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Michael W. Fox

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Humane Ethics and Animal Rights

M.W. Fox

The humane ethic of treating animals with compassion has been the principle tenet of the animal welfare movement for many decades. It is based upon the Judeo-Christian doctrine of benevolence to all God's creatures and upon the moral virtue of kindness, inhumanity being regarded as a social evil and a sign of bad character.

This ethic, however valid, is limited because it would seem to accept any form of animal exploitation if it is done humanely. Would an explosive harpoon or instant-kill trap make the slaughter of whales and fur-bearing mammals morally acceptable? Within the narrow tenet of being kind and not cruel toward animals, the answer would be yes.

While the primary goal of the animal welfare movement is to eliminate suffering in those animal species that are exploited by humans, this goal, although exemplary, is narrow sighted. Notwithstanding the practical difficulties of proving animal suffering, especially psychological, suffering could conceivably be eliminated, as in confined farm animals, through the use of tranquilizers, or even brain surgery. A goose being made to eat compulsively, following selective partial destruction or stimulation of its brain to cause hypertrophy of its liver for the liver paté trade, may not suffer. But it is being harmed. Likewise, to selective breed a farm animal, like a broiler chicken, that eats to excess and its rate of growth jeopardizes its health, or to raise a zoo or laboratory animal in a highly restricted environment, may not cause overt suffering, since the animals

do "adapt." But they are being harmed, since such treatments can increase their susceptibility to stress and disease. In the parlance of animal rights philosophy, their rights are being violated, regardless of whether or not suffering occurs or can be scientifically proven.

Animal suffering, therefore, is only one aspect of animal exploitation and abuse. Recognizing this, and the fact that the elimination of animal suffering is an extremely limited horizon, the humane movement has greatly expanded its vision and goals by incorporating animal rights philosophy and ecological principles into its educational, legislative, and political activities.

A deeper understanding of what animals do, and say, and why, will not only enhance our enjoyment of them as companions or as natural creations for observation and appreciate contemplation; it will also improve the care they receive under humane stewardship and under the dominion of animal researchers, farmers, and others whose livelihoods depend upon the exploitation of animals for the benefit of society. Furthermore, this "animal connection" of understanding is the basis for *informed empathy*, as distinct from a purely Cartesian, utilitarian anthropomorphic, or esthetic attitude, which leads us inevitably toward what Albert Schweitzer called "a reverence for all life." Once this animal connection of understanding and reverence is established, the societal recognition of the intrinsic worth of animals, and of their rights, will mean a fundamental change in our attitude toward the animal

kingdom which will improve our stewardship of planet earth and the lives of all creatures under our dominion. The following synopsis of animal rights philosophy, it relates to the treatment and exploitation of domesticated and wild animals, shows where ethical guidelines and ecological considerations are needed beyond the limited framework of animal suffering *per se*.

Economic and other social justifications of animal exploitation, particularly the raising of animals for human consumption and their use in biomedical research, should stand the test of moral, as well as utilitarian justification, with reference to the ethics of humane animal exploitation and their intrinsic worth or "rights" which may be articulated as follows:

Animals have an intrinsic nature and interests (needs, wants, etc.) of their own, intentionality or purposiveness, and have intrinsic worth independent of the extrinsic values we may project or impose upon them. These interests may be construed as their rights or entitlement;

Their physical, emotional and social needs constitute their intrinsic nature, or "animalness" (which has an evolutionary and genetic basis), which entitle them to just treatment and moral concern;

In recognizing that animals have intrinsic worth and interests independent of their extrinsic worth to us, we are ethically enjoined to treat them compassionately. Thus, when they are under our care or stewardship, we are morally and ought legally, to be bound to respect their rights;

Respecting the rights of animals means avoiding unnecessary or unjustifiable death, physical or psychological suffering, or deprivation or frustration of their basic physical, emotional and social needs;

Such rights are relative and not absolute (*i.e.*, presumptive). For example, a domestic animal's desire to be free may

have to be inhibited for its own good and for the good of society. However, it would be a violation of such an animal's rights (amounting to cruel and unnecessary privation) to keep it continually restrained in a small cage or on a short chain;

To argue that animals have rights is based on more than philosophical presumption or moral reasoning. It is based upon the ecological evidence that they are, as we, an integral part of the biospheric ecological community and also upon the physiological and psychological affinities that many animal species have with us. That we are dominant over them and in control or superior to them are not valid reasons for denying animals equal and fair consideration. The honest reasons for denying them such consideration, and not according them rights are primarily economic, and also that their exploitation gives us pleasure, and that their interests at times conflict with ours, as over-competition for resources. An understanding of the intrinsic nature of animals leads to an appreciation of their intrinsic worth and thus ultimately to according them rights;

The rights of animals should be given equal consideration with the rights of a human being, but it is important to recognize that this does *not* necessarily imply equal treatment nor that the interests of the animal are accorded the same weight or value as essential human interests;

This provides the ethical basis for determining when the killing or harming of an animal (by causing it to suffer or to be deprived of certain basic needs) is morally justifiable;

In making such ethical determinations, we as moral agents must consider the animal's intrinsic nature and its rights, and reason informs us that animals are legitimate objects of moral concern;

Thus, the killing of an animal may be ethically acceptable only when there are no reasonable alternatives, as when the animal is: (a) incurably ill and is ex-

perceiving great suffering; (b) so deformed or otherwise incapacitated as to be incapable of living without great suffering; (c) endangering the lives of human beings, or causing a severe and unnatural ecological impact, thus endangering the lives of other living creatures; (d) other instances not directly beneficial to the animal arise when its products (meat, fur, etc.) are essential for human well-being and there are no alternatives that are less costly; (e) when we must minimize environmental costs or suffering of other animals; (f) or when the knowledge gained from killing it (as in some biomedical research) is essential for human health or for the benefit of other animals.

Causing an animal to suffer physically or psychologically is ethically acceptable only when there are no alternatives and such treatment is essential to human survival and overall health (as distinct from purely economic or other materialistic benefit), or promises to alleviate a significant degree of suffering in man or in other animals (as in medical or veterinary research);

Subjecting an animal to deprivation or frustration of certain basic needs is only acceptable when such treatment is essential to the welfare of the animal itself, or essential to the fundamental welfare of human beings or other animals, and there are no alternatives to using animals to achieve these goals. Fundamental welfare implies consideration directly relevant to human health, safety and survival, not inessential comforts, economic benefits, or knowledge for its own sake;

The rights of animals vary according to the context of their relationship with human beings. For example, the right to freedom for a house pet has more restraints or qualifications than the right to freedom of a wild animal. Another example concerns the right to life of a parasite that is jeopardizing the life of its host compared to the lives of members of an endangered species;

A major aspect of animal rights philosophy which has been seriously overlooked, because of the instant polarization of this issue into animal versus human rights, is that animals of the same species, or of the same degree of sentience, should be treated with the same degree of humaneness (since they can all suffer similarly). There are no moral or ethical grounds for considering otherwise, and there is certainly no scientific reason why they should be treated differently. The only reasons why similar animals are treated differently are primarily economic;

In sum, the intrinsic nature of an animal is the basis for rights, from which the above ethical codes may be deduced. Nonhuman beings should be as much a part of our community of moral concern as humans. They are an inseparable part of the ecological community of our planet. The ethical codes are both spiritual and practical, originating from the highest tenets of humane, compassionate and responsible conduct. They bespeak a reverence for life, cast within the framework of ecologically sound and unselfish planetary stewardship, upon which our survival depends and through which the quality and diversity of all life on earth may be protected and enhanced for the "greater good";

While the "greater good" cannot be easily defined for all conditions or circumstances, the concept is framed within the Kantian formulation that no man must be the means to the ends of another. The Talmudic statement: "Whosoever saves a single life is as if he had saved the whole world; whosoever destroys a single life is as if he had destroyed the whole world" is also relevant to resolving the ethical dilemma where the rights and sanctity of the individual must be sacrificed for the "greater", as distinct from some lesser (e.g., ideological or economic) good, for the benefit of all, rather than for the benefit of a select, more powerful few;

The lack of regard and concern for the intrinsic nature, worth and "rights" of animals is a metaphor for the lack of empathy, care, knowledge, respect and responsibility that humans have for their own kind, be they of the same or opposite sex, or of a different race, socio-economic class, political, religious or other belief or value system;

It has been argued that since only humans can act as moral agents, it is only they and not animals who can have rights. However, to possess rights, one need not be an active moral agent, as in the case of infants and comatose patients. It is logical that since rights constitute a social recognition of other's interests, to deny animals recognition of their rights is to deny the evidence that they, like we, have certain interests, needs, and behavioral requirements. Since we are moral agents, capable of rational, responsible and compassionate action, it is clearly irrational anthropocentrism to deny other sentient creatures their rights, recognition of which makes us more fully human by broadening and enriching the scope and awareness of our moral community.

The ultimate tragedy, apart from irreversible environmental destruction and extinction of species, is not human and animal suffering so much as the collective atrophy of the human spirit that permits the unethical exploitation and subjugation of animals and humans alike, in the name of economic necessity, political expedience and other inhumane rationalizations. Social, political and other reforms, although often well intended, as exemplified by the philosophy, actions and aspirations of animal and human rights groups, will make little progress until it is realized that social transformation is possible only when each individual has become spiritually enlightened to act responsibly and has regained the ability to empathize, to have compassionate understanding and respect for the intrinsic worth of other

beings, animal and human alike.

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