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Overcoming inertia to deliver sentience policy commensurate with sentience science

Commentary on [Rowan et al.](#) on *Sentience Politics*

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Abstract: Rowan et al's target article makes clear that meaningful change in policy and practice to protect animals has failed to progress in lockstep with scientific understanding of their sentience and needs. The underlying causes for inertia in political and practical progress for animals in the UK context are multi-faceted and complex, including economic forces; lack of cross-departmental accountability for animal welfare; and challenges where it suits conservation scientists to dismiss or downgrade the impacts of management decisions on individual animals. All of these influences and more must be understood and addressed if we are to deliver meaningful and timely protections for sentient animals.

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Applying sentience in policy and practice: examining causes for inertia. Following a summary of the relatively rapid developments in both the science and theory of animal welfare science and sentience, and a compelling account of the tremendous campaigning efforts that have been invested in affecting policy change, Rowan et al's conclusion that

“there has been little evidence that the various declarations that animals are sentient in other countries and regions have had much direct impact on animal protection legislation or on how animals are actually being treated”

is sobering to say the least, and should give pause for careful reflection. Why, when scientists and ethicists are so clear that sentient animals are so much more than a bundle of nerve cells and impulses, has there been such inertia on the commensurate changes in policy and practice? Why, when we do celebrate tangible legislative advance for animals, are they so often isolated pieces of a jigsaw puzzle for which the overall picture is not clear? And can the new UK Sentience Act help to clarify the picture?

Rowan et al. make clear that as long ago as 1965 the UK government has understood the complexity of evaluating animal wellbeing, quoting the Brambell Report:

“Welfare is a wide term that embraces both the physical and mental well-being of the animal. Any attempt to evaluate welfare, therefore, must take into account the scientific evidence available concerning the feelings of animals that can be derived from their structure and functions and also from their behaviour”

Since that time there has certainly been legislative progress in tune with public opinion, the veal crate ban being a prime example. But at the same time the UK (and most) governments have presided over and indeed heavily invested in economic systems of animal exploitation that are predicated on turning a very deliberate blind eye to animal sentience science.

Sentience science vs industry-permissive policy. It is typically far more convenient and lucrative for exploitative industries – such as egg and milk production - to take a highly permissive approach to risking poor welfare and life experiences for animals. As Rowan et al. note, it suits industries, enabled by governments, to make unscientific assumptions that permit the infliction of suffering, for example, that younger or smaller animals will have a less valid aversive reaction to painful procedures like tail docking or castration.

So one key answer to the question that follows from Rowan et al.'s target article ('why haven't we made more progress for animals yet?') is powerful government-backed market forces. But we have good examples -- such as the [enormous rise in demand and production of cage-free eggs](#) since the EU's 2004 egg labelling regulation provided consumers with an informed buying choice -- to show how market forces can affect positive welfare changes far faster than politicians are often willing or able to deliver.

The challenge of de-siloing animal policy. Another challenge we face in the UK is that animal welfare is departmentally siloed, typically seen only as a low-medium priority within a department (Defra) that is one of the weakest in Whitehall's power base. With the exception of the Home Office (which regulates animal experiments), our various communications with other departments whose policies may adversely affect animals usually make clear that animal welfare is viewed as 'Defra's problem'.

This is problematic because it means government may miss vital opportunities to enhance animal welfare; but this myopia also prevents the creation of holistic policy making that acknowledges the connection between the health and wellbeing of animals, humans and the environment, and ultimately of the role of animal welfare in achieving sustainable economies, and safe and secure societies and food systems. From zoonotic diseases and pandemic prevention (Wiebers and Feigin, 2020), to the proven links between violence to animals and humans (Signal, 2016), our legal landscape is littered with examples where understanding and delivering protection and respect for animals are critical in the promotion of human health and wellbeing.

It is our hope that the UK's newly approved [Sentience Act](#) will have the desired effect of ensuring that regard for the welfare needs of sentient animals is routinely acted on as a policy and management imperative across all Whitehall departments. If Ministers fail in this regard they will be answerable to the new [Animals Sentience Committee](#), to Parliament and, ultimately, to the court of public opinion.

Putting the individual into wildlife conservation and management. We also often fail to secure the best outcomes for individual animals when their plight is entwined with that of conspecifics. In his commentary on Rowan et al., Bekoff (2022) refers to the approach of [Compassionate Conservation](#) as the antidote to the 'sustainable use' lobby who argue, for example, that trophy hunting is legitimised if certain funds derived from it benefit the survival of species or populations. In a time of growing enlightenment around animal sentience, of respect for animals as individuals, the notion that individuals may be legitimately sacrificed in pursuit of a human-defined goal of protecting *groups* of animals is increasingly, rightly, challenged. This is not to assert that the protection of species is not a highly important goal; simply that it does not give automatic moral license to forfeit the lives of individuals.

The removal of a certain *quota* or *sustainable yield* of purportedly interchangeable individuals is an especially questionable proposition for species known to have complex emotional lives and social bonds, such as elephants and many cetacean species, as elaborated by Brakes and

Simmonds (2011). In the context of the latter, the language used by the intergovernmental body charged with their conservation (the International Whaling Commission) remains problematic, adhering as it does to the archaic, objectifying language of whales as 'stocks' to be 'harvested'.

The language we use to describe animals – stocks, pests, invasive etc -- matters, since it can be used, as Bekoff (2022) notes, as a license to almost entirely disregard the welfare of individuals deemed surplus, dangerous, or simply inconvenient. To counter to this, I commend the approach taken by Dubois et al. (2017) toward a more ethical humane approach to wildlife management.

Towards a more zoocentric perspective. In July this year we mark the bicentenary of the UK's first ever animal protection law (and one of the world's first) . The [Sentience Act](#) is a fitting milestone in our two hundred year evolution of understanding of animals and of our sense of responsibility towards their needs. Although far from revolutionary, it could be a stepping stone toward the more direct application of legal duties and rights from the animal's perspective, and the 'rising moral standing' of animals discussed by Hanlon and Magalhães-Sant'Ana (2014).

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