This argument cuts both ways. It could be taken as showing that chimpanzees, dogs, and pigs, along with some other species, have a right to life and we commit a grave moral offense whenever we kill them, even when they are old and suffering and our intention is to put them out of their misery. Alternatively one could take the argument as showing that the severely retarded and hopelessly senile have no right to life and may be killed for quite trivial reasons, as we now kill animals.

Since the main concern of this book is with ethical questions having to do with animals and not with the morality of euthanasia, I shall not attempt to settle this issue finally. I think it is reasonably clear, though, that while both of the positions just described avoid speciesism, neither is satisfactory. What we need is some middle position that would avoid speciesism but would not make the lives of the retarded and senile as cheap as the lives of pigs and dogs now are, or make the lives of pigs and dogs so sacrosanct that we think it wrong to put them out of hopeless misery. What we

must do is bring nonhuman animals within our sphere of moral concern and cease to treat their lives as expendable for whatever trivial purposes we may have. At the same time, once we realize that the fact that a being is a member of our own species is not in itself enough to make it always wrong to kill that being, we may come to reconsider our policy of preserving human lives at all costs, even when there is no prospect of a meaningful life or of existence without terrible pain.

I conclude, then, that a rejection of speciesism does not imply that all lives are of equal worth. While self-awareness, the capacity to think ahead and have hopes and aspirations for the future, the capacity for meaningful relations with others, and so on are not relevant to the question of inflicting pain—since pain is pain, whatever other capacities, beyond the capacity to feel pain, the being may have—these capacities are relevant to the question of taking life. It is not arbitrary to hold that the life of a self-aware being, capable of abstract thought, of planning for the future, of complex acts of communication, and so on, is more valuable than the life of a being without these capacities. To see the difference between the issues of inflicting pain and taking life, consider how we would choose within our own species. If we had to choose to save the life of a normal human being or an intellectually disabled human being, we would probably choose to save the life of a normal human being; but if we had to choose between preventing pain in the normal human being or the intellectually disabled one—imagine that both have received painful but superficial injuries, and we have only enough painkiller for one of them—it is not nearly so clear how we ought to choose. The same is true when we consider the other species. The evil of pain is, in itself, unaffected by the other characteristics of the being who feels the pain; the value of life is affected by these other characteristics. To give just one reason for this difference, to take the life of a being who has been hoping, planning, and working for some future goal is to deprive that being of the fulfillment of those efforts, to take the life of a being with a mental capacity below the level needed to grasp that one is a being with a future—much less make plans for the future—cannot involve this particular kind of loss.

Normally this will mean that if we have to choose between the life of a human being and the life of another animal, we should choose to save the life of the human; but there may be special cases in which the reverse holds true, because the human being in question does not have the capacities of a normal human being. So this view is not speciesist, although it may appear to be at first glance. The preference, in normal cases, for saving a human life over the life of an animal when a choice *has* to be made is a

preference based on the characteristics that normal humans have, and not on the mere fact that they are members of our own species. This is why when we consider members of our own species who lack the characteristics of normal humans, we can no longer say that their lives are always to be preferred to those of other animals. This issues comes up in a practical way in the following chapter. In general, though, the question of when it is wrong to kill (painlessly) an animal is one to which we need to give no precise answer. As long as we remember that we should give the same respect to the lives of animals as we give to the lives of humans at a similar mental level, we shall not go far wrong.

In any case, the conclusions that are argued for in this book flow from the principle of minimizing suffering alone. The idea that it is also wrong to kill animals painlessly gives some of these conclusions additional support that is welcome but strictly unnecessary. Interestingly enough, this is true even of the conclusion that we ought to become vegetarians a conclusion that in the popular mind is generally based on some kind of absolute prohibition on killing.

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## DO WE HAVE ANY OBLIGATIONS TO ANIMALS?

What, if any, right ought to animals have? What obligations, if any, do we have towards animals?

## CHAPTER PHILOSOPHERS

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**Peter Singer (1946– )**, Australian philosopher whose work in applied ethics has led to controversial views on abortion, animal liberation, and infanticide. He employs utilitarian arguments to defend and/or articulate many of his ethical views. He argues that animals have the same rights as people.

**Warren, Mary Anne (1946–2010)**, a former professor at San Francisco State University who wrote on various topics in applied ethics, including animal rights. She called into question that pain (the experience an animal can have) has any bearing on our moral obligations to it.

## KEY TERMS

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**Rationality** involves the ability to reason and think about complex abstract things.

**Sentience** the power of perception by the senses, and a self-awareness, also known as consciousness.

**Soul** our supposed immaterial essence unverified by Western science (although readily accepted in many cultures and thought to be possessed by animals).

**Speciesism** prejudice or attitude of bias in favor of the interests of members of one's own species and against those of members of other species.

