24.02 Moral Problems and the Good Life
Fall 2008

Animal Rights and Animal Welfare

I. Singer's argument

1. The capacity to suffer (experience pleasure and pain) is the basis for equal consideration in a moral community. (481)
2. Someone is granted equal consideration just in case their welfare counts equally to others regardless of "what they are like or what abilities they have", though what form our consideration should take may "vary according to the characteristics of those affected". (480)
3. Non-human animals have the capacity to suffer. (483)
4. Therefore, the welfare of non-human animals should count equally to the welfare of humans.
5. Therefore, we should make as much effort to avoid causing pain and suffering to non-human animals as we do to avoid causing pain and suffering to humans, taking into account the different ways that sentient beings can suffer.
6. Therefore, we should "make radical changes in our treatment of animals that would involve our diet, the farming methods we use, experimental procedures in many fields of science, our approach to wildlife and to hunting, trapping and the wearing of furs, and areas of entertainment like circuses, rodeos, and zoos." (from original)

Singer's challenge:
Can you find some feature that all humans have and no non-humans have that warrants placing humans within our moral community and non-human animals outside of it, or that allows us to consider human suffering as morally more important than non-human suffering.

II. Cohen's Defense of "Speciesism"

Cohen's first argument against Singer takes issue with his understanding of a moral community (1 above), and attempts to meet Singer's challenge:

1. Rights are claims within a community of moral agents. (486)
2. The moral community consists of those who can "comprehend rules of duty, governing all including themselves. In applying such rules the holders of rights must recognize possible conflicts between what is in their own interest and what is just." (486)
3. Humans have such capacities, non-human animals do not. (486)
4. Therefore, non-human animals are not part of the moral community. (from 1-3)
5. Therefore, non-human animals do not have rights. (from 1, 4)
6. Therefore, there is no moral wrong in treating animals however we want. (? From 5)

First, note that this argument does not defend *speciesism* if we take speciesism to be the claim that we have moral obligations to members of our species *because they are members of our species*. In other words, being conspecifics plays no role in the argument. So it seems to be an argument that sets the boundaries of our moral community to exclude non-human animals, without being speciesist.

However, second, Cohen's argument, as stated, doesn't meet Singer's challenge. Human infants and other mentally compromised humans are in our moral community and are entitled to a full range of rights, but they don't meet the condition set out in (2). So should we conclude, using Cohen's argument, that we have no moral obligations toward them?

Cohen might object that the condition (2) is not adequately represented here. His exact words are, "[non-human animals] are not *beings of a kind* capable of exercising or responding to moral claims." (486, my emphasis) Perhaps he means something broader than (2):

2*. The moral community consists of those who are members of a species whose adult members, under normal conditions, are capable of comprehending rules of duty (etc).

This condition would include human infants and the mentally compromised within our moral community. But the argument for (2*) is unclear. Presumably the argument for (2) is that "Rights arise, and can be intelligibly defended, only among beings who actually do, or can, make moral claims against one another." (486). The idea is that being part of a moral community involves a kind of moral reciprocity. This supports (2), but not (2*). There are humans who cannot make moral claims against others, for they lack the cognitive capacities to do so. The revised version of Cohen's argument *is speciesist*, in the sense that it relies on a premise that takes species membership to be morally relevant. But to that extent it is weak: he provides no basis for the claim that species boundaries, rather than the capacity for reciprocity, are apt for carving out the moral community.

III. Cohen on suffering

Cohen acknowledges that one might think that it is wrong to cause suffering to non-human animals, even if they don't have *rights*. He says, "Animals certainly can suffer and surely ought not to be made to suffer needlessly." (487) However, he makes two points against Singer's utilitarianism:

7. Human suffering counts for more than non-human suffering.
8. Refusing to use animals in biomedical research and for food would cause more suffering overall than the current suffering of animals.

In considering (7) we should note that Singer would acknowledge that humans and non-human animals are capable of different kinds of suffering. Humans are capable of a kind of emotional suffering, for example, that animals seem incapable of. This is not at issue. What is at issue in (7) is whether an experience of pain or suffering in a human counts for more than *that very same pain or suffering* in a non-human. It is plausible that putting detergent in a dog's eyes and putting detergent in a child's eyes will cause very similar sensations. Does the pain caused to the dog count for less than the pain caused to the child? Why? Singer's idea is that if pain is bad, it is bad because of what it feels like. And by hypothesis it feels the same to both. So there is no basis for saying that it is worse for this to happen to the child than the dog.

But wait. Is all morality really universal? Don't parents have obligations to their children that they don't have to their neighbor's children? And don't citizens of a nation have obligations to each other that they don't have to citizens of other countries? We will consider this idea further in the next few weeks, but let us consider briefly how we might use this to justify special obligations to conspecifics. If we have different obligations to different members of our moral community, we should be able to justify the difference based on some morally significant facts about our relationship to them, or else the difference would be arbitrary. For example, one might argue that parents have obligations to their children because parents are uniquely situated to meet the child's needs, or that citizens have obligations to each other due to jointly participating in a political-legal system. Are there morally relevant facts about our relationship with other humans that justifies speciesism?

Finally, considering (8), within a utilitarian framework, it is an empirical question whether vegetarianism is the morally right choice. Cohen argues that using animals in biomedical research may result in such a reduction of pain and suffering overall that it would be justified from a utilitarian point of view. This is true, though given such empirical calculations it might be even better to use humans in some biomedical research. Cohen gives no argument to suggest that non-human animals in particular should be used, or that the line between humans and non-humans is morally significant.

What about eating animals? Does the gastronomic value of meat-eating outweigh the suffering and death of animals used for food? The Wenz essay argues that we should consider not only the suffering of animals in considering vegetarianism, but also the cost to the environment. Although Wenz's argument focuses on the intrinsic value of ecosystems, a parallel argument could be made in more narrowly utilitarian terms: it is bad to have the environment degraded because it causes greater pain and suffering

(hunger, illness due to pesticide use and water contamination, etc). Consider: what would be the environmental and humanitarian effects of the world moving to a vegetarian diet?

Questions to consider:

1. Is Singer's argument a utilitarian argument? If so, then rights are not part of his moral vocabulary. How does Cohen's rights-based argument engage Singer?
2. Is the conflict between vegetarians and non-vegetarians really boil down to a difference between utilitarians and deontologists? How might a deontologist construct an argument supporting vegetarianism (you might want to look at the essay by Tom Regan in the textbook for an example)?
3. What resources are available in virtue ethics to argue for or against vegetarianism?