

ANIMAL SENTIENCE

AN INTERDISCIPLINARY JOURNAL ON ANIMAL FEELING

Palmer, Clare and Fischer, Bob (2019) *Just policy paralysis?.* *Animal Sentience* 27(3)

DOI: 10.51291/2377-7478.1531

Date of submission: 2019-11-10

Date of acceptance: 2019-11-12



This article has appeared in the journal *Animal Sentience*, a peer-reviewed journal on animal cognition and feeling. It has been made open access, free for all, by WellBeing International and deposited in the WBI Studies Repository. For more information, please contact wbisr-info@wellbeingintl.org.

Just policy paralysis?

Commentary on [Treves et al.](#) on *Just Preservation*

Clare Palmer

Philosophy, Texas A&M University

Bob Fischer

Philosophy, Texas State University

Abstract: Treves et al. (2019) argue that policy making should include the interests and well-being of present and future generations of humans and nonhumans. There are deep and abiding conflicts of interest both between and within these groups. Trying to factor in so many considerations is likely to generate political gridlock. The authors need to explain how to avoid this.

[Clare Palmer](#) is George T. and Gladys H. Abell Professor of Liberal Arts & Professor of Philosophy at Texas A&M University. Her research interests are in animal ethics, environmental ethics, and the ethics of emerging technologies. [Website](#)



[Bob Fischer](#) is Associate Professor of Philosophy at Texas State University. He works on issues in animal ethics, consumer ethics, and environmental ethics. [Website](#)



Treves et al. (2019) write that “the interests and well-being of non-humans, youth and future generations of both human and non-human beings (futura) have too long been ignored in consensus-based anthropocentric conservation.” Although it is unclear how consensus-based or anthropocentric conservation has been historically, we agree with the authors’ more inclusive ethical approach. However, we worry that when it comes to policy, including many more beings over much longer time spans will lead to paralysis. Unless there is reason to believe that the majority will assess the complexities and uncertainties in the same way, deliberative bodies need to be careful about the inputs to their decision-making. It would be unwise — and, given the stakes, perhaps even morally objectionable — to insist that decision-makers factor in considerations that are likely to generate gridlock. Unfortunately, we suspect that the authors have done just this.

What are these complexities and uncertainties? There are deep and abiding tensions between the interests of humans (within current generations and between present and future ones). There are deep and abiding tensions between the interests of humans and nonhuman animals. There are deep and abiding tensions between the interests of various nonhuman animals. This is truer still when we consider human and nonhuman animals as *individuals*, “other

selves,” as Treves et al. do, rather than as species-representatives or populations. Given these tensions, and the unknowns associated with the far future (including the many unforeseeable implications of climate change), it would be surprising if there were much agreement about policy proposals to address the diverse interests that need to be represented. It is hence unlikely that trying to represent all these interests would allow the broad consensus needed for political action of any kind, much less *global* political action.

To illustrate, let’s consider the challenges associated with representing the interests of future animals. The authors write that “the value judgement that maximum sustainable yield is an appropriate goal for a salmon population would never stand if grizzly bears, seals and sundry other consumers of salmon were considered in a sustainable manner.” On the model for which the authors are arguing, we should not be thinking about the appropriate yield from salmon populations, given the existence of nonhuman salmon predators. Instead, we should be thinking about how to take the interests of individual salmon seriously. But how to adjudicate equitably between salmon and bears, when the same human representative would presumably be representing both species? Where does predation fit in this “trustee” model? How would we resolve fundamental conflicts of basic interests between individuals of different species?

One response might be that the trustees would not be in the business of making decisions about the relationships among wild animals themselves. Animal representatives would only be concerned with potential *human* interventions that affect the well-being of wild animals.

Even here, however, difficulties arise. Consider the kind of case where representing all these future beings looks especially important – say, a proposal to geoengineer the earth as a response to climate change (e.g., by pumping sulfur dioxide into the atmosphere to reflect sunlight away from the earth). On the positive side, this is likely to reduce global temperatures. On the negative side (or rather, *one* of the unavoidable negatives), ocean acidification would worsen. What should a “future-animals” representative say? Many land animals, we might think, would do better in a geoengineered world of this kind: it would be cooler. But at the same time, many oceanic animals would do much worse, unable to flourish in a much more acidic ocean. Whose interests should be represented?

It gets worse. Over time any policy chosen will influence which animals *actually come into being*. A more acidic ocean will kill individuals of some species but allow an expansion of the number of individuals of *other* species for whom a more acidic oceanic environment is tolerable. On land, temperatures cooled by geoengineering will allow some populations (and therefore individuals) to flourish that would otherwise have been overwhelmed by heat; but without geoengineering, populations of some other animals would migrate — expanding, for instance, into the previously inhospitable Arctic. It is not at all clear what representing wild animals’ interests equitably would mean under climate change, given not only that many policies would harm members of some species and benefit others, but also that policies affect which individual animals actually come into being and have interests to be respected. On top of all this, there is considerable uncertainty about the effects of any climate policy. Although some of these difficulties also occur when thinking about future humans, humans are a single species with access to multiple technologies that can mitigate some climate effects. The same can’t be said of wild animals.

This is not to say that Treves et al.’s proposal for representation would *always* generate gridlock. There are some possible futures, such as a nuclear winter, that would be bad for almost

every living being — or at least sentient ones, including humans. And there are some policies — for instance, to improve future agricultural animal welfare — that wouldn't obviously generate such severe problems of competing interests. However, given the deep and abiding tensions among the interests of different future animals, including those between human and nonhuman animals, present and future humans, and different groups of humans within the same generation, it seems likely that political paralysis would follow if all interests were represented. Granted, we have moral reason not to neglect morally relevant interests in our deliberations. So, which to include? Given the limitations of our current policies, it seems plausible that having some policy changes would be better than having none, even if those policies aren't informed by reflection on the full breadth of morally relevant interests. The right approach, then, may be to include as many interests in our decision-making as possible without generating political gridlock. We don't know where that line is, but as we've argued, it's probably short of what Treves et al. propose.

References

Treves, A., Santiago-Ávila, F. J., and Lynn, W. S. (2019) [Just preservation](#). *Animal Sentience* 27(1)