

THE NARRATIVES

JONATHAN SAFRAN FOER

"Eating Animals"

About the Author: Jonathan Safran Foer is a young contemporary novelist who lives in Brooklyn. He graduated from Princeton with a major in philosophy in 1999, having studied writing at Princeton with Joyce Carol Oates. His novels, *Extremely Loud and Incredibly Close* (2005) and *Everything Is Illuminated* (2002) have both been very well received.

About the Selection: This selection is the opening chapter of Foer's first nonfiction book, *Eating Animals* (2009). It is a thoughtful and provocative work, setting aside many of the standard approaches to vegetarianism and instead placing the issue within the context of families—family life and family tradition—and personal integrity.

Americans choose to eat less than .25% of the known edible food on the planet.

THE FRUITS OF FAMILY TREES

WHEN I WAS YOUNG, I would often spend the weekend at my grandmother's house. On the way in, Friday night, she would lift me from the ground in one of her fire-smothering hugs. And on the way out, Sunday afternoon, I was again taken into the air. It wasn't until years later that I realized she was weighing me.

My grandmother survived the War barefoot, scavenging other people's inedibles: rotting potatoes, discarded scraps of meat, skins, and the bits that clung to bones and pits. And so she never cared if I colored outside the lines, as long as I cut coupons along the dashes. And hotel buffets: while the rest of us erected Golden Calves of breakfast, she would make sandwich upon sandwich to swaddle in napkins and stash in her bag for lunch. It was my grandmother who taught me that one tea bag makes as many cups of tea as you're serving, and that every part of the apple is edible.

Money wasn't the point. (Many of those coupons I clipped were for foods she would never buy.)

Health wasn't the point. (She would beg me to drink Coke.)

My grandmother never set a place for herself at family dinners. Even when there was nothing more to be done—no soup bowls to be topped off, no pots to be stirred or ovens checked—she stayed in the kitchen, like a vigilant guard (or prisoner) in a tower. As far as I could tell, the sustenance she got from the food she made didn't require her to eat it.

In the forests of Europe, she ate to stay alive until the next opportunity to eat to stay alive. In America, fifty years later, we ate what pleased us. Our cupboards were filled with food bought on whims, overpriced foodie food, food we didn't need. And when the expiration date passed, we threw it away without smelling it. Eating was carefree. My grandmother made that life possible for us. But she was, herself, unable to shake the desperation.

Growing up, my brothers and I thought our grandmother was the greatest chef who ever lived. We would literally recite those words when the food came to the table, and again after the first bite, and once more at the end of the meal: "You are the greatest chef who ever lived." And yet we were worldly enough kids to know that the Greatest Chef Who Ever Lived would probably have more than one recipe (chicken with carrots), and that most Great Recipes involved more than two ingredients.

And why didn't we question her when she told us that dark food is inherently healthier than light food, or that most of the nutrients are found in the peel or crust? (The sandwiches of those weekend stays were made

with the saved ends of pumpernickel loaves.) She taught us that animals that are bigger than you are very good for you, animals that are smaller than you are good for you, fish (which aren't animals) are fine for you, then tuna (which aren't fish), then vegetables, fruits, cakes, cookies, and sodas. No foods are bad for you. Fats are healthy—all fats, always, in any quantity. Sugars are very healthy. The fatter a child is, the healthier it is—especially if it's a boy. Lunch is not one meal, but three, to be eaten at 11:00, 12:30, and 3:00. You are always starving.

In fact, her chicken and carrots probably *was* the most delicious thing I've ever eaten. But that had little to do with how it was prepared, or even how it tasted. Her food was delicious because we believed it was delicious. We believed in our grandmother's cooking more fervently than we believed in God. Her culinary prowess was one of our family's primal stories, like the cunning of the grandfather I never met, or the single fight of my parents' marriage. We clung to those stories and depended on them to define us. We were the family that chose its battles wisely, and used wit to get out of binds, and loved the food of our matriarch.

Once upon a time there was a person whose life was so good there was no story to tell about it. More stories could be told about my grandmother than about anyone else I've ever met—her otherworldly childhood, the hairline margin of her survival, the totality of her loss, her immigration and further loss, the triumph and tragedy of her assimilation—and though I will one day try to tell them to my children, we almost never told them to one another. Nor did we call her by any of the obvious and earned titles. We called her the Greatest Chef.

Perhaps her other stories were too difficult to tell. Or perhaps she chose her story for herself, wanting to be identified by her providing rather than her surviving. Or perhaps her surviving is contained within her providing: the story of her relationship to food holds all of the other stories that could be told about her. Food, for her, is not *food*. It is terror, dignity, gratitude, vengeance, joyfulness, humiliation, religion, history, and, of course, love. As if the fruits she always offered us were picked from the destroyed branches of our family tree.

POSSIBLE AGAIN

UNEXPECTED IMPULSES STRUCK WHEN I found out I was going to be a father. I began tidying up the house, replacing long-dead light bulbs, wiping windows, and filing papers. I had my glasses adjusted, bought a dozen pairs of white socks, installed a roof rack on top of the car and a "dog/cargo divider" in the back, had my first physical in half a decade . . . and decided to write a book about eating animals.

Fatherhood was the immediate impetus for the journey that would become this book, but I'd been packing my bags for most of my life. When I was two, the heroes of all of my bedtime stories were animals. When I was four, we fostered a cousin's dog for a summer. I kicked it. My father told me we don't kick animals. When I was seven, I mourned the death of my goldfish. I learned that my father had flu shed him down the toilet. I told my father—in other, less civil words—we don't flush animals down the toilet. When I was nine, I had a babysitter who didn't want to hurt anything. She put it just like that when I asked her why she wasn't having chicken with my older brother and me: "I don't want to hurt anything."

"Hurt anything?" I asked.

"You know that chicken is chicken, right?"

Frank shot me a look: *Mom and Dad entrusted this stupid woman with their precious babies?* Her intention might or might not have been to convert us to vegetarianism—just because conversations about meat tend to make people feel cornered, not all vegetarians are proselytizers—but being a teenager, she lacked whatever restraint it is that so often prevents a full telling of this particular story. Without drama or rhetoric, she shared what she knew.

My brother and I looked at each other, our mouths full of hurt chickens, and had simultaneous *how-in-the-world-could-I-have-never-thought-of-that-before-and-why-on-earth-didn't-someone-tell-me?* moments. I put down my fork. Frank finished the meal and is probably eating a chicken as I type these words.

What our babysitter said made sense to me, not only because it seemed true, but because it was the extension to food of everything my parents had taught me. We don't hurt family members. We don't hurt friends or strangers. We don't even hurt upholstered furniture. My not having thought to include animals in that list didn't make them the exceptions to it. It just made me a child, ignorant of the world's workings. Until I wasn't. At which point I had to change my life.

Until I didn't. My vegetarianism, so bombastic and unyielding in the beginning, lasted a few years, sputtered, and quietly died. I never thought of a response to our babysitter's code, but found ways to smudge, diminish, and forget it. Generally speaking, I didn't cause hurt. Generally speaking, I strove to do the right thing. Generally speaking, my conscience was clear enough. Pass the chicken, I'm *starving*.

Mark Twain said that quitting smoking is among the easiest things one can do; he did it all the time. I would add vegetarianism to the list of easy things. In high school I became a vegetarian more times than I can now remember, most often as an effort to claim some identity in a world of people whose identities seemed to come effortlessly. I wanted a slogan to distinguish my mom's Volvo's bumper, a bake sale cause to fill the self-conscious half hour of school break, an occasion to get closer to the breasts of activist women. (And I continued to think it was wrong to hurt animals.) Which isn't to say that I refrained from eating meat. Only that I refrained in public. Privately, the pendulum swung. Many dinners of those years began with my father asking, "Any dietary restrictions I need to know about tonight?"

When I went to college, I started eating meat more earnestly. Not "believing in it"—whatever that would mean—but willfully pushing the questions out of my mind. I didn't feel like having an "identity" right then. And I wasn't around anyone who knew me as a vegetarian, so there was no issue of public hypocrisy, or even having to explain a change. It might well have been the prevalence of vegetarianism on campus that discouraged my own—one is less likely to give money to a street musician whose case is overflowing with bills.

But when, at the end of my sophomore year, I became a philosophy major and started doing my first seriously pretentious *thinking*, I became a vegetarian again. The kind of willful forgetting that I was sure meat eating required felt too paradoxical to the intellectual life I was trying to shape. I thought life could, should, and must conform to the mold of reason. You can imagine how annoying this made me.

When I graduated, I ate meat—lots of every kind of meat—for about two years. Why? Because it tasted good. And because more important than reason in shaping habits are the stories we tell ourselves and one another. And I told a forgiving story about myself to myself.

Then I was set up on a blind date with the woman who would become my wife. And only a few weeks later we found ourselves talking about two surprising topics: marriage and vegetarianism.

Her history with meat was remarkably similar to mine: there were things she believed while lying in bed at night, and there were choices made at the breakfast table the next morning. There was a gnawing (if only occasional and short-lived) dread that she was participating in something deeply wrong, and there was the acceptance of both the confounding complexity of the issue and the forgivable fallibility of being human. Like me, she had intuitions that were very strong, but apparently not strong enough.

People get married for many different reasons, but one that animated our decision to take that step was the prospect of explicitly marking a new beginning. Jewish ritual and symbolism strongly encourage this notion of demarcating a sharp division with what came before—the most well-known example being the smashing of the glass at the end of the marriage ceremony. Things were as they were before, but they will be different now. Things will be better. We will be better.

Sounds and feels great, but better how? I could think of endless ways to make myself better (I could learn foreign languages, be more patient, work harder), but I'd already made too many such vows to trust them anymore. I could also think of endless ways to make "us" better, but the meaningful things we can agree on and change in a relationship are few. In actuality, even in those moments when so much feels possible, very little is. Eating animals, a concern we'd both had and had both forgotten, seemed like a place to start. So much interest there, and so much could flow from it. In the same week, we became engaged and vegetarian.

Of course our wedding wasn't vegetarian, because we persuaded ourselves that it was only fair to offer animal protein to our guests, some of whom had traveled great distances to share our joy. (Find that logic hard to follow?) And we ate fish on our honeymoon, but we were in Japan, and when in Japan . . . And back in our new home, we did occasionally eat burgers and chicken soup and smoked salmon and tuna steaks. But only every now and then. Only whenever we felt like it.

And that, I thought, was that. And I thought that was just fine. I assumed we'd maintain a diet of conscientious inconsistency. Why should eating be different from any of the other ethical realms of our lives? We were

honest people who occasionally told lies, careful friends who sometimes acted clumsily. We were vegetarians who from time to time ate meat.

And I couldn't even feel confident that my intuitions were anything more than sentimental vestiges of my childhood—that if I were to probe deeply, I wouldn't find indifference. I didn't know what animals *were*, or even approximately how they were farmed or killed. The whole thing made me uncomfortable, but that didn't imply that anyone else should be, or even that I should be. And I felt no rush or need to sort any of this out.

But then we decided to have a child, and that was a different story that would necessitate a different story. About half an hour after my son was born, I went into the waiting room to tell the gathered family the good news.

"You said he! So it's a boy?"

"What's his name?"

"Who does he look like?"

"Tell us everything!"

I answered their questions as quickly as I could, then went to a corner and turned on my cell phone.

"Grandma," I said. "We have a baby."

Her only phone is in the kitchen. She picked up after the first ring, which meant she had been sitting at the table, waiting for the call. It was just after midnight. Had she been clipping coupons? Preparing chicken and carrots to freeze for someone else to eat at some future meal? I'd never once seen or heard her cry, but tears pushed through her voice as she asked, "How much does it weigh?"

A few days after we came home from the hospital, I sent a letter to a friend, including a photo of my son and some first impressions of fatherhood. He responded, simply, "Everything is possible again." It was the perfect thing to write, because that was exactly how it felt. We could retell our stories and make them better, more representative or aspirational. Or we could choose to tell different stories. The world itself had another chance.

EATING ANIMALS

PERHAPS THE FIRST DESIRE MY son had, wordlessly and before reason, was the desire to eat. Seconds after being born, he was breastfeeding. I watched him with an awe that had no precedent in my life. Without explanation or experience, he knew what to do. Millions of years of evolution had wound the knowledge into him, as it had encoded beating into his tiny heart, and expansion and contraction into his newly formed lungs.

The awe had no precedent in my life, but it bound me, across generations, to others. I saw the rings of my parents watching me eat, my grandmother watching my mother eat, my great-grandparents watching my grandmother . . . He was eating as had the children of cave painters.

As my son began life and I began this book, it seemed that almost everything he did revolved around eating. He was nursing, or sleeping after nursing, or getting cranky before nursing, or getting rid of the milk he had nursed. As I finish this book, he is able to carry on quite sophisticated conversations, and increasingly the food he eats is digested together with stories we tell. Feeding my child is not like feeding myself: it matters more. It matters because food matters (his physical health matters, the pleasure of eating matters), and because the stories that are served with food matter. These stories bind our family together, and bind our family to others. Stories about food are stories about us—our history and our values. Within my family's Jewish tradition, I came to realize that food serves two parallel purposes: it nourishes and it helps you remember. Eating and storytelling are inseparable—the saltwater is also tears; the honey not only tastes sweet, but makes us think of sweetness; the bread is the bread of our affliction.

There are thousands of foods on the planet, and explaining why we eat the relatively small selection we do takes some words. We need to explain that the parsley is on the plate is for decoration, that pasta is not a breakfast food, why we eat wings but not eyes, cows but not dogs. Stories establish narratives, and stories establish rules. Many times in my life, I have forgotten that I have stories to tell about food. I just ate what was available to me; what seemed natural, sensible, or healthy—what was there to explain? But the kind of parenthood I imagined practicing abhors such forgetfulness.

This story didn't begin as a book. I simply wanted to know—for myself and my family—what meat is. I wanted to know as concretely as possible. Where does it come from? How is it produced? How are animals treated, and to what extent does that matter? What are the economic, social, and environmental effects of eating animals? My personal quest didn't stay that way for long. Through my efforts as a parent, I came face-to-face with realities that as a citizen I couldn't ignore, and as a writer I couldn't keep to myself. But facing those realities and writing responsibly about them are not the same.

I wanted to address these questions comprehensively. So although upwards of 99 percent of all animals eaten in this country come from “factory farms”—and I will spend much of the rest of the book explaining what this means and why it matters—the other 1 percent of animal agriculture is also an important part of this story. The disproportionate amount of this book that is occupied by discussion of the best family-run animal farms reflects how significant I think they are, but at the same time, how insignificant: they prove the rule.

To be perfectly honest (and to risk losing my credibility on page 13 [of the original book]), I assumed, before beginning my research, that I knew what I would find—not the details, but the general picture. Others made the same assumption. Almost always, when I told someone I was writing a book about “eating animals,” they assumed, even without knowing anything about my views, that it was a case for vegetarianism. It's a telling assumption, one that implies not only that a thorough inquiry into animal agriculture would lead one away from eating meat, but that most people already know that to be the case. (What assumptions did you make upon seeing the title of this book?)

I, too, assumed that my book about eating animals would become a straightforward case for vegetarianism. It didn't. A straightforward case for vegetarianism is worth writing, but it's not what I've written here.

Animal agriculture is a hugely complicated topic. No two animals, breeds of animals, farms, farmers, or eaters are the same. Looking past the mountains of research—reading, interviewing, seeing firsthand—that was necessary even to begin to think about this stuff seriously, I had to ask myself if it was possible to say something coherent and significant about a practice that is so diverse. Perhaps there is no “meat.” Instead, there is *this* animal, raised on *this* farm, slaughtered at *this* plant, sold in *this* way, and eaten by *this* person—but each distinct in a way that prevents them from being pieced together as mosaic.

And eating animals is one of those topics, like abortion, where it is impossible to definitively know some of the most important details (When is a fetus a person, as opposed to a potential person? What is animal experience really like?) and that cuts right to one's deepest discomforts, often provoking defensiveness or aggression. It's a slippery, frustrating, and resonant subject. Each question prompts another, and it's easy to find yourself defending a position far more extreme than you actually believe or could live by. Or worse, finding no position worth defending or living by.

Then there is the difficulty of discerning the difference between how something feels and what something is. Too often, arguments about eating animals aren't arguments at all, but statements of taste. And where there are facts—this is how much pork we eat; these are how many mangrove swamps have been destroyed by aquaculture; this is how a cow is killed—there's the question of what we can actually do with them. Should they be ethically compelling? Communally? Legally? Or just more information for each eater to digest as he sees fit?

While this book is the product of an enormous amount of research, and is as objective as any work of journalism can be—I used the most conservative statistics available (almost always from government, and peer-reviewed academic and industry sources) and hired two outside fact-checkers to corroborate them—I think of it as a story. There's plenty of data to be found, but it is often thin and malleable. Facts are important, but they don't, on their own, provide meaning—especially when they are so bound to linguistic choices. What does a precisely measured pain response in chickens mean? Does it mean pain? What does pain mean? No matter how much we learn about the physiology of the pain—how long it persists, the symptoms it produces, and so forth—none of it will tell us anything definitive. But place facts in a story, a story of compassion or domination, or maybe both—place them in a story about the world we live in and who we are and who we want to be—and you can begin to speak meaningfully about eating animals.

We are made of stories. I'm thinking of those Saturday afternoons at my grandmother's kitchen table, just the two of us—black bread in the glowing toaster, a humming refrigerator that couldn't be seen through its veil of family photographs. Over pumpnickel ends and Coke, she would tell me about her escape from Europe, the foods she had to eat and those she wouldn't. It was the story of her life—"Listen to me," she would plead—and I knew a vital lesson was being transmitted, even if I didn't know, as a child, what that lesson was.

I know, now, what it was. And though the particulars couldn't be more different, I am trying, and will try, to transmit her lesson to my son. This book is my most earnest attempt to do so. I feel great trepidation as I begin, because there is so much reverberation. Putting aside, for a moment, the more than ten billion land animals slaughtered for food every year in America, and putting aside the environment, and workers, and such directly related issues as world hunger, flu epidemics, and biodiversity, there is also the question of how we think of ourselves and one another. We are not only the tellers of our stories, we are the stories themselves. If my wife and I raise our son as a vegetarian, he will not eat his great-grandmother's singular dish, will never receive that unique and most direct expression of her love, will perhaps never think of her as the Greatest Chef Who Ever Lived. Her primal story, our family's primal story, will have to change.

My grandmother's first words upon seeing my son for the first time were "My revenge." Of the infinite number of things she could have said, that was what she chose, or was chosen for her.

LISTEN TO ME

"WE WEREN'T RICH, BUT WE always had enough. Thursday we baked bread, and challah and rolls, and they lasted the whole week. Friday we had pancakes. Shabbat we always had a chicken, and soup with noodles. You would go to the butcher and ask for a little more fat. The fattiest piece was the best piece. It wasn't like now. We didn't have refrigerators, but we had milk and cheese. We didn't have every kind of vegetable, but we had enough. The things that you have here and take for granted . . . But we were happy. We didn't know any better. And we took what we had for granted, too.

"Then it all changed. During the War it was hell on earth, and I had nothing. I left my family, you know. I was always running, day and night, because the Germans were always right behind me. If you stopped, you died. There was never enough food. I became sicker and sicker from not eating, and I'm not just talking about being skin and bones. I had sores all over my body. It became difficult to move. I wasn't too good to eat from a garbage can. I ate the parts others wouldn't eat. If you helped yourself, you could survive. I took whatever I could find. I ate things I wouldn't tell you about.

"Even at the worst times, there were good people, too. Someone taught me to tie the ends of my pants so I could fill the legs with any potatoes I was able to steal. I walked miles and miles like that, because you never knew when you would be lucky again. Someone gave me a little rice once, and I traveled two days to a market and traded it for some soap, and then traveled to another market and traded the soap for some beans. You had to have luck and intuition.

"The worst it got was near the end. A lot of people died right at the end, and I didn't know if I could make it another day. A farmer, a Russian, God bless him, he saw my condition, and he went into his house and came out with a piece of meat for me."

"He saved your life."

"I didn't eat it."

"You didn't eat it?"

"It was pork. I wouldn't eat pork."

"Why?"

"What do you mean why?"

"What, because it wasn't kosher?"

"Of course."

"But not even to save your life?"

"If nothing matters, then . . ."

PETER SINGER

"Down on the Factory Farm"

About the Author: Peter Singer, currently Ira W. DeCamp Professor of Bioethics, University Center for Human Values, Princeton University, is the author of numerous works in ethics, especially in applied ethics. His books include *The Expanding Circle*, *Animal Liberation*, *Practical Ethics*, and most recently, *Rethinking Life and Death* and *How Are We to Live?* He has also edited a number of books, including *A Companion to Ethics*. In his work, Singer sees himself as holding our conventional moral beliefs to a standard of consistency, coherence, and the avoidance of arbitrary distinctions. He finds that many of these traditional beliefs are remnants of earlier, religiously inspired doctrines that he believes many people no longer accept; other beliefs survive only because they promote some form of group selfishness.

About the Article: One of the ways in which we avoid dealing with the issue of animal suffering is simply and literally not seeing it. In this article, Peter Singer describes a number of the practices that are common in contemporary animal farming, concentrating on the treatment of chickens and veal calves.

As Your Read, Consider This:

1. How much of the animal suffering that Singer describes were you aware of? Do you think your views on eating meat and factory farming would be changed if you had more direct contact with the reality of such situations?
2. How much does animal suffering count in your life? What moral weight does it have? Are your views on this changing as you read this article?

For most humans, especially those in modern urban and suburban communities, the most direct form of contact with non-human animals is at meal time: we eat them. This simple fact is the key to our attitudes toward other animals, and also the key to what each one of us can do about changing these attitudes. The use and abuse of animals raised for food far exceeds, in sheer numbers of animals affected, any other kind of mistreatment. Hundreds of millions of cattle, pigs, and sheep are raised and slaughtered in the United States alone each year. For poultry the figure is a staggering 3 billion. (That means that about 5,000 birds—mostly chickens—will have been slaughtered in the time it takes you to read this page.) It is here, on our dinner table and in our neighborhood supermarket or butcher's shop, that we are brought into direct touch with the most extensive exploitation of other species that has ever existed.

In general, we are ignorant of the abuse of living creatures that lies behind the food we eat. Consider the images conjured up by the word "farm": a house, a barn, a flock of hens, overseen by a strutting rooster, scratching around the farmyard, a herd of cows being brought in from the fields for milking, and perhaps a sow rooting around in the orchard with a litter of squealing piglets running excitedly behind her.

Very few farms were ever as idyllic as that traditional image would have us believe. Yet we still think of a farm as a pleasant place, far removed from our own industrial, profit-conscious city life. Of those few who think about the lives of animals on farms, not many know much of modern methods of animal raising. Some people wonder whether animals are slaughtered painlessly, and anyone who has followed a truckload of cattle must know that farm animals are transported in very crowded conditions; but few suspect that transportation and slaughter are anything more than the brief and inevitable conclusion of a life of ease and contentment, a life that contains the natural pleasures of animal existence without the hardships that wild animals must endure in the struggle for survival.

These comfortable assumptions bear little relation to the realities of modern farming. For a start, farming is no longer controlled by simple country folk. It is a business, and big business at that. In the last thirty years the entry of large corporations and assembly-line methods of production have turned farming into "agribusiness." . . .

The first animal to be removed from the relatively natural conditions of the traditional farms and subjected to the full stress of modern intensive farming was the chicken. Chickens have the misfortune of being useful to humans in two ways: for their flesh and for their eggs. There are now standard mass-production techniques for obtaining both these products.

Agribusiness enthusiasts consider the rise of the chicken industry to be one of the great success stories of farming. At the end of World War II chicken for the table was still relatively rare. It came mainly from small independent farmers or from the unwanted males produced by egg-laying flocks. Today "broilers"—as table chickens are now usually called—are produced literally by the million from the highly automated factory-like plants of the large corporations that own or control 98 percent of all broiler production in the United States.¹

The essential step in turning the chicken from a farmyard bird into a manufactured item was confining them indoors. A broiler producer today gets a load of 10,000, 50,000, or even more day-old chicks from the hatcheries, and puts them straight into a long, windowless shed—usually on the floor, although some producers use tiers of cages in order to get more birds into the same size shed. Inside the shed, every aspect of the birds' environment is controlled to make them grow faster on less feed. Food and water are fed automatically from hoppers suspended from the roof. The lighting is adjusted according to advice from agricultural researchers: for instance, there may be bright light 24 hours a day for the first week or two, to encourage the chicks to gain quickly; then the lights may be dimmed slightly and made to go off and on every two hours, in the belief that the chickens are readier to eat after a period of sleep; finally there comes a point, around six weeks of age, when the birds have grown so much that they are becoming crowded, and the lights will then be made very dim at all times. The point of this dim lighting is to reduce the effects of crowding. Toward the end of the eight- or nine-week life of the chicken, there may be as little as half a square foot of space per chicken—or less than the area of a sheet of quarto paper for a 3.5-lb. bird. Under these conditions with normal lighting the stress of crowding and the absence of natural outlets for the bird's energies lead to outbreaks of fighting, with birds pecking at each other's feathers and sometimes killing and eating one another. Very dim lighting has been found to reduce this and so the birds are likely to live out their last weeks in near-darkness.

Feather-pecking and cannibalism are, in the broiler producer's language, "vices." They are not natural vices, however—they are the result of the stress and crowding to which the modern broilerman subjects his birds. Chickens are highly social animals, and in the farmyard they develop a hierarchy, sometimes called a "pecking order." Every bird yields, at the food trough or elsewhere, to those above it in rank, and takes precedence over those below. There may be a few confrontations before the order is firmly established but more often than not a show of force, rather than actual physical contact, is enough to put a chicken in its place. As Konrad Lorenz, a renowned figure in the field of animal behavior, wrote in the days when flocks were still small:

Do animals thus know each other among themselves? They certainly do. . . . Every poultry farmer knows that . . . there exists a very definite order, in which each bird is afraid of those that are above her in rank. After some few disputes, which need not necessarily come to blows, each bird knows which of the others she has to fear and which must show respect to her. Not only physical strength, but also personal courage, energy, and even the self-assurance of every individual bird are decisive in the maintenance of the pecking order.²

Other studies have shown that a flock of up to 90 chickens can maintain a stable social order, each bird knowing its place; but 10,000 birds crowded together in a single shed is obviously a different matter.³ The birds cannot establish a social order, and as a result they fight frequently with each other. Quite apart from the inability of the individual bird to recognize so many other birds, the mere fact of extreme crowding probably contributes to irritability and excitability in chickens, as it does in humans and other animals. This is something farming magazines are aware of, and they frequently warn their readers:

Feather-pecking and cannibalism have increased to a formidable extent of late years, due, no doubt, to the changes in technique and the swing towards completely intensive management of laying flocks and

table poultry. . . . The most common faults in management which may lead to vice are boredom, overcrowding in badly ventilated houses. . . . Lack of feeding space, unbalanced food or shortage of water, and heavy infestation with insect pests.⁴

Clearly the farmer must stop "vices," because they cost him money; but although he may know that overcrowding is the root cause, he cannot do anything about this, since in the competitive state of the industry, eliminating overcrowding could mean eliminating his profit margin at the same time. He would have fewer birds to sell, but would have had to pay the same outlay for his building, for the automatic feeding equipment, for the fuel used to heat and ventilate the building, and for labor. So the farmer limits his efforts to reducing the consequences of the stress that costs him money. The unnatural way in which he keeps his birds causes the vices, but to control them the poultryman must make the conditions still more unnatural. Very dim lighting is one way of doing this. A more drastic step, though one now almost universally used in the industry, is "de-beaking." This involves inserting the chick's head in a guillotine-like device which cuts off part of its beak. Alternatively the operation may be done with a hot knife. Some poultrymen claim that this operation is painless, but an expert British Government committee under zoologist Professor F.W. Rogers Brambell appointed to look into aspects of intensive farming found otherwise:

. . . between the horn and the bone is a thin layer of highly sensitive soft tissue, resembling the "quick" of the human nail. The hot knife used in de-beaking cuts through this complex of horn, bone and sensitive tissue, causing severe pain.⁵

De-beaking, which is routinely performed in anticipation of cannibalism by most poultrymen, does greatly reduce the amount of damage a chicken can do to other chickens. It also, in the words of the Brambell Committee, "deprives the bird of what is in effect its most versatile member" while it obviously does nothing to reduce the stress and overcrowding that lead to this unnatural cannibalism in the first place. . . .

"A hen," Samuel Butler once wrote, "is only an egg's way of making another egg." Butler, no doubt, was being humorous; but when Fred C. Haley, president of a Georgia poultry firm that controls the lives of 225,000 laying hens, describes the hen as "an egg producing machine" his words have more serious implications. To emphasize his businesslike attitude Haley adds: "The object of producing eggs is to make money. When we forget this objective, we have forgotten what it is all about."⁶

Nor is this only an American attitude. A British farming magazine has told its readers:

The modern layer is, after all, only a very efficient converting machine, changing the raw material—feedingstuffs—into the finished product—the egg—less, of course, maintenance requirements.⁷

Remarks of this kind can regularly be found in the egg industry trade journals throughout the United States and Europe, and they express an attitude that is common in the industry. As may be anticipated, their consequences for the laying hens are not good.

Laying hens go through many of the same procedures as broilers, but there are some differences. Like broilers, layers have to be de-beaked, to prevent the cannibalism that would otherwise occur in their crowded conditions; but because they live much longer than broilers, they often go through this operation twice. So we find a poultry specialist at the New Jersey College of Agriculture advising poultrymen to de-beak their chicks when they are between one and two weeks old because there is, he says, less stress on the chicks at this time than if the operation is done earlier, and in addition "there are fewer culls in the laying flock as a result of improper de-beaking." In either case, the article continues, the birds must be de-beaked again when they are ready to begin laying, at around twenty weeks of age.⁸

Laying hens get no more individual attention than broilers. Alan Hainsworth, owner of a poultry farm in upstate New York, told an inquiring local reporter that four hours a day is all he needs for the care of his 36,000 laying hens, while his wife looks after the 20,000 pullets (as the younger birds not yet ready to lay are called). "It takes her about 15 minutes a day. All she checks is their automatic feeders, water cups and any deaths during the night."

This kind of care does not make for a happy flock as the reporter's description shows:

Walk into the pullet house and the reaction is immediate—complete pandemonium. The squawking is loud and intense as some 20,000 birds shove to the farthest side of their cages in fear of the human intruders.⁹

Julius Goldman's Egg City, 50 miles northwest of Los Angeles, is one of the world's largest egg producing units, consisting of 2 million hens divided into block long buildings containing 90,000 hens each, five birds to a 16 by 18 inch cage. When the *National Geographic* magazine did an enthusiastic survey of new farming methods, Ben Shames, Egg City's executive vice-president, explained to its reporter the methods used to look after so many birds:

We keep track of the food eaten and the eggs collected in 2 rows of cages among the 110 rows in each building. When production drops to the uneconomic point, all 90,000 birds are sold to processors for potpies or chicken soup. It doesn't pay to keep track of every row in the house, let alone individual hens; with 2 million birds on hand you have to rely on statistical samplings.¹⁰

Nearly all the big egg producers now keep their laying hens in cages. Originally there was only one bird to a cage; and the idea was that the farmer could then tell which birds were not laying enough eggs to give an economic return on their food. Those birds were then killed. Then it was found that more birds could be housed and costs per bird reduced if two birds were put in each cage. That was only the first step, and as we have seen, there is no longer any question of keeping a tally of each bird's eggs. The advantages of cages for the egg producer now consist in the greater number of birds that can be housed, warmed, fed, and watered in one building, and in the greater use that can be made of labor-saving automatic equipment.

The cages are stacked in tiers, with food and water troughs running along the rows, filled automatically from a central supply. They have sloping wire floors. The slope—usually a gradient of 1 in 5—makes it more difficult for the birds to stand comfortably, but it causes the eggs to roll to the front of the cage where they can easily be collected by hand or, in the more modern plants, carried by conveyor belt to a packing plant.

When a reporter from the *New York Daily News* wanted to see a typical modern egg farm, he visited Frenchtown Poultry Farm, in New Jersey, where he found that

Each 18 by 24 inch cage on the Frenchtown farm contains nine hens who seemed jammed into them by some unseen hand. They barely have enough room to turn around in the cages.

"Really, you should have no more than eight birds in a cage that size," conceded Oscar Grossman, the farm's lessor. "But sometimes you have to do things to get the most out of your stock."¹¹

Actually, if Mr. Grossman had put only eight birds in his cages they would still have been grossly overcrowded; at nine to a cage they have only $\frac{1}{3}$ square foot per bird.

In 1968 the farm magazine *American Agriculturist* advised its readers in an article headed "Bird Squeezing" that it had been found possible to stock at $\frac{1}{3}$ square foot per bird by putting four birds in a 12-by 16-inch cage. This was apparently a novel step at the time; the steady increase in densities over the years is indicated by the fact that a 1974 issue of the same magazine describing the Lannsdale Poultry Farm, near Rochester, New York, mentions the same housing density without any suggestion that it is unusual.¹² In reading egg industry magazines I have found numerous reports of similar high densities, and scarcely any that are substantially lower. My own visits to poultry farms in the United States have shown the same pattern. The highest reported density that I have read about is at the Hainsworth farm in Mt. Morris, New York, where four hens are squeezed into cages 12 inches by 12 inches, or just one square foot—and the reporter adds: "Some hold five birds when Hainsworth has more birds than room."¹³ This means $\frac{1}{4}$, and sometimes $\frac{1}{5}$, square foot per bird. At this stocking rate a single sheet of quarto paper represents the living area of two to three hens.

Under the conditions standard on modern egg farms in the United States and other "developed nations" every natural instinct the birds have is frustrated. They cannot walk around, scratch the ground, dustbathe, build a nest, or stretch their wings. They are not part of a flock. They cannot keep out of each other's way and weaker birds have no escape from the attacks of stronger ones, already maddened by the unnatural conditions. . . .

Intensive production of pigs and cattle is now also common; but of all the forms of intensive farming now practiced, the quality veal industry ranks as the most morally repugnant, comparable only with barbarities like the force-feeding of geese through a funnel that produces the deformed livers made into *pate de foie gras*. The essence of veal-raising is the feeding of a high-protein food (that should be used to reduce malnutrition in poorer parts of the world) to confined, anemic calves in a manner that will produce a tender, pale-colored flesh that will be served to gourmets in expensive restaurants. Fortunately this industry does not compare in size with poultry, beef, or pig production; nevertheless it is worth our attention because it represents an extreme, both in the degree of exploitation to which it subjects its animals and in its absurd inefficiency as a method of providing people with nourishment.

Veal is the flesh of a young calf, and the term was originally reserved for calves killed before they had been weaned from their mothers. The flesh of these very young animals was paler and more tender than that of a calf that had begun to eat grass; but there was not much of it since calves begin to eat grass when they are a few weeks old and still very small. So there was little money in veal, and the small amount available came from the unwanted male calves produced by the dairy industry. These males were a nuisance to the dairy farmers, since the dairy breeds do not make good beef cattle. Therefore they were sold as quickly as possible. A day or two after being born they were trucked to market where, hungry and frightened by the strange surroundings and the absence of their mothers, they were sold for immediate delivery to the slaughterhouse.

Once this was the main source of veal in the United States. Now, using methods first developed in Holland, farmers have found a way to keep the calf longer without the flesh becoming darker in color or less tender. This means that the veal calf, when sold, may weigh as much as 325 lbs., instead of the 90-odd lbs. that newborn calves weigh. Because veal fetches a premium price, this has made rearing veal calves a profitable occupation.

The trick depends on keeping the calf in highly unnatural conditions. If the calf were left to grow up outside, its playful nature would lead it to romp around the fields. Soon it would begin to develop muscles, which would make its flesh tough. At the same time it would eat grass and its flesh would lose the pale color that the flesh of newborn calves has. So the specialist veal producer takes his calves straight from the auction ring to a confinement unit. Here, in a converted barn or purpose-built shed, he will have rows of wooden stalls. Each stall will be 1 foot 10 inches wide and 4 feet 6 inches long. It will have a slatted wooden floor, raised above the concrete floor of the shed. The calves will be tethered by a chain around the neck to prevent them from turning around in their stalls. (The chain may be removed when the calves grow too big to turn around in such narrow stalls.) The stall will have no straw or other bedding, since the calf might eat it, spoiling the paleness of his flesh.

Here the calves will live for the next thirteen to fifteen weeks. They will leave their stalls only to be taken out to slaughter. They are fed a totally liquid diet, based on non-fat milk powder with added vitamins, minerals, and growth-promoting drugs. . .

The narrow stalls and their slatted wooden floors are a serious source of discomfort for the calves. Their inability to turn around is frustrating. When he lies down, the calf must lie hunched up, sitting almost on top of his legs rather than having them out to one side as he would do if he had more room. A stall too narrow to turn around in is also too narrow to groom comfortably in; and calves have an innate desire to twist their heads around and groom themselves with their tongues. A wooden floor without any bedding is hard and uncomfortable; it is rough on the calves' knees as they get up and lie down. In addition, animals with hooves are uncomfortable on slatted floors. A slatted floor is like a cattle grid, which cattle will always avoid, except that the slats are closer together. The spaces, however, must still be large enough to allow manure to fall or be washed through, and this means that they are large enough to make the calves uncomfortable.¹⁴

The special nature of the veal calf has other implications that show the industry's lack of genuine concern for the animals' welfare. Obviously the calves sorely miss their mothers. They also miss something to suck on. The urge to suck is strong in a baby calf, as it is in a baby human. These calves have no teat to suck on, nor do they have any substitute. From their first day in confinement—which may well be only the third or fourth day of their lives—they drink from a plastic bucket. Attempts have been made to feed calves through artificial teats, but the problems of keeping the teats clean and sterile are apparently too great for the farmer to try.

overcome. It is common to see calves frantically trying to suck some part of their stalls, although there is usually nothing suitable; and if you offer a veal calf your finger he will immediately begin to suck on it, as a human baby sucks its thumb.

Later on the calf develops a desire to ruminate—that is, to take in roughage and chew the cud. But roughage is strictly forbidden and so, again, the calf may resort to vain attempts to chew the sides of its stall. Digestive disorders, including stomach ulcers, are common in veal calves, as are chronically loose bowel movements.

As if this were not enough, there is the fact that the calf is deliberately kept anemic. As one veal producers' journal has said,

Color of veal is one of the primary factors involved in obtaining "topdollar" returns from the fancy veal market . . . "light color" veal is a premium item much in demand at better clubs, hotels and restaurants. "Light color" or pink veal is partly associated with the amount of iron in the muscle of the calves.¹⁵

So veal feeds are deliberately kept low in iron. A normal calf would obtain iron from grass or other forms of roughage, but since a veal calf is not allowed this he becomes anemic. Pale pink flesh is in fact anemic flesh. The demand for flesh of this color is a matter of snob appeal. The color does not affect the taste and it certainly does not make the flesh more nourishing—rather the opposite.

Calves kept in this manner are unhappy and unhealthy animals. Despite the fact that the veal producer selects only the strongest, healthiest calves to begin with, uses a medicated feed as a routine measure, and gives additional injections at the slightest sign of illness, digestive, respiratory and infectious diseases are widespread. It is common for a veal producer to find that one in ten of a batch of calves do not survive the fifteen weeks of confinement. Ten percent mortality over such a short period would be disastrous for anyone raising calves for beef, but the veal producer can tolerate this loss because of the high price restaurants are prepared to pay for his product. If the reader will recall that this whole laborious, wasteful, and painful process exists for the sole purpose of pandering to would-be gourmets who insist on pale, soft veal, no further comment should be needed.

Notes

1. Harrison Wellford, *Sowing the Wind: The Politics of Food, Safety and Agribusiness* (New York: Grossman Press, 1971), p. 104.
2. K. Lorenz, *King Solomon's Ring* (London: Methuen, 1964), p. 147.
3. Ian Duncan, "Can the Psychologist Measure Stress?" *New Scientist*, October 18, 1973.
4. *The Smallholder*, January 6, 1962; quoted by Ruth Harrison, *Animal Machines* (London: Vincent Stuart, 1964), p. 18.
5. Report of the Technical Committee to Enquire into the Welfare of Animals Kept Under Intensive Livestock Husbandry Systems (London: Her Majesty's Stationery Office, 1965), para. 97.
6. *Poultry Tribune*, January 1974.
7. *Farmer and Stockbreeder*, January 30, 1962; quoted by Ruth Harrison, *Animal Machines*, p. 50.
8. *American Agriculturist*, July 1966.
9. *Upstate*, August 5, 1973, report by Mary Rita Kiereck.
10. *National Geographic*, February 1970.
11. *New York Daily News*, September 1, 1971.
12. *American Agriculturist*, August 1968, April 1974.
13. *Upstate*, August 5, 1973.
14. Ruth Harrison, *Animal Machines*, p. 72.
15. *The Wall Street Journal*, published by Provimi, Inc., Watertown, Wisconsin, November 1973.

CONSEQUENTIALIST CONCERNS

For many people, morality is primarily about consequences, about doing the thing that creates the most happiness and the least unhappiness. Yet the crucial question, at least in this context, is: happiness for whom? Is it only happiness for human beings, or does the circle extend beyond this?

UTILITARIAN CONCERNS

From its origins in the work of Jeremy Bentham, utilitarianism has shown a sensitivity to the suffering of animals not found in, for example, the Kantian tradition. For Bentham, the notable moral fact is suffering, whether that is the suffering of animals or of human beings.

Not all versions of utilitarianism share Bentham's sensitivity to animal suffering. But even when utilitarianism is concerned only with the happiness or pleasure of human beings as such, it does not consign animals to moral oblivion. When we consider consequences solely for human beings, we notice that this by no means justifies all our harmful treatment of animals in the past. Let's look at two examples: eating meat and cruelty to animals.

First, consider eating meat. Although vegetarianism is often espoused for the sake of animals, there may well be a strong, human-centered case for vegetarianism. What are the consequences of a diet rich in meat? Second, especially red meat, for human beings? This is an empirical question, but it may well be the case that the overall effects of vegetarianism are significantly more healthful than the effects of a diet that contains meat. Second, consider cruelty to animals. Even if we leave aside for the moment the harmful effects on human beings themselves, it may well be the case that treating animals cruelly has harmful effects on human beings. Immanuel Kant, for example, argued that such cruelty makes us less morally sensitive beings and less likely to respond appropriately to the suffering of human beings. Cruelty to animals may well lead to cruelty to human beings and is therefore to be avoided.

Thus, even when we assume a purely human-centered consequentialist approach to moral matters, we do not have to conclude that "anything goes" in regard to our treatment of animals. There may be important human-centered constraints on our treatment of animals that have nothing to do with the moral status of the animals themselves.

SPECIESISM

The fundamental moral question that was raised in the 1970s by Peter Singer in his book *Animal Liberation* was whether utilitarianism was being arbitrary when it considered the pleasure and pain of only human beings. If utilitarianism is fundamentally a doctrine about increasing pleasure and reducing pain and suffering, then shouldn't *all* pleasure and *all* pain and suffering count, not just the pleasure and pain of one species?

CONSIDERATIONS ABOUT RIGHTS

Concerns about the strength of Singer's proposed utilitarian foundation for our attitude toward animals has led some philosophers, most notably Tom Regan, to shift the focus from the *liberation* of animals to animal *rights*. Nonhuman animals, Regan argues in our selection, "The Case for Animal Rights," and in his book of the same name, have rights, just as human animals do. The crucial factor about rights is that they are, as Ronald Dworkin once suggested, like "trump cards." In other words, they take precedence over anything else, including considerations of utility. Thus, even if from a utilitarian point of view the killing of animals was sometimes justified, they still may be protected because they have a right to life.

WHO HAS RIGHTS?

Imagine that you were on a Star Trek mission to an unexplored planet and that through a fluke accident you find yourself marooned on a planet that you know nothing about. Able to breathe the atmosphere, but lacking the

and water, you are immediately faced with the question of what in your environment you may—both safely and morally—consume. Let's imagine that there is little plant matter, and the little that is available lacks nutritional content. You turn toward the living beings on the planet that are crawling, walking, hopping, running, and flying around. Leaving aside the question of safety, how would you decide which creatures had a right to be respected and which creatures—if any—you were morally justified in eating?

As we tried to answer this question, presumably we would look for certain things—such as intelligence, language, culture, and the like—that would indicate these beings are deserving of respect and are not to be used as a mere means to our nutritional goals. Similarly, when we look on earth at the nonhuman animal world around us, we must ask which animals have rights. The answer that animal rights advocates give is simple: the ability to feel pain (sentience) is what confers rights. What if the criterion is the ability to think and use language? Then certain kinds of animals—dolphins, chimps, and others—may qualify for rights, whereas other kinds of animals—slugs, worms, and so on—would not qualify, nor would certain human beings—most notably, those with severe mental disabilities and those in deep comas. The extent of animal rights depends directly on the criterion for conferring rights.

HOW DO WE RESOLVE CONFLICTS ABOUT RIGHTS?

Authors such as Alasdair MacIntyre and Mary Ann Glendon have criticized the growing philosophical and political preoccupation with rights, and they have argued that the language of rights is only fiction and that it leads to polarization and increased conflict. Certainly one of the difficulties is that rights are often presented as absolute, although the philosophically more defensible situation is to see virtually all rights as less than absolute. Otherwise we are left with the irresolvable situation of what to do when one absolute right conflicts with another absolute right. Obviously, we need some kind of hierarchy, some ordering of rights.

These considerations have a particular relevance in the area of animal rights. Advocates of animal rights have to answer three questions. *First*, what particular rights do all animals have? Do all animals have the right to life? The right not to suffer needlessly? The right to liberty? *Second*, do rights vary by species or do all types of animals have equal rights? Does a worm have the same rights as a chimp and as a baby human being? *Third*, how do we resolve interspecies conflicts of rights? Is the right to life of a worm equal in moral standing to the right to life of a chimp and the right to life of a human infant? These are difficult questions, although not necessarily unanswerable. A strong defense of animal rights must, however, provide a plausible answer to these questions. In "The Case for Animal Rights," Tom Regan addresses each of these questions.

CONCERNS ABOUT CHARACTER

In addition to concerns about religion, consequences, and rights, defenders of animals have often pointed to the issue of *moral character* as providing a foundation for changing our attitudes toward animals. The argument has been that compassionate people will be more responsive to the suffering of animals and that continuing mistreatment of animals in our society dulls our capacity for compassion in regard to all beings.

COMPASSION

Almost everyone has had the experience of seeing an animal in pain and for most of us our immediate response is to want to relieve the animal's suffering. We may nurse an injured bird back to health, wash the wounds of a dog that has been in a fight, even try to set the broken leg of a kitten. Sometimes, whether rightly or wrongly, we may conclude that the animal cannot recover, and kill it to end its suffering. (Issues of animal rights prompt a reconsideration of euthanasia, not just abortion.)

Yet compassion initially seems to be a shaky foundation for our moral attitude toward animals. Sometimes, sympathy and compassion can turn into mere sentimentality—and some have criticized the animal rights movement for falling into the trap of sentimentality.

PROXIMITY

Most people who eat meat in modern industrialized societies don't slaughter their own animals to do so, and this simple fact has important implications for the issue of character. If the cruelty of animal agriculture is kept from view, then sensitive and compassionate people may participate in such cruelty through ignorance. Of course, some would maintain that such ignorance is itself morally blameworthy, and some of the most visible protests by animal rights activists have been aimed at making cruelty to animals inescapably visible.

COMMON GROUND

The various moral concerns outlined in the preceding pages come directly into play when we seek a common ground on a number of pressing issues in regard to our moral attitude toward animals. Let's briefly consider several of these areas: medical experimentation on animals, commercial agriculture, the keeping of pets, and our interactions with wild animals.

MEDICAL EXPERIMENTATION: BALANCING COMPETING CONCERNS

One of the most difficult areas in which to assert animal rights is medical experimentation. When the choice is simply between preserving the lives of animals *versus* being able to save the lives of human beings, for most people the choice is easy: the human takes priority over the animal. Few would agree with Ingrid Newkirk, the national director of PETA, who claimed that "Animal liberationists do not separate out the human animal, so there is no rational basis for saying that a human being has special rights. A rat is a pig is a dog is a boy. They're all mammals."¹

The difficulty is that we are rarely, if ever, presented with such a stark choice between the life of one human being and the life of one animal. The choices are more likely to be between the lives of hundreds of animals and the possible beneficial effects of some new drug for human beings. Often the issue of animal experimentation is about further confirmation of experimental results that are already available or about determining what changes would occur if some small variable were altered. Sometimes the issue is simply training students and laboratory workers in experimental techniques.

The Middle Ground

How much should animal suffering count? If we are discontent with the wholesale endorsement of the use of animals in research, and if we have rejected the claim that there is no morally significant difference between human suffering and animal suffering, then where do we stand? The middle ground here would seem to be that animal suffering should be reduced whenever possible. Questions should be raised about whether the research is really necessary, whether it absolutely has to include animals, whether it can involve fewer animals, and whether the suffering of the animals can be reduced in any way.

COMMERCIAL ANIMAL AGRICULTURE AND EATING MEAT

The Cruelty of Animal Farming

In his selection "Down on the Factory Farm," Peter Singer gives us a glimpse of what commercial animal agriculture is like, and it is a disturbing picture indeed. Animals are raised under extremely harsh and unnatural conditions that deprive them of many of the natural consolations of their lives, such as sucking, grooming, pecking, and the like. Even if we leave aside the fact that their lives eventually end in slaughter, many of us would find much to object to in the way in which such animals are treated.

The Vegetarian Option

Many supporters of animal rights respond to this situation by espousing vegetarianism, because this is clearly the option that eliminates the need to raise and kill animals under these conditions. As we indicated earlier, vegetarianism has much to recommend in addition to the issue of animal suffering. However, if vegetarianism for the entire world is not a realistic option at this time, it is important to ask whether there would be any conditions under which the raising of animals for food would be acceptable.

Common Ground

Two distinct issues arise in regard to raising animals for food: their deaths and their lives. Presumably, it is morally better to kill animals painlessly (including a minimum of anticipatory fear as well as a minimum of physical pain) than painfully. If animals are slaughtered, it should be done in a way that minimizes their pain and anticipatory terror. Second, their lives should be (1) as free as possible from pain inflicted by human beings and (2) as natural as possible. The first requirement is clearly utilitarian in character, whereas the second relates to what we might call "quality of life." Part of respecting a being is that we recognize the natural rhythms and contours of that being's life and we try to avoid unnecessarily disturbing them. For example, many animals groom themselves and such grooming activity provides them with comfort on a variety of levels, psychological as well as physical. Whenever possible, we should raise animals in ways that allow them to follow their own natural inclinations.

Note

1. K. McCabe, "Who Will Live, Who Will Die?" *Washingtonian Magazine* (August 1986), p. 115.

THE ARGUMENTS

TOM REGAN

"The Case for Animal Rights"

About the Author: Tom Regan is one of the most articulate and powerful spokespersons for animal rights. He has published widely on a range of different topics, but his most influential work has been in the area of animal rights. His book, *Animal Rights*, is one of the foundational works in that area.

About the Article: In this article, Regan argues a case for animal rights, maintaining that those who take animal rights seriously must be committed to abolishing the use of animals in science, animal agriculture, and commercial hunting and trapping. "The fundamental wrong," he writes, "is the system that allows us to view animals as our resources, here for us—to be eaten, or surgically manipulated, or exploited for sport or money." Regan considers and rejects several approaches to understanding our relationship to animals: indirect duty, contractarianism, and utilitarianism. Only a rights approach is able to recognize the inherent value of the individual, including the individual animal.

As You Read, Consider This:

1. Regan distinguishes between things that "make things worse" and the "fundamental wrong." If we could eliminate the factors that "make things worse" for animals, do you think that would be enough? Which of Regan's arguments supports the claim that there is a "fundamental wrong" here?
2. Regan sees the animal rights movement as "cut from the same cloth" as human rights movements that oppose racism and sexism. Are the kinds of arguments that Regan advances for animal rights the same kinds of arguments that were advanced for human rights?

I regard myself as an advocate of animal rights—as a part of the animal rights movement. That movement, I conceive it, is committed to a number of goals, including:

- the total abolition of the use of animals in science;
- the total dissolution of commercial animal agriculture;
- the total elimination of commercial and sport hunting and trapping.

There are, I know, people who profess to believe in animal rights but do not avow these goals. Factory farming, they say, is wrong—it violates animals' rights—but traditional animal agriculture is all right. Toxicity tests on cosmetics on animals violates their rights, but important medical research—cancer research for example—does not. The clubbing of baby seals is abhorrent, but not the harvesting of adult seals. I used to think I understood this reasoning. Not any more. You don't change unjust institutions by tidying them up.

What's wrong—fundamentally wrong—with the way animals are treated isn't the details that vary from case to case. It's the whole system. The forlornness of the veal calf is repulsive; the slow, torturous death of the raccoon caught in the leg-hold with electrodes planted deep in her brain is repulsive; the pulsing pain of the chimpanzee trapped in the leg-hold is agonizing. But what is wrong isn't the pain, isn't the suffering, isn't the deprivation. These compound what is wrong. Sometimes—often—they make it much, much worse. But they are not the fundamental wrong.

The fundamental wrong is the system that allows us to view animals as our resources, here for us—to be eaten, or surgically manipulated, or exploited for sport or money. Once we accept this view of animals—as our resources—the rest is as predictable as it is regrettable. Why worry about their loneliness, their pain, their death? Since animals exist for us, to benefit us in one way or another, what harms them really doesn't matter—or matters only if it starts to bother us, makes us feel a trifle uneasy. . . .

In the case of animals in science, whether and how we abolish their use . . . are to a large extent political questions. People must change their beliefs before they change their habits. Enough people, especially those elected to public office, must believe in change—must want it—before we will have laws that protect the rights of animals. This process of change is very complicated, very demanding, very exhausting, calling for the effort of many hands in education, publicity, political organization and activity, down to the licking of envelopes and stamps. As a trained and practicing philosopher, the sort of contribution I can make is limited but, I like to think, important. The currency of philosophy is ideas—their meaning and rational foundation—not the numbers and bolts of the legislative process, say, or the mechanics of community organization. That's what I have been exploring over the past ten years or so in my essays and talks and, most recently, in my book, *The Case for Animal Rights*. I believe the major conclusions I reach in the book are true because they are supported by the weight of the best arguments. I believe the idea of animal rights has reason, not just emotion, on its side.

In the space I have at my disposal here I can only sketch, in the barest outline, some of the main features of the book. Its main themes—and we should not be surprised by this—involve asking and answering deep, foundational moral questions about what morality is, how it should be understood, and what is the best moral theory, all considered. I hope I can convey something of the shape I think this theory takes. The attempt to do this will be (to use a word a friendly critic once used to describe my work) cerebral, perhaps too cerebral. But this is misleading. My feelings about how animals are sometimes treated run just as deep and just as strong as those of my more volatile compatriots. Philosophers do—to use the jargon of the day—have a right side to their brain. If it's the left side we contribute (or mainly should), that's because what talents we have reside there.

How to proceed? We begin by asking how the moral status of animals has been understood by thinkers who deny that animals have rights. Then we test the mettle of their ideas by seeing how well they stand up under the heat of fair criticism. If we start our thinking in this way, we soon find that some people believe that we have duties directly to animals, that we owe nothing to them, that we can do nothing that wrongs them. Such views can do wrong acts that involve animals, and so we have duties regarding them, though none to them. Rather, they may be called indirect duty views. By way of illustration: suppose your neighbor kicks your dog. Then your neighbor has done something wrong. But not to your dog. The wrong that has been done is a wrong to you. After all, it is wrong to upset people, and your neighbor's kicking your dog upsets you. So you are the one who is wronged, not your dog. Or again: by kicking your dog your neighbor damages your property. And since

wrong to damage another person's property, your neighbor has done something wrong—to you, of course, not to your dog. Your neighbor no more wrongs your dog than your car would be wronged if the windshield were smashed. Your neighbor's duties involving your dog are indirect duties to you. More generally, all of our duties regarding animals are indirect duties to one another—to humanity.

How could someone try to justify such a view? Someone might say that your dog doesn't feel anything and so isn't hurt by your neighbor's kick, doesn't care about the pain since none is felt, is as unaware of anything as is your windshield. Someone might say this, but no rational person will, since, among other considerations, such a view will commit anyone who holds it to the position that no human being feels pain either—that human beings also don't care about what happens to them. A second possibility is that though both humans and your dog are hurt when kicked, it is only human pain that matters. But, again, no rational person can believe this. Pain is pain wherever it occurs. If your neighbor's causing you pain is wrong because of the pain that is caused, we cannot rationally ignore or dismiss the moral relevance of the pain that your dog feels.

Philosophers who hold indirect duty views—and many still do—have come to understand that they must avoid the two defects just noted: that is, both the view that animals don't feel anything as well as the idea that only human pain can be morally relevant. Among such thinkers the sort of view now favored is one or other form of what is called contractarianism.

Here, very crudely, is the root idea: morality consists of a set of rules that individuals voluntarily agree to abide by, as we do when we sign a contract (hence the name contractarianism). Those who understand and accept the terms of the contract are covered directly; they have rights created and recognized by, and protected in, the contract. And these contractors can also have protection spelled out for others who, though they lack the ability to understand morality and so cannot sign the contract themselves, are loved or cherished by those who can. Thus young children, for example, are unable to sign contracts and lack rights. But they are protected by the contract nonetheless because of the sentimental interests of others, most notably their parents. So we have, then, duties involving these children, duties regarding them, but no duties to them. Our duties in their case are indirect duties to other human beings, usually their parents.

As for animals, since they cannot understand contracts, they obviously cannot sign; and since they cannot sign, they have no rights. Like children, however, some animals are the objects of the sentimental interest of others. You, for example, love your dog or cat. So those animals that enough people care about (companion animals, whales, baby seals, the American bald eagle), though they lack rights themselves, will be protected because of the sentimental interests of people. I have, then, according to contractarianism, no duty directly to your dog or any other animal, not even the duty not to cause them pain or suffering; my duty not to hurt them is a duty I have to those people who care about what happens to them. As for other animals, where no or little sentimental interest is present—in the case of farm animals, for example, or laboratory rats—what duties we have grow weaker and weaker, perhaps to a vanishing point. The pain and death they endure, though real, are not wrong if no one cares about them.

When it comes to the moral status of animals, contractarianism could be a hard view to refute if it were an adequate theoretical approach to the moral status of human beings. It is not adequate in this latter respect, however, which makes the question of its adequacy in the former case, regarding animals, utterly moot. For consider: morality, according to the (crude) contractarian position before us, consists of rules that people agree to abide by. What people? Well, enough to make a difference—enough, that is, collectively to have the power to enforce the rules that are drawn up in the contract. That is very well and good for the signatories but not so good for anyone who is not asked to sign. And there is nothing in contractarianism of the sort we are discussing that guarantees or requires that everyone will have a chance to participate equally in framing the rules of morality. The result is that this approach to ethics could sanction the most blatant forms of social, economic, moral and political injustice, ranging from a repressive caste system to systematic racial or sexual discrimination. Might, according to this theory, does make right. Let those who are the victims of injustice suffer as they will. It matters not so long as no one else—no contractor, or too few of them—cares about it. Such a theory takes one's moral breath away . . . as if, for example, there would be nothing wrong with apartheid in South Africa if few white South Africans were upset by it. A theory with so little to recommend it at the level of the ethics of our treatment of our fellow humans cannot have anything more to recommend it when it comes to the ethics of how we treat our fellow animals.

The version of contractarianism just examined is, as I have noted, a crude variety, and in fairness to a contractarian persuasion it must be noted that much more refined, subtle and ingenious varieties are possible. For example, John Rawls, in his *A Theory of Justice*, sets forth a version of contractarianism that forces contractors to ignore the accidental features of being a human being—for example, whether one is white or black or female, a genius or of modest intellect. Only by ignoring such features, Rawls believes, can we ensure the principles of justice that contractors would agree upon are not based on bias or prejudice. Despite the implicit denial that we have direct duties to those human beings who do not have a sense of justice—it systematically denies that we have direct duties to those mentally retarded humans. And yet it seems reasonably certain that, were children, for instance, and many mentally retarded humans, we would be doing something that wronged him or her, not some torture a young child or a retarded elder, we would be doing something that would be wrong if (and only if) other humans with a sense of justice were upset. And since this is true in the case of these humans, we cannot rationally deny the same in the case of animals.

Indirect duty views, then, including the best among them, fail to command our rational assent. What ethical theory we should accept rationally, therefore, it must at least recognize that we have some duties directly to animals, just as we have some duties directly to each other. . . .

Some people think that the theory we are looking for is utilitarianism. A utilitarian accepts two moral principles. The first is that of equality: everyone's interests count, and similar interests must be counted as having similar weight or importance. White or black, American or Iranian, human or animal—everyone's pain or frustration matters, and matters just as much as the equivalent pain or frustration of anyone else. The second principle a utilitarian accepts is that of utility: do the act that will bring about the best balance between satisfaction and frustration for everyone affected by the outcome.

As a utilitarian, then, here is how I am to approach the task of deciding what I morally ought to do: I must ask who will be affected if I choose to do one thing rather than another, how much each individual will be affected, and where the best results are most likely to lie—which option, in other words, is most likely to bring about the best results, the best balance between satisfaction and frustration. That option, whatever it may be, is the one I ought to choose. That is where my moral duty lies.

The great appeal of utilitarianism rests with its uncompromising egalitarianism: everyone's interests count and count as much as the like interests of everyone else. The kind of odious discrimination that some forms of contractarianism can justify—discrimination based on race or sex, for example—seems disallowed in principle by utilitarianism, as is speciesism, systematic discrimination based on species membership.

The equality we find in utilitarianism, however, is not the sort an advocate of animal or human rights should have in mind. Utilitarianism has no room for the equal moral rights of different individuals because it has no room for their equal inherent value or worth. What has value for the utilitarian is the satisfaction of an individual's interests, not the individual whose interests they are. A universe in which you satisfy your desire for water, food and warmth is, other things being equal, better than a universe in which these desires are frustrated. And the same is true in the case of an animal with similar desires. But neither you nor the animal have any value in your own right. Only your feelings do.

Here is an analogy to help make the philosophical point clearer: a cup contains different liquids, sometimes sweet, sometimes bitter, sometimes a mix of the two. What has value are the liquids: the sweeter the better, the bitterer the worse. The cup, the container, has no value. It is what goes into it, not what they go into, that has value. For the utilitarian you and I are like the cup; we have no value as individuals and thus no equal value. What has value is what goes into us, what we serve as receptacles for; our feelings of satisfaction have positive value, our feelings of frustration negative value.

Serious problems arise for utilitarianism when we remind ourselves that it enjoins us to bring about the best consequences. What does this mean? It doesn't mean the best consequences for me alone, or for my family or friends, or any other person taken individually. No, what we must do is, roughly, as follows: we must add up (somehow!) the separate satisfactions and frustrations of everyone likely to be affected by our choice, the satisfactions in one column, the frustrations in the other. We must total each column for each of the options before us. That is what it means to say the theory is aggregative. And then we must choose that option which is most likely to bring about

the best balance of totaled satisfactions over totaled frustrations. Whatever act would lead to this outcome is the one we ought morally to perform—it is where our moral duty lies. And that act quite clearly might not be the same one that would bring about the best results for me personally, or for my family or friends, or for a lab animal. The best aggregated consequences for everyone concerned are not necessarily the best for each individual.

That utilitarianism is an aggregative theory—different individuals' satisfactions or frustrations are added, or summed, or totaled—is the key objection to this theory. My Aunt Bea is old, inactive, a cranky, sour person, though not physically ill. She prefers to go on living. She is also rather rich. I could make a fortune if I could get my hands on her money, money she intends to give me in any event, after she dies, but which she refuses to give me now. In order to avoid a huge tax bite, I plan to donate a handsome sum of my profits to a local children's hospital. Many, many children will benefit from my generosity, and much joy will be brought to their parents, relatives and friends. If I don't get the money rather soon, all these ambitions will come to naught. The once-in-a-lifetime opportunity to make a real killing will be gone. Why, then, not kill my Aunt Bea? Oh, of course I might get caught. But I'm no fool and, besides, her doctor can be counted on to cooperate (he has an eye for the same investment and I happen to know a good deal about his shady past). The deed can be done . . . professionally, shall we say. There is very little chance of getting caught. And as for my conscience being guilt-ridden, I am a resourceful sort of fellow and will take more than sufficient comfort—as I lie on the beach at Acapulco—in contemplating the joy and health I have brought to so many others.

Suppose Aunt Bea is killed and the rest of the story comes out as told. Would I have done anything wrong? Anything immoral? One would have thought that I had. Not according to utilitarianism. Since what I have done has brought about the best balance between totaled satisfaction and frustration for all those affected by the outcome, my action is not wrong. Indeed, in killing Aunt Bea the physician and I did what duty required.

This same kind of argument can be repeated in all sorts of cases, illustrating, time after time, how the utilitarian's position leads to results that impartial people find morally callous. It is wrong to kill my Aunt Bea in the name of bringing about the best results for others. A good end does not justify an evil means. Any adequate moral theory will have to explain why this is so. Utilitarianism fails in this respect and so cannot be the theory we seek.

What to do? Where to begin anew? The place to begin, I think, is with the utilitarian's view of the value of the individual—or, rather, lack of value. In its place, suppose we consider that you and I, for example, do have value as individuals—what we will call inherent value. To say we have such value is to say that we are something more than, something different from, mere receptacles. Moreover, to ensure that we do not pave the way for such injustices as slavery or sexual discrimination, we must believe that all who have inherent value have it equally, regardless of their sex, race, religion, birthplace and so on. Similarly to be discarded as irrelevant are one's talents or skills, intelligence and wealth, personality or pathology, whether one is loved and admired or despised and loathed. The genius and the retarded child, the prince and the pauper, the brain surgeon and the fruit vendor, Mother Teresa and the most unscrupulous used-car salesman—all have inherent value, all possess it equally, and all have an equal right to be treated with respect, to be treated in ways that do not reduce them to the status of things, as if they existed as resources for others. My value as an individual is independent of my usefulness to you. Yours is not dependent on your usefulness to me. For either of us to treat the other in ways that fail to show respect for the other's independent value is to act immorally, to violate the individual's rights.

Some of the rational virtues of this view—what I call the rights view—should be evident. Unlike (crude) contractarianism, for example, the rights view in principle denies the moral tolerability of any and all forms of racial, sexual or social discrimination; and unlike utilitarianism, this view in principle denies that we can justify good results by using evil means that violate an individual's rights—denies, for example, that it could be moral to kill my Aunt Bea to harvest beneficial consequences for others. That would be to sanction the disrespectful treatment of the individual in the name of the social good, something the rights view will not—categorically will not—ever allow.

The rights view, I believe, is rationally the most satisfactory moral theory. It surpasses all other theories in the degree to which it illuminates and explains the foundation of our duties to one another—the domain of human morality. On this score it has the best reasons, the best arguments, on its side. Of course, if it were possible to show that only human beings are included within its scope, then a person like myself, who believes in animal rights, would be obliged to look elsewhere.

But attempts to limit its scope to humans only can be shown to be rationally defective. Animals, it lacks many of the abilities humans possess. They can't read, do higher mathematics, build a bookcase, or baba ghanoush. Neither can many human beings, however, and yet we don't (and shouldn't) say that (these humans) therefore have less inherent value, less of a right to be treated with respect, than do others. The similarities between those human beings who most clearly, most non-controversially have such similarity is simply this: we are each of us the experiencing subject of a life, a conscious creature having individual welfare that has importance to us whatever our usefulness to others. We want and prefer to believe and feel things, recall and expect things. And all these dimensions of our life, including our pleasure and pain, our enjoyment and suffering, our satisfaction and frustration, our continued existence or untimely death—all make a difference to the quality of our life as lived, as experienced, by us as individuals. As the same is true of those animals that concern us, . . . they too must be viewed as the experiencing subject of a life, with inherent value of their own.

Some there are who resist the idea that animals have inherent value. "Only humans have such value," profess. How might this narrow view be defended? Shall we say that only humans have the requisite intelligence or autonomy, or reason? But there are many, many humans who fail to meet these standards and yet are reasonably viewed as having value above and beyond their usefulness to others. Shall we claim that only humans belong to the right species, the species *Homo sapiens*? But this is blatant speciesism. Will it be said, then, that all—and only—humans have immortal souls? Then our opponents have their work cut out for them. I myself not ill-disposed to the proposition that there are immortal souls. Personally, I profoundly hope I have one. But I would not want to rest my position on a controversial ethical issue on the even more controversial question about who or what has an immortal soul. That is to dig one's hole deeper, not to climb out. Rationality is better to resolve moral issues without making more controversial assumptions than are needed. The question of who has inherent value is such a question, one that is resolved more rationally without the introduction of the idea of immortal souls than by its use.

Well, perhaps some will say that animals have some inherent value, only less than we have. Once again, however, attempts to defend this view can be shown to lack rational justification. What could be the basis of our having more inherent value than animals? Their lack of reason, or autonomy, or intellect? Only if we are willing to make the same judgment in the case of humans who are similarly deficient. But it is not true that such humans—the retarded child, for example, or the mentally deranged—have less inherent value than you or I. Neither, then, can we rationally sustain the view that animals, like them in being the experiencing subjects of a life, have less inherent value. All who have inherent value have it equally, whether they be human animals or not.

Inherent value, then, belongs equally to those who are the experiencing subjects of a life. Whether it belongs to others—to rocks and rivers, trees and glaciers, for example—we do not know and may never know. But neither do we need to know, if we are to make the case for animal rights. We do not need to know, for example, how many people are eligible to vote in the next presidential election before we can know whether I am. Similarly, we do not need to know how many individuals have inherent value before we can know that some do. When it comes to the case for animal rights, then, what we need to know is whether the animals that, in our culture, are routinely eaten, hunted and used in our laboratories, for example, are like us in being subjects of a life. And we do know this. We do know that many—literally, billions and billions—of these animals are the subjects of our duties in the sense explained and so have inherent value if we do. And since, in order to arrive at the best theory of our duties to one another, we must recognize our equal inherent value as individuals, reason—not sentiment, not emotion—reason compels us to recognize the equal inherent value of these animals and, with this, their equal right to be treated with respect.

That, very roughly, is the shape and feel of the case for animal rights. Most of the details of the supporting argument are missing. They are to be found in the book to which I alluded earlier. Here, the details go begging, and I must, in closing, limit myself to four final points.

The first is how the theory that underlies the case for animal rights shows that the animal rights movement is a part of, not antagonistic to, the human rights movement. The theory that rationally grounds the rights of animals also grounds the rights of humans. Thus those involved in the animal rights movement are partners in the struggle to secure respect for human rights—the rights of women, for example, or minorities, or workers. The animal rights movement is cut from the same moral cloth as these.

Second, having set out the broad outlines of the rights view, I can now say why its implications for . . . science, among other fields, are both clear and uncompromising. In the case of the use of animals in science, the rights view is categorically abolitionist. Lab animals are not our tasters; we are not their kings. Because these animals are treated routinely, systematically as if their value were reducible to their usefulness to others, they are routinely, systematically treated with a lack of respect, and thus are their rights routinely, systematically violated. This is just as true when they are used in trivial, duplicative, unnecessary or unwise research as it is when they are used in studies that hold out real promise of human benefits. We can't justify harming or killing a human being (my Aunt Bea, for example) just for these sorts of reason. Neither can we do so even in the case of so lowly a creature as a laboratory rat. It is not just refinement or reduction that is called for, not just larger, cleaner cages, not just more generous use of anesthetic or the elimination of multiple surgery, not just tidying up the system. It is complete replacement. The best we can do when it comes to using animals in science is—not to use them. That is where our duty lies, according to the rights view . . .

My last two points are about philosophy, my profession. It is, most obviously, no substitute for political action. The words I have written here and in other places by themselves don't change a thing. It is what we do with the thoughts that the words express—our acts, our deeds—that changes things. All that philosophy can do, and all I have attempted, is to offer a vision of what our deeds should aim at. And the why. But not the how.

Finally, I am reminded of my thoughtful critic, the one I mentioned earlier, who chastised me for being too cerebral. Well, cerebral I have been: indirect duty views, utilitarianism, contractarianism—hardly the stuff deep passions are made of. I am also reminded, however, of the image another friend once set before me—the image of the ballerina as expressive of disciplined passion. Long hours of sweat and toil, of loneliness and practice, of doubt and fatigue: those are the discipline of her craft. But the passion is there too, the fierce drive to excel, to speak through her body, to do it right, to pierce our minds. That is the image of philosophy I would leave with you, not “too cerebral” but disciplined passion. Of the discipline enough has been seen. As for the passion: there are times, and these not infrequent, when tears come to my eyes when I see, or read, or hear of the wretched plight of animals in the hands of humans. Their pain, their suffering, their loneliness, their innocence, their death. Anger. Rage. Pity. Sorrow. Disgust. The whole creation groans under the weight of the evil we humans visit upon these mute, powerless creatures. It is our hearts, not just our heads, that call for an end to it all, that demand of us that we overcome, for them, the habits and forces behind their systematic oppression. All great movements, it is written, go through three stages: ridicule, discussion, adoption. It is the realization of this third stage, adoption, that requires both our passion and our discipline, our hearts and our heads. The fate of animals is in our hands. God grant we are equal to the task.

Journal/Discussion Questions

1. In your own life, what moral standing or importance do animals have? What difference does animal suffering make to you? How were you affected by Regan's article?
2. What does Regan mean by “indirect duty views”? What criticisms does he offer of them? In what ways do you agree/disagree with his criticisms?
3. According to Regan, what is “contractarianism”? What criticisms does he offer of the contractarian approach to morality?
4. Why, according to Regan, should we reject utilitarian approaches to the issue of our relationship to animals?
5. Why, according to Regan, is the rights view superior to all other approaches to the issue of our relationship to animals? Do you agree with Regan's assessment?

CARL COHEN

"The Case for the Use of Animals in Biomedical Research"

About the Author: Carl Cohen is Professor of Philosophy at the University of Michigan and also co-author of *The Animal Rights Debate* (Rowman and Littlefield, 2001), a point-counterpoint volume with Professor Tom Regan. He has also published many essays in moral and political philosophy in philosophical, medical, and legal journals.

About the Article: Cohen offers a strong defense of the moral appropriateness of using animals in biomedical research. He offers arguments against those who maintain that animals have rights and suggests that, if we consider consequences, we will realize that these too permit animal use in research.

As You Read, Consider This:

1. What arguments does Cohen advance against the claim that animals have rights?
2. Defenders of animal rights and welfare often charge their opponents with "speciesism." How does Cohen respond to that criticism?
3. What is Cohen's position on substitution and reduction of animal use in biomedical research?

Using animals as research subjects in medical investigations is widely condemned on two grounds: first, because it wrongly violates the rights of animals,¹ and second, because it wrongly imposes on sentient creatures much avoidable suffering.² Neither of these arguments is sound. The first relies on a mistaken understanding of rights; the second relies on a mistaken calculation of consequences. Both deserve definitive dismissal.

WHY ANIMALS HAVE NO RIGHTS

A right, properly understood, is a claim, or potential claim, that one party may exercise against another. The target against whom such a claim may be registered can be a single person, a group, a community, or (perhaps) all humankind. The content of rights claims also varies greatly: repayment of loans, nondiscrimination by employers, noninterference by the state, and so on. To comprehend any genuine right fully, therefore, we must know who holds the right, against whom it is held, and to what it is a right.

Alternative sources of rights add complexity. Some rights are grounded in constitution and law (e.g., the right of an accused to trial by jury); some rights are moral but give no legal claims (e.g., my right to your keeping the promise you gave me); and some rights (e.g., against theft or assault) are rooted both in morals and in law.

The differing targets, contents, and sources of rights, and their inevitable conflict, together weave a tangled web. Notwithstanding all such complications, this much is clear about rights in general: they are in every case claims, or potential claims, within a community of moral agents. Rights arise, and can be intelligibly defended, only among beings who actually do, or can, make moral claims against one another. Whatever else rights may be, therefore, they are necessarily human; their possessors are persons, human beings.

The attributes of human beings from which this moral capability arises have been described variously by philosophers, both ancient and modern: the inner consciousness of a free will (Saint Augustine)³; the grasp, by human reason, of the binding character of moral law (Saint Thomas)⁴; the self-conscious participation of human beings in an objective ethical order (Hegel)⁵; human membership in an organic moral community (Bradley)⁶; the development of the human self through the consciousness of other moral selves (Mead)⁷; and the intuitive, intuitive cognition of the rightness of an action (Prichard).⁸ Most influential has been Immanuel Kant's emphasis on the universal human possession of a uniquely moral will and the autonomy its use entails.⁹ Humans

confront choices that are purely moral; humans—but certainly not dogs or mice—lay down moral laws, for others and for themselves. Human beings are self-legislative, morally autonomous.

Animals (that is, nonhuman animals, the ordinary sense of that word) lack this capacity for free moral judgment. They are not beings of a kind capable of exercising or responding to moral claims. Animals therefore have no rights, and they can have none. This is the core of the argument about the alleged rights of animals. The holders of rights must have the capacity to comprehend rules of duty, governing all including themselves. In applying such rules, the holders of rights must recognize possible conflicts between what is in their own interest and what is just. Only in a community of beings capable of self-restricting moral judgments can the concept of a right be correctly invoked.

Humans have such moral capacities. They are in this sense self-legislative, are members of communities governed by moral rules, and do possess rights. Animals do not have such moral capacities. They are not morally self-legislative, cannot possibly be members of a truly moral community, and therefore cannot possess rights. In conducting research on animal subjects, therefore, we do not violate their rights, because they have none to violate.

To animate life, even in its simplest forms, we give a certain natural reverence. But the possession of rights presupposes a moral status not attained by the vast majority of living things. We must not infer, therefore, that a live being has, simply in being alive, a "right" to its life. The assertion that all animals, only because they are alive and have interests, also possess the "Right to life"¹⁰ is an abuse of that phrase, and wholly without warrant.

It does not follow from this, however, that we are morally free to do anything we please to animals. Certainly not. In our dealings with animals, as in our dealings with other human beings, we have obligations that do not arise from claims against us based on rights. Rights entail obligations, but many of the things one ought to do are in no way tied to another's entitlement. Rights and obligations are not reciprocals of one another, and it is a serious mistake to suppose that they are.

Illustrations are helpful. Obligations may arise from internal commitments made: physicians have obligations to their patients not grounded merely in their patients' rights. Teachers have such obligations to their students, shepherds to their dogs, and cowboys to their horses. Obligations may arise from differences of status: adults owe special care when playing with young children, and children owe special care when playing with young pets. Obligations may arise from special relationships: the payment of my son's college tuition is something to which he may have no right, although it may be my obligation to bear the burden if I reasonably can; my dog has no right to daily exercise and veterinary care, but I do have the obligation to provide these things for her. Obligations may arise from particular acts or circumstances: one may be obliged to another for a special kindness done, or obliged to put an animal out of its misery in view of its condition—although neither the human benefactor nor the dying animal may have had a claim of right.

Plainly, the grounds of our obligations to humans and to animals are manifold and cannot be formulated simply. Some hold that there is a general obligation to do no gratuitous harm to sentient creatures (the principle of nonmaleficence); some hold that there is a general obligation to do good to sentient creatures when that is reasonably within one's power (the principle of beneficence). In our dealings with animals, few will deny that we are at least obliged to act humanely—that is, to treat them with the decency and concern that we owe, as sensitive human beings, to other sentient creatures. To treat animals humanely, however, is not to treat them as humans or as the holders of rights.

A common objection, which deserves a response, may be paraphrased as follows:

If having rights requires being able to make moral claims, to grasp and apply moral laws, then many humans—the brain-damaged, the comatose, the senile—who plainly lack those capacities must be without rights. But that is absurd. This proves [the critic concludes] that rights do not depend on the presence of moral capacities.¹¹

This objection fails; it mistakenly treats an essential feature of humanity as though it were a screen for sorting humans. The capacity for moral judgment that distinguishes humans from animals is not a test to be administered to human beings one by one. Persons who are unable, because of some disability, to perform the full moral functions natural to human beings are certainly not for that reason ejected from the moral community.

The issue is one of kind. Humans are of such a kind that they may be the subject of experiments only with their voluntary consent. The choices they make freely must be respected. Animals are of such a kind that it is impossible for them, in principle, to give or withhold voluntary consent or to make a moral choice. What humans retain when disabled, animals have never had.

A second objection, also often made, may be paraphrased as follows:

Capacities will not succeed in distinguishing humans from the other animals. Animals also reason; animals also communicate with one another; animals also care passionately for their young; animals also exhibit desires and preferences.¹² Features of moral relevance—rationality, interdependence, and love—are not exhibited uniquely by human beings. Therefore [this critic concludes], there can be no solid moral distinction between humans and other animals.¹³

This criticism misses the central point. It is not the ability to communicate or to reason, or dependence on one another, or care for the young, or the exhibition of preference, or any such behavior that marks the critical divide. Analogies between human families and those of monkeys, or between human communities and those of wolves, and the like, are entirely beside the point. Patterns of conduct are not at issue. Animals do indeed exhibit remarkable behavior at times. Conditioning, fear, instinct, and intelligence all contribute to species survival. Membership in a community of moral agents nevertheless remains impossible for them. Actors subject to moral judgment must be capable of grasping the generality of an ethical premise in a practical syllogism. Humans act immorally often enough, but only they—never wolves or monkeys—can discern, by applying some moral rule to the facts of a case, that a given act ought or ought not to be performed. The moral restraints imposed by humans on themselves are thus highly abstract and are often in conflict with the self-interest of the agent. Communal behavior among animals, even when most intelligent and most endearing, does not approach autonomous morality in this fundamental sense.

Genuinely moral acts have an internal as well as an external dimension. Thus, in law, an act can be criminal only when the guilty deed, the *actus reus*, is done with a guilty mind, *mens rea*. No animal can ever commit a crime; bringing animals to criminal trial is the mark of primitive ignorance. The claims of moral right are similarly inapplicable to them. Does a lion have a right to eat a baby zebra? Does a baby zebra have a right not to be eaten? Such questions, mistakenly invoking the concept of right where it does not belong, do not make good sense. Those who condemn biomedical research because it violates "animal rights" commit the same blunder.

IN DEFENSE OF "SPECIESISM"

Abandoning reliance on animal rights, some critics resort instead to animal sentience—their feelings of pain and distress. We ought to desist from the imposition of pain insofar as we can. Since all or nearly all experimentation on animals does impose pain and could be readily forgone, say these critics, it should be stopped. The ends sought may be worthy, but those ends do not justify imposing agonies on humans, and by animals the agonies are felt no less. The laboratory use of animals (these critics conclude) must therefore be ended—or at least very sharply curtailed.

Argument of this variety is essentially utilitarian, often expressly so;¹⁴ it is based on the calculation of the net product, in pains and pleasures, resulting from experiments on animals. Jeremy Bentham, comparing horses and dogs with other sentient creatures, is thus commonly quoted: "The question is not, Can they reason? nor Can they talk? but, Can they suffer?"¹⁵

Animals certainly can suffer and surely ought not to be made to suffer needlessly. But in inferring, from these uncontroversial premises, that biomedical research causing animal distress is largely (or wholly) wrong the critic commits two serious errors.

The first error is the assumption, often explicitly defended, that all sentient animals have equal moral standing. Between a dog and a human being, according to this view, there is no moral difference; hence the pains suffered by dogs must be weighed no differently from the pains suffered by humans. To deny such equality

according to this critic, is to give unjust preference to one species over another; it is "speciesism." The most influential statement of this moral equality of species was made by Peter Singer:

The racist violates the principle of equality by giving greater weight to the interests of members of his own race when there is a clash between their interests and the interests of those of another race. The sexist violates the principle of equality by favoring the interests of his own sex. Similarly the speciesist allows the interests of his own species to override the greater interests of members of other species. The pattern is identical in each case.¹⁶

This argument is worse than unsound; it is atrocious. It draws an offensive moral conclusion from a deliberately devised verbal parallelism that is utterly specious. Racism has no rational ground whatever. Differing degrees of respect or concern for humans for no other reason than that they are members of different races is an injustice totally without foundation in the nature of the races themselves. Racists, even if acting on the basis of mistaken factual beliefs, do grave moral wrong precisely because there is no morally relevant distinction among the races. The supposition of such differences has led to outright horror. The same is true of the sexes, neither sex being entitled by right to greater respect or concern than the other. No dispute here.

Between species of animate life, however—between (for example) humans on the one hand and cats or rats on the other—the morally relevant differences are enormous and almost universally appreciated. Humans engage in moral reflection; humans are morally autonomous; humans are members of moral communities, recognizing just claims against their own interest. Human beings do have rights; theirs is a moral status very different from that of cats or rats.

I am a speciesist. Speciesism is not merely plausible; it is essential for right conduct, because those who will not make the morally relevant distinctions among species are almost certain, in consequence, to misapprehend their true obligations. The analogy between speciesism and racism is insidious. Every sensitive moral judgment requires that the differing natures of the beings to whom obligations are owed be considered. If all forms of animate life—or vertebrate animal life?—must be treated equally, and if therefore in evaluating a research program the pains of a rodent count equally with the pains of a human, we are forced to conclude (1) that neither humans nor rodents possess rights, or (2) that rodents possess all the rights that humans possess. Both alternatives are absurd. Yet one or the other must be swallowed if the moral equality of all species is to be defended.

Humans owe to other humans a degree of moral regard that cannot be owed to animals. Some humans take on the obligation to support and heal others, both humans and animals, as a principal duty in their lives; the fulfillment of that duty may require the sacrifice of many animals. If biomedical investigators abandon the effective pursuit of their professional objectives because they are convinced that they may not do to animals what the service of humans requires, they will fail, objectively, to do their duty. Refusing to recognize the moral differences among species is a sure path to calamity. (The largest animal rights group in the country is People for the Ethical Treatment of Animals; its co-director, Ingrid Newkirk, calls research using animal subjects "fascism" and "supremacism." "Animal liberationists do not separate out the human animal," she says, "so there is no rational basis for saying that a human being has special rights. A rat is a pig is a dog is a boy. They're all mammals.")¹⁷

Those who claim to base their objection to the use of animals in biomedical research on their reckoning of the net pleasures and pains produced make a second error, equally grave. Even if it were true—as it is surely not—that the pains of all animate beings must be counted equally, a cogent utilitarian calculation requires that we weigh all the consequences of the use, and of the non-use, of animals in laboratory research. Critics relying (however mistakenly) on animal rights may claim to ignore the beneficial results of such research, rights being trump cards to which interest and advantage must give way. But an argument that is explicitly framed in terms of interest and benefit for all over the long run must attend also to the disadvantageous consequences of not using animals in research, and to all the achievements attained and attainable only through their use. The sum of the benefits of their use is utterly beyond quantification. The elimination of horrible disease, the increase of longevity, the avoidance of great pain, the saving of lives, and the improvement of the quality of lives (for humans and for animals) achieved through research using animals is so incalculably great that the argument of these

critics, systematically pursued, establishes not their conclusion but its reverse: to refrain from using animals in biomedical research is, on utilitarian grounds, morally wrong.

When balancing the pleasures and pains resulting from the use of animals in research, we must not fail to place on the scales the terrible pains that would have resulted, would be suffered now, and would long continue had animals not been used. Every disease eliminated, every vaccine developed, every method of pain relief devised, every surgical procedure invented, every prosthetic device implanted—indeed, virtually every modern medical therapy is due, in part or in whole, to experimentation using animals. Nor may we ignore, in the balancing process, the predictable gains in human (and animal) well-being that are probably achievable in the future but that will not be achieved if the decision is made now to desist from such research or to curtail it.

Medical investigators are seldom insensitive to the distress their work may cause animal subjects. Opponents of research using animals are frequently insensitive to the cruelty of the results of the restrictions they would impose.¹⁸ Untold numbers of human beings—real persons, although not now identifiable—would suffer grievously as the consequence of this well-meaning but shortsighted tenderness. If the morally relevant differences between humans and animals are borne in mind, and if all relevant considerations are weighed, the calculation of long-term consequences must give overwhelming support for biomedical research using animals.

CONCLUDING REMARKS

Substitution. The humane treatment of animals requires that we desist from experimenting on them if we can accomplish the same result using alternative methods—in vitro experimentation, computer simulation, or others. Critics of some experiments using animals rightly make this point.

It would be a serious error to suppose, however, that alternative techniques could soon be used in most research now using live animal subjects. No other methods now on the horizon—or perhaps ever to be available—can fully replace the testing of a drug, a procedure, or a vaccine, in live organisms. The flood of new medical possibilities being opened by the successes of recombinant DNA technology will turn to a trickle if testing on live animals is forbidden. When initial trials entail great risks, there may be no forward movement whatever without the use of live animal subjects. In seeking knowledge that may prove critical in later clinical applications, the unavailability of animals for inquiry may spell complete stymie. In the United States, federal regulations require the testing of new drugs and other products on animals, for efficacy and safety, before human beings are exposed to them.¹⁹ We would not want it otherwise.

Every advance in medicine—every new drug, new operation, new therapy of any kind—must sooner or later be tried on a living being for the first time. That trial, controlled or uncontrolled, will be an experiment. The subject of that experiment, if it is not an animal, will be a human being. Prohibiting the use of live animals in biomedical research, therefore, or sharply restricting it, must result either in the blockage of much valuable research or in the replacement of animal subjects with human subjects. These are the consequences—unacceptable to most reasonable persons—of not using animals in research.

REDUCTION

Should we not at least reduce the use of animals in biomedical research? No, we should increase it, to avoid when feasible the use of humans as experimental subjects. Medical investigations putting human subjects at some risk are numerous and greatly varied. The risks run in such experiments are usually unavoidable, and (thanks to earlier experiments on animals) most such risks are minimal or moderate. But some experimental risks are substantial.

When an experimental protocol that entails substantial risk to humans comes before an institutional review board, what response is appropriate? The investigation, we may suppose, is promising and deserves support, so long as its human subjects are protected against unnecessary dangers. May not the investigators be fairly asked: Have you done all that you can to eliminate risk to humans by the extensive testing of that drug, that procedure, or that device on animals? To achieve maximal safety for humans we are right to require thorough experimentation on animal subjects before humans are involved.