

# The ethical foundation of our treatment of animals: to whom do we have moral obligations?

**MEGAN BEST**

**W**hat is it which morally distinguishes humans from animals? Some writers, those with what I will call 'animal equality' views, feel that their arguments are so strong that they put the onus on those with opposing positions to prove why animals should not receive moral status equal to humans. In reply, other writers seek to explain the grounds on which humans can be considered morally superior to animals. Despite the amount of time and emotion spent on this topic, I would claim that standard arguments in the animal equality debate fail to engage with the fundamental reason for our special treatment of humans. This foundation must be understood to see

why it is inevitable that we will treat animals differently from humans.

## **Background**

The animal equality movement has grown in response to the way animals are kept and used by our society. The raising of animals for food is now big business and it is estimated that over 100 million cows, pigs and sheep and over five billion chickens are slaughtered every year in the United States alone. In order to maximize profits, animals are often kept in confined and stressful environments.<sup>1</sup> An estimated 200 million animals are routinely used for laboratory

experiments around the world each year, often suffering pain and discomfort. Around 250 million wild animals are killed annually by hunters in the United States and over 650 different species are

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threatened with extinction.<sup>2</sup> This situation led defenders of animals to claim that, as creatures capable of suffering, animals deserve moral consideration. Philosophers supporting this position have labeled their opponents as 'speciesist'.

This term was introduced in a book by Richard Ryder in 1975, where he defined it as:

... the widespread discrimination that is practised by man against other species. Speciesism and racism both overlook or underestimate the similarities between the discriminator and those discriminated against.<sup>3</sup>

Peter Singer is responsible for popularizing the term in his 1975 publication, *Animal Liberation*, and thereby gave philosophical momentum to a budding animal liberation movement.

Although a number of arguments have been offered to explain why animals should be treated as morally equivalent to humans, the two most common ethical positions rely on utilitarianism, and the rights argument.

## Utilitarianism

Singer argues the case for animal equality on preference utilitarian grounds. Utilitarianism holds that in any situation the interests of all beings affected by an action must be considered equally. The founder of utilitarianism, Jeremy Bentham, further defined the scope of equal consideration as all sentient beings: "the question is not, Can they reason? Nor, Can they talk? But, Can they suffer?"<sup>4</sup> In doing this he explicitly included animals.

In *Animal Liberation*, Singer suggests that, although there are obviously important differences between humans and other animals, this does not mean that you cannot extend the basic principle of equality when reflecting on the consequences of an action. He says that equality does not demand equal or identical treatment, it requires equal consideration. For example, as a dog cannot lodge a vote, it is meaningless to talk of his right to have one. Equal consideration for different beings may lead to different treatment and different rights.<sup>5</sup>

Singer insists that the basic utilitarian idea of taking into account the interests of the being, whatever those interests may be, must, according to the principle of equality, be extended to all beings and not just to members of our own species. The limit of sentience is the only defensible boundary of concern for the interests of others. To his thinking, any other boundary (for example, membership of a particular gender, race or species) would be arbitrary.<sup>6</sup> This is because the capacity for suffering and

enjoyment is a prerequisite for having interests at all. It is a necessary and sufficient condition to be satisfied, before we can speak of interests in a meaningful way. He suggests that if we do not allow beings which are similar in all relevant respects to have similar treatment, but distinguish them according to their biological species, we are 'speciesist'.

Singer demonstrates what he sees as the error of speciesism by aligning it with racism and sexism. In each case, there is an inner group that justifies its exploitation of an outer group, by reference to a distinction that lacks real moral significance. But moral equality cannot logically be tied to factual equality, because there are enormous variations within the human race in appearance, intelligence, disposition and ability—yet we reject racism and sexism as immoral. Therefore, Singer claims, by analogy, speciesism must also be condemned.

### Rights

The view that animals have rights has been most clearly articulated by Tom Regan in *The Case for Animal Rights*.<sup>7</sup> His basic argument is as follows: only beings with inherent value have rights. Inherent value is the value that individuals have independent of their goodness or usefulness to others. Only subjects-of-a-life, those individuals who experience life over time and who are capable of having beliefs and desires, have inherent value. Inherent value morally

bars others from treating those who have it as mere resources. Although Regan realizes that the distinction between those animals which are and are not subjects-of-a-life is controversial, he believes that basically all mentally normal mammals of a year or more are subjects-of-a-life and thus have inherent value which allows them to have rights.<sup>8</sup> The rights which subjects-of-a-life hold are moral rights, not to be confused with legal rights, and are similar in function to Singer's concept of beings deserving of equal consideration.

Both Singer and Regan suggest that if we justify our differential treatment of animals on grounds such as their inability to talk or reason, we should be committed to treating in the same way those mem-

bers of our own species who, for example, have profound brain damage. I do not think that they are advocating the use of mentally retarded humans in, for example, experimentation, but merely making the point that to consider using animals but not humans with similar abilities is speciesist.

Regan and Singer are thorough in their chronicling of the ill-treatment of animals, in the areas of medical research and raising them for food. The stories are appalling, and their responses are similar, though for different reasons. Regan takes the categorically abolitionist response: regardless of the type of

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experiment, we should stop using animals for scientific experiments immediately, and adopt a vegetarian diet. Using an animal as a means to an end, such as your dinner, is a violation of that being's right to be treated with respect. Singer's position is different. He would not advocate abolition of animal use in experiments, because he theorizes that

“if a single experiment could cure a major disease, that experiment would be justifiable”.<sup>9</sup>

Even though a utilitarian would theoretically allow use of animals for food—if the animals lived happy, stress-free

lives before being painlessly killed—Singer nonetheless advocates vegetarianism. He cites the endemic infliction of suffering on animals in modern farming methods as his reason. No doubt to encourage us, he thoughtfully includes a tasty recipe for dal (lentil stew).<sup>10</sup>

### **Beyond sentience**

At this point, it is worth considering some philosophical views which seek to extend the boundary for ethical consideration even further. There are several such views. Albert Schweitzer and Paul Taylor would include non-sentient animals and inanimate natural objects in the ethical debate. Theorists such as Aldo Leopold and Arne Naess argue for a ‘deep ecological ethic’, which seeks to

include ecological systems and the biosphere as a whole in our moral deliberations. They seek to establish intrinsic value for these things in complexity and diversity. Recently there has also been consideration, by authors such as Clark Glymour, of the ethics of how one should treat machines endowed with artificial intelligence. At this point, I find myself agreeing with Singer and Regan. Singer finds these arguments problematic as they use premises which are articulated in metaphorical language, which are then expanded as if they were literally true.<sup>11</sup> Regan would see our obligations to these groups in terms of indirect duties to humanity.<sup>12</sup>

### **What is wrong with animal equality arguments?**

#### *1. Sentience as the boundary*

Singer argues, as a utilitarian, that the only defensible boundary for moral consideration is sentience. But is this true? We know that some humans are born with an inability to experience sensation,<sup>13</sup> but we do not thereby disqualify them from having moral significance. Also, Singer restricts his hypothesis for animal pain to those with a physiology similar to ours, but lower animals and even plants are associated with stimulus-response connections.<sup>14</sup> Are they morally equal to us? Even Bentham's disciple, John Stuart Mill, had trouble accepting the threshold model

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of sentience,<sup>15</sup> holding that “it is better to be a human being dissatisfied than a pig satisfied”.<sup>16</sup> It is doubtful that Singer can justify restricting equality of consideration to higher animals if he wants to use sentience as the standard.

While the experience of pain and pleasure is significant to those involved, many authors would see this significance as lying in the contribution to more substantial ends, such as human flourishing. Others consider it an arbitrarily narrow account of what makes something morally significant. (I will consider possible alternatives for grounding moral significance below.) Williams points out that if our main concern is keeping down the level of pain, we should spend our time policing nature.<sup>17</sup> Singer has considered the possibility of eliminating carnivores. He rejected the proposal because of a lack of confidence in our capacity for ecological management.<sup>18</sup>

Questions remain as to whether Singer’s proposal to avoid pain for sentient animals is realistic. His concept of pain itself also needs examination. The things that cause human beings suffering and pain, are often very different from the things that cause animals pain. However, Singer’s approach ‘flattens them down’, so that we are less likely to notice the differences and are more likely to think in terms of only a certain range of human ‘pains’.

With regard to Singer’s consequentialist reasoning, there are many objections which could be made. Suffice it to say that

ethics must involve more than a calculation of the likely consequences of an action. There are things other than consequences, such as justice, which determine whether an action is right. I shall explore some of the implications of basing the argument on utilitarianism below.

## 2. The problem of difficult choices

Regan holds a position which respects the value of individuals, but he does not provide any guiding principle for action in cases where values conflict. He mentions an example of a lifeboat which contains five survivors, but can only support four. All have approximately equal weight and mass. Four of the five are normal adult human beings, the fifth is a dog. One must be thrown overboard or all will perish. Who should it be?<sup>19</sup> Regan argues that we should kill the dog, no matter who the dog or the humans are. This is because the death of a human is always a greater *prima facie* loss than that of a dog. Death for the dog, though a harm, is not comparable to the harm that death would be for any of the humans. To throw any one of the humans overboard, to face certain death, would be to make that individual worse off (it would cause that individual a greater harm) than the harm that would be done to the dog if the animal was thrown overboard. He goes so far as to suggest that

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this would be true if the choice had to be made between the four humans and any number of dogs. He argues that a human being is made worse off by being killed than a dog, no matter who the dog or the human is, because humans can aspire to things that animals can't. The value of these aspirations, he goes on, play a morally significant part in determining the severity of the harm that death is.<sup>20</sup>

Gruen questions this reasoning. She thinks it is not obvious, as Regan would suggest, that the difference between the aspirations of a human and a dog are morally significant. The desires of both (whether to write a play or run by the river) are thwarted equally by being killed (that is, totally), and surely, from the individual's perspective, they are equally important. One can only say the human is worse off by deciding that writing a

play is more important than running by the river. But surely it isn't more important for the dog. Regan seems to be suggesting that even though we are all equal, some are more equal than others, even though he is trying to preserve the value of the individual apart from any consideration of his usefulness or value to others. He is not consistent in his prescription for action.<sup>21</sup>

A further objection to Regan lies in

his use of rights as the grounding of his argument. Room does not allow a detailed analysis of rights theory here, but we may observe that Williams thinks rights are best explained in terms of assuring expectations, a consideration that does not apply to animals.<sup>22</sup>

Gruen also considers the lifeboat filled with utilitarians. She demonstrates that the utilitarian view works well when the moral decision is between bringing about more or less pain or pleasure, but there are problems when killing is involved. This time, the situation is more complex because all the consequences of an action need to be considered. We could simplify the situation by assuming that all friends and family are lost and therefore not affected, and that painless killing of the victim will be possible before the victim is dumped in the ocean. A classical utilitarian will choose the individual whose prospects for happiness now and in the future are least. Since dogs are generally easily satisfied, that means one of the humans should be thrown overboard. However, Singer's preference utilitarianism allows him to argue that self-conscious, rational human beings are capable of having a specific preference for continued existence (in contrast to dogs), thus reaching a conclusion similar to Regan.<sup>23</sup>

Singer makes a point of not focussing on the killing of animals in *Animal Liberation*.<sup>24</sup> However, he acknowledges that within the confines of his ethic, it would still be possible to hold the view

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that it is worse to kill a normal adult human than an animal.<sup>25</sup> This is not because of an inherent property of the human, but because of his increased abilities and capacities, and the consequences of his death for other humans who care for the victim or who will fear for their own lives. Whatever criteria are chosen, Singer claims he will not follow the boundary of our own species. This claim is weakened by his admission that it would be genuinely difficult to decide to kill a baboon to save the life of a child despite many utilitarian arguments to support it.<sup>26</sup> Thus Singer is also inconsistent in his prescriptions.

### 3. *Speciesism*

Both Regan and Singer reject the notion that differences in species can or should provide sufficient reasons, in themselves, to ground major differences in moral significance. They charge their opponents with speciesism, which Singer defines as “a prejudice or attitude of bias in favour of the interests of members of one’s own species and against those of members of other species”.<sup>27</sup>

Regan and Singer are correct in denouncing speciesism, which is by itself unjustifiable. However I question whether that is really the argument of their opponents. We shall look at alternative arguments, but I shall first consider the idea of speciesism.

Does any differentiation between species, purely on the basis that they are different species, count as prejudice or

bias? Or are some differentiations reasonable, while others are not? Mary Midgley has suggested that discernment of differences is not always unjust, and may at times be crucial. It is possible to know how to treat a human without knowing their race, but with an animal, to know the species is absolutely essential. We do animals a great disservice if we overlook their differences.<sup>28</sup> I would argue that there are important differences between races and between the sexes which also should be considered in our treatment of each group. As well as the obvious physical appearance, characteristics such as distribution of health risks are known to differ between races, and behavioural norms vary enormously. It would be foolish to argue that such differences cannot be significant. For example, it is well known that certain inherited disorders occur with increased frequency in specific ethnic groups<sup>29</sup> and these need to be taken into consideration in the treatment of patients with a possible genetic disorder. But consideration of such interests tends to be appreciated rather than vilified, and is not labeled as racist. Such differentiation is permissible.

Similarly, Bernard Williams suggests that it is not absurd for human beings to see the world from a human point of view. It is understandable and does not imply that we think human beings are the

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most valuable creatures in the universe.

To suppose that (we think this) is to make the mistake of identifying the point of view of the universe and the human point of view. No-one should make any claims about the importance of human beings to the universe: the point is about the importance of human beings to human beings.<sup>30</sup>

He suggests that speciesism could also be called humanism, without the prejudice.

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Singer acknowledges that differences in species can entail differences in rights, which is why he carefully calls for equal consideration rather than equal treatment. He agrees that in view of the actual variations amongst human beings, the demand for equality cannot be based in 'factual', by which he means 'qualitative', equality. Therefore he suggests that "the principle of the equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat human beings".<sup>31</sup>

Scarlett, on the other hand, thinks that if we can do away with factual differences and merely prescribe, animal liberation is no better placed than stuffed toy liberation. He insists that the onus is on Singer's camp to show the factual basis underpinning his prescriptions. He claims that it is Singer who is

biased.<sup>32</sup> At this point, the debate seems to have lost its way.

Perhaps the problem lies in the use of terminology. Consider Singer's definition of speciesism, above. Since prejudices and biases are considered bad by definition, he is simply stating that speciesism is a bad thing, and therefore indefensible by definition. Perhaps the use of terms such as racism, sexism and speciesism is unhelpful, as the negative connotations can obscure the benefits of recognizing distinguishing features between groups. Of course it is easy to argue that discrimination against these groups, purely on the basis of group membership, is unjustified. However, I think the Singer-Regan accusation is unnecessary, because nowhere have their opponents seriously maintained that it is biological species only which determines moral significance.

#### *4. Need for a different approach?*

Some philosophers think that the foregoing discussion misses the point entirely. The Singer-Regan approach makes it hard to see what is important either in our relationship with other human beings or in our relationship with animals.

Cora Diamond writes that to begin a discussion of animal equality by asking why we do not treat people as we do animals is a total mistake, because it ignores quite central facts which make it clear that rights are not what is crucial. Her discussion is limited to eating ani-

mals, though her arguments apply to other uses of animals as well.

Diamond points out that we do not eat our dead, except under extreme duress and with great reluctance. This is not a consequence of our reluctance to kill humans for food, or our unwillingness to cause distress to people. By focussing on our reasons for not killing people or our reasons for not causing them to suffer we run the risk of omitting from our discussion the fundamental features of our relationship to other human beings which are involved in our not eating them.<sup>33</sup>

If the Singer-Regan vegetarian's argument admitted that what underlies our attitude to dining on ourselves is the view that a person is not something to eat, he would not focus on a cow's right not to be killed or maltreated, as if that were the heart of it. In the discussion of speciesism and equality, there is a difference between humans and animals which is being ignored. Diamond says that it is a mark of the shallowness of these discussions that the only tool used in them to explain what differences in treatment are justified is the appeal to the capacities of the beings in question. It will (just) explain why the vegetarian may be consistent in not demanding votes for dogs while at the same time calling for equal consideration for them, but it will not do as an explanation why we give a funeral for a child two days old, but not a puppy.

We do treat some animals differently. We have pets and give them names. It is

not morally wrong to eat your pet, but people who did so would not have pets in the same sense of that term. A pet is not something to eat, because we give it some part of the character of a person. We do not treat them this way because it is in their interests, or because they have special capacities which makes it their due. In the same way it is not out of respect for the interests of beings in the human class that we give names to each other, or treat human sexuality or birth or death as we do, marking them as significant. And again, it is not respect for our interests which is involved in our not eating each other. These are all things that go to determine the sort of notion 'human being' is.

So too can we understand the difference between human beings and animals. "We learn what a human being is in—among other ways—sitting at a table where we eat them. We are around the table and they are on it." We do not learn the difference between human beings and animals by studying dolphins or appealing to DNA evidence to show 'the difference'. We know the difference is not all that deep, yet we create the concept of a difference knowing of the obvious similarities. The difference is a central concept for human life which is not found in mere description. Diamond sees the Singer-Regan type of argument not so much a defence of animals as an attack on significance in human life.<sup>34</sup>

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### Early defences

The initial response to the animal equality movement was defensive: attempts to prove that animals are not members of

the moral community and therefore humans have no moral obligation to them. Lacking Cora Diamond's insight, they tended to focus on one or more characteristics which were thought to differentiate non-humans from humans.

Traditional Christianity looks to the book of Genesis in the Bible, where God makes man in his image and gives mankind dominion over the creation, including the animals (Genesis 1:26-28). The concept of stewardship is thought by most Christians to involve responsibility for the physical creation as well as moral superiority. However, it is being made in God's image which primarily distinguishes mankind from all other life-forms.

For those who did not embrace the Christian tradition, animal rights rebuttals were originally focussed on measurable differences, such as tool use and brain size. These were soon countered by reports of animal equivalents. Some philosophers, notably Donald Davidson and R. G. Frey, argued that language is necessarily linked to thoughts, and thereby desires, and thereby moral status.<sup>35</sup> An enormous amount has been written about the behaviour of apes and whether language is a decisive difference

between them and humans. In particular, authors have debated the experience of Washoe the chimpanzee, who was raised as if she were a deaf human child and taught sign language. Her behaviour was considered to refute the language hypothesis.<sup>36</sup> It is interesting to note that Jane Goodall, who spent hundreds of hours observing chimpanzee behaviour in the wild and is regarded as an authority, does not share Singer's enthusiasm. In response to the story of Washoe, while making it clear that she regards the sign language learning as significant, she says that man's awareness of himself is very different from that of a chimpanzee and warns against over-interpretation of observed conduct. There is now a substantial body of critical material which has diminished the original enthusiasm for the ape language hypothesis.<sup>37</sup>

### Alternative arguments

As time has progressed, the arguments put forward to explain why humans are special have multiplied. Regan and Singer suggest that animals and humans share the same morally relevant characteristics which provide each with equal claims. Not so, we are told by many philosophers.

Frey now claims that the source of the greater value of human life is the complexity of our make-up. He refers to the increased opportunities for enrichment which human life contains, as well as dimensions which are absent from animal life. We may share some, but never

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all, of these features with animals.<sup>38</sup> Michael A. Fox considers human autonomy operating within the moral community to be the grounding of our moral superiority. He incorporates critical self-awareness, manipulation of complex concepts such as planning, choosing and accepting responsibility in this idea.<sup>39</sup>

Sir William Paton considers that there is one respect in which the human has become increasingly distant from the animal. This is the capacity to accumulate his experience by the spoken and printed word, allowing for successive generations to build on the achievements of their predecessors.<sup>40</sup> Tim Chappell explains humans' unique moral status by a three-step argument. Firstly, the flourishing of any being is determined by the type of being it is. Secondly, the well-being of different species can and often does conflict. Thirdly, the only species on earth capable of balancing the interests of different species is *homo sapiens*. These claims together put humans in a unique position, that of regulator, relative to the rest of nature.<sup>41</sup>

### Including the exceptions

My problem with the above arguments is that there are many humans whom I consider morally significant, but who do not have the opportunity to experience the distinctive characteristics listed. The group usually mentioned in the literature is the severely mentally handicapped. Authors such as Raimond Gaita

suggest that an ethic centred on the concept of human flourishing, for example, does not have the conceptual resources to keep all humans fully amongst us. "Only with bitter irony or unknowing condescension could one say [some severely afflicted people] had any chance of flourishing."<sup>42</sup>

Singer has often discussed some of the implications of using sentience as the boundary of moral significance. In his opinion, non-sentient humans are not deserving of equal moral consideration, and he is of the opinion that killing a disabled infant, for example, is not morally equivalent to killing a normal adult human.<sup>43</sup>

But such a statement goes against our instinct that killing a human being is different from killing an animal. Leon

Kass warns that repugnance, though not an argument, can be the inarticulate "emotional expression of deep wisdom" and "may be the only voice left that speaks up to defend the central core of our humanity" in contemporary society.<sup>44</sup>

John Quilter recognizes that specifying the meaning of the claim that human life is inherently valuable has proved difficult. He thinks it is useful to approach the topic through Immanuel Kant's notion that each human has unconditional worth. He disregards Kant's emphasis on the rationality of humans, firstly because many humans

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don't have it, but also because in seeking a foundation for human worth, one is placing a condition on it which renders it no longer unconditional. Quilter illustrates the reality of this unconditional worth in the functioning of taboo in our society.<sup>45</sup> As Diamond also pointed out, we don't eat dead humans, as we might an animal, even if we find them accidentally killed with the meat still fresh. Examples of this phenomenon are all

around us: we respect the dead, we mourn our loss, even in the case of babies which have not yet been born. Quilter rightly recognizes that we see violations of taboos such as cannibalism as signs of insanity, "so impenetrable is the idea that one of us could treat another ...so". We

see human beings as precious and treat them as such. This value is unconditional. It is not dependent on any of the characteristics mentioned above to differentiate moral standing. An infant, as one of us (which we are not defining in biological terms), is likewise precious and the recipient of similar respect.<sup>46</sup>

I think this is what some authors are trying to articulate when they point to human relationships as that which distinguishes us from animals.<sup>47</sup> Gaita sees loving human relationships as *conditioning* our understanding "that human beings are precious beyond reason and beyond merit".<sup>48</sup> The traditional biblical

concept of man made in the image of the relational God reiterates this theme. I think this is what Singer recognizes when he lists the consent of parents as a condition for using the organs of an anencephalic baby for transplantation, and admits that it may be preferable to use the organs of a baboon. He recognizes the likelihood that the suffering of the baby's family may be more intense and more long-lasting should she die.<sup>49</sup>

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## Conclusion

The Singer-Regan arguments for granting animals moral consideration equal to humans are, upon examination, inconsistent and misdirected. By focussing the discussion on capabilities of animals they (and many of their opponents) have failed to recognize fundamental and important features of our relationships with other human beings. As I have noted, I think that at some level Singer realizes this is the case. While difficult to articulate, these connections remain the foundation of the proposal that our relationships with animals must always be different from our relationships with other humans. Our arguments have to be grounded in a human point of view. As Williams said, they cannot be derived from a point of view that is no one's point of view at all.<sup>40</sup> **K**

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ENDNOTES

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- 5 P. Singer, *Animal Liberation*, Random House, New York, NY, 1975, p. 30.
- 6 *Ibid.*, p. 35.
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- 9 Singer, *Animal Liberation*, *op. cit.*, pp. 77-78.
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- 14 B. Scarlett, 'The moral uniqueness of the human animal', in D. S. Oderberg and J. A. Laing (eds.), *Human lives: Critical Essays on Consequentialist Bioethics*, Macmillan, Basingstoke, 1997, pp. 77-95, pp. 82-83.
- 15 The threshold model of sentience holds that the welfare of each sentient creature is considered, but beyond that no differences are recognized (*Ibid.*, p. 81).
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- 17 B. Williams, *Ethics and the Limits of Philosophy*, Fontana, London, 1985, p. 216.
- 18 Singer, *Animal Liberation*, *op. cit.*, pp. 225-6.
- 19 Regan, *The Case for Animal Rights*, *op. cit.*, p. 285.
- 20 *Ibid.*, pp. 324-5.
- 21 Gruen, *op. cit.*, p. 347.
- 22 Williams, *op. cit.*, pp. 174-196, 216.
- 23 Gruen, *op. cit.*, pp. 348-9.
- 24 P. Singer, *Animal Liberation*, *op. cit.*, pp. 42-46.
- 25 P. Singer, 'Xenotransplantation and speciesism', reprinted in H. Kuhse and P. Singer (eds.), *Bioethics: an Anthology*, Blackwell, Oxford, 1992, pp. 412-417, p. 412.
- 26 *Ibid.*, pp. 416-17.
- 27 Singer, *Animal Liberation*, *op. cit.*, p. 33.
- 28 M. Midgley, *Animals and Why they Matter*, Penguin Books, Harmondsworth, 1983, p. 98.
- 29 For example, haemoglobinopathies occur more frequently in African blacks, and Ashkenazi Jews are prone to a large number of inherited disorders.

- 30 Williams, *op. cit.*, pp. 118-19.
- 31 Singer, *Writings*, *op. cit.*, p. 31.
- 32 Scarlett, *op. cit.*, pp. 79-84.
- 33 C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, Bradford, Cambridge, MA, 1991, pp. 321-2.
- 34 *Ibid.*, pp. 324-5.
- 35 Gruen, *op. cit.*, p. 344.
- 36 Singer, *Writings*, *op. cit.*, pp. 79-80.
- 37 See Scarlett, *op. cit.*, pp. 88-89.
- 38 R. G. Frey, 'Morals and medicine', reprinted in H. Kuhse & P. Singer (eds.), *Bioethics: an Anthology*, Blackwell, Oxford, 1983, pp. 471-475.
- 39 M. Fox, *The Case for Animal Experimentation*, University of California Press, Berkeley, 1986, pp. 50-88.
- 40 W. Paton, 'Commentary from a vivisectioning Professor of Pharmacology', reprinted in H. Kuhse & P. Singer (eds.), *Bioethics: an Anthology*, Blackwells, Oxford, 1983, pp.476-478, p. 477.
- 41 T. Chappell, 'In defence of speciesism', in D. S. Oderberg and J. A. Laing (eds.), *Human Lives: Critical Essays on Consequentialist Bioethics*, Macmillan, Basingstoke, 1997, pp. 96-108, pp. 99-101.
- 42 R. Gaita, *A Common Humanity: Thinking about Love & Truth & Justice*, Text Publishing, Melbourne, 1999, p. 19.
- 43 Singer, *Writings*, *op. cit.*, pp. 189-193.
- 44 Fisher (1987), Gruen (*op. cit.*, p. 351) and Midgley (*op. cit.*, p. 43) make similar points.
- 45 J. Quilter, "'Sanctity" and "quality": where is the conflict?', *Bioethics Outlook*, 2000,11(2), pp. 1-8, p. 4.
- 46 *Ibid.*, pp. 4-5.
- 47 See H. T. Engelhard, Jr, 'The context of health care: persons, possessions, and states', reprinted in T.L. Beauchamp and L. Walters (eds.), *Contemporary Issues in Bioethics* (3rd ed.), Wadsworth, Belmont, CA, 1986, pp. 167-180, p. 172; and Gruen, *op. cit.*, p. 350.
- 48 Gaita, *op. cit.*, pp. 8, 23-27. Gaita also sees Kant's expression of the importance of our sense of the individual as a significant philosophical argument in this debate (p. 25).
- 49 Singer, 'Xenotransplantation', *op. cit.*, p. 416.
- 50 Williams, *op. cit.*, p. 119.

# Postscript: our treatment of animals

**MEGAN BEST**

Where does this discussion leave the issue of our treatment of animals? Even for a non-animal lover such as myself, it is easy to see that we should not treat them the way we, as a society, are treating them now. Lifeboat situations are unusual; our choices whether or not to eat meat or wear fur coats are rarely life-threatening. There are grounds for instituting laws which prescribe humane conditions for animals in captivity.

But what are the grounds to justify this treatment? Williams suggests that “a concern for nonhuman animals is indeed a proper part of human life, but we can acquire it, cultivate it, and teach it only in terms of our understanding of ourselves”.<sup>1</sup> Kant wrote that our duties to animals are indirect duties to humans. In order to preserve the right attitudes to mankind, we should not behave in inhumane ways toward animals.<sup>2</sup> Many authors agree with this position; Sprigge cites the desensitization of employees

involved with painful animal research as proof of the danger.<sup>3</sup>

The practical application of this position is less clear. Chappell thinks it translates into no hunting, no animal experimentation and no meat-eating.<sup>4</sup> While Williams agrees with humane treatment of animals, given a ‘realistic’ view of our and other animals’ relations to each other, he doesn’t see why we have to be vegetarian.<sup>5</sup> Diamond appeals to a sense of the ‘fellow creature’ to show why. She admits this argument would be without force in those with no fellow-creature response.<sup>6</sup> Myself, I will keep eating meat but pay the extra money for free-range chickens. The power of the individual to influence commerce is significant. Failing that, legislation for humane farming methods has already improved conditions for animals in some countries.

The justifying of animal experiments is more complex. We do not experiment only on animals. Paton counted 223 experiments with human subjects in just

one journal issue.<sup>7</sup> However, humans can consent to such procedures and they tend not to be painful.<sup>8</sup> Defenders of animals document the pointless nature of many experiments involving animals and rightly suggest they could be abandoned without cost.<sup>9</sup> On the other hand, it would be wrong to think we have received no benefit from animal experimentation. Without it we would not have the Salk vaccine, for instance.<sup>10</sup>

The issue comes down to balancing benefit of research, versus pain to the animal. Between abolitionists such as Regan and the current anything-goes position, I think the most thoughtful moderate position has been articulated by Sprigge. He suggests that, on the one hand, the effects of a complete ban on painful animal experimentation are uncertain as far as human welfare goes. On the other hand, the harm to the animals involved and to the desensitized researchers is undoubted. On balance, then, the latter points are decisive. He urges us to firstly support a policy of gradual reduction of painful experimentation aiming at a total ban in the future. Secondly, adequate living conditions must be mandatory for all research animals (this should allow for performance of normal behavioural patterns). He does not suggest that we cannot use research animals at all. Introduction of these measures alone will significantly improve their lot while avoiding the pitfalls of treating sentient beings as 'mere research tools'.<sup>11</sup>

These suggestions aim to allow us to continue to ground our position in a

human perspective while demonstrating an appropriate concern for animals. **K**

#### ENDNOTES

- 1 B. Williams, *Ethics and the Limits of Philosophy*. Fontana, London, 1985, p. 118.
- 2 I. Kant, 'Lectures on ethics', 1924, reprinted in H. Kuhse and P. Singer (eds.), *Bioethics: An Anthology*, Blackwell, Oxford, 1999, p. 459.
- 3 T. L. S. Sprigge, 'Animal experimentation in biomedical research: a critique', in R. Gillon (ed.), *Principles of Health Care Ethics*, John Wiley & Sons, Chichester, 1994, pp. 1053-1065, pp. 1059, 1063.
- 4 T. Chappell, 'In defence of speciesism', in D. S. Oderberg and J. A. Laing (eds.), *Human Lives: Critical Essays on Consequentialist Bioethics*, Macmillan, Basingstoke, 1997, pp. 96-108, p. 104.
- 5 Williams, *op. cit.*, pp. 118-9, 216.
- 6 C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, Bradford, Cambridge, MA, 1991, pp. 326-334.
- 7 W. Paton, 'Commentary from a vivisectioning Professor of Pharmacology', reprinted in H. Kuhse & P. Singer (eds.), *Bioethics: an Anthology*, Blackwells, Oxford, 1983, pp. 476-478, p. 478.
- 8 Issues pertaining to human experimentation are beyond the scope of this article.
- 9 P. Singer, *Writings on an Ethical Life*, Fourth Estate, London, 2000, pp. 47-56; Sprigge, *op. cit.*, p. 1054.
- 10 Salk vaccine is used for active immunization against poliomyelitis and was developed through experiments on monkeys.
- 11 Sprigge, *op. cit.*, pp. 1053-1065.