CHAPTER 3: IN DEFENSE OF ANIMALS: SOME MORAL ARGUMENTS

Overview

This chapter will survey the most influential “theories of animal ethics,” i.e., general theories that attempt to explain the nature and extent of our moral obligations toward animals, which have been used to argue in defense of animals. As we will see, these theories are often extensions or developments of the moral theories that have been developed to explain how humans ought to treat other human beings. These thinkers often argue that the moral theory (or theories) that best explain the nature and extent of our moral obligations to human beings (especially vulnerable ones, such as babies, children, the mentally challenged, the elderly, and so on) have positive implications for many animals as well. Thus, they often argue that there are no relevant differences between the kinds of cases to justify protecting human beings but allowing serious harms to animals and, therefore, animals are due moral protections comparable to at least those given to comparably-conscious, aware, sentient human beings.

Readings

ANIMAL LIBERATION – 1. All Animals Are Equal . . . or why the ethical principle on which human equality rests requires us to extend equal consideration to animals too

EMPTY CAGES – PART II MORAL RIGHTS: WHAT THEY ARE AND WHY THEY MATTER
EMPTY CAGES – 3. Human Rights
EMPTY CAGES – 4. Animal Rights (entire chapter or until p. 62, where objections begin: this section will be re-assigned below)

Videos: Tom Regan:
From 1989, “Does the animal kingdom need a bill of rights?”¹ (at https://www.youtube.com/watch?v=xj-MJKFM0Zs)

ANIMALS LIKE US – Ch. 2. The Moral Club

Gruen: 2. The natural and the normative (optional)

¹ “To the best of my recollection, the speech I gave, as presented on YouTube, was given in 1989, in London, under the auspices of the Royal Institution of Great Britain. It was part of a debate over the question, ‘Does the animal kingdom need a bill of rights?’ I spoke in favor of the proposal, as did Andrew Linzey and Richard Ryder. Germaine Greer and Mary Warnock spoke against it. For its time, the event was a big deal. As I recall, the BBC televised it throughout the UK on one of the national channels. The room (it was a formal setting, in a regal hall) was packed, those in the audience as respectful as they were attentive. I do not think there was any formal, or informal, vote on the question. So who won the debate is not something anyone can know. I do know, though, that it was a memorable event in my life. For me, personally, I had never before (and have not since) had the opportunity to address so many people, at one time, and in so many different places, on the philosophy of animal rights. I will never forget it.” – Tom Regan, 2007
General Theories and Particular Cases

This Chapter will get an initial presentation of three of the most influential methods of moral thinking for human to human interactions that have been extended to apply to human to animal interactions, i.e., how humans ought to treat non-human animals. These perspectives are, first, a demand for equality or equal moral consideration of interests (developed by Peter Singer; however he sometimes describes his ethical theory as a form of utilitarianism, although his book Animal Liberation does not presuppose it); second, a demand for respect of the moral right to respectful treatment (developed by Tom Regan); and, third, a demand that moral decisions be made fairly and impartially and the use of a novel thought experiment designed to ensure this (developed by Mark Rowlands, following John Rawls, the most influential political philosopher of the twentieth century).

We want to try to focus on these theories in themselves and their implications for animals “in general,” without so much focus on what they imply for particular uses of animals, e.g., for food, fashion experimentation, entertainment, and other purposes. This attempt to make things a bit more abstract and general might seem forced, and we will surely understand the theories more deeply more when we see them applied to particular cases. Nevertheless, we want to try to evaluate these theories as true or false, well-supported or not, on their own terms.

Arguments from Paradigm Cases: Inference to the Best Moral Explanation

Earlier we saw that scientists (and philosophers) sometimes use a pattern of reasoning known as inference to the best explanation to explain non-moral phenomena, e.g., the existence of minds. Ethicists use this form of reasoning also, although what is usually being explained is some clear moral intuition, or a moral judgment that nearly everyone agrees on (and seemingly for good reason). Again, the pattern is something like this:
A moral judgment – J – seems true, and what makes it true requires explanation.

Moral explanation or hypothesis T *best explains* the truth of J (i.e., T is a better explanation than other candidate explanations in that it makes sense of more of the data/observations/similar moral intuitions, allows us to make other moral judgments (thus enabling a kind of prediction, perhaps), is simpler, fits with pre-existing knowledge, etc.)

*Therefore, probably* T, and what’s entailed by T, are true.

Singer seems to use this pattern of reasoning, starting with the widely accepted moral judgments that *racism and sexism (and other prejudices) are wrong*. He gives an analysis of what racism and sexism *are* – they are not easy to define – and gives an explanation for *why* they are wrong, arguing that this explanation is a better explanation than some rival explanations. He then argues that this explanation, which appeals to *the principle of equality of consideration of interests*, has positive implications for animals. Since many animals have interests, the prejudice that results in their interests being ignored is *speciesism*.

Regan argues similarly, starting with the informed intuition that the men in the Tuskegee Syphilis Study were treated wrongly (p. 44; elsewhere he uses historical cases of harmful medical experiments on retarded children1). He argues that the *best explanation* why they way these men (and children) were treated was wrong has positive implications for animals. He argues that these men had moral rights to life, bodily integrity, and respectful treatment. He develops the “subject of a life” sufficient condition for having basic moral rights to life, to bodily integrity and respectful treatment, shows that this criterion for moral rights applies to many animals as well, and that they thereby have moral rights as well.

In both cases, the pattern is to start with what we are confident with, think about the best reasons to support that confident judgment, and see that that these reasons have implications for areas that we perhaps have not thought about as carefully. We then see that that we have to revise our previous judgments about that new kind of case or, *if we are to be consistent*, revise our initial judgments (e.g., about the human cases), or argue that nothing follows from one kind of case to another because they are relevantly dissimilar. Singer, Regan and Rowlands, as well as the others, are clear on the logical options.

**Sufficient Conditions for Taking Someone’s Interests Seriously**

The cases for animals can be seen as an attempt to identify this ‘*this*’ here:

*If* a being is like *this _____*, *then* we must take its interests seriously, it’s wrong to harm it (except for very good reasons), we must respect it, etc.

Animal advocates typically argue that if we look at what we think about human beings, it appears that we think (or should think) that *all* human beings, especially those who are vulnerable – the very young and old – deserve such protections: e.g., none should be eaten, worn and experimented on. These philosophers argue that, for human beings, we seem to think the ‘*this*’ above is just consciousness or sentience or, as Regan puts it, being a “subject of a life,” and that this is a *sufficient condition* for it being the case that a being is wrong to harm. They argue that this principle applies to (some) animals as well, those animals that possess the relevant characteristics that humans have.

Most critics of this reasoning attempt to find other characteristics that would account for the wrongness of harming human beings, but seek characteristics that only human beings have and no animals have. The challenge is, first, finding these characteristics and, second, explaining why they are morally relevant.
Again, the Issue is Not (Necessarily) Animal “Rights”

To revisit an issue introduced in the first Chapter, sometimes people describe all “pro-animal” thinkers as “animal rights” advocates. This isn’t correct: e.g., Singer, for one, argues in defense of animals without much mentioning any idea of rights. So, again, one can think that animals’ interests must be taken seriously, that it’s seriously wrong to harm animals in most circumstances, that animals have a high “moral status,” etc., but not think that they have rights or, at least, not find that to be a useful way of presenting one’s views.

But what are moral rights anyway? First, views that maintain that animals (and human beings) have moral rights are often moral theories that appeal to the idea of a moral right in explaining what makes wrong actions wrong and permissible actions permissible: usually they claim that an action is impermissible if it violates a right; thus, rights are constraints on behavior. We will examine two rights theories – Regan’s and Rowlands’ – in detail. While these theories typically support the view that most harmful uses of animals are morally permissible, the theory and the particular judgments about what’s morally permissible are, strictly, speaking, distinct.

A bit about moral rights: moral rights, if they exist, are not “man made,” and individuals who have right have them even if others do not recognize or acknowledge that. Moral rights are not “granted” or “given” by anyone: e.g., slaves had moral rights (to life, to liberty) even though many people did not respect or acknowledge these rights. When these moral rights were acknowledged or recognized, it is not the case that slaves were “given” or “granted” moral rights, since they already had them. Thus, sometimes people often ask whether animals should be “given” rights. Since moral rights are not “given,” this question is founded on a mistaken assumption.

Moral rights are always a right to something or a right from something, e.g., a right to life or a right from interference. There are no generic moral rights – just plain moral rights – so if someone claims that animals have (or lack) moral rights, the question we must ask is, “A right to what, or right from what?” Here there are many candidates: rights to life, to respectful treatment, to not
being caused to suffer, to not be harmed, to have their interests taken into consideration, to liberty, to not being considered “property,” to not be “used” to benefit others, and on and on: there are many possible moral rights to consider.

Whenever we discuss a claim that animals have or lack moral rights, we need to be specific on which moral right(s) is under consideration. Some advocates of animal use have claimed that, e.g., animals have a right to be eaten, and a right to be skinned (alive!) for their fur, and thus calling themselves advocates of animal rights! Focusing on specific moral rights, such as rights to not be caused various kinds of harm, will prevent those who harm animals from being considered legitimate animal rights advocates.

Finally, appeals to moral rights can sometimes be “question begging,” which means to say that they just assume the conclusion that’s being defended, stating it in other words instead of supporting it. This can happen with other moral issues: someone might claim that abortion, i.e., killing unborn fetuses, is wrong because unborn fetuses have a moral right to life. Unless this person explains why fetuses have such a right, this argument might amount to just saying that killing fetuses is wrong because killing fetuses is wrong, which is just restating the conclusion as one’s premise. Similarly, someone might say that eating animals is not wrong because humans have a moral right to eat them. Again, unless this person explains why we should think that we have this right, what might be said here is just that eating animals is not wrong because it is not wrong for us to eat animals. Since arguments should never just assume their conclusion, or merely restate it in different words, these arguments are no good.

Again, the core questions in ethics and animals are what moral categories we should think specific uses of animals fall into – morally permissible, morally obligatory, or morally impermissible/wrong – and the reasons why we should think this. Thinking in terms of moral rights can make the issues more confusing than they have to be.
Discussion Questions

1. For many ethical issues, a good place to start is to reflect on “common views” about the issues. Suppose you surveyed a range of people and asked them what kind of moral obligations we have towards animals (perhaps you should ask about specific animals or different kinds of animals). Focusing on possible broadly “pro-animal” responses, what are some of the most common answers that would be given? What reasons would you often hear in favor of these answers? Are these reasons generally good reasons or not? Why?

2. For an audience who has not read the texts, explain Singer’s view about what moral obligations we have towards animals and his main arguments favor of that view. What questions and objections do you have for him? How would he respond? Are his arguments sound? Why or why not?

3. For an audience who has not read the texts, explain Regan’s view about what moral obligations we have towards animals and his main arguments favor of that view. What questions and objections do you have for him? How would he respond? Are his arguments sound? Why or why not?

4. For an audience who has not read the texts, explain Rowlands’ view about what moral obligations we have towards animals and his main arguments favor of that view. What questions and objections do you have for him? How would he respond? Are his arguments sound? Why or why not?

5. Should people find any (or all) of the cases given in defense of animals to be persuasive? Which, if any, is strongest, in your opinion, and why? If you think people should be persuaded, why is it that they often are not? (If people should not be persuaded, why are some people convinced?). Any other questions or objections from anything from this section can be asked here.

Of course, always feel free to raise any other questions, observations, criticisms and any other responses to the Chapter’s readings and issues.
Paper Option

For an audience unfamiliar with ethics, logic and animal ethics, explain the strongest broad moral case to be made in defense of animals (this could be a single theorist’s approach, or perhaps it could be a combination approach). Explain what this case implies in general for animals and how one defends or supports such a theory about how animals deserve to be treated. Raise and respond to at least three of what you think are the most important objections to your arguments or your position. 4-6 pages.