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ANIMAL ETHICS AROUND THE TURN OF  
THE TWENTY-FIRST CENTURY \*

A couple of decades after becoming a major area of both public and philosophical concern, animal ethics continues its inroads into mainstream consciousness. Increasingly, philosophers, ethicists, professionals who use animals, and the broader public confront specific ethical issues regarding human use of animals as well as more fundamental questions about animals' moral status. A parallel, related development is the explosion of interest in animals' mental lives, as seen in exciting new work in cognitive ethology<sup>1</sup> and in the plethora of movies, television commercials, and popular books featuring apparently intelligent animals.

As we approach the turn of the twenty-first century, philosophical animal ethics is an area of both increasing diversity and unrealized potential – a thesis supported by this essay as a whole. Following up on an earlier philosophical review of animal ethics (but without that review's focus on animal research),<sup>2</sup> the present article provides an updated narrative – one that offers some perspective on where we have been, a more detailed account of where we are, and a projection of where we might go. Each of the three major sections offers material that one is unlikely to find in other reviews of animal ethics: the first by viewing familiar territory in a different light (advancing the thesis that the utility-versus-rights debate in animal ethics is much less important than is generally thought); the second by reviewing major recent works that are not very well-known (at least

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<sup>1</sup> See, e.g., Dorothy L. Cheney and Robert M. Seyfarth, *How Monkeys See the World: Inside the Mind of Another Species* (Chicago: University of Chicago Press, 1990); and F. B. M. de Waal, *Good Natured: The Origins of Right and Wrong in Humans and Other Animals* (Cambridge, MA: Harvard University Press, 1996).

<sup>2</sup> David DeGrazia, "The Moral Status of Animals and Their Use in Research: A Philosophical Review," *Kennedy Institute of Ethics Journal* 1 (March 1991), 48–70.



to nonspecialists); and the third by identifying important issues that have been largely neglected.<sup>3</sup>

#### MOSTLY FAMILIAR TERRITORY – IN A DIFFERENT LIGHT

Where has philosophical animal ethics been prior to the 1990s? Most discussions have apparently perceived the issues of animal ethics through the perspectives developed by Peter Singer and R. G. Frey, both utilitarians, and Tom Regan, who defends nearly absolute rights for animals.<sup>4</sup> In effect, a utility-versus-rights debate has clamored loudly in the literature.

But the utility-versus-rights debate, at least in the animals arena, is much ado about little. The relative merits of utilitarianism and rights theories was a major issue in general ethical theory (not just as applied to animals) in the 1970s and, to some extent, the 1980s. Presently, however, ethical theorists tend to have much less confidence in the general project of trying to corner the market on ethical insight with a single overarching principle – whether that of Utility, Regan’s Respect Principle, a Principle of Respect for Persons, or some other. There are, additionally, widespread doubts about the normative adequacy of either utilitarianism or a rights theory that makes few concessions to consequentialist considerations.

More importantly, when seen from the proper perspective, utilitarianism and animal-rights views appear far more alike than different. Crucially, both extend to animals *a principle of equal consideration*. Any such principle requires that we (in some significant way) give equal moral weight to comparable interests, regardless of who has those interests. Utilitarianism counts equally the interests of everyone who has interests, including sentient animals, in stating that we must maximize good consequences. An animal-rights view (as philosophers understand this term) protects human and animal interests somewhat more rigorously, generally resisting the sacrifice of particular individuals in the name of the common good. Yet the vast majority of humanity (and apparently most philosophers) do *not* grant animals’ interests equal consideration; the status quo of animal use is not even close to being consistent with

<sup>3</sup> Perhaps only because they are less well-known, the major contributions of women philosophers are generally not reflected in reviews of animal ethics. Another distinguishing feature of the present review is its departure from this tendency.

<sup>4</sup> See Singer, *Animal Liberation* (New York: New York Review, 1975; second edition, 1990); Frey, *Interests and Rights: The Case Against Animals* (Oxford: Clarendon, 1981); and Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1983).

this principle. Thus the equal-consideration issue is vastly more important than the utility-versus-rights debate in animal ethics.

Finally, the normative specificity sought in the utility-versus-rights debate is not necessary to support a strong critique of the status quo. This point is demonstrated by the convergence – towards highly progressive conclusions – of a variety of leading theories about the moral status of animals, including those just mentioned and those of Mary Midgley and S. F. Sapontzis.

While the skirmishes among Singer, Frey, and Regan have perhaps been overplayed, the contributions of Midgley and Sapontzis have been, if anything, underappreciated.<sup>5</sup> Without providing an overarching theoretical framework, Midgley presents a view that bases moral status partly on social relations among individuals (not just on individuals' properties, such as sentience), identifies emotion as an important ethical tool, and takes animal welfare much more seriously than the status quo without embracing equal consideration. Meanwhile, Sapontzis offers a pragmatic, pluralistic view – drawing from considerations of utility, fairness, and virtue – from which he condemns current animal-consuming practices without quite being an abolitionist with respect to animal research.<sup>6</sup>

#### ANIMAL ETHICS IN THE 1990S

Where are we in the 1990s? To address this question, I will review three books from this decade that contribute substantially to philosophical animal ethics (despite being relatively unknown) and contrast my own recent book on this topic. This discussion will reinforce the thesis defended in the earlier review article that leading works in animal ethics are highly progressive and critical of the status quo (though, as we will see, one work represents an important exception). It will also support the thesis that animal ethics is becoming increasingly diversified – where the diversity is most evident at the level of the general theoretical frameworks and methods developed to address ethical issues concerning animals.<sup>7</sup>

<sup>5</sup> See Midgley, *Animals and Why They Matter* (Athens, GA: University of Georgia Press, 1984); and Sapontzis, *Morals, Reason, and Animals* (Philadelphia: Temple University Press, 1987).

<sup>6</sup> For a fuller discussion of their views, see “The Moral Status of Animals and Their Use in Research,” pp. 53–56, 63–64.

<sup>7</sup> The discussion of Rodd draws somewhat from my *Taking Animals Seriously: Mental Life and Moral Status* (Cambridge: Cambridge University Press, 1996), p. 8; the discussion of Carruthers, from *ibid.*, pp. 53–56, 112–115.

*Rodd's Biology, Ethics, and Animals*

The least systematic of the books reviewed here, Rosemary Rodd's *Biology, Ethics, and Animals* is nevertheless a very significant contribution.<sup>8</sup> Combining competence in biology and philosophy, Rodd approaches animal ethics with an advantage lacked by other major authors: a superior scientific understanding of animals generally (in terms of scientific methodology and evolutionary theory) and of specific animal species. This allows her, for example, to discredit various sceptical theses about animal mentation, comment knowledgeably about the animal-communication debate, and put into serious doubt the presumed human monopoly on moral agency and self-awareness. Adducing facts about genetics, Rodd also exerts terrific pressure on the view that membership in the homo sapiens species (as a biological, as opposed to social, matter) is morally significant.

In discussing ethical issues, the book is constructive in tone and content. Rather than marshalling an explicit philosophical case for a specific ethical framework, Rodd supports a strong animal-protection position with a constellation of considerations. These include genetic data suggesting the conventionality of species lines, various kinds of empirical evidence indicating significant cognitive and affective capacities in many species, reasons to believe that human-animal conflicts tend to be exaggerated, and considered moral judgments. As I understand it, her view recommends an engagement with animals that is enlightened by – and, in turn, enlightens – a good understanding of them, rather than a goal of mutual isolation.

Rodd's position might be best described as a modified animal-liberation ethic that endorses some partiality toward humans but attempts to minimize conflicts between humans and animals by way of better understanding the latter. She holds that the harming of (sentient) animals is justified only if (1) the animals harmed are proportionately compensated with benefits, or (2) harming animals is the only way to prevent death or serious harm to humans, in which case harms to the animals must be kept to an absolute minimum. Accordingly, she argues that “in any country where this book is likely to be read, the balance of interests is overwhelmingly upon the side of food animals and against humans who want to kill them in order to eat them.”<sup>9</sup> In addition, she does not oppose having pets but rather the irresponsible breeding that causes overpopulation. A nuanced discussion of pest control explores a variety of means for dealing with pests and emphasizes that some species can be controlled without lethal methods.

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<sup>8</sup> *Biology, Ethics, and Animals* (Oxford: Clarendon, 1990).

<sup>9</sup> *Ibid.*, p. 139.

Rodd's strength in biology is most apparent in her discussion of animal research, which features a remarkable set of suggested alternatives to the harmful use of sentient animals as well as ways to reduce the discomfort of those animals who are appropriately used. On the general topic of killing, she concludes that "killing conscious animals becomes a more serious wrong as the level of self-consciousness involved increases, but that death is a harm even for animals who only possess simple consciousness."<sup>10</sup>

Overall, Rodd's book contains a wealth of valuable information, fresh insights, and creative proposals for reforming the ways we treat animals while avoiding serious setbacks to human interests. Perhaps because the book is addressed in part to biologists, one shortcoming from a philosopher's standpoint is that, in places, one would expect more argumentation for central theses – such as the claim that death can be a harm to different degrees, and the harm principle itself with its two conditions (especially the second). Another difficulty is that sometimes rambling prose makes it challenging to follow lines of argument.

#### *Carruthers' The Animals Issue*

In contrast to the previous work, Peter Carruthers' *The Animals Issue* engages ethical theory very explicitly.<sup>11</sup> By way of methodology, Carruthers employs the coherence model of ethical justification (or the model of reflective equilibrium), which he summarily states in this way: "... our moral beliefs can only really be acceptable if they form part of a coherent body of such beliefs, linked together by general principles having at least a powerful intuitive appeal."<sup>12</sup>

Carruthers argues that neither Regan's animal-rights view nor utilitarianism can achieve the reflective equilibrium we should seek in trying to justify an ethical theory. The only theory that meets this test is a form of contractarianism, which understands morality in terms of an imaginary social contract constructed by rational agents. Now animals are not rational agents in the relevant sense of beings capable of devising and complying with contracts; they therefore do not have *rights* or *moral status* (concepts he conflates). In other words, moral agents – beings who have moral duties – do not have duties directed to animals or their interests; any duties regarding animals are justified by the promotion of human interests (as a duty not to slaughter your neighbor's dog might be an instance of a duty not to damage others' property).

<sup>10</sup> Ibid., p. 133.

<sup>11</sup> *The Animals Issue: Moral Theory in Practice* (Cambridge: Cambridge University Press, 1992).

<sup>12</sup> Ibid., p. 5.

As Carruthers is fully aware, his framework compels him to address two challenges: (1) to accommodate the considered moral judgment that wantonly harming animals is wrong; and (2) to handle the “problem of marginal cases” – in his terms, to vindicate the judgment that humans who are not rational agents (even potentially) nevertheless have rights or moral status.

In response to challenge (1), Carruthers first argues that wanton harm to animals assaults the sensibilities of animal lovers, providing some basis for accepting rules of restraint regarding animals (not abusing them in public, for example). In view of our stubborn conviction that, say, using a live cat as a dartboard is wrong even if the harm is inflicted in private – so that no cat lovers’ sensibilities are affected – Carruthers argues that even private abuse is wrong because it expresses bad character: “Such actions are wrong because they are cruel. They betray an indifference to suffering that may manifest itself . . . in that person’s dealings with other rational agents.”<sup>13</sup> Rational contractors, he contends, would insist not only on recognition of certain moral rules but also on the cultivation of certain virtues, such as sympathy.

Regarding the problem of marginal cases, Carruthers has two responses. The first is a slippery-slope argument. Humans who fall short of the criteria for rational agency cannot, in practice, be clearly distinguished from those who barely meet those criteria, for their appearances are too similar. Therefore, failure to confer rights on nonrational humans in drawing up the contract will invite errors about who has moral rights and will expose some rational humans to abuse. The same reasoning does not protect animals because they are, in practice, straightforwardly distinguished from humans. The second response is an argument from social stability: Due to natural affections, many people would be psychologically unable to comply with a rule that withholds rights from nonrational humans; only a policy conferring rights on the latter would permit a stable, cooperative community.

Carruthers believes the practical upshot of his theory protects the status quo of animal use. While torturing a dog for fun might be cruel, and might injure the sensibilities of animal lovers who know about the cruelty, the motives of, say, animal researchers and employees of factory farms are generally not cruel; such individuals typically want to earn a living. Hunting, he allows, may typically be cruel, but we should not permit interventions, such as those of hunt saboteurs, that aim to force people to improve their characters if they are not actually violating anyone’s rights.

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<sup>13</sup> Ibid., pp. 153–154.

Having made his essential case against animals, Carruthers tentatively advances a more radical thesis about animal minds: The experiences of animals are *non-conscious* and therefore *do not feel like anything*, implying that animals cannot even be *hurt*. (His preceding case against animals did not depend on this radical thesis and simply assumed – for the sake of argument and because he is uncertain about the radical thesis – that “higher” animals have conscious experiences.) The supporting arguments are too technical to cover adequately in a short review, but two points are worth noting. First, part of the inspiration for his counterintuitive thesis is blindsight. Blindsighted humans, who have incurred lesions in the visual cortex, insist that they see nothing in part of their visual field, yet prove quite good at describing features of objects presented in that area. These people, it seems, have visual experiences that are non-conscious. Might all animal experiences be like that? Here we must note a crucial definition: “[A] conscious experience is a state whose existence and content are available to be consciously thought about (that is, available for description in acts of thinking that are themselves made available to further acts of thinking).”<sup>14</sup> He denies that there is evidence that animals can think about their thinkings in this way.

Carruthers’ concise and thoughtful book is arguably the strongest published case against animals – one that challenges not only the extension of equal consideration to animals, but even the more modest thesis that animals have *some* moral status (that their interests matter morally in their own right and not just because of effects on human interests). His engagement with ethical theory is relatively in-depth, and his replies to the problem of marginal cases enjoy at least initial plausibility. On the other hand, his discussions of animals’ mental capacities are vitiated by a very weak command of the empirical literature (in stark contrast to Rodd, for example). At this point, let me indicate a few possible lines of criticism in response to Carruthers’ major claims.

Contract theories generally have difficulty with both the moral status of animals and the problem of marginal cases. Carruthers’ character-expressive approach to the former confronts the problem that, if animals really have no moral status at all, it is unclear why brutalizing a horse expresses a bad character any more than tearing up a newspaper does. Carruthers states that cruel actions betray an indifference to suffering *that may manifest itself in interactions with humans*.<sup>15</sup> But in his first reply to the problem of marginal cases, he stresses the *ease* with which we distin-

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<sup>14</sup> Ibid., p. 181.

<sup>15</sup> Remember that he does not hinge his basic case against animals on the radical thesis, which implies that animals cannot suffer.

guish humans and animals, seemingly undercutting his own grounds for condemning cruelty to animals.

On marginal cases, Carruthers seems less vulnerable. But one might note a mismatch between our confident judgment that treating nonrational humans the way we currently treat animals is wrong and the more speculative empirical judgments upon which Carruthers' hangs his slippery-slope argument and argument from social stability. One might also believe it would be unjustified to withhold rights from nonrational humans even in a society where people were extraordinarily good at judging rationality and were untroubled by the exclusion of some humans from the class of right-holders.

Finally, let me gesture at three of several ways Carruthers' radical thesis about animal minds might be challenged. First, blindsighted humans actually perform *less* well than normal-sighted humans on visual discrimination tasks, as Carruthers notes.<sup>16</sup> This hints that consciousness – though not essential to all cognition – may improve cognitive performance, providing a reason why natural selection might have produced “higher” animals with the capacity for consciousness. Second, given evolutionary continuity, behavioral and neurological analogues between humans (who are conscious) and many animals support the commonsense claim that these animals also have conscious states; here Carruthers' neglect of empirical evidence is significant. Third, his definition of “conscious” (even when modified to avoid circularity) seems over-intellectualized, apparently conflating consciousness with either *thinking* or *self-consciousness*. Conflating consciousness with thinking is problematic because the latter is not *sufficient* for consciousness (since thinking can occur without awareness); conflating consciousness with self-consciousness is mistaken because the latter is not *necessary* for consciousness (since nothing in the bare concept of awareness entails awareness, specifically, of a self).

### *Pluhar's Beyond Prejudice*

Evelyn Pluhar's *Beyond Prejudice* is an exceptionally scholarly, meticulously argued book that defends an animal-rights view – one that would protect animals' interests at least as strongly as Regan's rights view, though on a different basis.<sup>17</sup>

Pluhar devotes two lengthy chapters to the problem of marginal cases, painstakingly elaborating and responding to a wide variety of strategies to maintain, despite this problem, that humans are uniquely morally

<sup>16</sup> *The Animals Issue*, p. 172.

<sup>17</sup> Evelyn B. Pluhar, *Beyond Prejudice: The Moral Significance of Human and Nonhuman Animals* (Durham, NC: Duke University Press, 1995).

important. Her replies to these strategies are very confident; for example, she concludes that Carruthers' efforts to handle the problem are hopeless. Another chapter counters arguments in favor of a human-centered ethic (speciesism) as well as the subtler "full-personhood" view, according to which only (full) persons have maximum moral significance – that is, basic rights including a right to life.

One alternative to these rejected views is utilitarianism. Pluhar's sustained critique of this theory is remarkable less for the familiar justice-based criticisms than for the pressure it puts on utilitarianism to account plausibly for the value of different lives: young and old, conscious and self-conscious, and (most problematically) actual and potential lives. Contrary to a thesis of this article, Pluhar thinks the utility-versus-rights debate is very important to animal ethics and she contends that utilitarianism cannot provide adequate protection for individual bearers of moral status.

Importantly, Pluhar's earlier discussion of the problem of marginal cases distinguished two arguments advanced by opponents of speciesism and the full-personhood view: (1) the biconditional version, which states that some animals have rights *if and only if* humans who lack certain human-typical properties (e.g., rational agency) have rights; and (2) the categorical version, which states that some animals have rights *just as* humans who lack the properties in question have rights. By adding to the biconditional version the assertion of rights on the part of animals and nonparadigm humans, the categorical version owes an argument for such rights.

But a solid case for animal rights, Pluhar contends, has not been provided by her predecessors. For example, Sapontzis' argument is ineffective against those who do not already ascribe some moral status to animals, while Regan's argument depends on reflective intuitions that are unlikely to be shared even after the argumentative dust settles. Against current theoretical trends, Pluhar's view represents ethical rationalism (the view that there are nonmoral considerations or facts that make ethics, or a particular ethical theory, rationally necessary).

Pluhar argues that Alan Gewirth's attempt to derive a moral principle from facts concerning purposive action is successful (with the help of some additional argumentation).<sup>18</sup> Gewirth's argument adopts the standpoint of an agent who reflects on the fact that, whenever she performs a purposive (intentional) action, she has some purpose. She must to some extent value this purpose and, therefore, her freedom and well-being, which are necessary conditions for action. Indeed, freedom and well-being

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<sup>18</sup> See Alan Gewirth, *Reason and Morality* (Chicago: University of Chicago Press, 1978).

are indispensable to the agent, who (from within her prudential standpoint) claims that she *must* have them – that she has *rights* to freedom and well-being – since it would contradict her claim that she must have them to hold that others *may* interfere with them. Because it is precisely *being an agent* that generates this rights-claim, the agent recognizes agency as necessary and sufficient for such a right and universalizes the rights-claim to all agents. The consequence is a moral principle requiring us to honor every agent’s rights to freedom and well-being. (It should be noted that this sketch of Gewirth’s argument neglects much of its subtlety and elaboration, and that Pluhar responds to some likely objections with further arguments that cannot be recapitulated here.<sup>19</sup>)

Contrary to Gewirth’s assumption, however, not only humans are agents. Pluhar stresses Gewirth’s own conception of agents as *individuals who act with purposes or desires they want to have satisfied – conative beings*. Not all agents are of the highly reflective sort who can work through Gewirth’s derivation; empirical evidence supports the claim that mammals, probably birds, and possibly some other vertebrates act purposefully. In the end, Pluhar ascribes to mammals and birds (nonabsolute) rights to freedom, to life, and not to be caused to suffer. She speculates that some vertebrates may be sentient but not conative or capable of purposive action; if so, they deserve moral consideration even if less than that due to right-holders.

Pluhar’s animal-rights view has far-reaching implications. We must, on this view, change the way we think about “higher” animals and discontinue practices that routinely exploit them, including factory farming, animal research, and sport hunting. But having pets is not wrong if they are treated well enough; nor is harvesting eggs and milk on farms that give animals excellent lives and allow them to die naturally. In both cases, the human-nonhuman relationships are mutually beneficial. In some rare, desperate circumstances, even killing animals for food is justified, because the right to life is not absolute. These conclusions are consistent with the claim that conative beings share maximum moral significance, Pluhar argues, because even human rights are not absolute and can be overridden in certain rare circumstances.

Pluhar’s book is without question an important contribution, one that will be especially welcomed by those seeking the most extensive changes in practices involving animals. The very thorough (if a bit tedious) treatment of the problem of marginal cases and the critique of human-centered ethical systems constitute a major challenge to traditional thinking about animals. The criticisms of the views of Singer, Sapontzis, and Regan are

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<sup>19</sup> For Pluhar’s discussion of Gewirth’s argument, see *Beyond Prejudice*, pp. 240–248.

also quite powerful; readers who are generally sympathetic to Regan's view may find Pluhar's case for animal rights a firmer foundation. Moreover, her discussion of animals' mental capacities is much more informed than Carruthers' claims on the matter, for example.

At the same time, some might be unconvinced that the problem of marginal cases is quite as central to animal ethics as Pluhar contends. Regarding her case for animal rights, while I believe Gewirth's derivation is stronger than most commentators seem to think,<sup>20</sup> I suspect it contains at least one non sequitur. Lacking the space to address the issue here, I simply note that Pluhar's critique of Regan's comparatively intuitive approach to ethical justification puts pressure on her to produce a foundation that is solid by rationalist standards. Readers may judge for themselves whether the Gewirthian derivation is compelling.

On the topic of animal minds, I believe one could improve on Pluhar's findings. First, contrary to her contention, there is very good evidence that vertebrates other than mammals and birds have emotional states (e.g., fear, suffering) as well as desires and beliefs of the sort that produce intentional action (see next section). Second, the very idea of nonconative, sentient beings might not make sense. Assuming sentience entails the capacity to feel pleasure and pain, and the plausible thesis that these states implicate a desire (other things equal) for the states to continue or discontinue, it follows that sentient beings have desires. Further, the capacity to have agreeable and disagreeable mental states would seem to confer no selective advantage without the capacity to act purposively in response to those states. But such concerns are fairly minor.

One more reaction: The book might have benefitted from substantial trimming (and perhaps the removal of some of the hundreds of exclamation points).

### *Taking Animals Seriously*

While different in important respects from the books just outlined, my own contribution to this literature is somewhat similar to Carruthers' by way of methodology in ethics, to Rodd's in the emphasis on animal minds, and to Pluhar's and Rodd's in challenging the status quo of animal use.<sup>21</sup> The overarching aim of *Taking Animals Seriously* is to offer a philosophically in-depth, empirically well-informed investigation of the mental life, well-being (welfare), and moral status of animals. Like Carruthers, I work from the coherence model of ethical justification, devoting a chapter to its

<sup>20</sup> See, e.g., Edward Regis, Jr. (ed.), *Gewirth's Ethical Rationalism: Critical Essays With a Reply by Alan Gewirth* (Chicago: University of Chicago Press, 1984).

<sup>21</sup> *Taking Animals Seriously*.

defense and elaboration. Unlike Carruthers, I hold that judgments likely to be biased by self-interest and openly contested in animal ethics are *not* candidates for “considered judgments” – judgments the model takes to be especially reliable and to have considerable epistemic weight in moral reasoning.<sup>22</sup>

Using the coherence model, I develop a case for a presumption in favor of extending the principle of equal consideration to all beings who have interests, including sentient animals. (Again, the principle requires that we – in some significant way – give equal moral weight to comparable interests, regardless of who has those interests). Part of the argument is that we cannot adequately account for our considered judgments about wantonly harming animals without the judgment that animals have moral status, so that their interests matter morally. Another key step invokes the principle of universalizability, which holds that we must treat relevantly similar cases similarly.

The presumption in favor of equal consideration can be rebutted only by a successful argument that animals are relevantly different from humans such that animals’ comparable interests deserve less-than-equal moral weight. Unlike Singer, Frey, Regan, and Pluhar, all of whom have equal-consideration views, I believe that the best arguments for and against equal consideration are closely matched. Examining what I take to be the seven best challenges to equal consideration, I contend that an ethical system that embraces the latter better achieves the theoretical virtues sought within the coherence model than any view that does not. I also stress that equal consideration is a rather vague idea that is compatible with a number of different theories; only with theoretical elaboration will it offer much guidance. And contrary to some critics of equal-consideration views, the principle does not entail equal treatment for humans and animals, the absence of morally interesting differences between them, or even a prohibition of all forms of partiality towards humans.

Still, the principle cuts major normative ice. For example, because avoiding suffering is plausibly considered a comparable interest of humans and animals – where the criteria of comparability are *prudential* (the question being whether roughly the same thing is at stake for different interest-bearers) – equal consideration implies that the presumption against causing animal suffering is as strong as that against causing human suffering. Very few animal-using practices currently meet this standard.

If equal consideration should extend to animals, we need to know more about which animal interests are comparable to certain human interests

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<sup>22</sup> For example, Carruthers treats as *axiomatic* the judgment “that human and animal lives cannot be weighed against one another” (op. cit., p. 9).

and therefore deserving of equal moral weight. Answers arrive by way of prudential value theory, which explores the nature of well-being and the related notions of benefits and harms, faring well and faring badly. But since leading value theories refer, at least in part, to mental states (e.g., enjoyment, suffering, desires), understanding animal well-being requires knowing about animal minds.

For this reason – and because the issues are of great independent interest – four chapters are devoted to the mental life of animals. A few conclusions follow. First, most or all vertebrates and probably some invertebrates (such as octopi and squid) have feelings, including pain, pleasure, and distress; most or all of these same animals can also experience fear, anxiety, and suffering. Second, animals who have feelings also have desires and beliefs that interact in ways that produce intentional actions; these animals are agents of at least a minimal sort. Third, self-awareness admits of different types (including bodily self-awareness, social self-awareness, and introspective awareness), each of which comes in degrees – and only introspective awareness might be exclusively human. Similarly, neither language nor moral agency is an all-or-nothing affair, and it appears that some apes and dolphins in very recent studies have achieved language, while some of their wild conspecifics have displayed rudiments of moral agency. Evidence is lacking, however, that any animals are autonomous (where autonomy requires the capacity to reflect critically on one's reasons for action).

Beginning with the concept of human well-being, the next chapter argues that standard desire-satisfaction accounts do not survive criticism: The satisfaction of desires proves neither necessary nor sufficient for advancing people's well-being. Remaining contenders are two versions of up-dated mental statism (which identifies well-being primarily in terms of agreeable mental states) and objectivism (which identifies well-being partly in terms of conditions that are independent of the subject's desires and values). The options of subjectivism and objectivism are then extended as competing accounts of animal well-being.

Most of the chapter addresses the comparative (prudential) value of human and animal lives. Intuitively, it might seem that death typically harms a human more than an animal – that the human loses more of value. But can this judgment be adequately defended, or is it a product of pro-human bias? (Parallel questions are raised for other major instrumental goods, such as freedom and functioning.) The issue is important. Equal-consideration views generally try to accommodate the thesis that human life takes moral precedence over animal life, at least in certain desperate situations (e.g., sinking-lifeboat scenarios); the underlying idea

is that a human's life-interest and a dog's, say, are *not* comparable, so that equal consideration does not grant their life-interests equal moral weight. However, a close examination of leading authors' supporting arguments finds all of them wanting. Assuming we should retain equal consideration, the chapter concludes, the only options are these: (1) make the comparative claim about the value of life, within a subjectivist account, and admit that most mammals are not covered by the argument; or (2) clearly and explicitly develop a cross-species, objectivist account that can vindicate the comparative claim for most or all animals.

Although *Taking Animals Seriously* is not primarily a work in "applied" ethics, a final chapter is devoted to practical issues in animal ethics. On the basis of a principle of nonmaleficence – that we should not cause unnecessary harm – and an understanding of ways in which animals can be harmed, several principles are specified that address killing, confining, disabling, and causing suffering. It is also argued that equal consideration does not generate an obligation to benefit wild animals by rescuing them from harm (as some have supposed); our general obligation to benefit those in need is discretionary in the sense that we may choose, among the many worthy causes, which ones to support. The practical conclusions include these: a condemnation of factory farming (which causes massive, unnecessary harm), a milder critique of traditional animal husbandry, and a call to consumers to make every reasonable effort to boycott the products of these institutions; standards for the keeping of pets, similar standards for the keeping of zoo animals, and the judgment that very few existing zoos meet these standards; and nearly absolute presumptions against killing or (harmfully) confining humans, Great Apes, or dolphins.

Most of the chapter's specified principles and practical conclusions (such as the condemnation of factory farming) do not depend on the admittedly controversial assumption that we must extend *fully equal* consideration to animals, requiring only the more modest premise that we must grant animals (or their interests) *serious* consideration. But some of the conclusions depend on equal consideration. This helps to show the following: (1) The status quo of our treatment of animals often fails to give their interests serious consideration; (2) The issues of (a) whether we must give animals serious consideration, and (b) whether we must go farther and extend equal consideration, are central to animal ethics; and (3) Taking sides on the utility-versus-rights debate (in which both sides agree on equal consideration) is not needed to justify major reforms and to describe some of the details of appropriate reform.

## ON THE HORIZON OF ANIMAL ETHICS

Where might animal ethics go from here, as we approach the turn of the twenty-first century? I address this open-ended query by asking four questions that strike me as very important despite their receiving almost no attention in the literature. (I do not suggest that these are the only worthwhile questions one might ask.) Together they support the thesis that animal ethics is an area of unrealized potential, while presenting a possible agenda for the future. My elaborations and suggestions will be very brief, for reasons of space.

*What Will Animal Ethics Learn from Feminist Theory?* Although feminist theory and philosophical animal ethics are both well-developed bodies of thought, there is relatively little engagement between them. I read much of the argumentation of Midgley's *Animals and Why They Matter* as driven by feminist reflections. A few other feminist philosophers have contributed substantially to animal ethics.<sup>23</sup> But their style of ethical, philosophical, and political analysis is often so different from that of most "mainstream" contributors to animal ethics that it may be challenging for members of either group to take full advantage of contributions by the other.

Here are a few quick reasons to think feminist theory has much to contribute to animal ethics. First, if there is a moral commitment that is common to feminists of all stripes, it is opposition to oppression (although different sorts of feminists have different criteria for what counts as oppressive).<sup>24</sup> Considering the numbers of animals used, the degree of harm they undergo, and the triviality of some of the human interests for the sake of which animals are harmed, there is a good case that animals are the most oppressed group on the planet. Second, feminist philosophers are unusually skilled at uncovering myths, ideologies, and rationalizations that serve to prop up oppressive practices. Although they have mainly applied such skills in countering sexism, feminists are also well-positioned to expose, say, the myth that meat is essential to good health, the ideology of speciesism itself, and any number of rationalizations for participating in practices that involve extensive, unnecessary harm to animals. Third, feminist ethicists often perceive ethical issues in ways that differ significantly from the perceptions of more traditional

<sup>23</sup> See, e.g., Carol J. Adams, *Neither Man nor Beast: Feminism and the Defense of Animals* (New York: Continuum, 1994); Josephine Donovan, "Animal Rights and Feminist Theory," *Signs* 15 (1990), 350–375; and Deborah Slicer, "Your Daughter or Your Dog?: A Feminist Assessment of the Animal Research Issue," *Hypatia* 6 (1991), 108–124.

<sup>24</sup> See Alison M. Jaggar, "Feminist Ethics: Projects, Problems, Prospects," in *Feminist Ethics*, ed. Claudia Card (Lawrence, KA: University Press of Kansas, 1991), p. 95.

ethicists. I cannot predict the variety of angles from which those steeped in feminist theory might approach animal ethics, but one possibility is that they would perceive fewer genuine human-animal conflicts than more traditional moral thinking encourages us to see.

*What are the respective roles of properties and relations in a determination of moral status?* Traditional metaphysics, at least since modern philosophy, tends to divide the world into *particulars*, their *properties*, and *relations* among them.<sup>25</sup> Suppose we take organisms to count as particulars and ask about the moral status of a particular rat, dog, or human. Interestingly, the justification for assigning moral status (or some level of moral status) to a being, according to nearly all of the animal ethics literature, appeals to the individual's *properties* – such as sentience, conation, agency, or personhood (the latter combining several properties).

But there is no logical requirement to construe moral status in this fashion, for it is possible to understand it as a function (at least partly) of *relations among individuals*. Indeed, I believe much feminist work construes moral status – or (though this may come to the same) the strength of our obligations to a being – in terms of social relations.

The implications of this option for animal ethics are potentially enormous. For example, to take up a claim from Midgley, less-than-equal consideration for animals might be justified by our having stronger social and emotional ties to the rest of humanity than we have to animals (with the exception of pets and other animals with whom we have especially close relationships).<sup>26</sup> Moreover, the problem of marginal cases would be mitigated and perhaps eliminated; social ties to nonparadigm humans could justify exempting them from any harmful uses to which animals are thought to be rightly subjected. Finally, partiality towards humans in the classic lifeboat scenario (in which either a human or a dog must be thrown overboard or else all will drown) might be justified by social relations without relying on questionable claims about the comparative value of different lives.

I would argue, however, that giving extensive weight to social bonds might dangerously destabilize the moral status of many humans: unloved loners, people from very different cultures or highly isolated countries, and humans in hypothetical scenarios where there is no recognition of a

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<sup>25</sup> See, e.g., Bertrand Russell, "The Philosophy of Logical Atomism," in *Logic and Knowledge*, ed. R. C. Marsh (London: Allen and Unwin, 1956), p. 37.

<sup>26</sup> Since Midgley made this claim long ago, why include the issue of the role of relations in determining moral status in this future-oriented section? I do so because most contributors to animal ethics have not taken the issue seriously and, consequently, the few discussions of it in the literature are not very developed.

human community. Further, if social relations are permitted as a basis for attributing moral status, one might ask why we may not subsume under this appeal – or make analogous appeals based on – considerations of race, religion, ethnicity, sexual orientation, or the like.

*How much can virtue ethics illuminate practical issues involving animals?* There are very few developed discussions of the role of virtue in animal ethics, a dearth that may seem odd considering the impressive revival of virtue ethics in recent years. One notable exception is Sapontzis' employment of virtue considerations in his pluralistic argument for animal liberation. Carruthers also appeals to virtue in his character-expressive account of obligations to avoid wanton harm to animals. Here and there one finds other minor exceptions.<sup>27</sup> Perhaps virtue ethics and philosophical animal ethics have intersected little because the latter is primarily concerned with fundamental issues on which consensus is lacking – such as the basic moral status of animals. Resolution of such fundamental, highly contested issues would seem to depend primarily on appeals to principles and perhaps theories, not virtues.

Still, there is much room for contributions from virtue ethics. For example, a study of *enabling virtues* (qualities that enable us to act rightly) may help us better understand how to manage conflicts between the values of adhering to principle and advocating for justice, on the one hand, and acting constructively and with toleration, on the other. And because we all, to some extent, participate in practices or use products that are connected with mistreatment of animals, how to negotiate the twists and turns of principle and complicity is another area where enabling virtues figure importantly.

But virtue does not only enable right action. Sometimes it is literally part of acting well. That is because *the manner in which one acts* – which expresses attitudes that manifest one's character – is subject to moral evaluation no less than one's action-type.<sup>28</sup> Suppose two researchers comply with their Institutional Animal Care and Use Committee's stringent requirements regarding the use of anesthesia and analgesia. One does so cheerfully, glad to live up to challenging ethical standards, while the other grudgingly and resentfully does the bare minimum to meet the requirements. On account of virtue, the two have not acted equally well.

<sup>27</sup> See, e.g., Lawrence C. Becker, "The Priority of Human Interests," in *Ethics and Animals*, eds. Harlan B. Miller and William H. Williams (Clifton, NJ: Humana, 1983), 225–242.

<sup>28</sup> Nancy Sherman, "The Place of Emotions in Morality," in *Identity, Character, and Morality: Essays in Moral Psychology*, eds. Owen Flanagan and Amelie O. Rorty (Cambridge, MA: MIT Press, 1990).

There are, I believe, several other potential connections between virtue and animal ethics, but the most important may be represented by the next and final question I raise.

*What is the role of respect in animal ethics?* In some ways, animals are like human children. Their mental capacities are more modest (in comparison with readers of this essay), they are easily exploited, and they often do not know their best interests. It is a reasonable conjecture that no nonhuman animals are *autonomous* beings – who are capable of critically evaluating their own desires and reasons for action. (If the reader disagrees, she may qualify the question above so that it addresses just those animals she considers nonautonomous.) Understandably, most of philosophical animal ethics has focussed on issues concerning the *harming* of animals and, to a lesser extent, the *benefitting* of animals. Is animal ethics fundamentally paternalistic in the sort of unobjectionable way in which we are paternalistic towards young children? Or do considerations of respect – not respect for autonomy, but some other kind – underlie duties that transcend concerns about harming, benefitting, and related concepts?

Consider a few scenarios. (A) A family dyes its white-haired poodle in the colors of the American flag on the Fourth of July and walks him in the town parade. The dog shows no signs of distress. (B) Zoo visitors laugh hysterically and point at gorillas as if they were mere objects of amusement. Due to one-way mirrors and other arrangements, the gorillas cannot see or hear the visitors' antics. (C) A rat who is bred in captivity is given a comfortable, healthy life with full access to his family and to exercises rats find interesting. The rat is used in research but not harmed. (Perhaps his behavior is observed; or perhaps a few minimally painful blood samples are taken for genetic studies.) After living a natural lifespan, he dies and his body is used for additional research purposes. (D) Turkeys are raised on a free-range farm, treated well, and allowed to die of natural causes. If their bodies are disease-free, they are eaten. (E) A massive zoo manages to create animal exhibits that meet the physical and psychological needs of its animals, and provides them with lives at least as good (long, healthy, and satisfying) as the lives they would probably have in the wild. The stated purposes of the zoo are to entertain and educate human visitors. (F) A sick monkey resists all entreaties to get him into a car that in the past has always taken him to the veterinarian's office. He is nevertheless forcefully placed into the car and taken to the vet's for treatment.

I am inclined to believe that the human conduct described in (A) and (B) are objectionable for evincing disrespect towards the animals. If this and similar judgments are defensible, an adequate account may implicate virtue ethics, which connects the manner in which we act, our attitudes,

and our character. Because I am a (weak) paternalist, I believe the action in (F) is unobjectionable, at least as far as it is described. Those who disagree may cite a principle of respecting liberty (if not autonomy). Cases (C)–(E) may occupy a middle ground: The animals are clearly *used* for human purposes, but they are not *harmed* and there are no obvious displays of *disrespect* toward them (unless using them for human purposes entails disrespect). I am inclined to judge all of the actions ethically permissible, but I hesitate due to concerns that they may tend to reinforce a pernicious attitude: *that animals exist for our use*.

Rather than offering confident answers to the questions raised in this section, or even developed arguments where I suggest answers, my purpose here is to stimulate further reflection on a few issues that have received scant attention. These issues can be located on the horizon of philosophical animal ethics.

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@article{Degrazia1998AnimalEA, title={Animal Ethics Around the Turn of the Twenty-First Century}, author={David Degrazia}, journal={Journal of Agricultural and Environmental Ethics}, year={1998}, volume={11}, pages={111-129} }. David Degrazia. Published in.Â Three books that contribute substantially to philosophical animal ethics are reviewed and are contrasted with the author's own work. In addition, four questions are raised with regard to the future agenda for animal ethics: what will animal ethics learn from feminist theory; what are the respective roles of properties and relations in a determination of moral statusâ€¦ CONTINUE READING. View on Springer. Journal of Agricultural and Environmental Ethics. 1 reference. stated in.