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Virtue ethics and the likelihood of invertebrate suffering

Commentary on [Mikhalevich & Powell](#) on *Invertebrate Minds*

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Abstract: Mikhalevich & Powell (2020) review evidence that invertebrates have the capacity to suffer. If they do, then, according to utilitarians (those advocating “the greatest good for the greatest number”) and deontologists (those advocating rights and corresponding duties), research practices and funding policies should be required to protect invertebrates. But if the evidence is mistaken, then, according to utilitarians and deontologists, our constraints would be unjustified and even morally suspect. Virtue ethicists, in contrast, endorse acting rationally in an effort to cultivate the virtues — even if the basis for our action is mistaken. Virtue ethics seems more compelling than the problematic assumptions and vague requirements of the Animal Sentience Precautionary Principle (Birch 2017).

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1. Pascal’s Wager with Invertebrate Minds. Mikhalevich & Powell (2020) (M&P) provide a thorough review of the literature on the likelihood of invertebrate suffering. They contend that logical consistency compels us to take seriously the need for moral constraints on how we treat invertebrates. Their argument, from the perspective of the moral agent (i.e., humans), can be represented as a modified table of Pascal’s Wager:

	<i>Invertebrates suffer</i>	<i>Invertebrates do not suffer</i>
<i>You believe</i>	Avoid unethical actions	No loss to you
<i>You do not believe</i>	Perform unethical actions	No reward for you

This is helpful but incomplete as an ethical theory. M&P allude to two frameworks: utilitarianism (i.e., ethics is a matter of producing the greatest good for the greatest number, with “good” including pain and suffering but sometimes also so-called higher subjective experiences) and deontology (i.e., ethics is a matter of respecting the rights of others by acting in accord with one’s duties which are classically understood as rules that apply to all rational beings). Both ethical theories would align with the “harm principle” and consider suffering as the minimum standard for moral consideration. The Pascalian version can be interpreted from both these ethical perspectives as entailing a duty to avoid causing unnecessary suffering to invertebrates. However, this assumes that invertebrates have morally relevant states of being which include, at least, the capacity to suffer (whether or not they have other morally relevant states such as self-awareness, experience of particular emotions, formulation of future plans that can be frustrated, or

enjoyment of higher-order intellectual pursuits). What if this is not true, and we mistakenly adopt inconvenient and costly measures? For the deontologist, we may have failed to fulfill legitimate duties (e.g., conducting research that would benefit humans and other sentient animals), and for the utilitarian, we will have wasted resources in protecting organisms whose condition does not contribute to the greater good.

A third moral theory — virtue ethics — can justify acting with moral concern for invertebrates, even if it is based on invalid evidence (i.e., inferring that invertebrates suffer when, in fact, they do not). If M&P have provided sufficient evidence that invertebrates suffer, this has important implications for this third moral theory. The Pascal table overlooks that falsely believing (what M&P refer to as a “false positive”) may still yield substantial ethical benefit to moral agents (i.e., ourselves) from the perspective of virtue ethics.

2. The Virtuous Treatment of Insects. Virtue ethics requires that we cultivate particular character traits (virtues) while avoiding others (vices) in order to fully realize our human potential, thereby knowing and doing what is right. I have argued that avoiding gratuitous harm to insects could foster the virtues of compassion and helpfulness, but I also conceded that we don’t really know whether insects warrant such consideration (Lockwood 2016). It is here that virtue ethics has a significant advantage over utilitarianism or deontology in its capacity to sidestep the epistemic problem. By this I mean that we now have good evidence of invertebrate suffering but we do not *know* for sure (knowledge being justified, true belief) whether our inference is correct. Our belief is justified, but could well be mistaken. Whether it is true becomes quite another issue, and given the problems of understanding the mental or subjective states of other beings (particularly those so different from ourselves), we may never be assured that invertebrates suffer. However, even if we cannot know or we are mistaken, virtue ethics provides a moral justification for acting in accordance with the belief that invertebrates suffer.

The key lies in the path to virtue — practice. Through repetition, we live out the virtues until they become our very nature, at which point our actions are moral. Even if we are mistaken as to whether invertebrates feel pain, as long as *our beliefs about their lives are reasonable*, refraining from harming them constitutes a virtuous practice. And it is in regard to this crucial condition — holding rational beliefs — that M&P’s review of the scientific literature is vital.

Everyday interactions with invertebrates provide ideal opportunities to cultivate virtue. We can develop positive character traits (e.g., empathy, compassion, and gentleness) through our frequent encounters with these creatures. Furthermore, invertebrates stretch our virtuous capacities by being alien, frightful or disgusting — qualities that M&P note are poor reasons for rejecting ethical obligations toward other beings. It is easy to resist harming kittens, so avoiding that vice offers little challenge and hence limited potential for refining our virtues. However, choosing to step over an ant on the sidewalk, refraining from spraying a grasshopper in the garden, opening a window to let an annoying fly escape, or removing a wayward spider from the basement requires far greater consideration.

3. Policies and Practices. If practice makes perfect, then surely policies regarding the ethical treatment of invertebrates by research and funding institutions (a central concern of M&P, rather than a general, public disposition) have the capacity to require reflective interactions with invertebrates and in so doing, to cultivate virtue.

For example, by choosing not to harm invertebrates heedlessly, scientists manifest the Aristotelian virtue of temperance (*sōphrosunē*) (Curzer 1997). Although the ancients were concerned with moderation of bodily pleasures, a policy requiring researchers to take into account the condition of invertebrates would stimulate reasoned analysis and forbearance. For example, an investigator would need to balance the convenience, if not the pleasure, of forgoing anesthetic prior to cutting into a subject or of discounting the rearing conditions of a colony versus the likelihood of invertebrate suffering.

Encounters with invertebrates in the laboratory or field provide the chance to practice self-restraint — and a thoughtfully crafted policy could foster such opportunities. Aristotle argued that this capacity was vital to developing the virtues (Toner 2003). Researchers and their institutions ought to exhibit rational deliberation, which is a commonly stated, if not invariably applied, standard of science. As noted by M&P, invertebrates elicit irrational responses, and these culturally endorsed judgments form the indefensible and implicit basis of the “invertebrate dogma” — the outdated biases that continue to shape the policies of research and funding agencies.

Returning to the matter of our uncertainty regarding the subjective experiences of invertebrates, M&P critique Birch’s (2017) *Animal Sentience* Precautionary Principle. They contend that it is both promising and flawed due to dubious biological assumptions, the problem of underdetermination, and the potential costs of overgeneralization. Although virtue ethics doesn’t fully avoid these concerns, this framework might be a better starting point for developing and defending practices to avoid the mistreatment of invertebrate animals. At least this ethical theory provides a sound basis for acting “as if” these creatures can suffer in the face of uncertainty.

Although Aristotle did not specifically consider the virtue of epistemic humility (i.e., a humbleness regarding what we think we know), he advocated *alētheia* or truthfulness about one’s abilities and accomplishments. As M&P cogently argue: “we are not in a position to rule out or even deem unlikely the possibility that tiny brains can give rise to sentient lives with interests that merit moral protection.”

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