

Animals and Ethics

Schools of ethical thought

Utilitarianism (act v. **rule utilitarianism**) and **consequentialism** (outcome-based thought)

Deontology, duty, and rights-based thought

[Kant, the **categorical imperative**, and the **principle of personality**]

Contractarian ethics (generally 'unfriendly' to animals, because of a lack of a capacity to reciprocate)

[however: modifications of John Rawls' **veil of ignorance** and the **original position**]

Virtue ethics (moral psychology and Aristotelian *philia*)

Feminist ethics (the **ethic of care**)

Tom Regan, *The Case for Animal Rights*

- **Moral agents** versus **moral patients**
- **Inherent** versus **instrumental** value
- Preference autonomy and the **subject-of-a-life**
- The **miniride principle** and the **worse-off principle**

Peter Singer, excerpt from *Practical Ethics*

- Understanding what Singer means by the '**equal consideration of interests**'
- Quoting Bentham: "the question is not, can they *reason*? Nor can they *talk*? But, *can they suffer*?"
- "The capacity for suffering and enjoying things is a prerequisite for having interests at all, a condition that must be satisfied before we can speak of interests in any meaningful way at all...[and] the limit of sentience...is the only defensible boundary of concern for the interests of others."
- Singer's critique of **speciesism** (and the analogy to racism, sexism, etc.)
- The case of defending animal research (as against human subject research) [38]
- the case of 'mental anguish' (or anticipation...), and the lack thereof (both can be problematic)
- the problem of interspecies pain/pleasure valuation and the issue of **discounting**

From "Animal Liberation at 30"

- on speciesism ("a prejudice that survives because it is convenient for the dominant group")
 - two distinct questions (note that they're not the same!): 1) can speciesism itself be defended? 2) If not, "are there other characteristics about human beings" that justify such extreme moral differentiation?
 - How about this argument: "If the argument works for both the narrower circle of family and friends and the wider sphere of the species, it should also work for the middle case: race."
- on the **argument from marginal cases**
 - this is where Singer gets in 'trouble', both in the interview and elsewhere, with his defense of infanticide, etc.
 - What is a **person**? An acephalous child? A chimp? Neither? Both?
- What does Singer mean when he says that 'animal liberation' is a 'test of human nature'?

From "Famine, Affluence, and Morality"

- **Distributive justice** and the argument that charity is not a **supererogatory** good.
- Philosophical thought and the role of the **deductive syllogism**
- If we accept the principle of equal consideration, do his views on global obligation necessarily follow?
- The (in)famous case of the suit and the drowning child (the role of acts versus omissions, to a **consequentialist**)

Martha Nussbaum, "The Moral Status of Animals"

- Building on Aristotle's **virtue ethics** and Rawls' idea of "**justice as fairness**" to develop her **capabilities approach**
- **Pompey** and the High Court of **Kerala**—why does she open with these two examples?
- "The fact that humans act in ways that deny other animals a **dignified** existence appears to be an issue of justice"
- The Rawlsian legacy: "on the irrelevance of class, inherited wealth, and religion to just social arrangements"
- The capabilities approach "begins with the question, "What are people actually able to do and to be?"

- On the strengths and weaknesses of Kantianism and classical utilitarianism: the problem of **aggregation**
- “I argue that it is a waste and a tragedy when a living creature has an innate capability for some functions that are evaluated as important and good, but never gets the opportunity to perform those functions.”
- “The focus should be the **individual** creature...the survival of a **species** may have weight as a scientific or aesthetic issue, but it is not an ethical issue, and certainly not an issue of justice.”
- “It seems wrong to conclude...that species membership is... irrelevant. A child with mental disabilities is actually very different from a chimpanzee...[this] child's life is difficult in a way that the life of a chimpanzee is not”
- “the species norm (duly evaluated) tells us what the appropriate benchmark is for judging whether a given creature has decent opportunities for flourishing....[but I admit] there is a danger [here]”

Parsing Rights

- What is a **right**? (“An entitlement to have, use, or do something...a claim *to* something and *against* someone”(58))
- Do all rights require correlative **duties**, or vice versa? (not necessarily, many claim...)
- Animals, says Henry Salt, “have moral rights *if humans do*” (63)
- “According to Kant, human beings merit respect because they are autonomous. To be autonomous is, for Kant, to be rational and hence able to govern one’s life on the basis of an understanding of right and wrong...Regan allows a notion of autonomy that is considerably broader than Kant’s” (68)

Contractarian responses

- Narveson and Carruthers (“moral decadence”)
- A further response, by Louis Pojman: “once we accept the radical egalitarianism of Regan or Singer we are on the road to moral nihilism, to saying that because there are no relevant moral distinctions among beings we have no moral duties at all.” (78)
- Mark Rowlands, a Rawlsian case for animal rights (**the veil of ignorance** and the **original position**)

Feminist responses

- Midgley: is “right” even the right word? Should we instead be thinking in terms of **relations**?
- Nel Noddings: (81) on the limits of extending the ethic of care to other animals (reciprocity)

Greta Gaard: the **ethic of care**, which deals with responsibilities (vs. an 'ethic of justice', which talks of rights)

- **Ecofeminism**: a blend of ecology, feminism, and socialism that is critical of the self/**other** divide and is primarily concerned with **androcentrism** rather (or in addition to) than **anthropocentrism**
- As a branch of socialist thought, ecofeminism is concerned with the elimination of all forms of oppression, including sexism, racism, classism, speciesism, and 'naturism'
- Privileging the role of emotion and other 'feminine' traits against 'masculine' reason, etc.
- Some key players: Vandana Shiva, Carol Adams, Carol Gilligan, Marti Kheel, Nel Noddings

Carl Cohen, “Reply to Tom Regan” (26-29)

- Cohen critiques Regan for mixing up two senses of the phrase ‘inherent value’; is his critique solid?
- Cohen claims that “we all agree that humans do have rights”, but is this actually true?
- Two kinds of inherent value: ‘having interests’, and being moral agents in the Kantian sense

R.G. Frey, “Rights, Interests, Desires, and Beliefs” (55-58)

- Two distinct notions of interest: “John has an interest in good health” (a desire) and “good health is in John’s interest” (closer to a statement of fact)...Frey argues that animals only have interests in the second sense, and therefore cannot be rights-holders
- Do you agree with Frey that “having interest in the second sense, in the sense of having wants which can be satisfied or left unsatisfied” is a prerequisite to establishing rights claims?
- “I may as well say at once that I do not think animals can have desires. My reasons for thinking this turn largely upon my doubts that animals can have beliefs, and my doubts in this regard turn partially...upon the view that having beliefs is not compatible with the absence of language and linguistic ability.” (56)