



Ethics

chapter 1

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Chapter 1: Ethics¹

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Abstract

This is a discussion of views concerning how we ought to treat animals and of the justifications on which these views are based. First an account is given of what it is to justify a moral view. Secondly, the view that animals do not have moral standing and that therefore we have no direct duties to them is examined. Thirdly, four different views about the nature of our duties to animals are presented and discussed. They are: utilitarianism, the animal rights view, the species-integrity view, and the agent-centred view. Finally, it is discussed why it is important to hold a justified view concerning one's duties to animals.

1. Introduction

That humans have ethical duties to animals is an assumption that underlies the study of animal welfare. There would not be much point in studying how animals fare in livestock production systems, for example, if we did not think that humans had any duty to look after the animals in their care.

The aim of this chapter is to present ethical views concerning how we ought to treat animals and the justifications on which these views are based.

2. Justification of ethical views

First, it needs to be explained what is meant by justifying an ethical view. Many people think that in ethics we simply express our feelings; and since feelings cannot be justified neither can ethical views.

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Against this philosophers have argued that there is more to a justified moral view than having a feeling. Thus Rachels (1993, pp10-11) explains the difference between a moral judgment and an expression of personal taste:

‘If someone says “I like coffee,” he does not need to have a reason - he is merely making a statement about himself, and nothing more. There is no such thing as “rationally defending” one’s like or dislike of coffee, and so there is no arguing about it. So long as he is accurately reporting his tastes, what he says must be true. Moreover, there is no implication that anyone should feel the same way; if everyone else in the world hates coffee, it doesn’t matter. On the other hand, if someone says that something is *morally wrong*, he does need reasons, and if his reasons are sound, other people must acknowledge their force.’

When it comes to justifying moral judgements, moral principles play an important role. This may be illustrated by the famous passage, first published in 1789 (p283), in which Bentham argued that animals ought to be protected by the law:

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

Bentham asks which justification can be given for saying that unlike humans animals should not be protected by legal rights. One traditional answer to this question is that animals do not possess the ability to reason and to use language. Those who give this answer must accordingly accept the principle that those and only those creatures which can reason and talk should be given rights. However, this means that human infants and some mentally retarded humans should not be awarded rights.

So first, someone who thinks that animals should have no rights has to explain why he thinks so. Secondly, this reason implies a moral principle. Thirdly, this has consequences that to most people are unattractive, i.e. that infants and mentally retarded humans should have no rights. Finally, the person who started out thinking that animals should have no rights may feel that he has to change his view.

3. Do animals have moral standing?

Bentham uses his opponent's way of thinking against that person himself. He also has a positive argument why animals should have rights: that animals can suffer. And since Bentham thinks that the ability to suffer (and feel pleasure) is what matters in our duties to other humans he also thinks that we owe duties to the animals.

Bentham's arguments perhaps do not *prove* beyond all reasonable doubt that humans have duties to animals. However, to deny his conclusion one must answer his arguments. Some modern philosophers have tried to do so. For example, Narveson (1983, pp56-58) argues that animals have no rights because they cannot be parties to an agreement:

'On the contract view of morality, morality is a sort of agreement among rational, independent, self-interested persons, persons who have something to gain from entering into such an agreement. ...

A major feature of this view of morality is that it explains why we have it and who is party to it. We have it for reasons of long-run selfinterest, and parties to it include all and only those who have *both* of the following characteristics: (1) they stand to gain by subscribing to it, at least in the long run, compared with not doing so, and (2) they are *capable* of entering into (and keeping) an agreement. ... Given these requirements, it will be clear why animals do not have rights. For there are evident shortcomings on both scores. On the one hand, humans have nothing generally to gain by voluntarily refraining from (for instance) killing animals or "treating them as mere means." And on the other, animals cannot generally make agreements with us anyway, even if we wanted to have them do so. ...

There is an evident problem about the treatment of what I have called "marginal cases" on this view, of course: infants, the feeble-minded, and the incapacitated are in varying degrees in the position of the animals in relation to us, are they not? True: but the situation is very different in several ways. For one thing, we generally have very little to gain from treating such people badly, and we often have much to gain from treating them well. For another, marginal humans are invariably members of families, or members of other groupings, which

make them the object of love and interest on the part of other members of those groups. Even if there were an interest in treating a particular marginal person badly, there would be others who have an interest in their being treated well and who are themselves clearly members of the moral community on contractarian premises.’

The principle underlying this view of morality is *egoism*: showing consideration for other people is really for one’s own sake. By respecting the rules of morality one contributes to the maintenance of a society which is essential to one’s welfare. And if persons free-ride they will be punished by loneliness, poverty - and maybe even confinement.

On this view there is a relevant difference between humans and animals. I am dependent on the cooperation of other people. If I treat other humans badly, they may treat me badly, whereas the animal community will not strike back if, for example, I use some of its members in painful experiments. From an egoistic point of view I need only to treat the animals well enough for them to be fit for my purposes.

This justification for giving humans moral priority over animals fits well into parts of the morality prevalent in our society, and logically it is coherent. Further, it serves to explain why legislation allegedly for the protection of animals usually protects those animals most which matter most to humans, for example dogs and cats. The main problem about this view is that most of us will find it difficult to maintain egoism with a clear conscience. As Narveson honestly spells out, on his view we do not have moral obligations to weak humans, unless they matter to some of the strong humans.

At this stage of the argument, most people will probably side with Bentham and say that if a human or animal suffers, then this matters *in itself* from a moral point of view. It follows that most people will not be willing to exclude animals from ethical consideration in the way that Narveson suggests.

What has been discussed until now is whether or not animals should have rights, not what kind of rights they should have - whether or not animals have *moral standing*. Bentham argues that they do, whereas Narveson claims that they don’t. In what follows we shall assume that Bentham is right in thinking that animals have moral standing.

4. Four views about humanity’s duties to animals

Assuming that animals do have moral standing, two new questions must be raised. What is the basis of our duties towards animals? And what duties do we have? There are no unanimous answers to these questions but here we shall present four competing views.

4.1 *Utilitarianism*

This view can be traced back at least to Bentham. In recent discussions about animal ethics it has been most forcefully defended by Singer who bases his view on a principle of equality (1989, pp74-79):

‘I am urging that we extend to other species the basic principle of equality that most of us recognize should be extended to all members of our own species. ...

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

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

For the utilitarian what matters are the interests of those who are being affected by what we do - not the race or the species of the creatures who have the interests. The strongest interests should prevail no matter who has them. This view has radical consequences when it comes to an ethical assessment of modern intensive livestock production.

Broiler chickens, stalled sows and other farm animals will often suffer and will lack the ability to do things which could contribute to their “positive welfare”. The interests of these animals are set aside so that production can be efficient and that consumers can buy cheap meat and other animal products. However, in the rich part of the world these cheap products are not vital to human

interests. If we paid 30 or 50% more and the extra money was used to improve the living conditions of the animals this would mean an immense increase in their welfare. In a country like Denmark where ordinary consumers spend less than 13% of their available income on food this would have only a marginal effect on income available for other purposes, and since income is generally high it would not significantly decrease the welfare of the affected humans. Therefore according to the utilitarian view we ought to make radical changes in the way farm animals are being treated.

However, it should be noted that from this view even less radical changes may be welcomed. A utilitarian speaks not only in terms of right and wrong but also in terms of better and worse. A small step towards more consideration of the interests of animals is better than no step. The discussion between those with a compromise-seeking attitude to the improvement of animal welfare and those with radical views is from the utilitarian point of view not a discussion of principle, but a discussion about which strategy will have the best effects on animal welfare.

Singer himself argues in favour of a rather radical attitude to the welfare of farm animals: that we should boycott animal products and become vegetarians. However, this is not because he thinks it is in principle wrong to kill an animal but because consumption of meat and other products from commercially reared animals leads to animal suffering (1979, pp152-153).

‘As long as a sentient being is conscious, it has an interest in experiencing as much pleasure and as little pain as possible. Sentience suffices to place a being within the sphere of equal consideration of interests; but it does not mean that the being has a personal interest in continuing to live. For a non-self-conscious being, death is the cessation of experiences, in much the same way that birth is the beginning of experiences. Death cannot be contrary to a preference for continued life, any more than birth could be in accordance with a preference for commencing life. ... Given that an animal belongs to a species incapable of self-consciousness, it follows that it is not wrong to rear and kill it for food, provided that it lives a pleasant life and, after being killed, will be replaced by another animal which will lead a similarly pleasant life and would not have existed if the first animal had not been killed. This means that vegetarianism is not obligatory for those who can obtain meat from animals that they know to have been reared in this manner. ...

I am sure that some will claim that in taking this view on the killing of some non-human animals I am myself guilty of ‘speciesism’ - that is, discrimination against beings because they are not members of our own species. My position is not speciesist, because it does not permit the killing of non-human beings on the ground that they are not members of our species, but on the ground that they lack the capacity to desire to go on living. The position applies equally to members of our own species who lack the relevant capacity.’

Singer here says that it is all right to kill animals for meat as long as we make sure that they have a good life and are killed in a painless way. This view seems to be shared by many of those engaged in animal welfare science. It would be difficult to work on improving the quality of life of animals in livestock production and in animal research if one thought that the slaughtering of healthy animals constituted a major ethical wrong.

However, the argument may be questioned. Thus one may ask whether Singer really manages to draw a clear moral distinction between the killing of humans and of animals. A case may be made to the effect that Singer in the end will have to take a similar view on the killing of humans as of animals. If self-conscious humans are killed some of their forward-looking preferences will not be fulfilled, but frustration of these preferences may be outweighed by the satisfaction of preferences of persons by whom they are replaced.

A more consistent utilitarian line of argument would be to say that in principle it would be all right to kill a self-conscious human being if the killing were painless and if the person were replaced by another person who lives as good a life as the first and who would not have existed if the first person hadn't been destroyed. However, in real life the utilitarian may argue that the killing of humans and of animals have very different consequences. Thus the killing of a human usually has negative effects on survivors in a way that the killing of an animal does not. When a human is killed relatives will often be grieved, and fear and anxiety may arise among the survivors. Another related difference concerns the indirect consequences on society if we do not hold human life in respect. Lack of respect for human life will undermine the foundations of society and will lead to the barbarism that we know all too well from history. Finally, killing of humans will normally not have the consequence that others come into existence instead, whereas with animals this is mostly the case. Thus with farm animals it is evident that we only have these animals because we can kill them. The same is true for laboratory animals - those destroyed are normally replaced.

One may be worried not only about how utilitarianism affects respect for human life. Conclusions on the killing of animals may also in some instances seem quite hideous (Lockwood, 1979, p168):

'Many families, especially ones with young children, find that dogs are an asset when they are still playful puppies (capable of keeping the children amused), but become an increasing liability as they grow into middle age, with an adult appetite but *sans* youthful allure. Moreover, there is always a problem of what to do with the animal when they go on holiday. It is often inconvenient or even impossible to take the dog with them, whereas friends tend to resent the imposition, and kennels are expensive and unreliable. Let us suppose that, inspired by Singer's article, people were to hit on the idea of having their pets painlessly put down at

the start of each holiday (as some pet owners already do), acquiring new ones upon their return. Suppose, indeed, that a company grows up, 'Disposapup Ltd', which rears the animals, house-trains them, supplies them to any willing purchaser, takes them back, exterminates them and supplies replacements, on demand. It is clear, is it not, that there can, for Singer, be absolutely nothing directly wrong with such a practice. Every puppy has, we may assume, an extremely happy, albeit brief, life - and indeed, would not have existed at all but for the practice.'

Lockwood himself says that though the example gives him pause he "remains ultimately unconvinced". Others, however, have argued that the utilitarian view fails because it does not respect the moral value of each individual (human or animal). This leads us to the second view to be discussed here.

4.2 *The animal rights view*

One of the most prominent adherents of the animal rights view is Regan who defends it (1984) in explicit opposition to utilitarianism:

'Unlike utilitarianism, the view in *principle* denies that we can justify good results by using evil means that violate an individual's rights - denies, for example, that it could be moral to kill my Aunt Bea to harvest beneficial consequences for others. That would be to sanction the disrespectful treatment of the individual in the name of the social good, something the rights view will not - categorically will not - ever allow. ...

We are each of us the experiencing subject of a life, a conscious creature having an individual welfare that has importance to us whatever our usefulness to others. We want and prefer things, believe and feel things, recall and expect things. And all these dimensions of our life, including our pleasure and pain, our enjoyment and suffering, our satisfaction and frustration, our continued existence or our untimely death - all make a difference to the quality of our life as lived, as experienced, by us as individuals. As the same is true of those animals that concern us (the ones that are eaten and trapped, for example), they too must be viewed as the experiencing subjects of a life, with inherent value of their own. ...

In the case of the use of animals in science, the rights view is categorically abolitionist. Lab animals are not our tasters; we are not their kings. Because these animals are treated routinely, systematically as if their value were reducible to their usefulness to others, they are routinely,

systematically treated with lack of respect, and thus are their rights routinely, systematically violated. This is just as true when they are used in trivial, duplicative, unnecessary or unwise research as it is when they are used in studies that hold out real promise for human benefits. ...

As for commercial animal agriculture, the rights view takes a similar abolitionist position. The fundamental moral wrong here is not that animals are kept in stressful close confinement or in isolation, or that their pain and suffering, their needs and preferences are ignored or discounted. All these *are* wrong, of course, but they are not the fundamental wrong. They are symptoms and effects of the deeper, systematic wrong that allows these animals to be viewed and treated as lacking independent value, as resources for us - as, indeed, a renewable resource.'

The rights view differs from utilitarianism in cases where there is a conflict of interest. According to utilitarianism such conflicts should be decided by giving most weight to the strongest interests. The rights view on the other hand claims that it is never justified to sacrifice the interests of one individual to benefit another. This affects, for example, the discussion of whether it is wrong to kill animals. First, it may be argued that healthy animals do in a morally relevant sense have an interest in not being killed (Johnson, 1983, pp144-145):

'According to a common view, animals lack the concept of death, and so cannot mind death, any more than they mind not having a ticket to the opera. Rational creatures, however, can mind, and normally do, and this is the reason why it is wrong, *prima facie*, to kill them. Is such a view correct?

You can have an interest in avoiding death if you are capable of conceiving death, and so of minding it; you can have an interest in your own continued existence if you are capable of conceiving it, and so of wanting it. But you can also have an indirect or derivative interest in life that feeds off your other interests. If a cow likes to chew her cud, then it is, other things being equal, in her interest to be allowed to do so. She is benefited by having opportunities to satisfy her desires: the more the better. But does this not give the cow an interest in continued life? When to have a desire satisfied is to be benefited, isn't one benefited more, other things being equal, the more opportunities one has to satisfy it (perhaps - where this is relevant - up to some point of satisfaction)? This will be so even if one lacks the concept of a future, of personal identity over time, etc. Of course, if one does have such concepts, since one will then be able to *care* about the future, that will give one an additional interest in living. But the lack of such concepts does not mean that one has *no* interest in, or claim to, life: the derivative sort

of interest in life remains. Insofar as life seems likely to satisfy one's desires, fulfils interests that one has, one has an interest in life.'

The utilitarian and the adherent of the rights view may agree that in the sense here specified, animals have an interest in a continued life. However, the utilitarian claims that the interest of an animal in going on living may be outweighed by conflicting interests, i.e. the combined interests of the future animal which will replace it and human interests in animal production. Against this the adherent of animal rights claims that it is unethical to sacrifice the interests of the first animal for the sake of others.

Another issue which gives rise to conflict between the two views is the use of animals for research. Thus animal experiments which are vital to the development of human medicine may on the utilitarian view be considered morally acceptable because benefits outweigh costs in animal suffering or discomfort. According to the animal rights view on the other hand it is not justified to conduct a harmful experiment on one individual only for the sake of the interests of others.

According to the rights view we should not only look upon animal (and human) welfare as something to be promoted *en bloc*. Rather it is our duty to protect the right of each individual animal (and human) not to be killed nor deprived of the means necessary to live a good life. Regan formulates this idea with reference to a famous slogan from Kant (Regan, 1984, p249):

'To harm ... individuals *merely* in order to produce the best consequences for all involved *is* to do what is wrong - *is* to treat them unjustly - because it fails to respect their inherent value. To borrow part of a phrase from Kant, individuals who have inherent value must never be treated *merely as a means* to securing the best aggregate consequences.'

The adherent of the rights view has, it seems, gained the moral high ground. However, there is a problem: how to handle cases where it is not possible to respect the rights of all individuals. The interests of two individuals (or groups) may not only be in conflict, but be mutually exclusive. For example it may be difficult to combine respect for the rights of mice and rats with the aim of securing human health and welfare. If these "pests" are not "controlled" they may pose a threat because they eat our food, and because they spread disease. It seems to be either them or us. What has the rights view to offer in such a case?

Regan's reply is that we are allowed to defend ourselves. However, this creates a problem for his abolitionist stance on animal experimentation. It is not implausible that some animal experiments

(typically making use of rodents) may be as vital to human health as control of rodents. Thus there is a problem for the rights view (pointed out by among others Singer) in drawing boundaries between cases where vital human interests allow us to kill or otherwise act against the interests of animals, and cases where respect for animal rights prevents us from pursuing our interests.

Despite the fact that the rights view may not in all cases give clear answers, there seems to be a genuine moral disagreement underlying the discussion between Singer and Regan. However, there are also points on which the two views agree. Thus they both think that it is important to consider the interests of all sentient creatures, and conversely that nothing but the interests of individual humans and animals matter. The latter point distinguishes these views from the third of the views to be discussed here.

4.3 *The species-integrity view*

According to this view it is not only individuals that ought to be the focus of our moral concerns. Rolston argues (1989, pp252-255) that we ought also to promote the value of species:

‘Many will be uncomfortable with the view that we can have duties to a collection. ... Singer asserts, “Species as such are not conscious entities and so do not have interests above and beyond the interests of the individual animals that are members of the species.” Regan maintains, “The rights view is a view about the moral rights of individuals. Species are not individuals, and the rights view does not recognize the moral rights of species to anything, including survival.” ...

But duties to a species are not duties to a class or a category, not to an aggregation of sentient interests, but to a lifeline. An ethic about species needs to see how the species *is* a bigger event than individual interests or sentience. Making this clearer can support the conviction that a species *ought* to continue. ... Thinking this way, the life the individual has is something passing through the individual as much as something it intrinsically possesses. The individual is subordinate to the species, not the other way round. The genetic set, in which is coded the *telos*, is as evidently a “property” of the species as of the individual. ...

The species line is quite fundamental. It is more important to protect this integrity than to protect individuals. Defending a form of life, resisting death, regeneration that maintains a normative identity over time - all this is as true of species as of individuals. So what prevents duties arising at that level? The appropriate survival unit is the appropriate level of moral concern.’

The species-integrity view as here expressed serves to explain the widely held view, that the extinction of a species is something to be deplored not only because of its consequences for the welfare of humans or animals but as something that is *in itself* bad. If the blue whale becomes extinct this will not be a problem for animal welfare - the whales do not suffer from being extinct. Many humans will regret the loss, but it seems to reverse the true order of things to say that loss of a species is bad because it is regretted by humans. It seems that we should regret the loss of a species because its existence is in itself morally valuable. This seems to imply that we have duties to species and not (only) to individual animals.

Also, the unease that many people feel about the development of transgenic animals may be explained by assuming that a species, as defined by its genetic makeup, is something to be respected. A view of this sort has been defended by Fox (1990, p32):

‘The *telos* or ‘beingness’ of an animal is its intrinsic nature coupled with the environment in which it is able to develop and experience life. We can harm the *telos* in many ways, for example through environmental, genetic, surgical and pharmacological manipulation. To contend that we can enhance the natural *telos* of an animal - and thus by extension believe that we can improve upon nature - is *hubris*. Genetic engineering makes it possible to breach the genetic boundaries that normally separate the genetic material of totally unrelated species. This means that the *telos*, or inherent nature, of animals can be so drastically modified (for example by inserting elephant growth hormone genes into cattle) as to radically change the entire direction of evolution, and primarily toward human ends at that. Is that aspect of the animal’s *telos* we refer to as the genome and the gene pool of each species not to be respected and not worthy of moral consideration?’

Many people who are worried about genetic engineering will believe that the question at the end of the quotation should be given a positive answer. However, there are still problems about the view that we ought to respect species defined in terms of genetic structures.

The first problem is the question of what is special about the genetic structures which exist right now. Throughout evolution genetic structures have changed continuously. There is no stage in evolution at which animal species have reached their “final” development. To say that the present genetic make-up is special is arbitrary - like saying that art and literature have reached their final points and should not change further.

The second problem with this view is that breeding for increased health - for hens resistant to Marek's disease or pigs without malignant hyperthermia - is usually considered a good thing. Although this may be seen as a remedy of damages in the genepool established during genetic selection of high yielding domestic species, such breeding may eradicate genotypes disposed to certain illnesses and secure the health of domestic stock. However, the demand to respect species-integrity will also tell against selective breeding: like transgenesis selective breeding will result in significant genetic changes in species. This tells against the idea of species-integrity.

Finally, the adherent of species-integrity faces the problem of explaining how it benefits the animals. For example, there will be consequences concerning which animals come into existence and which don't. If we respect genetic integrity we will be more reluctant to start programmes of selective breeding and more disposed to maintain existing breeds. This will only affect which animals benefit and which are being harmed not *whether* animals benefit or are harmed. The net result in terms of harms and benefits may be the same or even negative.

It should be noted that the latter objections beg the question against an adherent of the species-integrity view. They are only objections if what really matters is animal welfare. However, this is just what the adherent of genetic integrity wants to deny.

4.4 *The agent-centred view*

The theories we have discussed claim that we have duties to animals because of what happens to the animals. The first two focus on the suffering and rights of *individuals*, while the integrity view focuses on *species*. Many people, however, feel that what is important about our treatment of animals is what it does to *us* as moral agents. This is what we call the agent-centred view.

This view may involve little direct concern for animals at all. Thus Kant argued (1989, pp23-24) that we have duties to animals because otherwise we are more likely to act wrongfully to humans:

'Our duties towards animals are merely indirect duties towards humanity. Animal nature has analogies to human nature, and by doing our duties to animals in respect of manifestations of human nature, we indirectly do our duty to humanity. Thus, if a dog has served his master long and faithfully, his service, on the analogy of human service, deserves reward, and when the dog has grown too old to serve, his master ought to keep him until he dies. Such action helps to support us in our duties towards human beings If then any acts of animals are analogous to human acts and spring from the same principles, we have duties towards the animals because thus we cultivate the corresponding duties towards human beings. If a man shoots his dog because the animal is no longer capable of service, he does not fail in his duty

to the dog, for the dog cannot judge, but his act is inhuman and damages in himself that humanity which it is his duty to show towards mankind. If he is not to stifle his human feelings, he must practice kindness towards animals, for he who is cruel to animals becomes hard also in his dealing with men.’

Other adherents of an agent-centred view do think, however, that animals fall within the scope of morality. A person who causes pointless suffering to animals will be described as “cruel” and this will be thought to be a morally bad thing. In recent years, one aspect of moral character has been thought by several philosophers to be of special importance: our capacity to *care*. According to this agent-centred view, we should demonstrate care for others, and this may involve concern for their pain or suffering (Noddings, 1984, pp149-150):

‘Pain crosses the line between the species over a wide range. When a creature writhes or groans or pants frantically, we feel a sympathetic twinge in response to its manifestation of pain. With respect to this feeling, this pain, there does seem to be a transfer that arouses in us the induced feeling, “I must do something”. Or, of course, the “I must” may present itself negatively in the form, “I must not do this thing”. The desire to prevent or relieve pain is a natural element of caring, and we betray our ethical selves when we ignore it or concoct rationalizations to act in defiance of it.’

So according to the “ethics of care”, what is wrong with causing suffering to animals is not the fact that suffering is increased (utilitarianism) or that it violates rights (the animals rights view) but that it demonstrates a flaw of character - a lack of care - in the person concerned.

Possessing the capacity to care is one of “the virtues”. It is often called the virtue of compassion. Over the last three decades, many philosophers have advocated that, instead of basing moral theory on utility or rights (or integrity of species), we should instead develop an agent-centred theory of the virtues. So-called “virtue ethics” requires us to act in accordance with the virtues: justly, generously, kindly and so on. The virtues, according to this view, should govern our treatment of animals.

Virtue ethics may not require the same things of us as other views. Consider on one hand use of rats in experiments, and on the other hand poisoning and trapping of rats in “pest” control.

Utilitarianism is likely to allow (perhaps even to require) both as long as care is taken to cause the animals as little suffering as possible. An agent-centred theory, such as virtue ethics, may forbid us to use animals in experiments for our own advantage, for this would be cruel, but that when rats cause us inconvenience it is prudent to trap or poison them. A radical version of the animal rights

view, on the other hand, may forbid both. (Regan does, as emerged above, draw a distinction between animal experimentation and killing of animals in self defence. However, he has problems defending this distinction, and here virtue ethics may be better able to draw this distinction in a consistent way.) What about the integrity of species view? That will probably allow both activities too, since rats are plentiful and their species is threatened by neither activity.

One advantage of virtue ethics and other agent-centred theories is that they can make room for moral distinctions which seem to play a role in common sense ethics. For example, many people draw a distinction between pet animals and animals used for production, and again between those animals and “pest” animals such as wild mice and rats. They say that a dog is man’s friend and should be treated better than production animals. We do, however, also owe duties to the latter because we have taken them into our care. The relevant virtue here is “stockmanship”. To rats, on the other hand, we do not owe any duties. Rather, the virtue of prudence tells us to get rid of these animals as efficiently as possible.

However, there are also problems with this view. One problem which in a sense is the same as the advantage just mentioned is that it is rather conservative and makes it too easy to justify what we do. As long as we do things in accordance with traditional norms then we act in a virtuous manner - since the virtues seem to embody traditional ways of doing things. However, sometimes it is possible to criticise traditional ways. Thus all the three other views are highly critical of traditional and common sense views concerning human duties to animals.

Another problem with agent-centred theories such as virtue ethics is their vagueness. First, it is hard to determine whether certain activities are allowed by the theory or not. Why is experimentation cruel and “pest” control not - especially if scientists do everything they can to reduce suffering and if those involved in “pest” control do not care whether the animals suffer or not?

A related difficulty concerns conflict between virtues. Scientists who experiment on animals may be seeking a cure for a painful human disease. Imagine that one of them has a daughter who suffers from this disease, and is motivated by a powerful concern to relieve her suffering. Could this scientist not be described as benevolent? If so, what does virtue ethics require of her? It is not clear that our views about who counts as a virtuous person are precise enough to decide. And in this case it is open to proponents of other views to claim that the virtuous person will be the person who maximises utility, who does not violate rights, or who respects the integrity of species.

This last criticism amounts to saying that an agent-centred view is not really an alternative to the other views. Rather, it seems to presuppose an account of the moral status of animals like one of those given by the other views.

4.5 *Hybrid views*

The views outlined above give incompatible answers to the questions raised at the beginning of this section: What is the basis of our duties towards animals? And what duties do we have? This means that if one accepts for example utilitarianism one cannot, on pain of inconsistency, accept the animal rights view and the species-integrity view - although agent-centred views may be compatible with the others.

What is possible, however, is to hold a view that is distinct from each of those views but combines elements from at least two of them. For example, most of those who are attracted to the species-integrity view do also think that it is important to promote animal and human welfare. Thus they may hold a view according to which decisions have to make a trade off between welfare and respect for genetic integrity.

Another hybrid view which is attractive to many people combines elements from utilitarianism and the animal rights view. One version of this would say that there are certain things that one may not do to animals, no matter how beneficial the consequences, for example causing the animals to experience intense suffering. As long as we abstain from these things we can, on this view, reason as a utilitarian would do. For example, killing of animals or causing them mild distress or inconvenience may be allowed if sufficiently good consequences follow.

The possibility of combining elements from the four main views does not by itself make it an easier task to formulate a full account of human duties to animals which is both plausible and logically consistent. For example, it is very difficult to combine in a consistent way the following two views, both of which most people seem to hold: 1) The utilitarian view of the killing of animals; 2) The view that it is in principle never, or only in extraordinary circumstances, morally acceptable to kill an innocent human. Here the problem is that the principle underlying the utilitarian view of killing animals will also in some (maybe hypothetical) instances allow killing of for example mentally handicapped humans.

At this stage of the argument the question may be asked why one should engage in ethical thinking at all. Why not simply stick to gut reactions and forget justification?

5. What is the point of engaging in ethical thinking?

From our cultural background we have inherited elements from all the main views presented above. Normally, when we form opinions on ethical issues we draw on these views without clarifying the underlying ethical principles. Furthermore, public debates concerning animal issues take place without much ethical thinking being invoked. Two examples may illustrate this.

In the debate about animal research, antivivisectionists show gruesome pictures of animals being experimented on, appealing to our compassion for animals. Those in favour of research show pictures of crying children and seriously ill people, appealing to compassion for those who are ill. Rarely do those participating in the debate tell us which ethical principles underlie their view.

Another example is provided by campaigns against hunting of seals and whales. Appeals are made to fears concerning the environment, reverence for the animals, disgust towards cruel treatment of animals etc. However, it is not made clear whether the campaigners are against other forms of hunting or other ways of using animals, for example in livestock production, and if they are not, what is the ethically relevant difference between hunting of sea animals and other ways of using animals.

Thus in many debates and campaigns concerning animals the “arguments” presented are mainly emotional appeals focusing on narrow issues with no attempt to view these issues in a broader ethical context.

Also there is no reason to think that ethical arguments will have much effect in a public debate with strong emotions involved. Even the best moral arguments in favour of controlled whaling will probably not affect the strong antiwhaling sentiments found in some countries. Most likely those who present such arguments will simply be branded as morally corrupt and insensitive.

Why then take interest in ethical arguments rather than simply focus on the best means of promoting the cause that one happens to favour? Or, to put the same question in a slightly different way, why not instead of wasting intellectual resources on difficult philosophical issues rather take an interest in rhetoric, marketing and PR? There seem to be three good answers to this question.

The first answer is that not all people have a cause that they favour. A lot of people have sincere doubts about the extent to which we owe duties to animals. One can use rhetoric to try to convince others but it does not work as a means to convince oneself. Therefore, ethical thinking is needed by all those who want to have an opinion but do not know what to think. Of course, ethical arguments do not provide simple answers - often they generate further doubts. This leads to the second answer.

A value shared by most people who read books like this is intellectual integrity. We like to think of ourselves as people who form their opinions on the basis of evidence rather than superstition and prejudice. Of course, moral views cannot in the same way as scientific hypotheses be based on

objective evidence. When we do moral thinking we are not concerned with finding facts about a mind-independent reality. Rather, our aim is to find out what our attitudes should be, if we think rationally and impartially about the matters at issue. That is, we want our attitudes to be *justified*. To uphold intellectual integrity we must therefore be able to justify our moral views.

The third answer is that even though moral arguments may not directly affect the general public they may have an indirect, long term effect. Thus journalists interested in animal issues may be affected by moral arguments. Journalists often get their information by interviewing scientists or other resource persons. If the person interviewed is able to engage in an ethical dialogue with the journalist, she will stand a good chance of being quoted and may affect the way the journalist approaches the whole issue. Also animal welfare regulation is not mainly decided by opinion polls. Rather, members of ethical councils and committees, civil servants and politicians who take a special interest in the issues are the key persons, and they will often be both willing and able to listen to ethical arguments. Even if one's views are not fully accepted, they will be taken more seriously if they are backed by ethical thinking which addresses the worries of the public.

Engaging in ethical thinking only seems to have two disadvantages. The first is that it takes time and energy. The other is that ethical arguments may turn out to have quite significant effects on one's ethical attitudes.

However, ethical thinking may reveal that these alleged disadvantages are really to be counted as advantages.

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