

# **AN IGBO CULTURAL DEFENCE OF ANTI-SPECIESISM**

**By**

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**DEDICATION**

To

I dedicate this thesis to the glory of the Almighty God, the creator and maker of all things;  
including the human and nonhuman animals:

And

To all who extend their love and care towards the nonhuman animals.

UNIVERSITY OF IBADAN

## CERTIFICATION

I certify that this research, titled “An Igbo Cultural Defence of Anti-speciesism” was carried out by Mr. Iheanacho Chukwuemeka Metuonu in the Department of Philosophy, Faculty of Arts, University of Ibadan, Ibadan, Nigeria.

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## ABSTRACT

Anti-speciesism, as opposed to speciesism, is the view that non-human animals are sentient beings and so should be granted moral status; a position shared by the Igbo culture which accords moral considerability to a good number of non-human animals. Existing studies on animal ethics have addressed these issues mainly from Western socio-cultural perspectives without significant contribution from the African cultural ambient that could provide complementary insights toward the debate. This study, therefore, interrogated the speciesist and the anti-speciesist positions, using cultural elements from the Igbo thought system with a view to evolving a complementary framework that will corroborate the position of anti-speciesism from the African context.

The study adopted Peter Singer's theory of sentientism and Nwala's theory of animism as framework. While sentientism emphasises the ability of a being to experience pleasure or pain, animism grants souls to non-human animals as criteria for moral considerability. Ten core texts on the philosophy of animal ethics which included Singer's *Animal Liberation* and six on Igbo culture such as Nwala's *Igbo Philosophy*, Ilogu's *Igbo Life and Thought* and Onunwa's *Anthology on Igbo Myths* were purposively selected. The critical method was employed to examine the positions of speciesism and anti-speciesism and to analyse cultural concepts such as *ube-ariri* (animal emotion) and *ugwu anu* (animal integrity), drawn from the Igbo thought system while the conceptual analysis helped in explaining relevant notions such as sentientism, painism, moral status and equality.

Texts on animal ethics revealed two contending traditions in the animal rights debate – speciesism and anti-speciesism. Works by Singer, particularly, *Animal Liberation* revealed that speciesism assigns moral status to humans on grounds of rationality, self-consciousness and the ability to communicate through verbal language. Anti-speciesism holds that non-human animals are subjects-of-a-life just like humans, and so have inherent worth in themselves. However, these extreme positions have not accommodated other cultural views due to their strong western orientation. Texts on Igbo culture revealed the Igbo belief about non-human animals living in a community of their own; possessing such basic rights as freedom, autonomy and independence – ideas that are expressed in some Igbo proverbia, myths and aphorisms, which, for instance, forbid a hunter from killing or disturbing a pregnant or mating animal. Furthermore, the principle of *egbule* (do no harm) towards such animals as the duck, sheep or millipede, imply moral considerability. There exist culturally relevant facts from Igbo thought such as *ube-ariri* (animal emotion) and *ugwu anu* (animal integrity), captured in the Igbo philosophy of *egbe bere, ugo bere* (live and let live), which grants mutual tolerance and fair treatment to all beings, justifying the claim of anti-speciesism that non-human animals are worthy of moral consideration.

The Igbo culture grants moral privileges to a good number of non-human animals, thereby promoting the mutual flourishing of all beings. Therefore, the Igbo philosophy of *egbe bere, ugo bere* (live and let live) which accords moral consideration to non-human animals, provides a complementary framework that justifies the position of anti-speciesism.

**Key words:** Speciesism, Anti-speciesism, Sentientism, Moral status, Igbo thought.

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## INTRODUCTION

In contemporary times, moral philosophers, particularly of the analytic bent, have concentrated their efforts on the study of the logical structure of moral judgments. Through an understanding of the formal features of a moral judgment, which involves answering the question: ‘what is one doing in making a moral judgment?’ one is expected to discover the main border of moral discourse.<sup>1</sup> Ethicists, whether of the intuitionist, the emotivist or the prescriptivist school, have answered this question differently, but unfortunately their answers have not met with great success. One reason for this is that it seems such answers rest on the mistaken belief that the study of the nature of morality rests on a mere theoretical understanding of the nature of moral judgments rather than a study of concrete issues about the moral life.<sup>2</sup>

The picture one gets from the contemporary discourses on morality is that it is a reflection on matters of conduct between human animals who live together and have to share the scarce resources of a hostile world or environment, and who unfortunately, find it hard to secure their fair share of those resources without prejudice to other beings’ interests. This view of the nature of morality accords no role or significance to the nonhuman animals either as beings worthy of moral consideration or care. But the important questions are: Are nonhuman animals beings worthy of moral consideration? And, what, if any, should be the relationship between human and nonhuman animals?

Given the intense interest and the gravity of the problems that centre around the question of the relationship between human and nonhuman animals, and the challenge which these problems have generated for the value system of our world, it became necessary for philosophers to explore the issue of the moral status of both human and nonhuman animals. It was in the bid to critically address this issue that George Graham asked the following crucial question: “What does it mean to possess moral standing?” Answering his own question, Graham states as follows:

To possess moral standing is to be the sort of thing which deserves respect and ought to be given consideration by fair-minded moral agents. A (human) person can be treated fairly or unfairly; a (human) person can be wronged or disrespected.<sup>3</sup>

According to Mary Ann Warren, to possess moral status is to be morally considerable or to have moral standing or right.<sup>4</sup> It is to be an entity towards which moral agents have, or can have moral obligations. If an entity has moral status, then we may not treat it in just any way we please. Following Kant, we are not expected to treat such a being merely as means to some other ends.<sup>5</sup> Indeed, we are morally obliged to give weight in our deliberations to its needs, interest or well-being. Furthermore, we are morally obliged to do this, not merely because protecting it may benefit ourselves or other persons, but because its needs have moral importance in their own right. Some cultures provide some perspectives on the moral standing of nonhuman animals vis a vis their human counterparts.

In this study, particular focus will be on the Igbo traditional thought system of south eastern Nigeria with regards to how in that culture, nonhuman animals are treated or regarded. But here, it is important to ask the following critical questions: How meaningful or conceptually possible is it to ascribe moral status to nonhuman animals? What particular features or qualities confer such status, if any, on these categories of beings? Are there not some cultural features which cut across the moral weight of both the human and nonhuman animals? These questions capture, in a succinct manner, the whole debate on the moral worth of animals.

One of the core issues in the field of study known as Animal Ethics is the moral relations of humans and other sentient beings such as animals. The stage for philosophical debate on the conceptual and normative implications of the animal right debate was set by the Austrian born Philosopher; Peter Singer whose highly influential book titled *Animal Liberation* (1975) set the tone for the debate. The title of the first chapter, like the title of the book itself, clearly announced the author's basic moral message: "All Animals are Equal."

Few human uses of nonhuman animals have incited as much controversy as the use of animals for food, for biomedical research or their confinement in cages and zoos for entertainment and amusement.<sup>6</sup> Contemporary controversies on these issues have their roots in more basic disagreements or dilemmas – about the underlying ethical theories. Peter Singer is one thinker who argues for the equal consideration of interests between human and nonhuman animals. For him, our concern for *others* ought not depend on what they are like or what abilities they possess or lack. What this implies is the fact that other beings, for example, animals, are not members of

our species is no reason for us to exploit them. Again, the fact that the lower animals are presumably less intelligent than we are does not mean that their interest should be disregarded. To disregard nonhuman animals because they are of a different species from us is what Peter Singer called “speciesism” – an attitude Singer views as unjust. Speciesism means high regard for the human species and disregard for the nonhuman species. Singer’s anti-speciesist view rests on the equal consideration of interest amongst human and nonhuman animals, a utilitarian view foregrounded on the idea of sentience – that a being is morally considerable as long as it can feel pain or pleasure. The ability to feel pain or pleasure places animals, like their human counterparts, on some similar moral footings. The German thinker, Immanuel Kant, represents one of the early voices in support of the speciesist position. Kant held that humans are superior to animals on the ground that they (humans) are rational and self-conscious beings while nonhuman animals are not, and therefore do not possess any moral worth. The debate on the moral worth or right of nonhuman animals has pitched speciesists and anti-speciesists against each other. This thesis will critically appraise this opposition between speciesism and anti-speciesism with a view to coming up with a more intellectually acceptable position on the issue.

The study is divided into five chapters. The first chapter, which is “The Animal Right Debate”, gives an insight into the background and history of the animal rights debate. It discusses the historical events that precipitated the debate, spanning through the ancient, medieval, modern and contemporary epochs. Chapter two, entitled “The Question of Moral Rights and Intrinsic Value” identifies the arguments that sustained the polemics in the relationship between human and non-human animals based on the concept of right. It tries to interpret the senses in which rights and moral status can be accorded to human and non-human animals. It also provides an insight into the question of whether or not nonhuman animals are morally considerable beings; this, the chapter does by taking a look at the whole idea of intrinsic value. In examining the issue of the nature of human and nonhuman animal life, the chapter concludes with an analysis of the meaning of the idea of moral equality with particular reference to the human and nonhuman animals. Chapter three goes by the title “Speciesism.” This chapter traces the meaning of the concept – Speciesism, and identifies the major scholars or proponents of the viewpoint such as Immanuel Kant, Tibor R. Machan and others – scholars who maintain that animals, unlike their human counterparts, lack moral right or consideration. Chapter Four is simply tagged “Anti-

speciesism.” This chapter critically examines the views of the ant-speciesists, that is, those scholars who assert that animals, like humans, are beings worthy of moral regard and consideration. The leading figures in the ant-speciesist movement include philosophers like Peter Singer, Tom Regan and Mary Ann Warren. The standpoints of these scholars are explored with a view to exposing the strengths and weakness in what they say with regards to the issue of the moral considerability of nonhuman animals. “Igbo Culture and Moral Considerability” is the title for Chapter Five. Following the critical assessment of the positions of both currents in the animal rights debate – speciesism and anti-speciesism, this chapter explores the various cultural features exhibited by the nonhuman animals in relation to the human animals. The case study is the traditional Igbo thought system. It finally tries to defend the anti-speciesist current by discarding the master-slave relationship between humans and their nonhuman counterparts; and suggesting a mutual relationship between the human and nonhuman animals as a moral basis. This also enriches the anti-speciesist position.

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# CHAPTER ONE

## THE ANIMAL RIGHTS DEBATE

### 1.0 Introduction

This chapter introduces the issues in the animal rights debate. It commences with the background study to the animal rights debate, spanning from the ancient period, through the medieval, the modern and the contemporary periods. Issues on the animal right debate that characterized each epoch will be concisely stated and critically discussed.

### 1.1 Animal Rights – A Historical Discourse

#### 1.1.1 The Ancient Period

A study of the cultures of the ancient period, particularly among the Egyptians, shows that household pets were made up of such animals as cats, dogs, the deer, fishes, monkeys and so on. The cat, for example enjoyed special privileges in Egyptian society following its domestication around 1500 BC.<sup>7</sup> The ancient Greek author Herodotus (circa 450 BC) records that it was a capital offence to kill a cat and almost any wild mammal in the Egypt of his day.<sup>8</sup> The Egyptians saw certain animals as divine manifestations of the gods. Many of the ancient gods were usually depicted as having the heads of animals, for example, *Hathor* had that of a cow, *Serapis* that of a bull, *Sekhmet* of a lioness, *Sopek* of a crocodile, *Thoth an ibis and Anubis* of a jackal. Greek and Roman satyrs and harpies were depicted differently, with human heads and animal bodies. In ancient Egypt, we also find the first evidence of a moral attitude towards animals. In the *Book of the Dead* the crimes listed included causing pain or tears, theft, cheating, illicit sex, blasphemy and cruelty to animals. For the ancient Egyptian, therefore, the distinctions were blurred between animals, the gods and humans.<sup>9</sup>

In Eastern culture, such religions as Jainism and Buddhism, while rejecting belief in personal gods, posit the principle of *ahimsa* as requiring reverence for all life and the avoidance of pain to any sentient being.<sup>10</sup> Anthropological and archeological evidences suggest the abundance of animal forms found in ancient art, literature and religion as indicating that the world was often perceived as a continuum between humans and beasts. The conceptual gulf which exists today between human and non human animals did not exist in ancient times, neither our contemporary ‘species-arrogance’.

Gautama Buddha (born 566 BC) was one of the first great thinkers who is said to have gone beyond mere self-interest in seeking kindness and friendliness towards all living creatures.<sup>11</sup> One of Buddha's central concerns was the conquest of suffering. He asserted the four Noble Truths; that the world is full of suffering, that this is caused by human desire, that desire should be renounced and that salvation can be achieved by the middle way of a balanced and moderate life. This was a practical and psychologically sound technique for reducing the pains of existence. It was in part a recipe for protecting oneself and in part a moral code for the fair treatment of others, including animals.<sup>12</sup>

In contrast, the most influential of the Greek thinkers, Aristotle, largely overlooked concerns about pain and, in the case of animals, did so entirely. Aristotle's contention was that animals lacked reason (*logos*) and could be denied justice on the grounds that we have nothing in common (*koinon*) with them<sup>13</sup>. This primitive ethical view asserts that moral status cannot be ascribed to beings that are different from ourselves. As a result, Aristotle's view of morality was quite restrictive as it did not even include Greek slaves. As far as he was concerned, some people were "natural" slaves in that they did not plan their lives; and those who hunted down natural slaves and animals were similarly engaged in "a just war". Aristotle also supported the view that animals exist "for the sake of men".<sup>14</sup> The tragedy in this is that although many Greeks disagreed with Aristotle on the question of the worth of animals, it was Aristotle who was destined, through Augustine and Aquinas, to influence the whole of the Christian world. These three today would be considered elitists; they looked down upon those they considered inferior to themselves such as women, slaves, foreigners and animals. There was no siding with the underdogs as far as they were concerned.

### **1.1.2 The Medieval Period**

In the Judeo-Christian Tradition, animals were said to have been created for the use of humans. In the Genesis account, for example, humans are meant to fill the earth and to subdue it; they are to have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth.<sup>15</sup> The key word in the command is "dominion". The word *dominion* means "rule" or "stewardship".<sup>16</sup> The Biblical injunction to rule or have dominion over animals have been supported by centuries of Christian theology. The Biblical account has it that humans



are created in the image of God; other animals are not. Only humans and the lower animals have immortal souls. Again, humans belong to the realm of the spiritual and material; the lower animals belong only to the material. Given these differences, in addition to the influence of Christian thought on western culture, no one should be surprised the way humans treat the nonhuman animals.

But we should realize that Jesus Christ himself was never silent on the question of animal welfare. On one hand, there are the sparrows that are, he says, precious in the sight of God, but on the other hand, he shows little concern for the Gadarene swine as they were carried into the sea. On another side, he showed much love and care for the lost sheep in the parable of the lost sheep as recorded in the Holy Bible. There are many other passages in the Bible that seem to call for respect or care of the animals. Two of such passages are found in the book of Isaiah where God is said to have frowned at animal sacrifice: "I delight not in the blood of bullocks, or of lambs or of he-goats".<sup>17</sup> Again, "He that killet an ox is as if he slew a man."<sup>18</sup>

Throughout the Middle Ages we can see ambivalence in the human attitude towards the nonhuman animals. On one hand, there was the emphasis on the differences between animals and humans; on the other, there was the assumption of some similarity between them. Animals could be exploited, killed and eaten; but at the same time, they were kept as pets, attributed human virtues and even tried in courts and convicted of crimes. Donkeys were brought into churches as pets like dogs were brought into churches in some African settings; prayers were said for horses and sick animals were shown the Eucharistic host to cure them<sup>19</sup>. Such instances are evidences that animals were often regarded as being part of the same community as humans; yet St. Thomas Aquinas masks the moment when theologians began consciously to try to break this sense of community.

### **1.1.3 The Renaissance and Modern Eras**

After Aquinas, the Renaissance writers began to assert the uniqueness and importance of human animal. As Karl Marx would say, the arrival of money economy and private property encouraged Christians to end the deification of nature and to increase its exploitation.<sup>20</sup> It was during the Renaissance that the maltreatment of animals actually worsened such as the dissection of living animals for scientific purposes. As if the permission given by Aquinas had not been sufficient,

Rene Descartes (1596-1650) announced that animals had no souls and could experience no pain. When cut by experiments, their screams were no more significant than the creaking hinge. Descartes later admitted, however, that this implausible doctrine helped reduce the exploiters' sense of guilt and the suspicion of crime.<sup>21</sup> The few who sympathized with animals during the Renaissance no doubt were in the minority. They included some remarkable people like Thomas More who wrote that in his Utopia, the "foolish pleasures" of hunting were despised<sup>22</sup>. It is also reported that the great scientist, Sir Isaac Newton (1642-1727) was a fervent animal lover and was credited with the invention of special doors or flaps for cats to enter houses. On his part, John Locke (1632-1704) is said to have advised that "children should from the beginning be bred up in abhorrence of killing and tormenting any living creature."<sup>23</sup>

At this point in this discussion, it is pertinent to mention that apart from a few dissenting voices on the moral worth of nonhuman animals, the popular view during the sixteenth and seventeenth centuries was the conviction that animals had been put upon the earth for humans to use. Indeed, the conquest of nature by humans was seen as the very stuff of civilization.<sup>24</sup> However, it was only in the seventeenth century in particular that we find a slight increase in the recorded glimmering of conscience. The poet, Thomas Tryon was probably the first to use the concept of "rights" in the animal context when, in about 1683, he imagined birds complaining thus:

What laws have we broken, or what cause given you,  
whereby you can pretend a right to invade and violate  
our part, and natural rights and to assault and destroy  
us...<sup>25</sup>

It was only after the year 1700 that attacks upon cruelty to animals began to be published regularly. Early targets of reform especially in England were bull-baiting and bear-baiting, the treatment of the cattle being driven to slaughter through the streets of London, the traditional Shrove Tuesday Sport of tying a cockerel to a stake and stoning him to death.<sup>26</sup>

The eighteenth century marked the period of deep philosophical reflection on the moral worth of animals with a lead taken by Jeremy Bentham in 1789 when he included the following footnote in his *Introduction to the Principles of Morals and Legislation*:

The day may come when the rest of the animal creation may acquire those rights which never could have been withheld from them but by the hand of tyranny... A full-grown horse or dog is beyond comparison a more rational, as well as amore conversable animal, than an infant of a day, or a week or even a month old. But suppose the case were otherwise, what would it avail? The question is not, can they reason? Nor, can they talk? But can they suffer? Why should the law refuse its protection to any sensitive being? The time will come when humanity will extend its mantle over everything which breathes...<sup>27</sup>

Some clerics, most notably Humphrey Primatt; held views similar to those of Bentham. Also some poets, too, such as James Thomson, William Cowper, William Blake, Robert Burns, William Wordsworth, Samuel Taylor Coleridge and Robert Southey all joined in the opposition of cruelty of nonhuman animals.<sup>28</sup>

Furthermore, it is worth noting that in Germany as well as in Britain, the courts began to punish cases of cruelty to animals, even when the grounds for doing so were shaky (not too comfortable for the masses). The legal status of animals was merely that of property, and so magistrates had difficulty in prosecuting cases where cruelty had been perpetrated by the owner of the animal<sup>29</sup>. “Right,” they might have morally speaking, but they still had no rights in law. America was not far behind Britain and Germany in this awakening of interest in animals in the eighteenth century. However, in 1911, the first act on the protection of animals was passed with an, *animal* defined as any bird, beast, reptile or fish, and the law made it an offence to “cruelly beat, kick, ill-treat, over-ride, over-drive, over-load, torture, infuriate, or terrify any animal” or to ”cause any unnecessary suffering” on them.<sup>30</sup>

It is worthy of note that some Institutions championed the agitations for prohibition of cruelty to animals in Europe especially in the 17<sup>th</sup> century. The agitation was more in Britain because the crime and cruelty towards nonhuman animals was also more in Britain. June 16, 1824 is an important date in the history of the fight for the protection of animal rights in Britain. It was on this day that a group of men came together in London to form the First Society for the prevention of cruelty to animals. Chairing the society was anti-slavery Member of Parliament Thomas Fowell Buxton. Four other members of parliament who were members were Sir. James

Mackintosh, William Wilberforce, Roger de la Ware and Richard Martin. In the society's first prospectus dated 25 June 1824, the society defined its aims and objectives thus:

The object of the society is the mitigation of animal suffering and the proportion and expansion of the practice of humanity towards the inferior classes of animated beings – a practical duty equally deducible from reason, from the natural feelings of man and from the benevolent spirit and precepts of the Christian Religion.<sup>31</sup>

In 1840, Queen Victoria granted the *royal prefix* to the society, which later metamorphosed into the Royal Society for the Prevention of Cruelty to Animals (RSPCA). The Society thrived as a fashionable and aristocratic body that had a significant influence in changing attitudes not only in Britain but throughout the world. It is worth noting that four of the society's founders – William Wilberforce, Thomas Fowell Buxton and Charles Mackintosh – were already well known reformers. All opposed slavery and animal cruelty and had established reputations as campaigners. After the founding of the RSPCA in London in 1824, similar societies were formed elsewhere in Northern Europe: Dresden (1839), Berlin (1841), Munich (1843), Paris (1845) and Vienna (1846). In America, the earliest recorded interest in animal welfare goes back to the seventeenth century when Nathaniel Ward, a puritan immigrant from England, compiled a body of laws that provided legal protection for animals.<sup>32</sup> In 1866, Henry Bergh set up the American Society for the Prevention of Cruelty to Animals (ASPCA) in New York.<sup>33</sup>

As mentioned earlier, Immanuel Kant excluded nonhuman animals from any form of moral consideration or care. Kant put respect for persons at the center of the moral life: we are not to treat other persons merely as a means to our own ends. Rather we are required to treat human persons as inherent ends in themselves. Although Kant did not deny that animals can suffer, he did, however, deny that they are persons. To be a person, he said, is to be an autonomous being, that is, one that has the capacity to act from reason and to reason about its reasons, a capacity, he said, does not belong to nonhuman animals. They are then beyond the pale of morality. Again, Kant did recommend that we be nice to animals, though – not out of moral obligation, of course, but for another reason. For him, if we treat animals cruelly, we run the risk of developing insensitive characters.<sup>34</sup>

#### 1.1.4 The Contemporary Era

In our time, no philosophical issue has generated more controversy in moral thinking than the debate inspired by the publication in 1975 of Peter Singer's book, *Animal Liberation*.<sup>35</sup> The title of the first chapter like the title of the book itself clearly indicated the author's basic moral message: "All Animals are Equal." Succeeding chapters documented another message: "All Animals are not treated equally". By this, Singer meant that human and nonhuman animals ought to be regarded as moral equals, so that what we regard as morally unacceptable to do to humans ought to have similar status when we consider doing it to nonhuman animals.<sup>36</sup> At the other extreme are those like Immanuel Kant, Tibor R. Machan and R.G. Frey who maintain that we owe nothing to animals; that, for whatsoever reason, they have no moral worth and our treatment of them, however extreme, does not register on the scales of morality.

In virtually all societies, it is widely accepted that nonhuman animals have no moral worth, but are merely to be used to promote human interest. This belief has been used to legitimize a huge amount of animal exploitation, suffering and mistreatment. Do animals, indeed, possess any moral worth or standing? Should they be treated with care and respect by humans? From these two questions arise the problematic of this study which is that the two extreme positions in the animal right debate – Speciesism and Anti-speciesism, have not taken cognizance of certain features that overlap in considering the moral status of nonhuman animals and therefore blur some important features that must be taken into consideration concerning the animal right discourse. Furthermore, existing studies have addressed these issues in animal ethics mainly from western socio-cultural perspectives without significant contribution from the African cultural ambient that could help in the adequate understanding of the debate. This missing gap in scholarship is what this study attempts to fill by adopting a cultural perspective towards the resolution of the problem. This study, therefore, interrogates the speciesist and the anti-speciesist positions with a view to exploring cultural elements from within the Igbo thought system that corroborate the position of anti-speciesism, that animals are beings worthy of moral consideration.

Humans are known to cause a great deal of animal suffering. According to Peter Singer, the use and abuse of animals raised for food and experimentation far exceeds, in sheer numbers, any other

kind of mistreatment. In *Animal Liberation*, Singer argues that hundreds of millions of cattle, pigs and sheep are raised and slaughtered all over the world. For poultry chickens, the figure is a staggering fifteen billion. In other words, millions of chickens will have been slaughtered in the time it takes us to read this page.<sup>37</sup> But Peter Singer further argues that we should strive towards the equality of all beings as sound moral principle – whether these beings are humans or nonhuman animals. In the words of Singer:

The fundamental principle of equality on which the equality of all human beings rests, is the principle of equal consideration of interest. A basic moral principle of this kind can allow us to defend a form of equality which embraces all human beings ... It provides a basis which cannot be limited to humans. In other words, I shall suggest that, having accepted the principle of equality as a sound moral basis for relations with others of our own species, we are also committed to accepting it as a sound moral basis for relations with those outside our own species – the nonhuman animals.<sup>38</sup>

While our shared morality protects humans from innumerable kinds of treatment we find intolerable, it is far less protective of nonhuman animals. For Singer, this attitude of inequality between human and nonhuman animals reflects a popular prejudice against taking the interest of animals seriously – *speciesism*. As Singer defines it, speciesism is a prejudice or attitude of bias towards the interest of members of one's own species and against those of members of other species.<sup>39</sup> Singer goes on to argue that speciesism is analogous to racism and sexism. Since it is unjust to discriminate against blacks over whites and vice versa because of their skin colour and against women over men because of their gender, then it is also unjust to discriminate against nonhuman animals over the human animals because of their species. Their interest, particularly their interest in not suffering has to be considered too. Hence, Singer maintains that all animals are equal and should be treated equally. This view is known as anti-speciesism. The dividing line in animal rights debate is drawn between the human and nonhuman animals and invariably between speciesism and anti-speciesism.

The thesis of the study therefore, is that there are culturally relevant facts that corroborates the claim that nonhuman animals are beings that are worthy of moral consideration, respect and care. From the Igbo cultural perspective, we shall also show that there are morally relevant reasons

why animals, like humans, should be respected. Using the Igbo thought system as a foil, this study shows that some notions in Igbo culture require that humans accord animals due rights and respect by not abusing or mistreating them. This therefore enables us to defend and also enrich the anti-speciesist perspective and thereby reduce the tension between the two extreme currents – speciesism and anti-speciesism.

The position of anti-speciesism regarding the values inherent in nonhuman animals is simple and clear, since it is the case that nonhuman animals can experience both pleasure and pain, they like humans deserve to be respected morally. This for anti-speciesists is a morally important fact. According to Singer, if it is wrong to cause human suffering to achieve a good that does not outweigh that suffering, it is also wrong to cause nonhuman animal suffering to achieve such a good. Therefore, most humans are speciesists in their readiness to cause pain to animals when they would not cause a similar pain to humans for the same reason.<sup>40</sup> Given the variety of nutritious and tasty vegetarian recipes available to us, the suffering caused by factory farms on animals is not justified by human love for meat. Given the availability of canvas shoes and leather substitutes for belts and such, human demand for leather is not worth the suffering it brings to nonhuman animals.<sup>41</sup> Therefore, nonhuman animals are morally considerable because like humans, they experience both pleasure and pain, a view known as sentientism.<sup>42</sup>

These views on the moral well-being of nonhuman animals may at first sound very bizarre. The reason is that we are used to regarding more seriously, the oppression of blacks and women as among the most important moral and political issues facing our world today. For us, there are more serious matters, worthy of the time and energy of any concerned person rather than animals. Many are likely to ask, “How or why do we waste our time on equality and rights for all animals when so many of us humans are denied equality and right?” This attitude towards this question is in itself, what Singer calls *speciesism*. It reflects a popular prejudice against taking the interest of animals seriously. Speciesism is a prejudice or attitude of negative bias towards the interests of members of one’s own species and against those of members of other species.<sup>43</sup> For Singer, it is a prejudice that is not different from the prejudice of white slave owners against taking the interest of blacks seriously. In order to avoid ‘speciesism’, he appeals to the principle of equal consideration of interests which emphasizes that we should avoid pegging the moral weight of a



creature on species but rather peg moral weight on the subjective character of the creature's conscious life. A creature's relation to me (or to us) cannot be what makes its life superior or weighty, morally. The superior form of conscious life must be fixed by internal considerations: by what it is like on the inside.<sup>44</sup> The second ground for Singer's moral appeal is the principle of utility. Since we morally ought to maximize happiness and minimize suffering, and since nonhuman animals are just as capable of happiness and suffering as human animals, our calculations ought to include them as well. Against our own pleasure in eating beef, we ought to balance the suffering cows and cattle go through. Against the benefit of research on animals, we ought to balance the suffering of laboratory animals. For Singer, their pain should matter just as much as ours.<sup>45</sup>

Some other animal advocates like Tom Regan and Mary Ann Warren make a different moral appeal. For them, Singer's principle of utility does not fully guarantee fit treatment of nonhuman animals. Suppose for example, that the elimination of factory farms could create such havoc in our economy that utility is maximized by keeping them, would that really justify keeping them? If our answer is 'yes', we should ask ourselves an analogous question: Suppose we could maximize utility by introducing slavery. Would that justify doing so? Presumably, we would all chorus 'no' as our answer to the question. Humans have certain rights that we morally cannot violate, regardless of utility.

## **1.2 Conclusion**

Having perused through the different eras of philosophy, we have managed to trace the historicity of the animal right debate which gives us a good background study and foundation to interrogate the debate in subsequent chapters. We are still battling with the question: "Are nonhuman animals worthy of moral consideration?" And, "what, if any, should be the underlying principle for ascribing moral worth to nonhuman animals?" Should it be sentientism, autonomy, subject-hood, rationality, self-consciousness, language, physical strength etc.? Many of these principles were proposed and refuted in somewhat way. An attempt of the answers to these questions will be addressed through the following chapters as we thrive into the question of moral rights and intrinsic value. This will thoroughly address the criterion for ascribing moral worth to nonhuman animals as done to the humans.



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## CHAPTER TWO

### THE QUESTION OF MORAL RIGHTS AND INTRINSIC VALUE

#### 2.0 Introduction

Myriads of ideas, scholarly works, religious leaders and preachers, together with the advice of such American ethic gurus as William Bennett and Randy Cohen, try to provide us with principled reasons and methods for leading a moral life. Law schools across the globe graduate thousands of scholars each year, trained to reason through cases of fraud, theft, violence, and injustice; the law books are filled with principles on how to judge human behaviour, both moral and amoral. Most universities in the world include a mandatory course in moral reasoning, designed to teach students about the importance of dispassionate logic, moving from evidence to conclusion, checking assumptions and explicitly stating inferences and hypothesis. Medical and legal boards provide rational and highly reasoned policies in order to set guidelines for morally permissible or punishable actions. Businesses set up contracts to clarify the rules of equitable negotiation and exchange. Soldiers are trained on how to act rationally, to think through alternative strategies, on how to plan effective attacks, and how to squelch the emotions and instincts that may cause impulsive behaviours when reasoning is required to do the right thing. Presidential committees are established to clarify ethical principles and the consequences of violations, both at home and abroad. All of these professionals share a common perspective: conscious moral reasoning from explicit principles is the cause of our moral judgments. As a classic text in moral philosophy concludes, “Morality is, first and foremost, a matter of consulting reason. The morally right thing to do, in any circumstance, is whatever there are the best reasons for doing.”<sup>1</sup>

On the question of intrinsic value, this chapter attempts an ontological clarification and interpretation of the concept of intrinsic value as a prelude to the analysis of the two extreme currents in the animal rights debate. Before getting into the discourse, we need to make some clarifications on ethical judgements. First, we see that the study of ethics may take two different dimensions. One, it may deal with the sociological analysis and evaluation of ethical judgements, where it aims at telling us why a certain action is either approved or disapproved. And two, it may deal with the establishment of recommendation of certain modes of action, their ends, their rightness or wrongness, and reasons for either doing or avoiding them. Ethical judgements can

thus be considered from two ethical prisms – From ‘axiology,’ which deals with the judgement of value or from deontology, which deals with the judgement of obligations. While judgement of value deals with the goodness and badness, desirability or undesirability of certain objects, judgements of obligation are concerned with the rightness or wrongness, wisdom or foolishness or even the obligatoriness, the recommendation or condemnation of various courses of action. The question of intrinsic value is usually addressed under value ethics. Let us first take on the concept of moral right.

## **2.1 The Concept of Moral Right**

Along with the concept of benefit and harm, one of the concepts most commonly employed in ethical analysis is the concept of moral right. But what does the concept signify or denote?

Before we elucidate on the concept of moral right, it may be apposite to first say a few words on the origin of ethical thought. It is commonplace that ethical thought in the sense of the attempt to formulate codes and principles of moral behaviour, has always been a necessary feature of human cultures. However, ethical reflection in the sense of being a critical attempt to give meaning to human moral actions is usually said to have begun with Sophist philosophy in ancient Greece around the fifth century BC.<sup>2</sup> It was they, we are told, who first raised critical questions about the very idea of moral conduct, about what morality is and why it should exist. Their teaching of rhetoric and of techniques of persuasion led to the charge that such technique were often used to make wrong appear right, hereby enabling people to flout moral standards with impunity. The key word in this analysis is “moral.” But what does the word denote or signify?

There are two senses in which we can understand the word “moral.” In the first sense, it is taken to mean the opposite of “amoral.” In this sense, to be moral implies being subject to the moral ‘law,’ or to be ‘morally responsible’. One is subject to the moral law if as a moral agent he can be praised, blamed, commended, punished or rewarded for his actions; he is held responsible for his actions. The second sense in which moral can be understood is when it is used as the opposite of the word “immoral.” Moral in this sense refers to what is good or praiseworthy. In this sense also, moral has its concern as the principle of right and wrong behaviour. It concerns that which is right and fair, not legal or permitted by law.<sup>3</sup>

The other relevant concept “rights,” has become a buzz word in our world today. Many moral controversies today are couched in the language of rights. Indeed, we seem to have witnessed an explosion of appeals to rights, for example, gay rights, prisoners’ rights, animal rights, smokers’ rights, fetal rights and employee rights etc. The appeal to rights has a long tradition. For instance, the American Declaration of Independence asserted as follows: “All men... are endowed by their Creator with certain unalienable rights... among these are rights to life, liberty, and the pursuit of happiness”. The United Nations’ Universal Declaration of Human Rights of 1948 states that all human beings have “the right to own property... the right to work...the right to just and favorable remuneration...(and) the right to rest and leisure”.<sup>4</sup>

Following from Feinberg, to have a right is to have a claim<sup>5</sup> to something, and against someone, the recognition of which is called for by legal roles or, in the case of moral rights, by the principles of an enlightened conscience. Right is an interest recognized and protected by the law, respect for which is a duty and disregard of which is a wrong, a capacity residing in one man of controlling, with the assent and assistance of the state.<sup>6</sup> A right is a justified claim, entitlement or assertion of what a rights-holder is due.

For Paul Taylor, actions are right and character traits are morally good in virtue of their expressing or embodying a certain ultimate moral attitude.<sup>7</sup> It is also important for us to know that Moral Right is quite different from moral standing and moral status. Moral standing is when an entity has a worth morally as opposed to being worthless. Therefore moral standing is moral worth. Moral status on the other hand is the degree of moral worth of an entity. Thus, it is possible to have moral standing but not have as morals status as another entity. Therefore, the moral status of entities may differ, that is, in degree.<sup>8</sup>

For an entity to possess a moral right to have, get or do something, there must be a moral basis or justification for the claim. These bases or justifications are different for different categories of rights. As we shall see later, “human rights” is a tag, term or phrase given to those rights that all people are presumed to have because they are people. Those rights possessed only by some are called “special rights”. For example, if I have promised someone that I will drive him in February, then that person has a moral right to be driven by me in February. Being driven by me in February is a special right the person has. Special rights may be acquired through agreements or contracts,

or through (chosen or unchosen) relationships. An example is “parental rights”. Moral rights are however different from legal rights. Although an effort is often made to bring the force of law behind some moral right by making it a legal right, moral rights must be distinguished from legal rights. There is no contradiction in saying that a person has a legal right to do something but not a moral right to do it, or in claiming that some laws are immoral. Laws that treated enslaved people as property violated the moral rights of those who were slaves. The argument given to justify slavery in the United States of America was that the Constitution guaranteed rights only to citizens. The law did not recognize slaves to be citizens and so did not accord them civil rights, that is, the legal rights of citizens. What this shows is that the law can sometimes be obnoxious by commanding that which is morally wrong or vile. From the foregoing, we note that a right is an entitlement to be treated in a certain way but moral rights are importantly distinct from legal rights.

The distinction between moral and legal rights is captured schematically below.

Moral Rights	Legal Rights
<u>Natural</u> : Moral rights are discovered, not created. (This is a form of moral realism)	<u>Created</u> : Our legal rights are created by legislation.
<u>Equal</u> : Moral rights are equal rights; there is no injustice in how they are distributed	<u>Can be unequal</u> : There are many situations in which the distribution of legal rights is unjust.
<u>Inalienable</u> : Moral rights cannot be taken away from you without your consent (although you can voluntarily surrender them).	<u>Alienable</u> : Your legal right can be taken from you against your will.
<u>Universal</u> : Your moral rights are the same no matter where you are.	<u>Local</u> : Your legal rights change when you move from one jurisdiction to another.

**Rights and Duties:** For each moral right there is a corresponding moral duty. This idea is explained as follows:

- (i) Negative rights create corresponding duties in all other moral agents.
- (ii) Positive rights create corresponding duties in specific individuals.
- (iii) Special rights create corresponding duties in individuals identified by examining the actions or relationships that create the rights.

**Possession Criteria for Rights**

For each moral right there is a “checklist” of characteristics an individual must have in order to possess that right. The items on this list are the *possession criteria* for that right. An individual has a moral right only if it meets these criteria. Possession criteria must be morally relevant to the nature and content of the right.

- (i) Possession criteria for natural rights are always natural characteristics of the individual (e.g., rationality, sentience).
- (ii) Possession criteria for special rights always have to do with actions or relationship (e.g., parent child relationship, act of making a promise).
- (iii) Possession criteria for negative rights are generally factors that enable one to be autonomous (i.e., self-governing); e.g., rationality, experience of the world.
- (iv) Possession criteria for positive rights are generally one’s vulnerability to harm.

### **Rights in Conflict:**

- (i) A moral issue cannot be settled by pointing out just one of the rights involved. Rights conflict with one another, and we must determine which rights override the other ones.
- (ii) Immunity rights often override liberty rights, although there are exceptions (e.g., harming another in self-defense).
- (iii) Each moral right is either absolute or defeasible:
  - (a) **Absolute:** Automatically overrides any other right with which it conflicts.
  - (b) **Defeasible:** May be overridden by other moral rights.
  - (c) An action that conflicts with a moral right is *not* automatically morally impermissible. It could be that the right with which it conflicts is overridden in this situation by some other right.
  - (d) **Violating a right:** An action violates a right when it conflicts with that right *and* that right has *not* been overridden by other rights in that situation. Such actions are morally impermissible.
  - (e) **Infringing upon a right:** An action infringes upon a right when it conflicts with a right and that right *has* been overridden by other rights in that situation. Such actions are morally *permissible*.



It can be inferred from the above that a moral right does not derive or depend on the laws or beliefs of any society. Moral rights, sometimes referred to as “natural rights” are said to be conferred on one by nature and not a grant by any government or political leader. Moral rights are justified by moral standards that most people acknowledge. They are, however, not codified in the law books. They have been interpreted differently by different people, depending on their background and perception of reality.

Moral rights, as we said above, are also natural rights. These rights are said to be universal; that is, they apply to all people, and do not derive from the laws of any specific society. They exist necessarily and cannot be taken away. For example, it has been argued that humans have a natural right to life, a right that is said to be inalienable, indefeasible and that is not contingent upon the laws, customs, or beliefs of a particular society or polity. Natural law and natural rights follow from the nature of man and the world. We have the right to defend ourselves and our property, because of the kind of animals that we are. True law derives from the moral right, not from the arbitrary power of the omnipotent state. In discussing Moral rights, it will be necessary to digress into other areas of interest too. Human rights are said to derive from moral rights. Like natural rights, human rights are basic rights; they are inalienable and belong to us automatically. Can these rights be extended to animals also, or are they the prerogative of humans? We shall advert to this quotation in our discussions in this chapter.

### **2.1.1 Human Rights**

Human rights have shaped our world and legal history. All through the ages, millions of people have died and royal heads have rolled in the defense of human rights. The framers of America’s Declaration of Independence certainly believed in them. They maintained that the sole reason for having a government in the first place is to protect citizens’ rights and liberties. Human rights are also called basic rights, civil rights, civil liberties or citizen’s rights etc. They are said to be “rights and freedoms to which all humans are entitled.” Proponents of these rights assert that everyone is endowed with certain entitlements by reason of being human. Human rights are usually conceived in a Universalist and egalitarian fashion. They can exist as shared norms of actual human moralities, as justified moral norms or natural rights supported by strong reasons, or as legal rights either at a national level or within international law. However, no consensus exists,

as to the precise nature of what in particular should or should not be regarded as a human right in any of the preceding senses. The abstract concept of human rights has been a subject of intense philosophical debate and reflection.

The human rights movement emerged, particularly in Europe with the aim of championing respect for civil liberties of members of the society by opposing authoritarian political leadership in the state. Over the last years, the movement has expanded beyond its original anti-totalitarian pursuits to include numerous cases involving humanitarian and social and economic development issues in the Third World. Many of the basic ideas that animated the movement developed in the aftermath of the Second World War, culminating in the adoption of the *Universal Declaration of Human Rights* in Paris by the United Nations General Assembly in 1948. While the phrase “human rights” is relatively modern, the intellectual foundations of the modern concept can be traced through the history of philosophy to as far back as the city states of the ancients. Part of the goal of the rights movement is the securing of social and political freedom for citizens of a state. This goal can be represented somewhat in the following ways: All human beings are born free and equal in dignity and rights. They are endowed with reasons and conscience and should act towards one another in a spirit of brotherhood.

### **Key Ideas in the Moral Rights Ideal**

#### **The “do no harm” Principle**

To possess moral rights is to have a kind of protection we might picture as an invisible ‘no trespassing sign’. What does this sign prohibit? Two things. First, others are not morally free to harm us; to say this is to say that others are not free to take our lives or injure our bodies as they please. Second, others are not morally free to interfere with our free choices; implying that they are not free to limit our free choice as they please. In both cases, the ‘no trespassing’ sign is meant to protect our most important goods (our lives, our bodies, our liberty) by morally limiting the freedom of others.<sup>9</sup>

Events take a new turn when people exceed their rights by violating ours. When this happens, we act within our rights if we fight back, even if this does some serious harm to the aggressor. However, what we may do in self-defense does not translate into a general permission to hurt those who have not done anything wrong. A good example is those men and women caught,

tortured and sold into slavery. The slave traders trespassed on the most important goods of their victims, which is either freedom or liberty.

### **The Idea of Human Equality**

Moral rights presuppose our equality as social beings; they are the same for every individual in the society. This explains why no human being can justifiably be denied rights for arbitrary, prejudicial, or morally irrelevant reasons. Race is such a reason. To attempt to determine who among humans have rights, and who do not, on the bases of race, is like trying to sweeten tea by adding salt. What race we are tells us nothing about the rights we have. Humans are heterogeneous in everything. If we mean anything by the idea of human rights, we mean that we have them equally. And we have them equally regardless of our race, gender, religious belief, intelligence or date, or place of birth. For example, the slave traders had moral rights and so did the slaves they traded. They all had moral rights equally. That some slave traders thought otherwise only shows how mistaken they were.

### **The Equal Weight Principle**

Advocates of human rights aver that our rights have greater moral weight than other important human values. It is true that there are many important values to consider when we make a moral decision. For example, how will we be affected personally as a result of deciding one way or another? When we say that moral rights weigh more, we mean that respect for the rights of individuals is the most important consideration in “the game of morality,” so to speak. In particular, we mean that the benefits others derive from violating someone’s rights never justifies violating them. Still following from the example of slave trade, we notice that the slave traders thought that they were doing something good for humanity (getting cheap labour and work force for Europe). Agreed, there may be no reason to doubt or deny their good intentions; nevertheless, respect for the rights of the individual slaves outweighed such considerations. The slave trade example illustrates why good ends do not justify evil means. What the slave traders did was wrong, and it was wrong because they placed the good of the many, above respect for the rights of the few.

### **The Principle of Rights Claim**

Still following from the example of the slave trade, it is noticed that some men were deceived and sold into slavery. So at some point in time, the slaves trusted their masters. But once the truth was revealed, the slaves invoked their rights. What does this mean? The contrast between claims of rights and requests for generosity highlights the answer. When we invoke our rights, by contrast, we are not asking for anyone's generosity. We are not saying, "Please, will you kindly give me something I do not deserve?" On the contrary, when we invoke our rights, we are demanding fair treatment, demanding that we receive what is our due.

Part of the special tragedy of the slave trade example arises because of the trust the tortured slaves placed in the masters. In their time, in that place, and in those circumstances, it never occurred to the slaves to invoke their rights. Why would they? They thought they were being taken out for special or better treatment. How we wish they had known the truth earlier! How we wish they had understood the dehumanizing injustice being done to them from the start! In time, after some death and suffering, the day came when the survivors finally understood. When they invoked their rights, they were not asking for any favours.

### **Justice and the Duty of Assistance**

The slave trade example illustrates how the victims of injustice sometimes do not understand when or why their rights are being violated. Members of vulnerable populations (children and the poor, for example) are frequent victims. Because of their vulnerability, children and those living in poverty are easy preys to those seeking some benefit, whether personal or public. When the vulnerable are used as means to such ends, people who understand the wrong done have a duty to intervene, to stand up and speak out in defense of the victim. Moreover, the duty here is itself a demand for justice, not a plea for generosity. These victims are owed assistance from us; help is something they are due, not something it would be "awfully nice" of us to render. The less able humans are to defend their rights, the greater is our duty to do this for them.<sup>10</sup>

Limited in our power and influence, we cannot do everything to defend every victim of injustice. For all of us, however, what we can do is more than nothing. That we cannot do everything for all the victims of injustice does not mean that we should content ourselves with doing nothing for

any of them. Without doubt, everyone who knew what was being done to the slaves had a duty to try to stop it.

### **The Principle of Respect for Persons**

The concepts trespass, equality and claim all help to explain better the idea of human rights. As important as these concepts are, they do not avail much without a unifying idea, which is the idea of respect for persons. The rights discussed here, for example, life, liberty and bodily integrity, are variations on a main theme, the theme of respect for persons. I show my respect for you by respecting these rights in your life. You show your respect for me by doing the same thing. Respect is the main theme because treating one another with respect means treating one another in ways that respect our other rights. Tom Regan maintains that our most fundamental right, then, the right that unifies all our other rights, is our right to be treated with respect.<sup>11</sup> When we apply this way of thinking to the slave trade example, all our questions have the same answer. Did the slave masters show respect to the life, liberty and bodily integrity of their slaves whose life and health was threatened? The answer is no. Did they show respect for the lives of the victims that died? The answer again is no. More generally, were the participants (slaves) treated with the respect to which they were entitled, as a matter of moral right? The answer is still no.

### **Moral Rights as fundamental Claims**

From the analysis above, we see that our moral rights are the same regardless of our many differences as a people. They serve to protect our most important goods: our lives, our bodies, and our liberty. Moreover, the protection they offer is not a great one. Our rights – yours and mine, as well as those of the men abused in the slave trade – should be respected even if others would reap great benefits by violating them.

To invoke our rights is different from asking for a favour. Respectful treatment is something we are owed, something due us. When we speak the language of rights, we are demanding something, and what we demand is justice, not even generosity; respect, not a favour. We make these demands not only for ourselves; we make them as well for those who lack the power or knowledge to make them for themselves. In the moral universe, nothing is more important than our rights to be treated with respect – which explains why people have been willing to give their

own lives or take someone else's, in defense of their rights. Without respect for someone's rights, there is no respect for the someone whose rights they are.<sup>12</sup>

### **Do humans really have rights?**

Why do we have the rights we do? Philosophers have been trying to answer this question for many millennia. To answer the question, let us adopt a model of a proof used in geometry as follows:

Given: Human beings have moral rights;

Given: Stones and sticks lack moral rights;

Question: Why? What is there that is true of human beings, but not true of stones and sticks, that explain why we do, but they do not, have moral rights?

Whatever this "something" is that confers right on humans and not on other entities, it would have to illuminate what makes us the same, what makes us equal, in ways that are relevant to the rights we have. So the question was (and still remains): "What is this 'something'?" In trying to identify the most influential possibilities, we notice that people have posited different factors ranging from religious convictions to culture and rationality.

Below are some of the items that have been posited as answers to the above question.

#### ***Humans have rights because:***

- (1) Humans are human
- (2) Humans are persons
- (3) Humans are self-aware
- (4) Humans use language
- (5) Humans live in a moral community
- (6) Humans have souls
- (7) God gave rights to us

A critical assessment at the items above will show that they are not very satisfactory answers to the question posed. Let us therefore see why these answers are unsatisfactory. We shall also explain other possibilities that overcome their deficiencies.

## **Human Rights: Clarifying the Issues**

### **1. Humans have rights because humans are human**

Here, we have an idea that is partly true but wholly irrelevant. For it is true that humans are humans, just as it is true that stones are stones. The problem is, truths like these have no moral import. All they tell us is that a given idea (human or stone) is identical with itself, and self-identity is not relevant to understanding why we have moral rights and stones do not.<sup>13</sup> To make this clearer, to say, “stones have right!” will make one look puzzled. “Why on earth should you believe such a thing?”, you ask. I reply, “Because stones are stones.” Now you look even more puzzled. “No,” you say, “I mean what is there about stones that explains their right?”. “Stones are stones,” I say again. “Well,” you say, “believe what you will, but you haven’t given me any reason for believing that stones have right.” Exactly. Just as we are not given any reasons for believing that humans have rights if someone says, “Humans are humans.”

### **Criticism**

Perhaps what is meant is something different. Perhaps the idea is that humans have rights because we belong to a particular species – the human species, the species *Homo sapiens*. Interpreted in this way, as a scientific (biological) assertion, answer 1 is no less partly true but also no less wholly irrelevant. Yes, human beings belong to the species *Homo sapiens*. No, we do not belong to the species *canus lupus*. The problem again, however, is that, truths like these do not help us understand why we have rights and why dogs lack them, if they do. All they tell us is that some beings (human beings) belong to one biological species while other beings (dog beings) belong to another biological species. But who belongs to what species is not relevant to our question. If we think that dogs lack moral rights, this is not because they belong to the species *canus lupus*.

### **2. Humans have rights because humans are persons**

Whether answer 2 is true obviously depends on what is meant by “persons.” Michael Tooley maintains that among philosophers, there is universal agreement concerning who persons are.<sup>14</sup> In the relevant sense, persons are individuals who are morally responsible for their behaviours, individuals concerning whom it makes sense to say, “What they did was right and praiseworthy” or “What they did was wrong and blameworthy”.<sup>15</sup> You and I are persons, as were all those who lost their rights in the slave trade. What answer 2 means, then, is that the people I have mentioned



have rights because they are morally responsible for their behaviour. They have moral rights. Unlike answer 1, what answer 2 says certainly seems relevant. If any humans have rights, it only makes sense to think that humans who are morally responsible for their behaviour have them. Expressed another way, if these human beings lack rights, it would be awfully hard to understand why any human beings possess them.

### **Criticism**

There seems to be a problem here. While we may be able to understand why humans who are persons have rights, answer 2 does not say anything about the rights of humans who are not persons. And that leaves out hundreds of millions, possibly billions, of human beings. For example, humans who are soon-to-be-born, infants, and children for their first years of life are not persons in this sense.<sup>16</sup> None are morally responsible for their behaviour. Thus, while being a person may be relevant to understanding why some humans have the rights they do, it provides no help in understanding the rights possessed by a large segment of the human population and may be, some other species like humans.

### **3. Humans have rights because humans are self-aware**

Self-awareness is a capacity we can illustrate with the following example. We look at what is in front of us. One thing we see is a book. So we are aware of a book. However, we are also capable of being aware that we are aware of a book. We can take an “outside” view of ourselves, so to speak. This higher level of awareness (being aware that we are aware of something) is at the heart of the capacity for self-awareness. We can think of it this way. Not only are we aware of the world, we are aware of being in it. Tooley underscores this position as he stresses that self-awareness arguably is necessary to fear death. If we are not aware of being in the world, it is difficult to understand how we could fear leaving it (that is, fear ceasing to be alive, fear of dying).<sup>17</sup> Because this is true, we can perhaps anticipate the next move some philosophers make. They argue that beings cannot have a right to life if they do not understand their own mortality; and since beings cannot understand their own morality if they are not self-aware, these philosophers conclude that only self-aware beings have a right to life.



## **Criticism**

This way of thinking about human rights, even if it was satisfactory in other respects, would not take us very far. For example, it is difficult to understand how being self-aware is relevant to understanding our right to bodily integrity. As it is, however, answer 3 is not satisfactory in other respects. Psychologists tell us that children do not grasp their own mortality until they are nine or ten years old. This means that hundreds of millions, possibly even billions, of children fail to satisfy answer 3. If satisfying answer 3 is necessary for having a right to life, all these children lack this right, which is preposterous. Even if self-awareness was relevant to understanding why some humans have a right to life, it would provide no help in understanding the rights possessed by all those human beings who lack this capacity.

### **4. Humans have rights because humans use language<sup>18</sup>**

As may be immediately apparent, answer 4 suffers from some of the same deficiencies found in answers 2 and 3. Many human beings who fail to satisfy answers 2 and 3 – human infants, for example – fail to satisfy answer 4. Accordingly, even if being able to use language was relevant to understanding why some humans have some rights, it would provide no help in understanding why those humans who lack this ability have the rights they do. But things are not this good. Unlike answers 2 and 3, answer 4 proposes a consideration (the ability to use language) that has no obvious relevance to any of the rights we have been exploring (our rights to life, to bodily integrity, and to liberty). There has to be a better answer than this one.

### **5. Humans have rights because humans live in a moral community<sup>19</sup>**

Philosophers who favour answer 5 understand “moral community” in the following way: one in which the idea of moral rights is invoked and understood. Thus, all human beings are members of a moral community because all human beings are members of a community in which the idea of moral rights is invoked and understood.<sup>20</sup> The motivation that leads philosophers to favour answer 5 is not hard to find. As we have seen, several of the proposed answers are deficient because they fail to help us understand the rights of infants or young children. Answer 5 seeks to remedy this deficiency by making possession of rights independent of each individual human being’s capacities (for self-awareness, say). Instead, answer 5 implies that all human beings have rights,

whatever their individual capacities, because all human beings are members of a moral community.

### **Criticism**

Although the motivation behind this way of thinking may be laudatory, the thinking itself is not. The fact that an idea is invoked and understood in a community provides absolutely no explanation of the idea's veracity. Consider the idea of witches. As far as we know, this is an idea that arises among humans and humans only. Suppose this is true. And suppose we are asked whether there are any witches. No even modestly careful thinker will say, "The explanation of why there are witches is that the idea of witches is invoked and understood in our (human) community." That we have the idea of witches is not remotely relevant for explaining the existence (or the nonexistence) of witches. There is no reason to think of rights any differently. To say "We can understand why all humans have rights because the idea of rights is invoked and understood in our (human) community" offers no help in understanding why we have the rights we do.

## **6. Humans have rights because humans have souls**

Here we encounter the first of the two most commonly proposed religious bases of human rights. (Religious ideas are discussed at greater length in the last chapter). Many of the world's religions, both ancient and modern, teach that human beings have immortal souls. Often, it is true, the teachings differ. For example, Hindus believe in reincarnation; after our body dies chances are that our souls would reincarnate in the body of some other animal. Christians by contrast, do not believe in reincarnation. According to them, after our body dies, we are not reborn in this world ever again. Despite these differences, the root idea is the same. To say we have an immortal soul is say we do not perish when our body dies; instead, we go on living, in one way or another.<sup>21</sup>

### **Criticism**

The belief in the existence of the soul can be a comforting idea. When we face the death of a family member or close friend, our sadness can be mitigated if we believe in a life beyond the grave. It is hard to be against what helps lessen sadness in hard times, which is why, for as long as we can remember, we have always been well disposed to the idea of the soul and profoundly hope humans have souls. At the same time, it has for many years been clear to us that having a soul,

assuming we have souls, has no relevance to understanding why we have the rights we do. Here is why we think this way. We explain the importance of having the rights we have by noting that they serve to protect our most important goods: our lives, our bodies, and our liberty. Moreover, the protection they offer is not a little; but a lot. Our rights should be respected even if others would reap great benefits by violating them. In the moral universe, as we have seen, our rights are uppermost: nothing is more important than our right to be treated with respect.

When we now ask for help in understanding why we have the rights we do, and someone likely replies, “We have the rights we do because we have immortal souls.” Clearly, that we have immortal souls, assuming that we do, is relevant to the question, “Will we go on living after our bodies die?” But no less clearly, that we have immortal souls is not the least bit relevant to the question, “Is it wrong to murder people, injure their bodies, or rob them of their freedom while they are alive in this world?” Expressed another way, what happens to us after we die does not help us understand why we have the rights we do while we are alive.

### **7. Humans have rights because God gave them to us<sup>22</sup>**

This is the most common religious basis of human rights. The idea seems simple enough. Limited in power as we are, we cannot create moral rights. Unlimited in power as God is, God can. Indeed, not only can God do this, God actually saw it fit to do it, which is why we have the right we do.

#### **Criticism**

This way of thinking will not find favour among agnostics and atheists. Given answer 7, human beings would not have rights if God did not exist to give them to us. Yet people who do not believe in God (atheists), as well as others who do not know what to believe (agnostics), believe very strongly in human rights. Are we to say that they must be mistaken, that it is impossible for us to have rights without God giving them to us? This is not something atheists and agnostics are likely to take lightly. Dissatisfaction with this way of thinking about rights is not limited to nonbelievers by any means. Even the most devout believers have well-considered reasons for questioning answer 7. This can be explained by using Christianity as our working example.

Andrew Linzey opines that some Christians, no doubt, believe that God is the source of our rights. After all, didn't America's founding fathers (some of whom were not Christians, by the way) say we were "endowed by our Creator with certain unalienable rights"? If we can't trust the founding fathers, whom can we trust?<sup>23</sup>

Whatever might be true in other regards, the founding fathers are not reliable guides in this case. Remember: these are the people whose God distributed rights with startling prejudice. Their God did not give rights to women, or to children, or to the mentally disadvantaged, or to slaves, or to Native Americans, or to citizens lacking property. Their God saw it fit to distribute rights in ways that advantaged men like the founding fathers and that disadvantaged everyone else. How very convenient for the founding fathers to have God on their side! If we were asked to illustrate how prejudice operates, it would be difficult to find a better and, at the same time, a worse example. Great people are not above making great mistakes.

Simple prudence counsels that we look for wise guidance elsewhere. What better place to look (in the present context) than the Bible? When we do, here is what we find – or, rather, here is what we don't find. We don't find any place in the Bible where God gave rights to humans. In no chapter, in no verse, do we read that God said (for example): "Human! Listen up! I am giving you rights, including the rights to life, liberty, and the pursuit of happiness!" (Remember that the charge in Genesis to take dominion does not imply right). The simple fact is, we simply do not find anything remotely like this in the Bible.

What we do find is something semantically and morally different. The Biblical ethic, especially the one we find in the New Testament, is an ethic of love (*agape*), not an ethic of rights. Our existence is a gift of God's abundant love, and the love we are commanded to have for our neighbours is something we freely give, after the model of God's love for us, not something our neighbour is entitled to demand from us, as a matter of justice. Our obligation to love our neighbour is not based on our neighbour's rights to be loved. Within the biblical framework, my saying, "I have a right to your *agape*!" reflects as much confusion as my telling Bill Gates, I have a right to your money!" In Gandhi's words, "Love never claims, it ever gives." People who credit God with being the source of our rights are guilty of reading into the Bible what they want to be there rather than accepting what actually is said.<sup>24</sup>

But suppose we assume, for the sake of argument, not only that God exists but that God in fact is the source of rights. So in other words, whosoever has rights has them because God saw it fit to give rights to them. Even if we make this large assumption, will still do not know who has rights or why they have them (that is, what there is about those who have rights that led God to bestow rights on them). Moreover, as the example of the founding fathers illustrates, humans not only can be in error, we have been profoundly mistaken in the answers we have given to the question, “To whom did God give rights?” The upshot is, introducing God into the equation, even making the assumptions we have, leaves many of the most important questions unanswered.

### **Seeking More Satisfactory Answers**

What, then, if not human biology, not our moral responsibility, not our souls, not God, not any of the possibilities we have discussed – what helps us understand why we have the rights we do? There had to be an answer out there somewhere. Now here is the answer.

Earlier in the chapter, we noted some of the many ways humans differ from one another – in terms of gender, race, and ethnicity, for example. Despite our many differences, however, there are some ways in which all humans who have rights are the same. By this, is not meant because of our belonging to the same species (which is true but not relevant); nor is it because we all are persons (which may be relevant but is not necessarily true). What is meant is that we are like one another in relevant ways, ways that relate to the rights we have: our rights to life, to bodily integrity, and to liberty. Let us reflect on the matter a little bit more. Not only are we all in the world, we are also aware of the world and aware as well of what happens to us. Moreover, what happens to us whether to our bodies, or our freedom, or our lives themselves – matters to us because it makes a difference to the quality and duration of our lives, as experienced by us, whether anybody else cares about this or not. Whatever our differences, these are our fundamental similarities. Clark maintains that “there seem to be no decent grounds in reason or revelation to suppose that man is uniquely important or significant”.<sup>25</sup>

We have no commonly used word that names this family of similarities. “Human being” does not fully explain the similarity (a deceased human being is a human being but is not aware of the world, for example). Neither does “person” (human infants are aware of what happens to them but

may not be persons). Still, these similarities are important enough to warrant a verbal marker of their own. Tom Regan used the expression “subject-of-a-life,” to refer to them. Given this usage, the author of these words, Tom Regan is a subject-of-a-life, and so are the people who read them. Which humans are subject-of-a-life? All those humans who have the family of similarities mentioned above. And who might these be? Well, somewhere in the neighborhood of *six billion* of us, regardless of where we live, how old we are our race or gender or class, our religious or political beliefs, our level of intelligence, and so on through a very long inventory of our differences.<sup>26</sup>

Why is the idea of a subject-of-a-life an important one? The answer is simple: the idea succeeds where the other possibilities we have considered fail. The family of characteristics that define this idea suggests that we are all equal in a way that makes sense of our moral equality. Here is what we mean. As implied in the preceding discussion, human subjects-of-a-life differs in many ways. For example, some are geniuses and others are severely mentally disadvantaged; some are gifted in music while others cannot sing a tune; some can jump high, run fast, and throw a baseball over ninety-five miles an hour whereas the rest of us are deficient when it comes to these talents. These differences are real, and they matter. However, when we think about the world in terms of fundamental moral equalities, these differences pale in their significance. Morally considered, a genius who can play football with hands tied behind his back does not have a “higher” rank than a seriously mentally impaired child who will never know what a leather ball is. Morally, we do not carve up the world in this way, placing the Einsteins in the “superior” category, above the “inferior” Homer Simpsons of the world. The less gifted do not exist to serve the interests of the more gifted. The former are not mere things when compared to the latter, to be used as means to the latter’s ends. From the moral point of view, each of us is equal because each of us is equally a *somebody*, not a *something*, the subject-of-a-life without a subject.<sup>27</sup>

Again, why is the idea of being the subject-of-a-life important? The answer again, is because it succeeds, where the other candidates we have discussed fail, in explaining our moral sameness or equality. Following Regan’s view, we may capture this thought epigrammatically in the following ways:

- (i) As subjects-of-a-life, we are all the same because we are all in the world.

- (ii) As subjects-of-a-life, we are all the same because we are all aware of the world.
- (iii) As subjects-of-a-life, we are all the same because what happens to us matters to us.
- (iv) As subjects-of-a-life, we are all the same because what happens to us (to our bodies, or to our freedom, to our lives) matters to us, whether anyone cares about this or not.
- (v) As subjects-of-a-life, there is no superior or inferior, no higher or lower.
- (vi) As subjects-of-a-life, we are all morally the same.
- (vii) As subjects-of-a-life, we are all morally equal.<sup>28</sup>

To return to the question we posed in the earlier chapter, given that human beings possess moral rights; given that sticks and stones do not; what is there that is true of human beings, but not true of sticks and stones, that explains why we do, but sticks and stones do not, have moral rights? As we said earlier, whatever this “something” is, will have to illuminate what makes us the same, what makes us equal, in ways that are relevant to the rights we possess. The answer we offered to our question is this: it is because we are subjects-of-a-life with inherent value or worth – this is what confers moral rights on us and not on sticks or stones. But the questions may be asked: Do animals possess rights in the way we said humans do? And are humans moral equals of nonhuman animals? These are the sort of questions we shall address in what follows in the remaining part of the chapter below.

### **2.1.2 On the Question of Animal Rights**

I start by asserting that what we had learnt about human rights proved to be directly relevant to thinking about animal rights. Beside this, it is pertinent to note that the first person to use the concept of ‘rights’ in the animal context was the poet, Thomas Tryon, in about 1683, when he imagined birds complaining thus:

What laws have we broken, or what cause given you,  
whereby you can pretend a right to invade and violate  
our part, and natural rights, and to assault and destroy  
us...?<sup>29</sup>

Richard Ryder tells us that a philosophical lead on the animal rights debate was taken by Jeremy Bentham when he envisioned that a day may emerge when the rest of the animal kingdom would free itself from the tyranny and vice-grip of their human counterparts.<sup>30</sup> And as we quoted



Bentham as saying in the introductory part of the thesis, contrary to the long-held belief in traditional morality, what confers moral weight on a being is not that being's ability to reason but to feel pain or pleasure. "The question," says "is not can they reason? Nor can they talk? But can they suffer?"<sup>31</sup> Since animals, like humans, can suffer pain and also experience pleasure, they also should be seen as beings that are morally considerable.

To put the whole issue in proper perspective, it may be important at this point in the discussion to consider who or what animals are. So what really is an animal? According to L.B. Curzon, the term "animal" includes (a) any kind of mammal, (b) fish, reptiles, crustaceans and other cold-blooded creatures not falling within (a) or (b) above.<sup>32</sup> Again, Section 3 of the Wild Animals Preservation Law defines animal to mean all vertebrates and invertebrates (including non-edible fish), their nests, eggs, egg shells, skin and plumage while Section 23 of the Animal Disease (Control) Act defines animal to mean "horse, mole, donkey, camel, cattle, cow, bull, bullock, heifer and calf, buffalo, sheep, goat, swine, dog, cat, laboratory animal, wild animal and the like."<sup>33</sup> These we shall refer to as nonhuman animals because humans are constituents of the animal family and are referred to as human animals.

### **Animal Rights Concept**

Animal rights, also known as animal liberation is the idea that the most basic interest of nonhuman animals should be afforded the same consideration as the similar interest of human beings.<sup>34</sup> Advocates of animal rights approach the issue from different philosophical positions, ranging from the protectionist standpoint, championed by the Australian born philosopher, Peter Singer to the non-protectionist viewpoint, represented, first by Immanuel Kant. There is also the abolitionist approach, represented by law professor - Gary Francione, which argues that animals need only one right: the right not to be property.<sup>35</sup> Despite the different approaches, advocates broadly agree that animals should be viewed as non-human persons and members of the moral community, and should not be used as food, clothing, research subjects or entertainment. Critics of these approaches argue that animals are unable to enter into a social contract or make moral choices, and therefore cannot be said to possess any rights. This position is summed up in Roger Scruton's, words to the effect that only humans have duties and therefore only humans have rights.<sup>36</sup>



It should be pointed out that within the animal rights movement itself, there has been criticisms of certain forms of animal rights activism. The critics within the animal rights movement felt that the destruction of fur farms and animal laboratories by the animal liberation front was too extreme. For them, a parallel argument is that there is nothing inherently wrong with using animals as resources so long as there is no unnecessary suffering. This view is known as the animal welfare position.

Elizabeth Anderson identifies three theoretical approaches to the issue of nonhuman organisms having moral rights. According to her, those who hold at least that some nonhuman organisms or systems of organisms to be intrinsically valuable fall into one of the three following approaches: (a) Animal Welfare, (b) Animal Rights and (c) Environmental Ethics.<sup>37</sup> We shall briefly examine each of these approaches in what follows below.

#### **(a) The animal welfare approach**

Advocates for animal welfare hold that the fundamental criterion for moral considerability is sentience, or the capacity to suffer. According to the argument, sentience generates a claim on moral agents to protect and promote the interest of those who have it. Peter Singer, the most prominent advocate of this view, believes that sentience qualifies an organism for equal consideration of its interests.<sup>38</sup> Accordingly, moral agents should give moral weight to substantively equivalent interests, regardless of the species of the individuals whose interests they are. The animals that qualify for moral right or moral consideration, according to this approach include vertebrates, and arguably much further. The animal welfare perspective does not ground right, understood as claims that cannot be overridden, simply by appeal to the greater aggregate interests of others. In accord with utilitarian logic, animals may be sacrificed to advance total welfare. Animals are fungible, to the extent that they will experience equivalent welfare levels.

#### **(b) The animal rights approach**

The animal rights approach holds that the fundamental criterion for moral right or moral considerability (at least strong enough to ground rights claims) is subjecthood. In the words of Regan, to be a subject requires not simply sentience, but the capacity to have propositional attitudes, emotions, will and an orientation of oneself and one's future.<sup>39</sup> This more stringent

criterion draws the line of rights bearers at least to include the great apes, dolphins, whales, dogs, pigs and other highly intelligent mammals, and arguably includes all mammals and birds. Subjecthood generates rights not only against the infliction of pain but to the conditions for integrity of consciousness and activity, including freedom from boredom, freedom to exercise normal capacities, freedom of movement and the right to life. The animal rights view embodies a strong claim of equality, namely, that animals with equipment morally relevant capacities have equal moral rights, regardless of species membership. In accord with deontological moral theories, these rights cannot be overridden by the aggregate interests of humans or any other beings.<sup>40</sup>

### **(c) The environmental ethics approach**

Proponents of the environmental ethics approach hold that the criterion of moral right or moral considerability is “being alive,” or more generally, a system of life, especially a “natural” one as opposed to being part of a human made environment.<sup>41</sup> Morally considerable entities generate claims to preservation and health. The environmentalist’s object of concern is typically an aggregate or system; a species, an ecosystem, the biosphere. Organisms from this perspective, are fungible, valued for their role in perpetuating the larger unit, but individually dispensable. Nonliving components of systems of living things, such as rivers and mountains, may also be valued for their role in sustaining the system, and so may be preserved at the expense of human activity on natural ecosystems. Environmentalists focus more on wild animals and their habitats over domesticated animals and their habitats. They also value biodiversity and rare over degraded and common ecosystems.<sup>42</sup>

From the foregoing, we notice that the three approaches on the issue of moral rights of nonhuman animals are all important. However, only two approaches, that is, the animal welfare and the animal rights perspectives are of great importance to our study. Here, it is important to point out that that the three approaches can also lead to conflicting prescriptions in somewhat way on the treatment towards animals. For example, the animal welfare perspective can countenance animal experimentation provided that the gains for humans outweigh the losses to the animals. Thus, if dreadful experiments on a few thousand chimpanzees enable the development of drugs that save millions of humans from AIDS, animal welfare advocates would not object to it. But animal

rights advocates will object because for them, beings with equal capacities have equal rights. Chimpanzees, they will argue, have capacities at least equivalent to mentally retarded children. If using mentally retarded children for such experiments would violate their rights, then using chimps for these experiments equally violates the chimp's rights. This argument is supported by the argument from marginal cases which we shall explore in chapter three. However, the question may yet be asked: "Do animals really have rights?"

### **Do animals really have rights?**

Whether any animals have rights depends on the answer to another question: Are any animals subject-of-a-life? The question whether animals are subjects-of-a-life also applies to human beings – are humans subject-of-a-life? This is the question we need to ask about us. Logically, we cannot as humans stand before the world and declare, "What illuminates why we have the equal rights we do is the fact that we all are equally subjects-of-a-life, but other animals, who are just like us in being subjects-of-a-life – well they don't have any rights!" This would be like standing before the world and shouting, "A Volvo is not a car because a Volvo is not a Ford!" No one wants to be or to look this foolish.<sup>43</sup>

To pose the question differently, it may be asked: Among the billions of nonhuman animals in the world, are there any who are aware of the world and aware of what happens to them? If there are, does what happens to them matter to them, whether anyone else cares about this or not? If any animals satisfy this requirement, they are subjects-of-a-life. And if they are subjects-of-a-life, then they have rights just as we do. Not surprisingly, there is no single fact, no one argument that settles everything. Instead, a variety of relevant facts need to be considered, a family of arguments explored. The situation is akin to legal proceedings in courtroom. Rarely is there one and only one fact or argument that decides guilt or innocence. True, sometimes crooks are caught with their hands in the proverbial cookie jar. In the vast majority of cases, however, it is the accretion of different facts (where the accused was at the time of the crime, DNA evidence, and the like) together with the relative strength of competing arguments that tip the scales of justice, one way or the other. When the relevant facts and competing arguments are weighed in the case before us, their cumulative effect overwhelmingly supports a judgment in favour of only one conclusion: many nonhuman animals are subjects-of-a-life.<sup>44</sup>

Tom Regan explains some commonalities between human and nonhuman animals as subjects-of-a-life. These commonalities stem from the fact that both human and nonhuman animals share the following attributes: common sense, common language, common behaviour, common bodies, common system and common origin. We shall discuss these ideas briefly below.

### **Common Sense**

Some animals seem to be very intelligent and pleasant companions to humans. Take for example, the dog. “Do you think a dog is aware of the world? Aware of what happens to ‘him’? Do you think that what happens to ‘him’ matters to ‘him’, whether anyone else cares about it or not?” The answer would be “Of course, the dog is all of the above!” What we thought about the dog, hundreds of millions of other people think about the cats and dogs with whom they share their lives. It’s just plain common sense to recognize that behind their eyes. Our animal companions are complicated psychological creatures who are no less subjects-of-a-life than we are. Granted, the parameters of their lives differ from ours in many respects. Some of us enjoy listening to music or reading books on the history of baking bread, throwing pots or playing video games. Cats and dogs do not enjoy doing any of these things. So, yes, we will not have any trouble making up a long list of how our lives differ from theirs.

But (and this is crucial *but*) there is a sameness amid the differences. When it comes to being subjects-of-a-life, we are on all fours (so to speak) with them. If someone told us that we are mistaken, that cats and dogs really are not aware of the world, or that they really do not care about what happens to them, we would think that he must have something wrong with him.<sup>45</sup>

### **Common Language**

Imagine that one of your neighbours keeps several dogs in a small cage twenty-four hours a day. Whenever you walk by, the dogs bark and howl; they are so excited to see you. When you stop by to pet them, they wag their tails and lick your hands. When you leave, they dig furiously with their paws and try to squeeze under the narrow openings created by their efforts. Your neighbour tells you to keep off his property “or else”. You stand your ground. “Can’t you see that dogs want to have some freedom? That they are starving for attention? That they are bored to death being confined in their cage, day in and day out?”

Does anybody have any trouble understanding what you mean? Are you using words in a way that makes what you say unintelligent? We can imagine different circumstances in which this would be true. If you told us that the ice cubes want to have some freedom off the freezer or that the gravel on the driveway is starving for attention, the ordinary man would wonder what on earth you were talking about. But no ordinary person would have the slightest difficulty in understanding what you mean when you say what you do about your neighbour's dogs. There is *somebody there*, behind those canine eyes, somebody with wants and needs, memories and frustrations.<sup>46</sup>

### **Common Behaviour**

Part of the reason we can speak meaningfully about what dogs and other animals want is because their behaviour resembles ours in relevant respects. If I am in a cage and want to get out, I will try to get out (for example, I will try to widen the space between the bars or push against them). If your neighbour's dogs want to get out of their cage, they will try to get out too (for example, by digging with their paws). We understand them and their behaviour because we understand ourselves and our behaviours. Just as my behaviour "tells" you that I want to get out of my cage, without my having to say, "I want to get out!" so the similar behaviour of the dogs "tells" us that they want to get out of their cage too, without their having to say so.

However, there are limits to what can be meaningfully ascribed to animals. If another neighbour tells you that her cat wants to study Law at the University of Ibadan and that her dog has decided to convert to paganism, we are likely to be alarmed at such a claim. Without a doubt some people sometimes go too far in what they say about animals. Nevertheless, sometimes the behaviour of animals, unlike the behaviour of ice cubes and gravel, is so similar to our own, given similar circumstances, that we are right to infer that their experience is similar to our experience.

### **Common Bodies**

If other animals all had radically different bodies than we do, it might be more difficult to see them as subjects-of-a-life. For example, suppose they all lacked all our senses (sight, smell, hearing, and rest), all our organs (heart, lungs, kidneys, and so on), anything even vaguely resembling a central nervous system, including the barest hint of a brain. We might try to picture

these animals as undifferentiated blobs of protoplasm oozing their way through the universe. Whatever might be true in this theoretically possible case, the actual situation is quite different. Many species of animals have bodies like ours in many relevant respects. For example, they share our senses and have the same organs. The structural (the anatomical) similarities between humans and many other animals are both obvious and striking and that is why we always want to use them as research materials because they are like us. Too bad! In this sense, we have our bodies in common.

### **Common Systems**

According to Tom Regan, the idea of a common system is one that may make it a little more difficult to see other animals as subjects-of-a-life. In his words, “we imagine that, while there are other animals who are structurally like us in all the relevant anatomical respects, there is this difference”.<sup>47</sup> When something injurious happens to our bodies, the information that gets transmitted (what makes us aware of the injury) travels along one path of nervous transmitters to our brain. By contrast, when something injurious happens to the bodies of other animals, the information that gets transmitted travels along a completely different path and goes to some place other than the brain (to the pancreas, so to say). If this were true, things would be more complicated. Truly, if this were true, it would be more difficult to support the belief that animals are aware of what happens to them (that the transmitted information is “received,” so to speak).

As it happens, the actual facts are not like this at all. The actual facts are the same in all the relevant respects. When something injurious happens to our bodies, the information that gets transmitted travels to the same destination in our case as it does in theirs. In both cases, it goes to the brain. In their case, it does not go to their pancreas. Just as the physical structures in the two cases are essentially the same in all the relevant respects, so are the nervous systems essentially the same.

### **Common Origin**

One final commonality between humans and nonhuman animals should be noted. When we ask about the origin of human life, how human life began, two possibilities present themselves. First, human life might have originated because of a special creation by God; if true, our existence can be understood apart from understanding the origin and development of other forms of life,

including other animals. Second, human life might have come into being after a long process of evolutionary change, which God, of course, could have been directing all along; if true, our existence should be understood in conjunction with our understanding of the origin and development of other forms of life, including other animals.

Before the publication of Charles Darwin's work on evolution, belief in special creation was compatible with our best science. Since its publication, it no longer is. Not only *that* we are, but also *what* we are, cannot be understood apart from the other forms of life from which we have evolved. In fact, the same is no less true of the "lower animals," by which Darwin typically means other mammals. Although the details are complicated, the main story line is simple: we share a common ancestry with these animals, the remnants of which we find in our anatomical and systemic similarities as well as in our mental powers. The minds of these animals, Darwin writes, "differ (from ours) in degree, not in kind."<sup>48</sup>

What does this mean – that our mental powers "differ in degree, not in kind"? It means that the capacities that define the human mind will also be found in the "lower animals." In fact, not to find capacities in these animals, as the contemporary American philosopher James Rachels notes, "would be altogether fantastic," given evolutionary theory. James Rachels writes:

Evolutionary theory leads us to expect continuities, not sharp breaks. It implies that, if we examine nature with an unbiased eye, we will find a complex pattern of resemblance as well as differences. We will find, in humans traces of their evolutionary past, and in other species – especially those most closely related to us by lines of evolutionary descent – traces of characteristics that may be more or less well developed in us.<sup>49</sup>

When Darwin examines the behaviour of other mammals "with an unbiased eye," he finds many resemblances indeed. Not only do they feel pleasure and pain, Darwin believes other mammals "experience (to greater or lesser degrees) anxiety, grief, dejection, despair, joy, love, 'tender feelings,' devotion, ill-temper, sulkiness, determination, hatred, anger, disdain, contempt, disgust, guilt, pride, helplessness, patience, surprise, astonishment, fear, horror, shame, shyness, and modesty."<sup>50</sup> It is conceivable that some people will raise a skeptical eyebrow over some of Darwin's ideas (for example, that those other animals might show disgust or modesty). However,



even if a critic wants to quibble about some of the items on his list, all people of common sense, who speak common English, will agree that cats, dogs and other mammals behave in ways that show their anxiety, joy, determinations, surprise, astonishment, and fear, for example.

A second skeptical voice also can be anticipated. Many people do not believe in evolution. They believe that God created humans and animals separately, perhaps as recently as ten years ago. Darwinian evolution, evolution of any kind, is fiction, not fact. For these people, the evidence for animal minds provided by evolutionary theory is no evidence at all. Despite first impressions, rejection of evolution need not undermine the main conclusions Darwin reaches about animal minds. All of the world's religions speak with one voice when it comes to the question before us. Read the Bible, the Torah, and the Koran. Study Confucianism, Buddhism, Hinduism, or African Traditional Religion. The message is everywhere the same. Sheep and whales, goats and oxen, cats and dogs most certainly are aware of the world. These animals most certainly are aware of what happens to them. What happens to these animals most certainly matters to them. In these respects, all the world's religions teach the same thing.

Thus, while the argument we have given appeals to the implications of evolutionary theory, the conclusions we reach are entirely consistent with the faith based convictions of people who believe that God created humans and animals separately. And what of those who believe both in God and in evolution? Well, these people have reasons of both kinds for recognizing the mental life of other animals.

### **Remedying the Wrong done to Animals**

Recognition of the rights of these animals has far-reaching consequences. Billions of animals are exploited and maltreated by humans all over the world. Animal farmers exploit these animals in the billions too. Their lives are taken, their bodies are injured, and their freedom is denied by the fur and meat industries. Once we acknowledge the moral rights of these animals, we will come to realize that these actions against the animals are morally wrong. This issue is not to treat these nonhuman animals in more "humane" ways but to put an end to the violations of their lives and rights. Tom Regan insists that the task facing Animal Rights Advocates (ARA) is daunting, which is to empty the cages where these animals are hounded, not make them larger.<sup>51</sup>



More than this task follows once we recognize the rights of these animals. Earlier in this chapter, we noted that those whose rights are violated, sometimes do not understand the injustice that is done to them. For example, the slave trade victims. This can happen in the case of children, for example. Because of their vulnerability, they are easy prey for those seeking some benefit, whether personal or public, secured by exploiting them. What duties do we have when powerless humans are used as means to such ends? The answer is both clear and compelling. We have a duty to intervene, a duty to stand up and speak out in their defense. These victims are owed assistance from us; help is something they are due, not something it could be “awfully nice” to render. Arguably, the less able humans are to defend their rights, the greater is our duty to do this for them.

The same is no less true when the victims are other-than-human animals like the nonhuman animals. We have a duty to intervene on their behalf, a duty to stand up and speak out in their defense. These animal victims are owed assistance from us; help is something they are due, not something it would be “awfully nice” of us to render. Their very inability to defend their rights makes our duty to help them greater, not less.

### **Objections to the idea of Animal Rights**

These are those who object to the idea that animals possess rights or moral worth. Tom Regan noted that sometimes, critics of animal rights try to frustrate the idea of Animal Rights advocates (ARAs) rather than address the issues.<sup>52</sup> Here, we need to note that there is no one fact, no one argument that wins the day, for or against. The issue of animal right is a complicated one. No one, partisan or foe, should expect a simple answer. Our guiding principle should be: let all voice be free to speak and to speak without interruption. After all, sometimes deciding where the truth lies takes time. Facts and arguments that support belief in animal rights were presented earlier. Facts and arguments that dispute this belief will be considered in the rest of this chapter. Where the truth lies, we will have to decide after both sides have been heard.

#### **1. “What about plants?”**

According to Regan, the objection most frequently raised against animal rights takes the form of a question: “What about plants?” If the people who raised this objection distinguished themselves

by being tireless advocates of decent treatment for plants, one could perhaps understand how they might feel that plants were being treated unfairly by ARAs. In fact, the people who raise this objection do not have an especially tender place in their hearts for plants. Their point is not botanical; it is supposed to be logical. What they think is this: If ARAs say that animals (like cats and dogs, lions and rhinos) have rights, then ARAs are logically committed to saying that plants (like tomatoes, pepper, okro and melon) have rights too. But (so the objection goes) since it is false that okro has rights, it must be false that dogs have rights.<sup>53</sup>

This objection, however well intended, is misplaced especially when seen in the light of the various considerations presented in support of recognizing that animals are subjects-of-a-life. By these are meant considerations relating to common sense and common language, common bodies and common system, for example. How does tomato or okro measure up, given these considerations? Do tomatoes share our structure, anatomically and physiologically? Does okro have a central nervous system like ours, and a brain? If someone says, “The melon wants to go out for a walk,” do we have the faintest idea of what the person means? It is doubtful if we do. How animal rights advocates argue for animal rights does not logically commit us to championing tomato rights. The “what-about-plants?” objection does not succeed as challenge to the idea of animal rights.

## **2. “Animals Are Not Human.”**

This certainly is true, given the standard meanings of words. Wolves and dolphins, mice and pigs are not human beings. While true, however, this fact provides no more reason for thinking that animals do not have rights than the companion claim, “Humans are humans,” provides for thinking that we do. The most charitable interpretation of the “Animals are not human” objection is that animals do not have rights because animals are not members of our species – the human species, the species *Homo sapiens*. As was noted in an earlier discussion, however, truths like this one (biological truths) have no moral import. All they tell us is that some beings (human beings) belong to one biological species, while other beings (wolf beings, for example) belong to another biological species. But who belongs to what species is not relevant to thinking about morality. If we think that humans have rights but wolves lack them, this is not just because we belong to different species.

Note this, too: moral rights can never justifiably be denied for arbitrary, prejudicial, or morally irrelevant reasons. Race is such a reason. Gender is such a difference. In a word, biological differences are such reasons. How, then, can we believe that species membership marks a defensible boundary between those animals who do and those who do not have rights? Logically, it makes no sense. Morally, it bespeaks a prejudice of the same kind as racism and sexism, the prejudice known as speciesism.<sup>54</sup>

### **3. “The Idea of Animal Rights Is Absurd!”**

Sometimes critics take the offensive by making the charge of absurdity. Why is the idea of “animal rights” absurd? Often the people who make the charge do not stay around long enough to explain what they mean or why anyone should believe them. When the basis of the charge is explained, usually it turns out that those who make it think it is silly to say that cats do (or should) have the right to vote, or that dogs do (or should) have the right to practice the religion of their choice. And what follows? From this we are asked to infer that it is just as silly, just as absurd to think that any animal has any right.

This argument misfires. It assumes that animals do not have any right unless they have every right. No serious advocate of human rights believes this. For example, we do not believe that children must have the right to vote before they can have the right to be treated with respect. Clearly, human beings do not have to have every right in order to have any right. But if (as we come to reason together) we do not insist upon this requirement in the case of human beings (and we do not), we cannot consistently insist upon it in the case of animal beings.

### **4. “Animals Do Not Understand What Rights Are”**

This is certainly true. No other-than-human animals understand what rights are. Consider the most intelligent among them. Nonhuman primates, for example. There is absolutely no reason to believe that great apes or baboons understand that rights are to be respected, or that to invoke a right is to make a demand rather than to ask for a favour. Without a doubt, critics are correct when they deny that animals understand what rights are. What is supposed to follow? What inference are we supposed to make? The answer is: “No animal has right.” In other words, from the fact that animals do not understand rights, we are being asked to conclude that they do not have rights.

No one really believes this. No one really believes that before you can have something, you have to understand what it is. Consider what this way of thinking would prove. Young children do not have livers or kidneys. Why? Because they do not understand what livers and kidneys are? Billions and billions of our ancestors did not have genes or DNA. Why? Because they did not understand what genes and DNA are? And so on. Obviously, something has gone wrong here. In general, we do not require that something must first be understood before it can be possessed. Why should we accept a different standard when it comes to asking whether animals have rights? No one has ever given a satisfactory answer to this question.

Notice, too, where this way of thinking leads us when it comes to saying which humans have rights. Young children do not understand rights. In fact, it may be that many grown-ups (this certainly is true) do not understand what rights are. Are we to say that all these humans therefore lack rights? The question answers itself. A way of thinking that is so deficient when it comes to human rights cannot be any better when it comes to animal rights.

##### **5. “Animals Do Not Respect Our Rights”**

We may call this the Plain Zoo Objection. We are to imagine that a group of philosophers, say, just happen to be taking a walk on the Zoo Plain road when, without warning, they are attacked by a pride of hungry lions. “Hold on, there!” The philosophers say, “don’t even think about violating our rights!” Alas, their protestations have no calming effect and they end up being lunch for the lions. And the objection is: If animals do not respect our rights, they do not have any rights for us to respect.

Many are the replies to this way of thinking. Only two will be mentioned here. We note, first, that we do not require that humans respect our rights before we acknowledge their rights. For example, we do not require this in the case of young children. Second, even if a child does something harmful to someone (for example, discharges a gun that results in someone’s death), we do not say, “There, now, that’s settled. This child has no right whatsoever!” Of course we do not say this. Neither should we say anything different when the harm done is done by lions, or by any other animal for that matter. Moreover, the major political thinker with an influential doctrine on natural rights was John Locke. He maintained that “though in the state of nature (every human)

hath such a right (to absolute freedom), yet the enjoyment of it is very uncertain and constantly exposed to the invasion of others”.<sup>55</sup> This is why we humans establish government to make us secure in the enjoyment of our rights.

## **6. “What Would Become of Us?”**

This objection borders on the previous one. We imagine the philosophers being attacked by lions on the Zoo Plain road. If the lions have rights, the philosophers argue, then they (the philosophers) cannot do anything to defend themselves lest they violate the lions’ rights. Worse, the same must be true in general. Suppose a scourge of rats is spreading the bubonic plague throughout Nigeria. Surely we must permit them to do so, if we are to honour their rights. What, then will become of us, if we cannot defend ourselves against animals? Like the philosophers on the Zoo Plain, we will perish, that’s what.

Tom Regan calls this, ‘the Doom’s Day Objection.’<sup>56</sup> It may be effective as a lampoon, but it has no basis in logic. No coherent advocate of human rights believes that we must acquiesce in the face of each and every attack upon our lives, our bodies or our freedom. On the contrary, every coherent advocate recognizes the right of self-defense, tempered by other considerations, including proportionality (that is, we are not to use more force when less force is sufficient). Thus, it is that we are perfectly within our rights if we use force sufficient to injure a human attacker who violates our rights and threatens serious bodily injury.

Morally, the situation is no different if an animal being rather than a human being attacks us. No coherent advocate of animal rights does, and none must, believe that the philosophers, for example, must not lift a finger in self-defense if lions attack.<sup>57</sup>

## **7. “Animals Do Not Respect One Another’s Rights”**

Sometimes critics object to animal rights because of how animals treat other animals, rather than because of how they treat us. For example, critics point out that lions kill and eat gazelles as meat, not just philosophers, and then ask how it can be wrong if we kill pigs and eat in pork form. The most obvious difference in the two cases is that lions have to make meals out of other animals in order to survive. We do not. So what a lion must do does not logically translate into what we may do. In addition, it is worth noting how much this objection diverges from our normal practice.

Most people who raise this challenge drive cars, wear clothes, use computers, and write checks. Other animals do not do any of these things. Should we therefore stop living as we live, stop doing what we do, and start imitating animals? Are the people who raise this objection prepared to go feral? We know of no critic of animal rights who advocates anything remotely like this. Why, then, place what carnivorous animals eat in a unique category as being the one and only thing they do that we should imitate? Without exception, when we have asked this question, no credible answer has been given.

### **8. “Animals Are Not Aware of Anything”**

The French Philosopher, Rene Descartes is famous for this teaching.<sup>58</sup> Descartes argues that human beings have minds, which are immaterial, and bodies, which are material. By contrast, other animals have bodies only; they have no minds. For Descartes, animals are not aware of anything. Set a puppy on fire. Skin a cow alive. Neither feels a thing. The animals of the world are as mindless as the pen I am using to write out this essay. It would be a relief to say that philosophers have left Cartesianism to gather dust. Unfortunately, this is not true. Even to this day a handful of philosophy professors cheerfully endorse the idea that all the “brutes” are mindless. Their argument invariably, comes to this: animals are not aware of anything because they cannot say anything. Or (to be more precise) animals are not aware of anything because they lack the ability to use a language like English, Italian, Ibo or Hausa. Some ARAs respond to this objection by alluding to the apparent success of some animals (chimpanzees, for example) in learning how to communicate using American Sign Language for the deaf. Although a response of this type is relevant, it concedes too much. On reflection, it is obvious that awareness of the world is independent of the ability to use any language.

Consider what is involved in teaching a young child how to talk. We point to various objects and sound their names. We hold up a ball and say, “Ball.” We point to the dog and say, “Dog.” and so on. If awareness of the world were impossible for anyone who was unable to use a language, children could never learn to talk. Why? Because in order to learn to talk they must first be aware of what we say (ball) and of what we point to (the ball). In other words, children must be preverbally and thus nonverbally aware of the world before they learn to use a language; otherwise, they could never learn to use one. However, once we acknowledge nonverbal

awareness in children, the same kind of awareness cannot be summarily denied in animals. Therefore the Cartesian objection has no legs to stand on. For Mc Ginn, apprehending animals as they are in themselves should enable us to give them their proper due morally.<sup>59</sup>

### **9. “Animals Do Not Have Souls”**

Among the objections given against animal rights, some are of a religious nature. This is one of them. Like the other objections considered to this point, it cannot carry the weight proponents place on it. If animals lack souls, there is no “life beyond the grave” for them. When their bodies die, the *somebody* who they were is totally annihilated. It is worth noting that not all religions agree on this point. Hinduism and many Native American traditions are obvious counter examples; even mainstream Christian theologians (John Wesley provides one example) found Biblically based arguments in favour of the souls of animals.

But let us assume, for the sake of argument, that animals do not have immortal souls. Two points need to be made, the first logical, the second theological. Concerning the logical: Who does or does not have an immortal soul has no logical bearing on who does or does not have rights. Who does or does not have a soul is relevant to answering the question, “What happens to X after X dies?” Questions that ask who has rights, by contrast, have nothing to do with what happens after someone dies; these questions concern the moral status individuals have while they are alive. Asking who has an immortal soul is as logically irrelevant to asking who has rights as asking who has green eyes or capped teeth. Theologically, it would be perverse to teach that, because animals do not have a life after they die, we are free to do just about anything we want to do to them while they are alive. If anything, a credible theology would teach exactly the opposite. Because animals do not have a life after they die, we should do everything in our power to ensure that this, their only life, is as long and good as possible.

Let us think about it. Terrible things sometimes happen to good people; an example is the Job of Bible account. His crops fail. His family dies. His reputation is destroyed. Even so, if he has an immortal soul, a day may come when all his earthly travails are more than compensated for by the bliss that awaits him in heaven. This can never happen to animals, if they lack immortal souls. For them, there is no heavenly bliss, no future compensation. For them, there is only this life and



nothing more. Do we therefore say, “We are free to do just about anything we want to do to them while they are alive?” Or do we say, “We should do everything in our power to ensure that this, their only life, is as long and good as possible?” If the object of one’s belief is a loving God, not a sadistic one, the questions then answer themselves. Rather than the “Animals-don’t-have-souls” objection undermining the abolitionist goals all ARAs share, the objection’s implications actually forward them. The best way to insure that animals have as long and as good a life as is within their nature to enjoy is to act in ways that respect their rights. When ARAs and others take the time to reason together, we sometimes discover that they have more in common than they realize.

#### **10. “Well, at Least God Gave Us Dominion!”**

People of a religious bent, especially Christians who take the Bible seriously, often agree that rights are not the moral currency of their faith-based ethic. The Bible teaches that human beings have been given dominion over animals. In a famous Bible passage, it is stated that God made humans in His image and told them to:

Have dominion over the fish of the sea, and over the fowl of the air, and over the cattle, and over all the earth, and every creeping thing that creepeth upon the earth. So God created man in his own image, in the image of God created he him; male and female created he them. And God blessed them, and God said unto them, “Be fruitful, and multiply, and replenish the earth, and subdue it: and have dominion over the fish of the sea, and over the fowl of the air, and over every living thing that moveth upon the earth.”<sup>60</sup>

What could be clearer than that other animals were created for human use? What could be clearer than that we therefore do nothing wrong when we limit their freedom, injure their bodies, or take their lives to satisfy our needs and satiate our desires? But this is not how we should read and interpret the Bible. To be given dominion by God is not to be given a blank check made out to satisfying our needs and satiating our desires. On the contrary, it is to be charged with the awesome responsibility of being the creator’s agent within creation; in other words we are called by God to be as loving and caring for what God has created as God was loving and caring in creating it. Indeed, as we understand the idea, this is what it means to be “created in God’s image.”<sup>61</sup>



God, you may recall, created the other animals on the same day (the sixth) as Adam and Eve. We read in this representation of the order of creation a prescient recognition of the vital kinship humans share with other animals. More than this, we find in this opening saga an even deeper, more profound message. God did not create animals for our use – not for our entertainment, not for our scientific curiosity, not for our sport, not even for our food. On the contrary, the nonhuman animals currently exploited in these ways were created to be just what they are: independently good expressions of the divine love that, in ways that are likely to remain forever mysterious to us, was expressed in God’s creative activity.

“Not even for our food?” Some skeptics may argue this, but it is what the Bible teaches. The “meat” we are given by God for our food is not the flesh of animals; here is what it is. “And God said, ‘Behold, I have given you every herb bearing seed, which is upon the earth, and every tree, in which is the fruit of a tree yielding seed; to you it shall be meat’ ”.<sup>62</sup> The message could not be any clearer. There are no hunters, only gathers, in the Garden of Eden. In the most perfect state of creation, humans are vegans; we eat no animals flesh, and neither do we eat any animal products, such as milk or eggs. So if we ask what God hoped of us “in the beginning,” when it comes to food the answer is not open to dispute.<sup>63</sup> It wasn’t beef or pork, but vegetables.

For Christians, then, the question asked each day is a simple one. “Do I try to turn my life around and begin my journey back to Eden – back to a more loving relationship with this gift of creation? Or do I continue to live in ways that increase my distance from what God hoped for?” This is a question that is answered in many different ways, not one only. There is no argument there. But neither should we argue over whether one way Christians answer this question is with the choice they make about the food on their plate. Animals in the Garden of Eden lived in paradise precisely because no one violated their rights – which are what, in my opinion, Christians should want for animals today. “Christian animal rights advocate” is not an oxymoron. Granted, love, not rights, is at the heart of the Christian ethic; still, “Christian animal rights advocate” is a convenient way to express a faith-based advocacy that works for the same ends as ARAs work for. The same is true of Jewish animal rights advocates, Islamic animal rights advocates, Hindu animal rights advocates, Buddhist animal rights advocates, and so on. When the family portrait is of ARAs is painted, people of every faith will be included, since they all belong there. That many

people outside the animal rights community find it hard to believe that people of faith can be ARAs only goes to show how successful the major animal user industries are in creating and sustaining an erroneous picture of who we are.

### **11. “Let’s Solve the Human Problems First!”**

One final objection that should be considered does not challenge the truth of animal rights; it simply wants to trivialize the animals’ rights. There are so many daunting human problems we face, so this objection goes, “from famine and war, to health care and illiteracy. After we solve these problems, then we can turn our attention to animal rights.” You don’t have to be a cynic to see that this is a recipe for perpetual neglect of animal rights. If we are realistic, we know there will always be some human problem needing to be solved. (Is it not true, for example, that, “the poor will be with us always”?) It follows (given this objection) that the day will never come when we can turn our attention to animal rights. Do we not see that the people who raise this objection just don’t want to hear what ARAs are saying?

But we should realize that ARAs do not see the issues as a disjunction: *Either* you help solve human problems or you help animals. They see them as a conjunction: Let’s help solve the human problems *and* help animals. For example, people can make serious efforts to help the victims of famine and practice a vegan diet, or they can help address the burdens of illiteracy and not buy fur or leather or wool.

### **2.2 The Moral Significance of Animals’ Moral Claims/Rights**

That nonhuman animal can make moral claims on us does not in itself indicate how such claims are to be assessed and conflicting claims adjudicated. Being morally considerable is like showing up on a moral radar screen – how strong the signal is or where it is located on the screen are separate questions. Of course, how one argues for the moral considerability of nonhuman animals will inform how we are to understand the force of an animal’s claims. Joel Feinberg says that “to have a right is to have a claim to something and against someone, the recognition of which is called for by some set of governing roles or moral principles.”<sup>64</sup> To have a claim in turn, is to have a case meriting consideration, that is, to have reasons or grounds that put one in a position to engage in preformative and propositional claiming. The activity of claiming, finally, as much as

any other thing, makes for self-respect and respect for others, give a sense to the notion of personal dignity, and distinguishes this otherwise morally flawed world from my other worse world.

According to the view that an animal's moral claim is equivalent to a moral right, any action that fails to treat the animal as a being with inherent worth would violate that animal's right and is thus morally objectionable. According to the animal right position, to treat an animal as a means to some human end, as many humans do when they eat meat from animals or experiment on them, is to violate that animal's right. As Tom Regan reminds us, "...animals are treated routinely, systematically as if their value were reducible to their usefulness to others; they are routinely, systematically treated with a lack of respect, and thus are their rights routinely, systematically violated."<sup>65</sup>

The animal rights position is an absolutist position. Any being that is a subject of a life has inherent worth and the rights that protect such worth and all subjects-of-a-life have these rights equally. Thus, any practice that fails to respect the rights of those animals who have them, such as eating, hunting, experimenting on, or using animals for entertainment, is wrong, irrespective of human need, context, or culture.

### **2.2.1 The Utilitarian Argument (Peter Singer)**

Contemporary utilitarians, such as Peter Singer, suggest that there is no morally justifiable way to exclude from moral consideration nonhumans or nonpersons who can clearly suffer. Any being that has an interest in not suffering deserves to have that interest taken into account.<sup>66</sup> The utilitarian position on animals, most commonly associated with Peter Singer and popularly, though erroneously, referred to as an animal rights position, is actually quite distinct. Here, the moral significance of the claims of animals depends on what other morally significant competing claims might be in play in any given situation. While the equal interests of all morally considerable beings are considered equally, the practices in question may end up violating or frustrating some interests but would not be considered morally wrong if, when all equal interests are considered, more of these interests are satisfied than frustrated. For Utilitarians like Singer, what matters are the strength and nature of interests, not whose interests these are? So, if the only option available in order to save the life of one morally considerable being is to cause harm, but

not death, to another morally considerable being, then according to a utilitarian position, causing this harm may be morally justifiable. Similarly, if there are two courses of action, one which causes extreme amounts of suffering and ultimate death, and one which causes extreme amounts of suffering and painless death, then the latter would be morally preferable to the former.<sup>67</sup>

Consider factory farming, for example, the most common method used to convert animal bodies into relatively inexpensive food in industrialized societies today. An estimated 10 billion animals in the United States are born, confined, biologically manipulated, transported and ultimately slaughtered each year so that humans can consume animal products from them. The conditions in which these animals are raised and the method of slaughter causes vast amounts of suffering.<sup>68</sup> Given that animals suffer under such conditions, and assuming that suffering is not in their interest, then the practice of factory farming would only be morally justifiable, if its abolition were to cause greater suffering or a greater amount of interest frustration. Certainly humans who take pleasure in eating meat and other products from animals will find it harder to satisfy these interests in the absence of factory farms; it may cost more and require more effort to obtain animal products. The factory farmers, and the industries that support factory farming, will also have certain interests frustrated if factory farming were to be abolished. How much interest frustration and interest satisfaction would be associated with the end to factory farming is largely an empirical question. But utilitarians are not making unreasonable predictions when they argue that on balance, the suffering and interest frustration that animals experience in modern day meat production is greater than the suffering that humans would endure if they had to alter their current practices.

Vegetarian argument may not be an option. Importantly, the utilitarian argument for the moral significance of animal suffering in meat production is not an argument for vegetarianism. If an animal lived a happy life and was painlessly killed and then products from them eaten by people who would otherwise suffer hunger or malnutrition by not eating the animal, then painlessly killing and eating the animal would be the morally justified thing to do. In many parts of the world where economic, cultural, or climate conditions make it virtually impossible for people to sustain themselves on plant based diets, killing and eating animals that previously led relatively unconstrained lives and are painlessly killed, would not be morally objectionable. The utilitarian

position can thus avoid certain charges of cultural chauvinism and moralism, charges that the animal rights position apparently cannot avoid.

It might be objected that to suggest that it is morally acceptable to hunt animals for meat, for those people living in arctic regions, or for nomadic cultures, or for poor rural peoples, for example, is to potentially condone painlessly killing other morally considerable beings, like humans, for food consumption in similar situations. If violating the rights of an animal can be morally tolerated, especially a right to life, then similar rights violations can be morally tolerated. In failing to recognize the inviolability of the moral claims of all morally considerable beings, utilitarianism cannot accommodate one of our most basic prima facie principles, namely that killing a morally considerable being is wrong.

There are at least two replies to this sort of objection. The first appeals to the negative side effects that killing may promote. If, to draw on an over-used and sadly sophomoric counter-example, one person can be kidnapped and painlessly killed in order to provide body parts for four individuals who will die without them, there will inevitably be negative side-effects that all things considered would make the kidnapping wrong. Healthy people, knowing they could be used for 'spare' parts, might make themselves unhealthy to avoid such a fate or they may have so much stress and fear that the overall state of affairs would be worse than that in which four people died. Appealing to side-effects when it comes to the wrong of killing is certainly plausible, but it fails to capture what is directly wrong with killing.

The multi-factor utilitarian perspective is particularly helpful when considering the use of animals in medical research. According to the animal rights position, the use of animals in experimental procedures is a clear violation of their rights – they are being used as a mere means to some possible end – and thus animal rights proponents are in favor of the abolition of all laboratory research. The utilitarian position, particularly one that incorporates some kind of multi-factor perspective, might allow some research on animals under very specific conditions. Before exploring what a utilitarian might condone in the way of animal experimentation, let us first quickly consider what would be morally prohibited. All research that involves invasive procedures, constant confinement, and ultimate death can be said to violate the animal's crucial interests. Thus any experiments that are designed to enhance the important, replaceable, or trivial

interests of humans or other animals would be prohibited. That would mean that experiments for cosmetics or household products are prohibited, as there are non-animal tested alternatives and many options already available for consumers. Experiments to determine the effects of recreational drugs, cigarettes, and alcohol would also be prohibited. Certain psychological experiments, such as those in which infant primates are separated from their mothers and exposed to frightening stimuli in an effort to understand problems teenagers have when they enter high school, would also come into question. There are many examples of experiments that violate an animal's crucial interest in the hopes of satisfying the lesser interest of some other morally considerable being, all of which would be objectionable from this perspective.<sup>69</sup>

There are some laboratory experiments, however, that from multi-factor utilitarian perspective may be permitted. These are experiments in which the probability of satisfying crucial or important interests for many who suffer from some debilitating or fatal disease is high, and the numbers of nonhuman animals whose crucial interests are violated is low. The psychological complexity of the nonhumans may also be significant in determining whether the experiment is morally justified. In the case of experimenting in these limited numbers of cases, presumably a parallel argument could be made about experimenting on humans. If the chances are very high that experimenting on one human, who is a far superior experimental animal when it comes to human disease, can prevent great suffering or death in many humans, then the utilitarian may, if side effects are minimal, condone such an experiment. Of course, it is easier to imagine this sort of extreme case in the abstract, what a utilitarian would think actually morally justified, again depends on the specific empirical data.

In summary, the animal rights position takes the significance of morally considerable claims to be absolute. Thus, any use of animals that involves a disregard for their moral claims is problematic. The significance of an animal's morally considerable interests according to a utilitarian is variable. Whether an action is morally justified or permissible will depend on a number of factors. The utilitarian position on animals would condemn a large number of practices that involve the suffering and death of billions of animals, but there are cases in which some use of nonhuman animals, and perhaps even human animals, may be morally justified.

### 2.2.2 Alternative Perspectives of Human Relations to Nonhuman Animals

Given the long-standing view that nonhumans are mere things, there are still many who reject the arguments presented in this chapter for the moral considerability of nonhumans and the significance of their interests. Nonetheless, most people now realize that the task of arguing that humans have a unique and exclusive moral status is rather difficult. Yet even amongst those who do view animals as within the sphere of moral concern, there is disagreement about the nature and usefulness of the arguments presented on behalf of the moral status of animals.

Some, in the neo-Aristotelian or “virtue ethics” tradition, have argued that while our behaviour towards animals is indeed subject to moral scrutiny, the kinds of arguments that have been presented frame the issues in the wrong way. According to many in this tradition, rational argumentation fails to capture those features of moral experience that allow us to really see why treating animals badly are wrong. The point, according to such commentators as Stephen Clark and Cora Diamond for example, is that members of our communities, however we conceive of them, pull on us and it is in virtue of this indescribable pull that we recognize what is wrong with cruelty.<sup>70</sup> Animals are individuals with whom we share a common life and this recognition allows us to see them as they are. A person striving for virtue comes to see that eating animals is wrong not because it is violation of the animals’ right or because on balance, such an act creates more suffering than other acts, but rather because in eating animals or using them in other harmful ways, we do not display the traits of character that kind, sensitive, compassionate, mature, and thoughtful members of a moral community should display.<sup>71</sup> Carefully worked out arguments in which the moral considerability and moral significance of animals are laid out will have little grip on our thoughts and actions. Rather, by perceiving the attitudes that underlie the use and abuse of nonhuman animals as shallow or cruel, one interested in living a virtuous life will change their attitudes and come to reject treating animals as food or tools for research.

Feminists have taken issue with the methods of argumentation used to establish the moral status of animals. For many feminists the traditional methods of rational argumentation fail to take into account the feelings of sympathy or empathy that humans have towards nonhumans, feelings they believe are central to a full account of what we owe nonhumans and why. While many feminists believe, following Hume, that our moral emotions are what ultimately move us to act



compassionately towards animals, they do not reject the conclusions that the rights-based theorists or the utilitarian theorists draw. Rather, their criticisms are directed at the idea that these conclusions, drawn through reason alone, can change our behaviours.<sup>72</sup> In particular, feminist philosophers have challenged the individualism that is central in the arguments for the moral status of animals. Rather than identifying intrinsic or innate properties that non-humans share with humans, properties that are thought to be morally valuable in themselves, some feminists have argued instead that we ought to understand moral status in relational terms given that moral recognition is invariably a social practice. As Elizabeth Anderson has written: “Moral considerability is not an intrinsic property of any creature, nor is it supervenient on only its intrinsic properties, such as its capacities. It depends, deeply, on the kind of relations they can have with us”.<sup>73</sup>

Similarly, ecological feminists have also argued that the standard approaches to determining the moral status of animals are flawed. For these critics, the focus on individuals in isolation from their context fails to capture the political structures, particularly the structures of power that underlie current practices in which animals are used. Some eco-feminists argue that there is a conceptual link between the “logic of domination” that operates to reinforce sexism and the logic that supports the oppression of nonhuman animals, a link that translates into individual and institutional practices that are harmful to both women and animals. Gender hierarchies, in which men are thought to be separate from and superior to women share the same structure, according to this analysis, as hierarchies that separate humans from other animals and justify human dominance over the allegedly inferior others. According to an ecological feminist perspective, differences between groups and individuals can be acknowledged without attributing greater or lesser moral worth to those groups or individuals within them and just social relations required that such valuations be avoided. Like many social justice perspectives, the eco-feminist perspective maintains that no one will be free unless everyone is free, and that includes nonhuman animals.<sup>74</sup>

### **2.3 The Question of Intrinsic Value**

Value ethics is the philosophical discipline that deals with actions and their worthwhileness. It is that aspect of moral thinking that helps us in determining those actions that are acceptable or



unacceptable. In a sense, ethics is a branch of axiology, which is sometimes called value theory. Understood this way, the goal of ethics is to examine the different theories of value vis-a-vis their ways of analyzing and apportioning value to actions, choices, judgements, entities and attitudes towards an agent.

The focus in this chapter is to consider whether nonhumans possess value in a way similar to their human counterparts. There has been a longstanding debate on whether the nonhuman animals have in any sense of the word, any intrinsic value. Do humans, for example, ascribe any value to the nonhuman animals? Put differently, do humans consider animals as possessing any moral worth? Do they see them as beings that are morally considerable? Indeed, do nonhuman entities have any moral right or status? The questions posed aim at seeking the criteria, if any, for ascribing value to entities of diverse kinds. The questions are not meant to address mere academic concern. On the contrary, the answers we give to them should influence action and give direction on the ways we treat other with whom we live in the biosphere, that is, the earth.

We shall begin our discussion by first examining the different theories of values there are in the literature. We shall also present the different evaluative tools for things concerning good or bad. This shall conclude the chapter by prompting an examination of the concept of moral status, with particular reference to how it applies to nonhuman animal.

### **2.3.1 Theory of Value**

The concept 'value' is crucial in ethics. When we talk of value, we mean something that is useful, that is desirable and that has some worth. Put differently, by value, we mean those qualities in a thing or an object that are considered useful or that have a purpose. They usually represent our highest priorities or the deeply held beliefs that imply or motivate our actions.<sup>75</sup> The study of value and the discernment of its presence in actions, decisions and ends have been the subject matter of the branch of ethics called axiology. As a theoretical field or discourse, axiology gained prominence in the 19<sup>th</sup> and 20<sup>th</sup> centuries.<sup>76</sup> To return to the term value, the word could be used in different contexts. It could be used either as a noun or a verb. As a noun, it is sometimes used in abstract terms. In concrete terms, value is used to represent things that are tangible and have utility. These could include things such as a car, a book, a house and so on. As an abstract noun,

value designates the qualitative property of thing or an object. In this sense, we could talk of such things as happiness, beauty, pleasure, satisfaction or even the idea of God. In another sense, value may be used as the equivalence of worthwhileness or goodness, that is, the desired good. The opposite of value in this sense is non-value or that which has no worth. In this sense, the word evil will designate that which has no value.

It should be borne in mind that as ethical concepts, good and bad are both ascertained by value. Just as the thermometer is used for testing both the freezing and the boiling points of water, so is value used in ascertaining the good and bad, the right and the wrong of a thing. However, evil is regarded as a negative value, while good is referred to as a positive value. Nevertheless, both are values. Without evil, it will be difficult to appreciate the value of the good. Both good and bad help to throw light on the value content of each other.

Value, when used as a verb, denotes a certain mental act or attitude of valuation. By this, is meant that value is to be seen in the light of all activity which either is an end itself or is a means to an end. Value is an important and significant ethical concept because it refers to that which is good and desirable. We should be careful in our analysis of value because of the allowance that there exist both positive and negative values. The possibility of positive and negative values informs why Jeremy Bentham advanced the idea of a hedonistic calculus to measure positive pleasures.<sup>77</sup> Such valuational calculus may be helpful even today in weighing our values as they appear in decisions, actions and ends. This way, we may be able to control our deeds and actions along valuable lines. This we may do using Bentham's criteria of intensity, duration, propinquity, certainty, utility, fecundity and purity. That is, judging the desirousness of an action or an end against the backdrop of this criterion would help guide us on the right course of action. So we may ask whether the envisaged or perceptible value is worthwhile in terms of its purity, utility and the ability of the value to produce other better values. Can this principle be applied to nonhuman animals as well? Before we answer this question, we shall deliberate more on the nature of value.

### **2.3.2 The Nature of Value**

The problem of the nature of value concerns how to deal with problems that arise because of the multifariousness of values. Values appear in different guises and forms. Since value is of

importance to especially the meta-ethicist, there is need for a close look at all the forms in which it appears. It is only by so doing that the different uses will become clearer. In line with what has been said here, Archie Bahm made a list of six pairs of different types of values, namely: good and bad values; ends and means values; subjective and objective values; apparent and real values; actual and potential values; pure and mixed values.<sup>78</sup>

Balm thinks these different kinds of values do not exclude one another. Rather, there are instances where one value or some values may embody the essential characteristics of the entire twelve kinds.<sup>79</sup> Values are individually and collectively in hierarchical order or degrees. They appear as being more or less, depending on their appropriation of the touchstones of the valuational calculus.

### 2.3.3 Taxonomy of Values

Christopher Agulanna identified five types of value as follows: aesthetic values, ethical/moral values, religious values, socio-political values and economic values. An analysis of these different types of values will show what they illustrate or signify.<sup>80</sup>

- i. **Aesthetic values:** Aesthetic value is concerned with the nature, essence and perception of beauty and ugliness. Perhaps the best approach to understanding what aesthetic value means is to begin by first defining what aesthetics itself is. It is the branch of philosophy which deals with the creation and appreciation of the nature of beauty to which art is intimately related. Aesthetics is also concerned with the question of whether those ideals that constitute beauty inhere in objects themselves or whether they exist in the mind of those that perceive them. In some, aesthetic values refer to those qualities of objects that are considered worthwhile in themselves, or are appreciated because they help to satisfy desire for the sublime or magnificent. The question now is: Are there qualities in nonhuman animals that qualify for this description; that is, do nonhuman animals possess beauty such that they can be values in themselves and not because they satisfy human need? Do nonhuman animals have aesthetic values inherent in themselves?

- ii. **Religious values:** Religious values have to do with those beliefs, doctrines and ideas that are considered essential or important to the religious life or the believers' commitment to the deity. Such values play a salvific role as they help synchronize believers with the divine or with their fellow humans.
- iii. **Ethical/Moral values:** Moral or ethical values are the subject matter of ethics - that branch of philosophy that is concerned with human conduct or actions that are considered good in themselves or worth-pursuing for their own sakes. Moral values aid the promotion of social order and harmony in the community. Diogenes, the ancient Cynic, would add that moral values promote the social harmony (brotherhood) between men and animals. This is an improvement in the human-centred notion of value that has prevailed for many centuries. Animals, not only humans, as wrongly speculated, are subjects of moral consideration.
- iv. **Socio-political values:** These refer to those policies of the state as well as ideals that help promote social engineering in society. They are principles or programmes of action that are taken to be worthwhile in themselves, or that are pursued because they help to promote the good of society. Examples of such values include justice, liberty, human/animal rights, political freedom, etc.
- v. **Economic values:** Economic values refer to economic policies, programmes and ideals that aim at enhancing the economic welfare of the entire inhabitants of the earth. Such polities aim at enhancing people's ability to realize their potentials to build, protect and preserve the environment and the ecosystem. We need to add here, that we need to extend the spectrum of economic welfare to nonhumans since they too are members of the earth environment or the ecosystem.

## 2.4 The Concept of Intrinsic and Extrinsic Values

From the foregoing analysis, we notice that value has to do with the idea of moral worth or standards. It refers as we have implied already, that which is desirable either for its own sake or

for the sake of other ends which it aids in realizing. In the literature, it is usual to classify value into two forms, namely: Intrinsic and Extrinsic values.

A thing is said to have intrinsic value if it has worth by or in itself, rather than because of its associations or consequences. An object has intrinsic value when it is chiefly desired for its own sake or if it is valuable as an end in itself. This is when it is inherent in itself. Extrinsic value, also known as contributory or instrumental value is that which aids in the achievement of other ends. For example, while good health and freedom are said to possess intrinsic worth, money is said to be an extrinsic value. Extrinsic value is always seen as a means to achieve an end. But since the focus of this chapter is on intrinsic value, we shall limit the discussion on an elaboration of this form of value.

#### **2.4.1 Intrinsic value**

By way of clarification, the question, “what is intrinsic value?” is weightier and fundamental than the one: “what has intrinsic value?”, though historically, the two questions have been treated as meaning the same. For a long time philosophers appear to have thought that the notion of intrinsic value is itself sufficiently clear or self-explanatory as to allow them to go straight into considering those items that are said to have intrinsic value. By definition, intrinsic value is an ethical and philosophic property. The intrinsic value of something is said to be the value that that thing has “in itself,” or “for its own sake,” or “as such,” or “in its own right.” An object has intrinsic value when it is an end or an end-in-itself. It is contrasted with extrinsic value or instrumental value, the value of which depends on how much it generates intrinsic value.<sup>81</sup>

For a eudaemonist,<sup>82</sup> happiness has intrinsic value; though for him, having a family may not be intrinsic value but may have instrumental worth, since it generates happiness. Other names for intrinsic values are terminal value, essential value, principle value or ultimate value. Intrinsic value is sometimes characterized as possessing “ultimate importance” a phrase descriptive of all sentient beings, in order to constitute a life stance. The notion of intrinsic value is also synonymous with the “meaning of life,” ideal – a term expressive of that which is meaningful or valuable. Among the medieval philosophers, a thing was described as *Sommum Bonum* if it had intrinsic value or worth. It is that which is sought for because of the value that is inherent in it.

From the analysis above, the question may be asked: Do nonhuman animals possess intrinsic value? Anti-speciesists would answer in the affirmative because for them, in-so-far as they (nonhuman animals) are sentient beings which constitute “a life stance” with a meaning of life and an inherent value in themselves, they have intrinsic value or worth. According to this view, the nonhuman animal is to be regarded as an end-in-itself. To understand the nature of values, there is need to look very closely at the distinction between ends and means. Ends and means are complementary terms both in their meaning and utility. To understand the nature of ends, we must grasp the circumstances or means through which the end was attained. Ends are therefore what are sought for because of the values that is inherent in them while means lie in the ability of making the attainment of an end possible.<sup>83</sup> An end is the object, either concrete or abstract that has intrinsic value while the means is an object that has instrumental value. Something has intrinsic value if it is good or desirable in itself.

Many philosophers consider intrinsic value crucial to a variety of moral judgments. For example, according to a fundamental form of consequentialism, whether an action is morally right or wrong has exclusively to do with whether its consequences are intrinsically better than those of any action one can perform under the circumstance. Many other theories also hold that what is considered as right or wrong to do have at least in part to do with the intrinsic value of the consequences of the action one can perform. Moreover, if, as is commonly believed that what one is morally responsible for doing is some function of rightness or wrongness of what one does, then intrinsic value would seem relevant to judgment about responsibility, too. Intrinsic value is also taken to be pertinent to judgments about moral justice (especially with moral rights), insofar as it is good that justice is done and bad that justice is denied, in ways that appear intimately tied to intrinsic value. Finally, it is typically thought that judgments about moral virtue and vice also turn on questions of intrinsic value, inasmuch as virtues are good, and vices bad, again in ways that appear closely connected to such value.

#### **2.4.2 On Intrinsic Value of Nonhuman Animals**

Having elaborated on the notion of intrinsic value, we now move to the question of whether or not we can ascribe this type of value to nonhuman animals. Or is it, as we have noted some moral philosophers as arguing, that only humans can be said to possess intrinsic value because of being

the only rational beings in the world? To say that a being possesses intrinsic value or worth is to argue that such a being is morally considerable. A major challenge in the modern field of animal ethics is that of moral considerability or otherwise of nonhuman animals. To capture this challenge in a question form: Are we justified to regard nonhuman animals as moral agents? Put differently, do they have any moral standing, like say, their human counterparts? It was in the bid to critically address these issues that George Graham asked the following critical question “what does it mean to possess moral standing?”<sup>84</sup>

Answering the question, Mary Ann Warren argued that to possess moral status is to be morally considerable.<sup>85</sup> On what constitutes the criteria for an entity to be morally considerable, the answer given is that the moral considerability of an entity is vested in the intrinsic value, that is, the inherent worth of that entity.<sup>86</sup> It is to be an entity towards which moral agents have, or can have moral obligations. If an entity has moral status (is morally considerable), then that entity has some inherent value for its own sake. That entity, being valuable, is good or thought to be good; that entity is also desirable or thought to be desirable in or for itself. The value which makes for the moral considerability (moral status) of an entity refers to traits or qualities that we consider useful, beneficial or worthwhile. This entity/being is seen to be intrinsic in the sense that it possesses inherent worth. It is an end in itself.

Following from the writings of Tom Regan, the view that an animal’s moral claim is equivalent to a moral right; and therefore, any action that fails to treat the animals as a being with inherent worth would violate that animal’s right and is thus morally objectionable. According to the animal rights activists’ position, to treat an animal as a means to some human end, as many humans do when they eat animals or experiment on them is to violate that animal’s right.<sup>87</sup> Regan writes:

Animals are treated routinely, systematically as if their value were reducible to their usefulness to others, they are routinely, systematically treated with a lack of respect and thus are their rights routinely, systematically violated.<sup>88</sup>

Anti-speciesists consider nonhuman animals as morally considerable because according to them, they possess this value because they are beings that are ends in themselves. The moral worth of



these beings is said not to be based on their utility towards human beings. It is not also based on their service as a means to some usefulness to humans; rather, it is based on their intrinsic value as inherent worth or end in themselves. Supporting the notion of the intrinsic worth of nonhuman animals, Anderson holds as follows:

I believe that animals have intrinsic value, that is, value in their own right, not derived from the ways they serve human welfare. Indeed, I believe that living things in general have intrinsic value, as individual organisms and as systematically related in the ecosystem and the biosphere as a whole.<sup>89</sup>

To reiterate the point, “ends” and “means” are complementary terms both in meaning and utility. To understand the nature of ends we must grasp the circumstances or means by which the end is attained. Ends are what are sought for because of the value that is inherent in them. End is roughly similar and often used as a synonym, for the following concepts:

- (a) Purpose or aim: This means in its most general sense, the anticipated result which guides an action.
- (b) Goal or objective: This consists of a projected state of affairs, which an entity or a system plans or intends to achieve or bring about.<sup>90</sup>

Since ends are sought for because of the value that is inherent in item, it follows that their values cannot be appropriated without some means. It also follows as a matter of logic that the value of means lays in the ability or purposefulness of the means in making the attainment of an end possible. This way of looking at ends and means portray in clear light the fact that they are both values.<sup>91</sup> Since ends are desirable, the means of reaching them are also desirable since without the means, the end will continue to be mere illusion. Many ethicists, ranging from Bentham to Singer, consider nonhuman animals as possessing intrinsic value. Their usefulness, they say, lie in themselves, not in being some means to satisfy humanity. Therefore when humans use nonhuman animals as food, scientific research or for recreation purposes, they merely exploit these animals as means to their own selfish ends.



Another argument which seeks to support the view that nonhuman animals are worthy of moral concern which is based on the notion of intrinsic value is that which seeks to show how adopting the attitude of respect for nature is justified for all moral agents. This attitude includes the disposition to promote or protect the good of wild living things as a disinterested and ultimate end, as well as the disposition to perform actions for the reason that they tend to realize that end. Such dispositions, we are told, commit a person to the principles of moral consideration and intrinsic value. To be disposed to further, as an end in itself, the good of any entity in nature, just because it is that kind of entity, is to be disposed to give consideration to every such entity and to place intrinsic value on the realization of its good. In so far as we subscribe to these two principles, we regard living things like nonhuman animals as possessing inherent worth. Subscribing to the principles is what it means to regard them. Following the attitude of respect for nature, which is justified by commitment to these principles also justifies regarding nonhuman animals as possessing inherent worth.<sup>92</sup>

Paul Taylor's theory of a life-centered system as characterized above contrasts with all anthropocentric views, that is, views which treat humans as preeminent and regard them as the universe's most important entity. According to the human-centered view, there are two criteria for judging the moral worth of actions: (i) If they have consequences that are favorable (or unfavorable) to human wellbeing; and (ii) If they are consistent (or inconsistent) with the system of norms that protect and implement human rights. From this human-centered standpoint, it is to humans and only to humans that all duties are ultimately owed. We may have responsibilities with regard to the natural ecosystem and biotic communities of our planet, but these responsibilities are in every case based on the contingent fact that our treatment of those ecosystems and communities of life can further the realization of human values or human right. Taylor opposes the view which says that we have no obligation to promote or protect the good of nonhuman living things.<sup>93</sup>

Even a life-centered system of environmental ethics is opposed to a human-centered one precisely on this point: from the perspective of a life-centered theory, we have prima facie moral obligations that are owed to nonhuman animals as members of the Earth's biotic community. We are morally bound (other things being equal) to protect or promote their good for their sake. Our

duties to respect the integrity of natural ecosystems and to preserve endangered species stem from the fact that these are ways in which we can help make it possible for nonhuman species populations to achieve and maintain a healthy existence in a natural state. Such obligations are due to those nonhuman living animals out of recognition of their inherent worth. They are entirely additional to, and independent of the obligations we owe to our fellow humans. Although many of the actions that fulfill one set of obligation also fulfill the other, two different grounds of obligations are involved. Their well-being, as well as human well-being, is something to be realized as ends in themselves.

### **2.4.3 Intrinsic Value as a Justification for the Moral Considerability of Nonhuman Animals**

Paul Taylor maintained that two concepts or principles are essential to the moral attitude of respect for nonhuman animals. They are:

- (i) That of the good (well-being, welfare) of a living thing and,
- (ii) The idea of an entity possessing inherent worth<sup>94</sup>

The two principles above are based on the idea of these beings possessing value. Following from the first principle above, we see that every organism, species, population community of life, has a good of its own which moral agents can intentionally further or damage by their actions. To say that an entity has a good of its own is simply to say that without reference to any other entity, it can be benefited or harmed. One can act in its overall interest or contrary to its overall interests. What is good for an entity is what “does it well” in the sense of enhancing or preserving its life and well-being. What is bad for an entity is something that is detrimental to its life and well-being.<sup>95</sup>

We can therefore think of the good of an individual nonhuman organism as consisting in the full development of its biological powers. Its good is realized to the extent that it is strong and healthy. It possesses whatever capacities it needs to successfully cope with its environment and so preserve its existence throughout the various stages of the normal life cycle of its species. The good of a population or community of such individuals consists in the population or community maintaining itself from generation to generation as a coherent system of genetically and

ecologically related organism whose average good is at an optimum level for the given environment. We cannot deny that most nonhuman animals, whose genetic origin and environmental conditions are being produced, controlled and manipulated by humans for human ends. This implies that humans use the intrinsic values of the nonhuman organism as a means to their own end. This means to disregard the inherent worth of these nonhuman animals which means that humans are acting unethically.

It should be stated that in some cases, the idea of a being “having a good of its own” does not entail that the being must have interest or take an interest in what affects its life for better or for worse. We can act in a being’s interest or contrary to its interest without it being interested in what we are doing to it in the sense of wanting or not wanting us to do it. It may, indeed, be wholly unaware that favourable and unfavourable events are taking place in its life. For example, an animal like a cat may have a wrong knowledge which can lead it into a trap. It is undoubtedly believed that animals can be harmed or benefited by our actions. We can pass by the trapped cat or even mangle or crush it knowingly or unknowingly. We can as well see to it that it gets adequate care by helping it out from the trap. Thus we can help or hinder it in the realization of its good. It is the good of that cat itself that is thereby affected. We can similarly act so as to further the good of an entire animal population or a certain species or just as we can do harm to such a population or species.

The second concept essential to the moral considerability of nonhuman animals is the idea of inherent worth. We take this attitude towards wild living things (individual species or whole biotic communities) when and only when we regard them as entities possessing inherent worth. Indeed, it is only because they are conceived in this way that moral agents can think of themselves as having validly binding duties, obligations and responsibilities that are owed to them as their due. Regarding the nonhuman animals as such, is a presupposition of our taking the attitude of respect and regard towards them and accordingly understand ourselves as bearing certain moral relations to them.<sup>96</sup> The foregoing conclusions can be captured as follows: What does it mean to regard an entity that has a good of its own as possessing inherent worth? An answer to this question will involve two general principles; they are the principle of moral consideration and the principle of intrinsic value.

## 2.5 The Moral Consideration of Nonhuman Animals

From the point of view of Western history, the moral circle of ethics expanded in a gradual way from including only the slave – owning Greek (male) to include the “neighbour” of any race or clime, and finally accommodating all animals, as the all-inclusive ethics of Jeremy Bentham and the animal welfare movement. The notion of moral status has also been extended from members of our own tribes to those from other tribes, to include both sexes, those of other religions and nationalities, slaves as well as the free-born, and now to individuals of all suffering species.<sup>97</sup> It is a logical progression, and its logical boundary is hinged on inherent value and capacity to experience pain, suffering or pleasure.

Some accounts have it that each year throughout the world, appropriately two hundred million animals are used for scientific research and testing; over three hundred and fifty million tons of meat are produced; and mostly three hundred million tons of fish and other aquatic animals are harvested from sea and rivers. These figures are conservative since much of what is documented is mere guess work; but it is clear that vast mountain animals are used every year in the interest of humans.<sup>98</sup> Rather than “used”, many people would prefer “exploited” or “sacrificed” as descriptive of what is done to these hopeless animals.

As to be expected, the mistreatment of nonhuman animals by humans is still not seriously regarded as a serious moral problem. Virtually every thinker and every system of thought has provided some rationale for excluding animals from moral concern. Long ago, Aristotle said that in the natural order of things, animals exist to serve human purposes, the Christian tradition, as we mentioned earlier, added that man alone is made in God’s image and that animals do not have souls. On his part, Kant held that animals are not self-conscious, and so we can have no duties to them.<sup>99</sup> Agreeing with Kant, Tibor Machan maintains that human nature is distinctive from those of animals; hence we should restrict the scope of moral rights to human beings alone. Animals, in his view cannot have any right since they are of a lower nature to the human species.<sup>100</sup> Against these opinions, Singer reasons that it might be said that men and women are similar beings, and should have equal rights while humans and nonhumans are different and should not have equal rights. This position for him does not hold any grounds.<sup>101</sup> In Singer’s view:

There is no need to pin the case of equality to one Particular outcome of a scientific investigation. The appropriate response is that the claim to equality does not depend on intelligence, moral capacity, physical growth or similar matters of fact. Equality is a moral idea, not an assertion of fact. Therefore, there is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to their needs and interests. The principle of equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat humans.<sup>102</sup>

From the line of argument above, Singer therefore argues for the equal consideration of interests between human and nonhuman animals. He stresses that our concern for others ought not to depend on what they are like or what abilities they possess or lack. This implies that the fact that other beings (animals) are not members of our species does not entitle us to exploit them, and similarly, the fact that other animals are less intelligent than we are does not mean that their interest may be disregarded.

The question, what is that distinctive feature in humans that it is said makes them have moral status that nonhumans do not have? An answer to this question should enable us to understand better, the nature or scope of our moral obligations as humans. Some answer this question by saying that humans have some intrinsic qualities that place them higher and above the nonhuman animals. What these qualities are, have their weaknesses; but nevertheless, they are used as justifications for the infliction of pain and misery on the nonhuman animals. In contrast to this view, others have answered this question by saying that while humans are different in a variety of ways from each other and other animals, these differences do not provide a philosophical defense for denying nonhuman animals' moral consideration. The principle of moral consideration is what it is at issue in this contentious debate. But what does this principle denote, and how does it apply to nonhuman animals? These questions are what we shall try to answer in the remaining part of this chapter.

### 2.5.1 The Principle of Moral Considerability of Nonhuman Animals

The principle of the moral consideration of nonhuman animals states that nonhuman animals are deserving of the concern and consideration of all moral agents simply in virtue of their being members of the earth's community of life. From the moral point of view, therefore, their good must be taken into account whenever it is affected for better or worse by the conduct of rational agents. This principle holds no matter what species the creature belongs to. The good of each is to be accorded some value and acknowledged as having some weight in the deliberations of all rational agents. Of course, it may be necessary for such agents to act in ways contrary to the good of this or that particular organism or group of organisms in order to further the good of others, including the good of humans. But the principle of moral consideration prescribes that, with respect to each being, an entity having its own good, every individual is deserving of consideration. An animal's moral claim is equivalent to a moral right.<sup>103</sup>

The good of an entity is an end in itself which is intrinsic and therefore provides the capacity for moral consideration. To say that a being deserves moral consideration is to say that there is a moral claim that that being has on those who can recognize such claims or rights. A morally considerable being is a being who can be wronged in a morally relevant sense. It is generally thought that all and only human beings make such claims, because it is only humans who can respond to these claims. However, when we ask why it is thought that all and only humans are the types of beings that can be wronged, answers are not particularly easy to come by. Humans are members of the species *Homo sapiens*. But species membership does not explain why there is a moral claim made by those that belong to this species and not other species. That humans are members of the species *Homo sapiens* is certainly a distinguishing feature of humans; humans share a genetic make-up and a distinctive physiology, but this is unimportant from the moral point of view.<sup>104</sup> Species membership is a morally irrelevant characteristic, a bit of luck that is no more morally interesting than being born a male or a female, Malaysian, French, Nigerian or British. Species membership itself cannot possibly be a good reason why members of one species, namely, ours, deserve moral consideration while other species do not. Of course, one might respond that it is not membership in a biological category that matters morally; it is our humanity that grounds the moral claims we make. Humans are morally considerable, it is claimed, because of the distinctively human capacities they possess, capacities that only humans have.

But which capacities mark out all and only humans as the kinds of beings that can be wronged? A number of candidate capacities have been proposed, including such things as developing family ties, solving social problems, expressing emotions, starting wars, having sex for pleasure, using language, or thinking abstractly, to mention but a few. But as it turns out, none of these activities is uncontroversially unique to humans. Both scholarly and popular works on animal behavior suggest that many of the activities that are thought to be distinct to humans occur in nonhumans as well. For example, many nonhuman species develop long lasting kinship ties. For example, orangutan mothers stay with their young for eight to ten years, and when they eventually part company, they continue to maintain this kinship ties. Less solitary animals, such as the chimpanzees, baboons, wolves, and elephants maintain extended family units built upon complex individual relationships, for long periods of time. Meerkats<sup>105</sup> in the Kalahari Desert of Southern Africa are known to sacrifice their own safety by staying with sick or injured family members so that the fatally ill will not die too lonely. All animals living in socially complex groups must solve various problems that inevitably arise in such groups. Canids and primates are particularly adept at this; yet even chickens and horses are known to recognize large numbers of individuals in their social hierarchies and learn to maneuver within them.<sup>106</sup> One of the ways that nonhuman animals negotiate their social environments is by being particularly attentive to the emotional state of others around them. Animals that develop life-long bonds are known to suffer terribly from the death of their partners. Some are even said to die of sorrow. Darwin reported this in *The Descent of Man* this way: “So intense is the grief of female monkeys for the loss of their young, that it invariably caused the death of certain kinds.”<sup>107</sup> Jane Goodall’s report of the death of the healthy eight year old chimpanzee flint just three weeks after the death of his mother Flo also suggests that sorrow can have a devastating effect on nonhuman animals.<sup>108</sup> Elephants and killer whales are also among the animals for which profound effects of grief have been reported.<sup>109</sup> Similarly, many dog owners can report the same experiences. While the lives of many, perhaps most, nonhuman animals in the wild are steeped in the struggle for survival, mutual aggression and conflicts, there are some members of the species whose lives are characterized by expressions of joy, playfulness, and a great deal of sex.<sup>110</sup>



Recent studies in cognitive ethology<sup>111</sup> have suggested that some nonhuman animals engage in manipulative and deceptive activities, and can construct “cognitive maps” for navigation, with many seeming to understand symbolic representations and able to use language. It appears then that most of the capacities that are thought to distinguish humans as morally considerable beings, have been observed, often in less elaborate form, in the nonhuman animal world. Because human behaviour and cognition share deep roots with the behaviours and cognition of other animals; approaches that try to find sharp behavioural or cognitive boundaries between humans and other nonhuman animals remain controversial.<sup>112</sup> For this reason, attempts to establish human uniqueness by identifying certain capacities, like those discussed in this paragraph and perhaps others not mentioned, are not the most promising when it comes to thinking hard about the moral status of animals.

The foregoing analyses notwithstanding, it is sometimes argued that there is “something” unique that distinguishes humans from nonhumans that is not reducible to the observation of behavior; this something, it is said, is the possession of a certain capacity, called “personhood.” Personhood is said to be coextensive with humanity. Historically, Kant is the most noted defender of personhood as the quality that makes a being valuable and thus morally considerable. In *The Groundwork for the Metaphysics of Morals*, Kant writes:

...every rational being, exists as an end in itself and not merely as a means to be arbitrarily used by this or that will ...” Beings whose existence depends not on our will but on nature have, nevertheless, if they are not rational beings, only a relative value as means and are therefore called things. On the other hand, rational beings are called persons inasmuch as their nature already marks them out as ends in themselves.<sup>113</sup>

Again, in *Lectures on Anthropology*, Kant asserts that:

The fact that the human being can have the representation “I” raises him infinitely above all the other beings on earth. By this he is a person... that is, a being altogether different in rank and dignity from things, such as irrational animals, with which one may deal and dispose at one’s discretion.<sup>114</sup>



Here we must assert that there is nothing in Kant's view of personhood that suggests that only humans have intrinsic value or are the only beings that are morally considerable. Personhood is not, as Kant suggests, coextensive with humanity when understood as a general description of the class of beings called humans. The serious problem is that the category of rationality is lacking many members of the humanity – a capacity that is said makes them persons. For example, many infants, children, people with advanced forms of autism, Alzheimer's disease or other cognitive disorders, do not have the rational, self-reflective capacities associated with personhood. This problem, known in the literature as the problem of "marginal cases," poses serious difficulties for the concept of "personhood" as the criterion of moral considerability. Indeed, many beings whose positive moral value we have deeply held intuitions about, and who we treat as morally considerable, will be excluded from consideration on this score.

There are four ways one can respond to this counter-intuitive conclusion. One, which can be derived from an interpretation of Kant's position, is to suggest that non-persons are morally considerable indirectly. Though Kant believed that animals were mere things, it appears he did not genuinely believe we could dispose of them just any way we wanted. In the *Lectures on Ethics*, he makes it clear that we have indirect duties to animals, duties that are not toward them, but in regard to them insofar as our treatment of them can affect our duties to persons.<sup>115</sup> If a man shoots his dog because the animal is no longer capable of service, he does not fail in his duty to the dog, for the dog cannot judge, but his act is inhuman and damages in himself that humanity which it is his duty to show towards mankind. If he is not to stifle his human feelings, he must practice kindness towards animals, for he who is cruel to animals becomes hard also in his dealings with men. On Kant's own account, we disrespect our humanity when we act in inhumane ways towards non-persons, whatever their species.

But this indirect view is not very satisfying. It fails to capture the independent wrong that is done to non-persons. For example, when someone rapes a woman in a coma, or whips a severely brain damaged child, or sets a cat on fire, they are not simply disrespecting humanity or themselves as representatives of it, they are wronging these non-persons. So, a second way to avoid the counter-intuitive conclusion is to argue that such non-persons stand in the proper relations to "rational nature" such that they should be thought of as morally considerable. Allen Wood argues this way

and suggests that all beings that potentially have a rational nature or who virtually have it, or who have had it, or who have part of it, or who have the necessary conditions for it - what he calls “the infrastructure of rational nature” - should be directly morally considerable. Insofar as some beings stand in this relation to rational nature, they are kinds of beings that can be wronged.<sup>116</sup>

This response is not unlike that of noted animal rights proponent, Tom Regan, who argues that what is important for moral consideration are not the differences between humans and nonhumans but the similarities. Regan argues that because persons share with certain non-persons (including those humans and nonhumans who have a certain level of organized cognitive function) the ability to be experiencing “subjects of a life”, and the ability to have an individual welfare that matters to them regardless of what others might think, both humans and nonhumans deserve moral consideration. Regan argues that “subjects of a life” want and prefer things, believe and feel things, recall and expect things. All these dimensions of our life, including our pleasure and pain, our enjoyment and suffering, our satisfaction and frustration, our continued existence or our untimely death, make a difference to the quality of our life as lived, and as experienced by us as individuals. This is also true of animals. They too must be viewed as subjects of a life, with inherent value of their own.<sup>117</sup>

A third way of addressing the problem is the way identified by Korsgaard who maintains that there is a big difference between beings with normative, rational capacities and those without. Unlike Kant, however, Korsgaard believes that both humans and nonhumans are the proper objects of our moral concern. She argues that those nonhuman animals without normative, rational capacities share certain “natural” capacities with persons, and these natural capacities are often the content of the moral demand that persons make on each other. She writes:

What we demand, when we demand recognition, is that our natural concerns – the objects of our natural desires and interests and affections – be accorded the status of values, values that must be respected as far as possible by others and therefore intrinsic and inherent. And many of these natural concerns, such as the desire to avoid pain, is an obvious example – a desire that springs from our animal nature, not from our rational nature.<sup>118</sup>

What moral agents construct as valuable and normatively binding is not only our rational or autonomous capacities, but also the needs and desires we have as living, embodied beings. Insofar as these needs and desires are valuable for agents, the ability to experience similar needs and desires in patients should also be valued.

A final response to the counter-intuitive problem identified above is to simply reject the rational nature as the touchstone of the moral considerability. This is the kind of direct argument that utilitarians have traditionally made. They argue that the truly morally important feature of beings is unappreciative when we focus on personhood or the rational, self-reflective nature of humans, or being the subject-of-a-life. What is really important, utilitarians maintain, is the promotion of happiness, or pleasure, or the satisfaction of interests, and the avoidance of pain, or suffering, or frustration of interests. Bentham, one of the more forceful defenders of this “sentientist” view of moral considerability, famously wrote:

Other animals, which, on account of their interests having been neglected by the insensibility of the ancient jurists, stand degraded into the class of *things*. (Original emphasis) ... The day has been, I grieve it to say in many places it is not yet past, in which the greater part of the species, under the denomination of slaves, have been treated ... Upon the same footing as ... animals are still. The day may come, when the rest of the animal's creation may acquire those rights which never could have been withholding from them but by the hand of tyranny. The French have already discovered that the blackness of skin is no reason why a human being should be abandoned without redress to the caprice of a tormentor. It may come one day to be recognized, that the number of legs, the velocity of the skin, or the termination of the *os sacrum*, are reasons equally insufficient for abandoning a sensitive being to the same fate. What else it is that should trace the insuperable line? Is it the faculty of reason, or perhaps, the faculty for discourse?... The question is not, Can they *reason*? nor, Can they *talk*? But, Can they *suffer*?<sup>119</sup>

Contemporary utilitarians such as Peter Singer, suggest that there is no morally justifiable way to exclude from moral consideration nonhumans or non-persons who can clearly suffer. Any being

that has an interest in not suffering deserves to have that interest taken into account. And a nonhuman who acts to avoid pain can be thought to have just such an interest.<sup>120</sup> Even contemporary Kantians have acknowledged the moral force of the experience of pain. Korsgaard, for example, writes:

... it is a pain to be in pain. And that is not a trivial fact... When you pity a suffering animal, it is because you are perceiving a reason. An animal's cries express pain, and they mean that there is a reason, a reason to change its conditions. And you can no more hear the cries of an animal as mere noise than you can the words of a person. Another animal can obligate you in exactly the same way another person can. So of course we have obligations to animals.<sup>121</sup>

When we encounter an animal in pain we recognize their claim on us, and thus beings who can suffer are morally considerable.

### **2.5.2 The Principle of Intrinsic Value Revisited**

As a way of recap, the principle of intrinsic value states that regardless of what kind of entity it is in other respects, if it is a member of the earth's community of life, the realization of its good is something intrinsically valuable. This means that we have a prima facie duty to preserve or promote the worth of this entity as an end in itself and for the sake of the entity whose good it is. Insofar as we regard any organism, species population or life community as an entity with inherent worth, we believe that it must never be treated as if it were a mere object or thing whose entire value lies in being an instrument to the good of some other entity. The well-being of each individual nonhuman animal is judged to have value in and of itself.

### **2.6 Conclusion and the way forward**

This chapter has deliberated extensively on the concept of moral rights and intrinsic value. When we combine these two principles, that is, the principle of moral considerability of nonhuman animals and the principle of intrinsic value of nonhuman animals, we can define what it means to say a living thing (for example, a nonhuman animal) possesses inherent worth as follows: to say that such a being possesses inherent worth is to say that its good is deserving of the concern of

consideration of all moral agents, and that the realization of its good has intrinsic value, to be pursued as an end in itself and for the sake of the entity whose good it is. The duties owed wild organisms, species populations and communities of life in the Earth's natural ecosystems are grounded on their inherent worth. When rational, autonomous agents regard such entities as possessing inherent worth, they place intrinsic value on the realization of their good and so hold themselves responsible for performing actions that will have this effect and for refraining from actions having the contrary effect. This is what gives any being a moral right. Moral rights are seen as natural rights which are inalienable, indefeasible, and is not contingent on the laws or beliefs of any society; but are justified by moral standards. In our deliberations, we also discussed on the concept of moral wrongs which is a violation of the moral rights. The human rights and the animal rights were compared. The objections to animal rights are noticed to be many and varied. While it has not been possible to consider every one of them, it has been possible to review the main ones. Given a fair hearing, none of the objections succeeds. All are seriously flawed, for one reason or another. What, then, are we to believe about animal rights? And why are we to believe it? As we said earlier, when it comes to what to believe about the animal rights debate, no single fact, no one argument, is decisive. What we have to do is weigh the relevant facts and give fair consideration to the competing arguments; when we do this regarding animal rights, we should believe the cumulative effect over-whelmingly supports only one conclusion: billions and billions of animals, including mammals and birds (at least) have rights.

In conclusion do we then need a completely new moral code? If so, in what premises should it be based? What should be within the moral circle of concern between the human and nonhuman animals? What is it that gives weight to the accordence of moral right to an entity? Should it be only our own ethic group (species), other animal species, biological make-up, subject-of-a-life, or sentientism? Looking at our own group in order to justify morality makes it a speciesist approach according to Singer. What actually is speciesism? This is the question that we shall attempt to answer in what follows in the next chapter.

## Endnotes

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2. For discussions on morality and moral philosophy, see Ted Honderich, *The Oxford Companion to Philosophy*. Oxford: Oxford University Press, 2005 edition, p. 622.
3. For morals, see Oxford Advanced Learners Dictionary.
4. The Universal Declaration of Human Rights — adopted by the United Nations (UN) in 1948—gave human rights a new international legal status. Building on precedents set by the British Magna Carta (1215), the French Declaration of the Rights of Man (1789), and the United States Bill of Rights (1791), the Universal Declaration also reflected the events of the 1930s and 1940s, particularly the Nazi Holocaust. Reports of Nazi atrocities shocked people around the world and gave momentum to an effort to codify human rights in international law. (<http://www.hrweb.org/legal/udh>).
5. I shall leave the concept of claim unanalyzed here, but for a detailed discussion on claim, see Feinberg, J., “The Nature and Value of Rights”, *Journal of Value Inquiry* 4 (Winter 1971), pp. 263 – 277.
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8. Garner, R. ‘Why Shouldn’t Animals be Equal?’ In: *Animal Ethics*. Cambridge: Polity Press, 2005, p. 15.
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10. Regan, p. 41.
11. Regan, p. 42.
12. Regan, p. 43.
13. Cohen, C. and Regan, T., *The Animal Rights Debate*, Maryland New York: Rowman and Littlefield Publishers, 2001, p. 26.

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15. Regan, T., *Empty Cages*, p. 45.
16. For a detailed analysis of the rights of infants and the unborn, see Joel Feinberg, “The Rights of Animals and the Unborn Generations” in Richard A. Wasserstrom ed., *Today’s Moral Problems*. New York: Macmillan Publishing Company, Inc., 1979, pp. 581 – 601.
17. Tooley, M., In Defense of Abortion and Infanticide, In *The Problem of Abortion*, 2<sup>nd</sup> ed., ed. Joel Feinberg. Belmont, CA: Wadsworth Publishing Company, 1984, p. 122.
18. R.G. Frey is representative of one of the philosophers who believe that possession of rights presupposes the ability to use language. See his *Interests and Rights: The case against Animals*. Oxford: Clarendon Press, 1983, p. 6.
19. Cohen, C. and Regan, T., p. 27.
20. Regan, T., *Empty Cages*, p. 46.
21. Metuonu, I. C., “The Igbo Notion of the Living Dead as a Critique of Death in Heidegger’s Existentialism: A Solution to the fear of Death” in A.F. Uduigwomen (ed.), *SOPHIA: An African Journal of Philosophy and Culture*, Vol. 13, No. 1, Calabar: University of Calabar, 2009, pp. 34-42.
22. A classic work that expresses these issues is seen in Andrew Linzey, *Christianity and the Rights of Animals*. New York: Crossroad Publishers, 1987, p. 36.
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UNIVERSITY OF IBADAN

## **CHAPTER THREE**

### **SPECIESISM**

#### **3.0 Introduction**

As noted in the earlier chapters, the last fifty years have recorded a dazzling array of social and ethical revolutions especially in Western society, Moral movements such as feminism, civil rights, environmentalism, affirmative action, consumer advocacy, pro and anti-abortion activism, homosexual rights, children's rights, the student union government rights and the animal rights which has been our major concern in this work. These moral issues have continued to send waves into the air of our dynamic societies. Animal right deliberates on the idea that the most basic interests of nonhuman animals should be accorded the same consideration as the similar interests of human beings. Advocates insist on the moral considerability of the nonhuman animals as we expressed in chapter two. Other advocates of the animal rights approach the issue from other different philosophical positions ranging from the protectionist side of the movement to the abolitionist side.

#### **3.1 The Debate over Animal Rights**

Let us suppose that a man is walking through a pathway in a forest farm, and he comes to a point where the path breaks, yielding two routes that he knows to be equally convenient for his purposes. Both routes are wide enough for him to pass, and neither of them is out of the way of his ultimate destination. For no particular reason, he begins to head towards the left route, when he sees that the trees at its entrance hold an elaborate spider's web that he will surely destroy if he forces himself to pass. Assuming that no mortal danger will present itself on the route to the right path and that no lives will be saved if he quickly dashes through the left route he had almost entered, and again, he is not allergic to spiders, should he change direction and bear to the right?

The scenario in the above exposition raises some ethical issues. Is one morally obligated to consider anything more than one's own interests in this situation? Is there anything else morally relevant to be considered? We all know that a spider's web is indeed a remarkable structure, and one is tempted to credit its builder with humanlike ingenuity. Should we really over-look the interest of the 'poor' spider over ours in trying to access a route (as given in the exposition above) simply because we are "human"? Is it indeed possible that some organisms as alien from us as a

mere spider, may possess morally relevant interests and a moral right than those interests we contend in our deliberation? Many people in our modern society will consider such questions absurd while our sentimental children may muse about the moral claims of animals and insects. It is not a project one expects to occupy the rational mind. Nonetheless, the attempt to understand our relationship to other animals has been a universal concern among human cultures, and it raises fundamental philosophical questions that have been debated throughout the history of western thought.

As earlier noted, one of the core issues of Animal Ethics is with the moral relations of humans and other sentient beings (animals). The stage for philosophical debate on the conceptual and normative implications of the animal right debate was set by the Australian born Philosopher, Peter Singer. In 1975, Singer published his landmark book, *Animal Liberation* with the title of the first chapter, like the title of the book itself, clearly announcing the author's basic moral message: "All Animals are Equal".

Few human uses of nonhuman animals has generated as much controversy as the use of animals for food, the use of animals for biomedical research, the confinement of animals in cages and the zoo for entertainment and amusement.<sup>1</sup> Some of these controversies tend to have their roots in more basic disagreements or dilemmas – about underlying ethical theories. Peter Singer is one philosopher who argues for what he calls the equal consideration of interests between human and nonhuman animals. He stresses that our concern for others ought not to depend on what they are like or what abilities they possess or lack. What this implies is that the fact that other beings (animals) are not members of our species does not entitle us to exploit them. The corollary is also the case: the fact that other animals are less intelligent than we are (if they really are) does not mean that their interests may be disregarded. This tendency to disregard or discriminate against other beings simply because they do not belong to our own species is what in the literature is called *speciesism*. Understood differently, speciesism means high regard for the human species and disregard for the nonhuman species. Singer's anti-speciesist view rests on the idea of equal consideration of interest amongst human and nonhuman animals. It has a utilitarian grounding which is based on the idea of sentience – ability to feel pain or pleasure. On the antagonistic side are those who oppose Singer's views such as Immanuel Kant, Tibor Machan, R. G. Frey to

mention a few. Speciesists maintain that humans are superior to nonhumans because according to them, humans are rational and self-conscious but nonhuman animals are not, hence they have no moral worth. The debate on animal right is between two currents- speciesism and anti-Speciesism.

At a most general level, the problems of animal rights, animal liberation and environmental concern raise the question of what should be the guiding principles for treating animals and preserving the environment, or alternatively, what is the moral status of nonhuman animals? The answer to this question is shared between the speciests and the anti-speciests. While the speciests (represented by Immanuel Kant) maintain that nonhuman animals have no independent moral status at all; their moral status depends completely on the impact they have on human welfare, the anti-speciests (led by Peter Singer) argue that nonhuman animals have an independent moral status such that their welfare has to be weighed against, and at least sometimes outweigh, considerations of human welfare. Since this chapter is a discussion on the speciesists' position, it may be helpful to first elucidate the concept "speciesism" itself.

### **3.2 What is speciesism?**

Speciesism means hurting others because they are members of another species.<sup>2</sup> It refers to injustice to nonhuman animals by humans. Speciesism involves the assigning of different values, rights, or special consideration, to individuals solely on the basis of their species membership. The term is mostly used by animal rights advocates, who argue that speciesism is a prejudice similar to racism or sexism, in that the treatment of individuals is predicated on group membership and morally irrelevant physical differences. The claim here is that species membership has no moral significance.<sup>3</sup> Following from this argument, it is clear that this attitude of discrimination is one that is common among humans with regards to the way they treat the animal species. Somehow, not everyone thinks there is anything wrong with speciesism.

Peter Singer provides a definition of 'speciesism' that is both succinct and illuminating. He describes it as the idea that being human is a good enough reason for human animals to have greater moral rights than non-human animals. It is, he says, a prejudice or attitude of bias towards the interests of members of one's own species and against those of members of other species.<sup>4</sup>



Speciesism is the human assumption of superiority which aims at the belief that the human race is superior to other species, and that exploitation of animals for the advantage of humans is justified.

There are different shades of speciesism, such as: "human speciesism," which is the exclusion of all nonhuman animals from the protections afforded to humans. Human speciesism involves in particular, the more general idea of assigning value to beings on the basis of their species, such that some human beings favour rights for chimpanzees over rights for dogs because, according to them, great similarities exist between human beings and chimpanzees. This version of speciesism is known as "human-chimpanzee speciesism." Various reasons have been proffered for putting humans into a category that is morally separate from other beings in the universe. Humankind is said, for example, to be the only species that talks or plans or thinks in abstract terms or is self-conscious or capable of making moral contracts. Kant had earlier assumed that humans are self-conscious and rational, whereas animals are not. In Kant's view, this difference implies that we have no direct duties to animals; we have direct duties only to humans who are self-conscious and rational. Our duties to animals are indirect duties to humans. In other words, the moral treatment of animals is only a means of cultivating appropriate moral treatment towards humans. We should therefore not mistreat animals because this produces mistreatment of humans.<sup>5</sup>

Kant's view offers one of the clearest supports for speciesism possible. Speciesism depicts a prejudice or bias in favour of the interests of members of one's own species and against those of members of other species. Speciesists produce various arguments to support their position, such as the religious argument that human beings were created to be superior in status to nonhuman animals, and were given "dominion" over them, whether as owners or stewards. There is also the argument that the physical differences between humans and other species are indeed morally relevant, and that to deny this is to engage in anthropomorphism.<sup>6</sup> Such proponents may explicitly embrace and accept the charge of speciesism, arguing that it is a view point that recognizes the importance of all human beings, and that species loyalty is justified.<sup>7</sup>

### **3.2.1 Origin of the term Speciesism**

The general concept of speciesism is an old one. Indeed, the term has its roots in antique history. Long ago, Aristotle held the view that the overriding of animals' interests was traditionally justified on the grounds that they (animals) existed for human uses. Kant and Cicero held similar

views also. As we have indicated earlier in the chapter, the term "speciesism," and the argument that it was simply a prejudice, first appeared in 1970 in a privately printed pamphlet, titled "Speciesism," written by British psychologist Richard D. Ryder.<sup>8</sup> Ryder had written three letters to *The Daily Telegraph* in April and May 1969 with criticisms of animal experiments, based on incidents he had witnessed in laboratories, and thereafter joined a group of intellectuals and writers in Oxford – the nascent animal rights community, now known as the Oxford Group. One of the group's activities was writing and distributing pamphlets about areas of concern; the pamphlet about speciesism, written to protest against animal experimentation, was one of them.<sup>9</sup> It is therefore pertinent to note that Ryder coined the term "speciesism" in 1970.<sup>10</sup> In Ryder's pamphlet under reference, he argued as follows:

Since Darwin, scientists have agreed that there is no 'magical' essential difference between humans and other animals, biologically-speaking. Why then do we make an almost total distinction morally? If all organisms are on one physical continuum, then we should also be on the same moral continuum.<sup>11</sup>

He wrote that, at that time in the UK, over 5,000,000 animals were being used each year in experiments, and that attempting to gain benefits for our own species through the mistreatment of others is "just 'speciesism' and as such it is a selfish emotional argument rather than a reasoned one".<sup>12</sup> Ryder used the term again in an essay, "Experiments on Animals," in *Animals, Men and Morals* (1971), a collection of essays on animal rights edited by three other members of the Oxford Group, philosophy graduate students Stanley Godlovitch, Roslind Godlovitch, and John Harris. Arguing against speciesism and the maltreatment of animals, Ryder has this to say:

In as much as both "race" and "species" are vague terms used in the classification of living creatures according, largely to physical appearance, an analogy can be made between them. Discrimination on grounds of race, although most universally condoned two centuries ago, is now widely condemned. Similarly, it may come to pass that enlightened minds may one day abhor "speciesism" as much as the now detest "racism". The illogicality in both forms of prejudice is of an identical sort. If it is accepted as morally wrong to deliberately inflict suffering upon innocent human creatures, then it is only

logical to also regard it as wrong to inflict suffering on innocent individuals of other species. ...The time has come to act upon this logic.<sup>13</sup>

### **Speciesism: Its various applications**

Although the term “speciesism” was coined and used first by Richard Ryder, it was, however, popularized by Peter Singer, who had known Ryder from his own time as a postgraduate student of philosophy at Oxford University. Singer popularized the word in his *Animal Liberation* (1975) where he argued from a preference-utilitarian perspective, that speciesism violates the principle of equal consideration of interests. According to Singer, although there may be differences between animals and humans, they however, share the capacity to suffer; hence, we need to give equal consideration to that suffering. Singer says that any position that allows similar cases to be treated in a dissimilar fashion fails to qualify as an acceptable moral theory.<sup>14</sup>

It is pertinent to note that Singer credits Richard Ryder with having coined the term, *speciesism*; which he (Singer) used as title of the fifth chapter of his book, Man's Dominion ... a short history of speciesism. In the book, Singer defines speciesism as "a prejudice or attitude of bias in favour of the interests of members of one's own species and against those of members of other species."<sup>15</sup> Clarifying the issue, Singer argues as that racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favouring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case.<sup>16</sup> Through Peter Singer's influence, speciesism has gained entry into the English lexicon, gaining an entry in the *Oxford English Dictionary* in 1985, where it is defined as "discrimination against or exploitation of animal species by human beings, based on an assumption of mankind's superiority."<sup>17</sup> In 1994, the *Oxford Dictionary of Philosophy* offered a wider definition of speciesism as follows: "By analogy with racism and sexism, the improper stance of refusing respect to the lives, dignity, or needs of animals of other than the human species."<sup>18</sup>

### 3.2.2 Different Versions of Speciesism

Apart from its various uses, there are also different versions of the word speciesism. We shall briefly consider some of these versions in what follows below.

#### Common Speciesism

The more popular version of speciesism is that which is known as “common speciesism.” The following explanation will help in clarifying what this version of speciesism signifies. Most people, faced with a difficult choice between a human and an animal would probably react in a speciesist (or 'homocentric') way. The following illustration will help give vent to what we have in mind here. Consider this:

A child and a dog are trapped in a fire. You can only save one of them. Which will you save? The following may be closer to what you, I, Or the society will consider appropriate in the matter:

- (i) Most people don't have to think about this for even one second. They will seek to save the child and not the dog.
- (ii) Most people don't consider the relative moral status of the dog and the child relevant to their choice. The child for them is of greater value than the dog.
- (iii) Society would condemn anyone who delayed in order to consider the correct moral choice. Save the child and then think later about the dog's welfare.

Many of us act on a daily basis in ways that support common speciesism – the idea that human goals and values are higher than those of nonhuman animals.

#### Natural Speciesism

Another version of speciesism is known as “natural speciesism,” and is based on the argument that it is biologically natural to treat one's own species favourably. This version of speciesism is sometimes supported on the grounds that virtually all nonhuman animals treat members of their own species better than those of other species.

## **Pure Speciesism**

Pure speciesism is yet another version of speciesism. This form of speciesism carries the idea of human superiority to the extreme by saying that the most trivial human wish is more important than the vital needs of other species. A pure speciesist would see nothing wrong in arguing that animals may be cruelly treated and killed to provide fur decorations for human beings to wear. Few people take speciesism to this length. More commonly, they say that all other things being more or less equal, it is morally correct to be on the side of humans when we have to make a choice between human welfare and the welfare of animals.

### **3.3 Arguments in Defense of Speciesism**

As mentioned earlier, Peter Singer's maintains that nonhuman animals, like their human counterparts, can experience both pleasure and pain. This, for him, is a morally important fact. He also argues that if it is wrong to cause human suffering to achieve a good that does not outweigh that suffering, it is also wrong to cause nonhuman animal suffering to achieve such a good – an argument that is rejected by speciesists. In this section of the thesis, we shall examine some of the arguments that have been used to support speciesism.

#### **3.3.1 Arguments from the Judeo-Christian Tradition**

Beginning with the creation story in the Bible, Judeo-Christian thought has maintained that nonhuman animals were created for human uses and purposes. According to the creation account, God made humans in His own image and requires that they have “dominion” over something. Perhaps an excursion into the etymology of the word “dominion” will be helpful here. The Portable Oxford Dictionary (2008) says the word “dominion,” from the old French “dominio(n-)” or Medieval Latin “dominion” means “lord” or “master.”<sup>19</sup> Going by this account, therefore, it follows that God intended humans to be “lords” and “masters” over the nonhuman animals! In practice, one is a master who controls or directs the fate of others. In the Genesis account, God is said to have commanded humans to do the following: “Fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth.”<sup>20</sup> In the same Genesis account, humans were commanded to eat as food, “every moving thing that lives” and “every green plant,” that is found on the surface of the earth.<sup>21</sup>

These biblical injunctions have been supported by centuries of Christian theology, where it is taught that humans are created in the image of God; other animals are not. This theology also teaches that humans have immortal souls while other animals do not; that humans belong both to the spiritual and the material worlds while other animals belong only to the material. Given these differences, in addition to the influence of Christian thought on various world cultures, no one should be surprised by the way people of many cultures treat nonhuman animals. In reality, the Judeo-Christian tradition has had a great influence in the way people all over the world treat animals.

### **3.3.2 The Philosophical Tradition**

Secular philosophers have, in the main, given nonhuman animals no greater consideration in their thinking. Writing at a time when such scientists as Galileo were ushering in the era of modern science, the great French philosopher Rene Descartes (1596-1650) argued that nonhuman animals are no better than biological robots, incapable of feeling any sensations, even pain. The nonphysical mind is the seat of sensation, Descartes argued, and only creatures capable of reason have nonphysical minds. Since nonhuman animals cannot reason, they are simply physical creatures. Therefore they cannot feel pain.<sup>22</sup> The idea that animals cannot feel pain was a great impetus to those who argue that humans cannot treat them the way they feel.

Another school in moral philosophy, the social contract theory also excludes nonhuman animals from any form of moral consideration. Social contractarians see morality as the product of an informal agreement among the members of society. Each of us, they say, agrees to follow certain rules on the condition that others do the same. The purpose of the agreement is to ensure that all of us act in dependable ways, providing the mutual trust necessary for social cooperation. An important aspect of the social contract theory is that this informal agreement is the source of all moral obligations. We have moral obligations towards others who have entered into the agreement with us. We have no such obligations to those who are not part of the agreement. Nonhuman animals, who are incapable of entering into contracts, are not part of the agreement. Therefore, we have no moral obligations to them.<sup>23</sup>

In traditional western thought, the belief was that humans owed nothing to nonhuman animals. In the thoughts of J. Olen and V. Barry:

We have no moral obligations to them. We may have moral obligations concerning them, but those obligations are to other people. We ought not, for example, poison someone else's pet, for the same reason that we ought not destroy somebody else's sofa. The pet and the sofa are another person's property, and our obligations to that person forbid us to destroy his property. The pet itself is due no more moral consideration than the sofa-none.<sup>24</sup>

We must admit that current practices are not quite as harsh as what we have highlighted above. There is now scientific evidence that animals like humans can suffer pain and experience pleasure; hence, our natural feelings of sympathy have led us to condemn cruel treatment of at least some of them, for example, household pets and some work animals like horses, oxen, camels etc. But as Singer would argue, most of the animal kingdom does not benefit from our sympathy, and even the small part that does is hardly granted full moral consideration. For example, a cat undergoing suffering does not count for most of us as much as a person undergoing suffering. Singer holds that nonhuman animals' pain should matter just as ours.

We have already mentioned some philosophers whose views have supported the speciesist position. Such philosophers include Immanuel Kant, Rene Descartes and Tibor Machan to mention a few. For our purposes here, and to clarify the issue further, we shall discuss in more detail the positions of Kant and Machan which in our view lends support to the doctrine of speciesism.

### **3.3.3 Speciesism: Kant's Position**

Kant sees nothing wrong with humans using animals for their own benefit. For him, human beings have no direct duties to animals because animals are not self-conscious. This Kantian position can be seen in his "Categorical Imperative" where Kant opines that the ultimate principle of morality applies only to our dealings with humans and not to animals. Kant formulated three versions of the imperative. Though differing in wording and emphasis, he understood them as three different "views" of the same overarching principle. They are:



- (i) Act only according to that maxim by which you can at the same time will that it should become universal law.
- (ii) Act so that you treat humanity, whether in your own person or in that of another, always as an end and never as a means only.
- (iii) Every rational being must so act as if he were through his maxim always a legislating member in the universal kingdom of ends.<sup>25</sup>

We shall restrict ourselves to the second version. This version illustrates Kant's notion that every rational creature has a worth in itself. This worth is not conferred by being born into a society with a certain political structure, or even by belonging to a certain biological species. The worth is inherent in the sheer possession of rationality. Rational creatures possess what Kant calls an "autonomous, self-legislating will." That is, they are able to consider the consequences of their actions, make rules for themselves, and direct their actions by those self-imposed rules. Thus, Kant concludes that rationality confers upon everyone an intrinsic worth and dignity. From the above, Kant implies that we should treat fellow humans with honour and dignity, and that we should never use them to satisfy our own selfish purposes.

Kant calls the principle "categorical" to distinguish it from "hypothetical" imperatives. These tell us what to do if we want to bring about certain consequences— such as happiness. A categorical imperative prescribes what we ought to do without reference to any consequences. The principle is an "imperative" because it is a command. The test imposed on maxims by the categorical imperative is one of generalization or "universalizability." The central idea of the test is that a moral maxim is one that can be generalized to apply to all cases of the same kind. And of other animals which for him are of other kinds, Kant did not extend the concept of fellow feeling to them. He says:

But so far as animals are concerned, we have no direct duties. Animals are not self-conscious and are there, merely as means to an end. That end is man. For he who is cruel to animals becomes hard also in his dealings with men.<sup>26</sup>

Kantian "Categorical Imperative" supports the view that we have no direct duties to nonhuman animals. For Kant, our duties to animals are merely indirect duties to human beings, that is, the



duty to animals is a means of cultivating a corresponding duty to humans. For example, we should not be cruel to animals because this tends to produce cruelty to humans.<sup>27</sup> Kant had other reasons for excluding nonhuman animals from moral consideration. As we showed earlier, Kant sees respect for persons as the core of morality – we are not to treat other persons merely as a means to our own ends. Although Kant did not deny that animals can suffer, only that they are not persons. To be a person, he says, is to be an autonomous being, one that has the capacity to act for reasons and to reason about its reasons – a capacity that does not belong to nonhuman animals. Nonhuman animals, he says, are beyond the pale of morality. Kant did recommend that we be nice to animals, though – not out of moral obligation, of course, but for another reason. If we treat animals cruelly, he felt, we run the risk of developing insensitive characters towards our fellow human beings.

Kant had some other odd views regarding how we should treat animals. For example, he says, if a dog has served his master long and faithfully, his service, on the analogy of human service, deserves reward, and that when the dog has grown too old to serve, his master ought to keep him until he dies. Such action helps to support us in our duties towards other human beings. If then any acts of animals are analogous to human acts and spring from the same principles, we have duties towards the animals as this will help us cultivate corresponding duties towards our fellow human beings. According to Kant, if a man shoots his dog because the animal is no longer capable of service, he does not fail in his duty to the dog, for the dog cannot judge, but his act is cruel and damages in himself that humanity which it is his duty to show towards mankind. If he is not to stifle his human feelings, he must practice kindness towards animals because he who is cruel to animals has the tendency to become cruel to his fellow humans. Therefore, the way a person treats his animals can help us gauge his moral character.<sup>28</sup>

Kant believes that tender feelings towards dumb animals help us develop humane feelings towards other human beings. He however, argued that cruelty to animals for sports or for the mere fun of it is unjustified and should be condemned. No wonder, in England, butchers and doctors do not sit on a jury because they are accustomed to the sight of death and hardened. Vivisectionists too, who use living animals for their experiments, are also believed to act cruelly. A master who turns out his ass or his dog because the animals can no longer earn its keep manifests a small

mind. Kant concludes that our duties towards animals, then, are merely indirect duties towards humankind.<sup>29</sup>

### 3.3.4 Tibor Machan's speciesist view

In his seminal work, "*Do Animals Have Rights?*," T. R. Machan answers in a way that shows his preference for the human species over the animal species. Indeed, Machan's position on animal welfare is similar to Kant's.

For Machan, what distinguishes humans from animals is that humans have a moral life; they act as moral agents and make moral decisions, whereas animals neither have moral life nor can make any moral decisions. Having a moral life and being capable of making moral decision is for Machan, a necessary condition for having natural rights to life, liberty and property. Therefore, while human beings have rights because they have a moral life, animals have no such rights because they have no moral life. Machan also believes that there is a hierarchical structure of importance in nature, and that humans are at the top of this structure because they act morally. Animals occupy a lower place; hence humans are justified in using them for their own purposes.<sup>30</sup>

From the analyses we have made above, it is clear that Machan, like Kant, is a moral speciesist. But an important question that we may ask following Machan is this: Does being at the higher rank of the hierarchy of beings guarantee the moral worth of an entity? Machan answers the question in the affirmative. For him, animals have no right and therefore need no liberation. According to him, to think they do is to make a category mistake – the mistake of unjustifiably anthropomorphizing animals, and to treat them as if they were what they are not, namely, human beings. Machan, by criticizing Regan's view, sees rights and liberty as political concepts that are applicable to human beings only because they (human beings) are moral agents, in need of what Robert Nozick calls "moral space," that is, a definite sphere of moral jurisdiction where their authority to act is respected and protected. So it is they, (human beings), not intruders, who govern themselves and either succeed or fail in their moral tasks.<sup>31</sup>

Machan tries to show the fallacy in the position of the animal welfarists and liberationists. He says, if it is true that the moral nature of human beings gives rise to the conception of basic rights

and liberties, then by this alone, the animal rights and liberation theorists have made an admission fatal to their case. Machan argues that rights and liberty are certainly not the whole of moral concern to us. There are innumerable other moral issues one can raise, about the way human beings relate to animals. In particular, there are the questions: how should people treat animals? Should they be hunted even when this does not serve any vital human purpose? Should they be utilized in hurtful - indeed, evidently agonizing fashion even for trivial human purposes? Should their pain and suffering be ignored in the process of being made use of for admittedly vital human purposes? Machan answers these questions in the negative.<sup>32</sup>

In our time, some philosophers and other social commentators have tried to demonstrate that if we are able to ascribe such basic rights as rights to life, liberty and property to human beings, we can do the same for many of the higher animals. Those who make this type of argument hinge it on two major planks. First, they subscribe to Darwin's thesis that no difference of kind, but only a difference of degree exists between animals and human beings.<sup>33</sup> Second, even if a difference of a kind exists between animals (especially mammals) and humans, since both can be shown to have interests (e.g, the avoidance of pain or suffering), for certain moral and legal purposes, the difference does not matter, only the similarity does.<sup>34</sup>

### **Machan on Why We May Use Animals**

Machan says humans are of more importance than the lower animals and for this reason; we may use them for our purposes. It must be noted here that to say human beings are more important or more valuable than animals is different from saying that they are "uniquely important," a position vigorously ridiculed by Stephen Clark, who argues that "there seems no decent ground in reason or revelation to suppose that man is uniquely important or significant"<sup>35</sup> If man were uniquely important, he says, that would mean that one could not assign any value to plants or non-human animals apart from their relationship to human beings. Machan rather argues that there is a scale of importance in nature, and that among all the various kinds of being, human beings are the most important – even while it is true that some members of the human species may indeed prove themselves to be the most vile and worthless, as well.<sup>36</sup>

Machan insists that the normal human life involves moral tasks and that that is why we are more important than other beings in nature – we are subject to moral appraisal; and it is a matter of our doing whether we succeed or fail in our lives. New, among these highly varied tasks could be some that make judicious use of animals, for example, to find out whether some medicine is safe for human use, we might wish to use animals. To do this is the rational thing for us to do, so as to make the best use of nature for our success in living our lives. That does not mean that there should not be guidelines or regulations in the way we might make use of animals, any more than there need be no guidelines involved in how we use anything else.<sup>37</sup> With regards to rights, Machan believes they can only be ascribed to humans since they only, and not animals, are possessors of moral life. For him, there is no intellectually convincing argument to show that rights can apply in the nonhuman world – the world in which moral responsibility is completely absent. Against Machan’s view, some scholars have argued that some measure of morality can be found within the world of at least higher animals such as dogs and elephants. This is the type of argument that Rollin holds when he says that “some animals even seem to exhibit behaviour that bespeaks something like moral agency or moral agreement.”<sup>38</sup> Rollin provides the following illustration as justification for his position:

Canids, including the domesticated dog, do not attack another when the vanquished bares its throat, showing a sign of submission. Animals typically do not prey upon members of their own species. Elephants and porpoises will and do feed injured members of their species. Porpoise will help humans, even at risk to themselves. Some animals will adopt orphaned young of other species. (Such cross-species “morality” would certainly not be explainable by simple appeal to mechanical evolution, since there is no advantage whatever to one’s own species). Dogs will act “guilty” when they break a rule such as one against stealing food from a table and will, for the most part, learn not to take it.<sup>39</sup>

Animal rights advocates such as Rollin maintain that it is impossible to clearly distinguish between human and non-human animals, especially on the grounds of the former’s characteristic as a moral agent. Yet what they do to defend this point is to invoke borderline cases, imaginary hypothesis, and anecdotes.<sup>40</sup> In contrast, speciesists like Mortimer Adler in his book *The*

*Difference of Man and the Difference It Makes*, undertakes the painstaking task of showing that even with the full acknowledgement of the merits of Darwinian and, especially, post-Darwinian evolutionary theory, there is ample reason to uphold the doctrine of species distinction – a distinction, incidentally, that is actually presupposed within Darwin’s own work.<sup>41</sup> Adler argues that although the theistic doctrine of radical species differences is incompatible with current evolutionary theory, the more naturalistic view that species are superficially (but non-negligible) different is indeed necessary to it. For Adler, the fact of occasional borderline cases is simply irrelevant – what is cruel is that the generalization is true that human beings are basically different from other animals – by virtue of “a crucial threshold in a continuum of degrees.” Explaining the idea of species difference, Adler argues as follows:

Distinct species are genetically isolated population between which interbreeding is impossible, arising (except in the case of polyploidy) from varieties between which interbreeding was not impossible but between which it was prevented. Modern theorists, with more assurance than Darwin could manage, treat distinct species as natural kinds, not as man-made class distinctions.<sup>42</sup>

Adler adds that “without the critical insight provided by the distinction superficial and radical differences in kind, biologists (as well as animal rights advocates, one should add) might be tempted to follow Darwin in thinking that all differences in kind must be apparent, not real.<sup>43</sup> In his concluding reflections, Machan (in his inconsistency) maintains that animals are not the sort of being with basic rights to life, liberty and property, whereas human beings, in the main, are just such beings. Yet we know that animals can feel pain and can enjoy themselves and this must give us pause when we consider using them for our legitimate purposes. We ought to be humane, we ought to kill them and rear them and train them and hunt them in a fashion consistent with such care about them as sentient beings.<sup>45</sup>

### **3.3.5 Speciesism: Some further justifications**

To reiterate a point made earlier, the attitude of favouring human interests over animal interests has been characterized as “speciesism.” This form of attitude is described in the literature as a prejudice towards animals. Speciesism is also referred to as “human chauvinism” or

“anthropocentrism.” A common theme in defending speciesism is the argument that humans "have the right to compete with and exploit other species to preserve and protect the human species".

Speciesists maintain that there is a clear difference between humans and other species, and that this difference affects their moral status or moral standing. They also argue that human beings are more self-aware, and more able to choose their own course of action than the lower animals. This, they say, enables humans to think and act morally, and so entitles them to a higher moral status. Some other speciesists even argue that the claim that there are morally relevant differences between human animals and non-human animals is not a speciesist argument, since the argument is about the particular characteristics that are being put forward to justify the different moral status of human and non-human animals. Against this view, some scholars who object to speciesism say that a difference of species is not a morally relevant difference - in the same way that a difference of race is not a morally relevant difference between human beings. They say that speciesism amounts to treating morally similar individuals in morally different ways for an irrelevant reason. Although this might seem trivial and incongruous.

Rejecting this anti-speciesist viewpoint, Carl Cohen writes: "speciesism is not merely plausible; it is essential for right conduct, because those who will not make the morally relevant distinctions among species are almost certain, in consequence, to misapprehend their true obligations. Cohen argues further that racism and sexism are wrong because there are no relevant differences between the sexes or races. Between people and animals, he argues, there are significant differences. For him, animals do not qualify for Kantian personhood, and therefore have no rights.<sup>45</sup>

American feminist scholar, Nel Noddings, criticizes Singer's concept of speciesism as being simplistic, and for failing to take into account the context of species preference, as concepts of racism and sexism have taken into account the context of discrimination against humans.<sup>46</sup> For instance, some scholars who have campaigned for racial or sexual equality say the comparisons between speciesism and racism or sexism are trivializing. For example, Peter Staudenmaier makes the strong claim to the effect that:

The central analogy to the civil rights movement and the women's movement is trivializing and ahistorical. Both of those social movements were initiated and driven by members of the dispossessed and excluded groups themselves, not by benevolent men or white people acting on their behalf. Both movements were built precisely around the idea of reclaiming and reasserting a shared humanity in the face of a society that had deprived it and denied it. No civil rights activist or feminist ever argued, "We're sentient beings too!" They argued, "We're fully human too!" Animal liberation doctrine, far from extending this humanist impulse, directly undermines it.<sup>47</sup>

Following this line of argument, those working for racial or sexual equality often find the comparison between humans and nonhuman animals insulting, claiming that their struggle for equality has a moral and social importance that animal rights can never have.

Ayn Rand and others who hold her kind of view posit the idea of "objectivism," which holds that humans are the only beings that have what they call a "conceptual consciousness," that is, the ability to reason, think and develop a moral system. They argue that humans are therefore the only species entitled to rights.<sup>48</sup> According to Peikoff, for example, "to demand that man [humans] defer to the 'rights' of other species is to deprive man himself of the right to life."<sup>49</sup>

There are other scholars who adapt a wholly secular approach in defending the claim that humans are of a higher order than animals. These scholars point as evidence what they call "the usual rapid evolution of the human brain" and the emergence of "exceptional" aptitudes. As one scholar puts it, "over the course of human history, we have been successful in cultivating our faculties, shaping our development, and impacting upon the wider world in a deliberate fashion, quite distinct from evolutionary processes." Constance Perry asserts that "the use of 'non-autonomous' animals instead of humans in risky research can be based on solid moral grounds and is not necessarily speciesism."<sup>50</sup>

### **3.4 Conclusion**

In this chapter, we have tried to outline the essential ideas in the speciesists' position. One of the central arguments in this position is the claim that animals exist for human uses and benefits.



Some speciesists appeal to religious arguments to support their position. For example, as we saw in the chapter, some religious speciesists with beliefs rooted in the Abrahamic religions of Judaism, Islam and Christianity often cite religious texts to support their viewpoint. In the Genesis account of creation, for example, it is said that God, having made man in His own image, gave him “dominion” over the rest of His creation. This belief in human exceptionalism is often rooted in the Abrahamic religions, such as the Book of Genesis 1:26: "Then God said, let Us make man in Our image, according to Our likeness; and let them rule over the fish of the sea and over the birds of the sky and over the cattle and over all the earth, and over every creeping thing that creeps on the earth."<sup>51</sup>

From the above claim, speciesists of the religious bent, assert, in the manner of Protagoras of old, that “Man is the measure of all things” that there are. To be “the measure of all things,” implies that as the only rational beings that there are, humans are the only beings that give meaning and value to things. It also means that only humans have self worth and moral dignity. Anti-speciesists counter these arguments by saying that a proper reading of the notion of “dominion” as articulated in the Holy Writ suggests the idea of stewardship and not ownership. Man’s dominion over other beings does not imply that he is to trample over these other beings. On the contrary, human dominion, if there is anything as such, implies the duty of care and love over nature, the environment, including the nonhuman animals. In the chapter that follows, we shall discuss in detail the position of the anti-speciesists with regard to value and moral worth of nonhuman animals as co-members with humans in the biosphere.



## Endnotes

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## CHAPTER FOUR

### ANTI-SPECIESISM

#### 4.0. Introduction

The just concluded chapter discussed the extreme views of the Speciesists like I. Kant, T. R. Machan and R. G. Frey who maintained that we owe nothing to animals; that, for whatsoever reason, they have no moral worth and our treatment of them, however extreme, does not register on the scales of morality. In that chapter, three, we discussed the idea of speciesism, the claim that humans have greater worth or rights than nonhuman animals. Speciesists adduce many arguments to support their position. One such argument is that because humans are the only beings that possess rationality and self-consciousness, they are therefore the only morally considerable beings. A being that is morally considerable is entitled to freedom, liberty and respect. Against the speciesist position that humans can treat animals anyhow, or use them for their own benefits, anti-speciesists argue that nonhuman animals, like their human counterparts, are also possessors of rights. Indeed, one socio-ethical concern in recent time is on the wrong use of animals by humans. Since biblical times, social ethics had forbidden deliberate, willful, sadistic, deviant, purposeless, unnecessary infliction of pain and suffering on animals, or outrageous neglect, such as not feeding or watering.<sup>1</sup> The Old Testament injunctions against yoking an ox together with an ass on a plow, or muzzling the ox when it is being used to mill grain, or seething a calf in its mother's milk are instance of such prohibitions.<sup>2</sup> The injunctions also reflect concern with, and abhorrence for what the rabbinical tradition referred to as *tsaar baalei chaim* or simply, the suffering of living things.

#### 4.1 Anti-speciesism: a historical account

In the middle ages, even though St. Thomas Aquinas (1956) had claimed that because animals lacked a soul, they therefore, cannot enjoy moral status. He nonetheless forbade cruelty towards them on the grounds that permitting such behaviour towards animals would encourage its spreading to human beings.<sup>3</sup> no wonder numerous serial killers have evidenced early abusive behavior toward animals, as have many of the youths in our societies who wrought massacres on their peers.<sup>4</sup> However, the arguments that Aquinas adduced for not maltreating animals are tenuous because they are based on benefits to humans, not the animals as unique entities. But the fact still remains that there is a wave of animal care or animal welfare in his thought.

In our times, the issue of animal rights or welfare has generated heated philosophical debates. And as we saw in the previous chapter, this debate came to head with the publication of Peter Singer's book – *Animal Liberation* in 1975. In the words of Graham, it was in fact the publication of the book that inspired the debate, which today is still raging.<sup>5</sup> The title of the first chapter like the title of the book itself clearly indicates the author's basic moral message: "All Animals are Equal." The sum of Singer's message in the book can be summed up as follows: "All Animals are not treated equally". By this, Singer meant that human and nonhuman animals ought to be regarded as moral equals, so that what we regard as morally unacceptable to do to humans ought to apply in similar manner to nonhuman animals.<sup>6</sup> Unfortunately, humans continue to cause great harm and untold suffering on animals.

As stated earlier, Peter Singer notes that the use and abuse of animals raised for food and experimentation far exceeds, in sheer numbers, any other kind of mistreatment. In *Animal Liberation*, Singer argues that hundreds of millions of cattle, pigs and sheep are raised and slaughtered all over the world; and for poultry (chickens), the figure is a staggering twenty billion. In other words, millions of chickens will have been slaughtered in the time it takes us to read this page.<sup>7</sup> The question to ask is this: Do these animals really suffer? Let us consider the treatment of some animals in many parts of Nigeria. In restaurants and local eateries (popularly called "point and kill joints"), people go in just to point at a particular animal of their choice. And just by the mere act of pointing, such animals are killed, pronto, prepared and served as meal to the one who did the pointing. Consider again, in factory farms, the treatment of veal calves: to make their flesh pale and tender, these calves are given special treatment. They are put in narrow stalls and tethered with a chain so that they cannot turn around, lie down comfortably, or groom themselves. They are fed a totally liquid diet to promote rapid weight gain. This diet is deficient in iron content, and as a result, the calves lick the sides of the stall, which are impregnated with wine containing iron. They are given no water because thirsty animals eat more than ones that drink water.<sup>8</sup> these practices cause untold sufferings on the animals.

Another cause of animal suffering is animal experimentation which is big business especially in developed countries. Close to one hundred to two hundred million animals are objects of

scientific experimentations every year. Two types of experiments - the Rabbit-Blinding Draize Eye Test and the LD50 Toxicity Test, designed to find the lethal dose for fifty percent of a sample of animals, are known to be pathetic and painful forms of experiments. According to PETA fact sheet, (People for the Ethical Treatment of Animals), the dogs in particular, were the subjects of the LD50 test.<sup>9</sup> This is a test that measures the amount of toxic substance that will kill, in a single dose, fifty percent of the animals in a test group. It is a common test, used each year on about seven million dogs, rabbits, rats, monkeys and other animals in the United States of America. It is used to test cosmetics and household products such as weed killers, oven cleaners, insecticides and food additives to satisfy the Food and Drug Administration (FDA) requirement that a product be “adequately substantiated for safety” – a test that is not actually required by the FDA. In administering these tests, no painkillers are used. The experimental substance is forced into the animal’s throats or is pumped into their stomachs by a tube, sometimes causing death by stomach rupture or from the sheer bulk of the chemical dose. Substances also are injected under the skin, into a vein, or into the lining of the stomach. These substances are also often applied to the eyes, rectum, and vagina, or forcibly inhaled through a gas mask, causing great pains to the animals. Most of these experiments cause the death of more than ten million animals per year in the United States of America alone.<sup>10</sup>

Peter Singer decries the maltreatment of animals by humans, arguing that:

The fundamental principle of equality on which the equality of all human beings rests, is the principle of equal consideration of interest. A basic moral principle of this kind can allow us to defend a form of equality which embraces all human beings ...It provides a basis which cannot be limited to humans. In other words, I shall suggest that, having accepted the principle of equality as a sound moral basis for relations with others of our own species, we are also committed to accepting it as a sound moral basis for relations with those outside our own species-the nonhuman animals.<sup>11</sup>

Proponents of animal liberation, also known as “anti specialists,” while agreeing that animals have independent moral status, however, disagree as to the grounds for this independent moral

status. Some, like Peter Singer, claim that animals have independent moral status because taking their welfare into account would maximize overall utility. Others, like Tom Regan, hold that the independent moral status of animals rests on a non-utilitarian foundation. This conflict or disagreement among anti-speciesists, regarding the ground on which nonhuman animals can be said to possess moral status reflect a general conflict among utilitarians and non-utilitarians on a wide range of practical problems. With respect to this problem, however, supporters of animal liberation cannot rely on some form of a Kantian theory (as shown in the previous chapter) to reach an acceptable resolution because most animals are incapable of forming either, in actual or hypothetical contract with human beings for the purpose of securing their common welfare. Kantian theory, however, is only a means to a goal, which is to achieve a fair resolution of morally relevant interests.<sup>12</sup> Consequently, if nonhuman living things do have morally relevant interests, then to achieve that goal, some means other than Kantian theory will have to be employed.

Some advocates of animal rights argue that while our shared morality protects humans from innumerable kinds of treatment we find intolerable, it is far less protective of nonhuman animals. For Singer, this attitude of inequality between human and nonhuman animals reflects a popular prejudice against taking the interest of animals seriously – this attitude, Singer calls “Speciesism” that is, a form of prejudice or attitude of bias towards the interest of members of one’s own species and against those of members of other species.<sup>13</sup> Singer says speciesism is analogous to racism, sexism or homophobia. Since it is unjust to discriminate against blacks over whites and against women over men because of their skin colour or gender, it is also unjust to discriminate against nonhuman animals over the human animals because of their species. The interest of these animals, particularly their interest in not suffering has to be considered too. For this reason therefore, Singer maintains that all animals are equal and should be treated equally. Peter singer’s view represents the viewpoint known as anti-speciesism.<sup>14</sup> The dividing line is usually between the human and nonhuman animals and, invariably, between speciesism and anti-speciesism.

Anti-speciesists encourage an attitude of equality, care, and interest between human and non-human animals. They also require that the interests of animals be taken as serious as the interests of human beings. They decry any form of bias, prejudice or discrimination against the members



of other species. Anti-speciesism rejects all forms of discriminatory attitude, be it sexism, racism or speciesism.

## **4.2 An outline of criticisms against the doctrine of speciesism**

The arguments against speciesism are based on the view that species membership has no moral significance. American legal scholar, Steven Wise argues that speciesism is a bias as arbitrary as any other, a point conceded even by some critics of animal rights. He cites the philosopher R.G. Frey, a leading animal right critic, who wrote in 1983 that, if forced to choose between abandoning experiment on animals and allowing experiments on “marginal-case” humans, he would choose the later “not because I begin a monster and end up choosing the monstrous, but because I cannot think of anything at all compelling that cedes all human life of any quality greater than animal life of any quality.”<sup>15</sup> There have been a few cases in history where people have been punished because of cruelty to animals. This world’s first known conviction of a human person for cruelty to an animal was that of the trial of Bill Burns in London in the year 1938. In the court case, Richard Martin, a Member of Parliament for Galway was standing in court with a donkey beaten by its owner, Bill Burns.

### **4.2.1 Anti-Speciesism: Peter Singer’s leading role**

Austrian ethicist and professor of philosophy, Peter Singer has been very influential in the animal rights debate. Singer first took part in public demonstrations condemning cruelty to animals as a young student at Oxford University. The protests were held in the streets against factory farming and featured caged paper-mache hens and a stuffed calf in an imitating stall. Singer is also widely credited with inaugurating the modern animal rights movement with his 1975 book titled *Animal Liberation*, which questions the human treatment of animals. This is the book for which Singer is most well known to the public. The second edition of the book was translated into over seventeen languages, including Chinese, Korean and Hebrew. The book gave the animal rights movement a philosophical basis and along with Singer’s status as a reputable philosopher, awoke interest in academic circles, setting off a chain reaction of thought and publications about animal ethics and animal liberation. Indeed, the publication of this book marked the beginning of a growing and increasingly powerful animal rights movement in both the United States of America and Europe. For Singer, the way humans treat animals raises one of the foremost ethical issues of today. He



also holds that toleration for the mistreatment of animals by humans is a prejudice that like sexism and racism, does not have a rational basis. This failure, Singer argues, results from our speciesist attitude as humans. Therefore the failure of not taking into account the suffering of animals is to be guilty of speciesism.

The argument of the anti-speciesists with regard to the values inherent in nonhuman animals is clear. For them, nonhuman animals can experience both pleasure and pain. This, they argue, is a morally important fact. According to singer, if it is wrong to cause human suffering to achieve a good that does not outweigh that suffering, it is also wrong to cause nonhuman suffering to achieve such a good. Given the variety of nutritious and tasty vegetarian recipes available to us, the suffering caused by factory farms is not justified by the human love for meat. Given the availability of canvass shoes and leather substitutes for belts and such, human demand for leather is not worth the suffering it brings to nonhuman animals.<sup>16</sup> The argument here is that nonhuman animals are morally considerable because like humans, they experience both pleasure and pain – Sentientism. This viewpoint known as sentientism holds that a sentient being is one that has interests and can subjectively feel its interests. Feelings are nothing but affective conscious mental states that indicate that needs or interests are not satisfied. For example, pain indicates that bodily integrity is not satisfied while fear indicates that safety is not satisfied.

The above explanations may at first seem very bizarre. We are used to regarding more seriously, the oppression of blacks and women emancipation as among the most important moral and political issue facing the world today. For us, there are more serious matters, worthy of the time and energy of any concerned person rather than the wellbeing of animals. Like most of us will ask, “how or why do we waste our time on equality and rights for all animals when so many of us humans are denied equality and right?” This attitude towards this question is in itself, exactly what Singer calls *speciesism*, as it reflects a popular prejudice against taking the interest of animals seriously. For Singer, this is a prejudice no better than the prejudice of white slave owners against their black subjects. In order to avoid ‘speciesism’, Singer appeals to the principle; which says, we avoid pegging the moral weight of a creature on its species but rather, peg the moral weight on the subjective character of the creature’s conscious life. A creature’s relation to me (or to us) cannot be what makes its life superior or weighty, morally. The superior


form of conscious life must be fixed by internal considerations: by what it is like on the inside. The basis of Singer's moral appeal is the principle of utility. Since we morally ought to maximize happiness and minimize suffering, and since nonhuman animals are just as capable of happiness and suffering as human animals, our calculations ought to include them as well. Against our own pleasure in eating beef, we ought to balance this with the suffering of animals like cattle. Against the benefit of research on animals, we ought to balance the suffering of laboratory animals. For Singer, the pain these animals suffer should matter just as much as ours.<sup>17</sup>

### 4.3 Some anti-speciesist views

There is a cluster of anti-speciesist theories that makes the claim that it is not only that animals have direct moral status, but that they possess equal moral status as their human counterparts. These theories known as "moral equality theories" maintain that there is no justifiable reason to place human and nonhuman animals in separate moral categories; that whatever grounds our duties to human beings will likewise ground those duties to nonhuman animals. In this section of the thesis, we shall take a look at some theories as well as the philosophers or scholars who have given vent to them.

#### 4.3.1 Peter Singer's Principle of Equal Consideration of Interests

Peter Singer disagrees with those who give less weight to the interests of animals than those of humans. He argues that if we attempt to extend such unequal consideration to the interests of animals, we will be forced to give unequal consideration to the interests of different human beings as well. However, to do this will go against the intuitively plausible and commonly accepted claim that all human beings are equal. Singer concludes that we must instead extend the principle of equal consideration of interests of both humans and nonhuman animals. According to Singer:

 The essence of the principle of equal consideration of Interests is that we give equal weight in our moral deliberations to the like interests of all those affected by our actions.<sup>18</sup>

Singer posits two arguments to defend his principle. The first is the "argument from marginal cases" while the second is "the sophisticated egalitarian argument." We shall consider the two arguments alternately in what follows below.

### a. The Argument from Marginal Cases

This argument seeks to show that speciesism is an arbitrary discrimination of beings of a different species, that is, nonhuman animals. But as Peter Singer would say, if marginal-case human beings, such as infants, the senile, the comatose, and the cognitively disabled have a certain moral status, then it follows that non-human animals must have it too. The reason is that there is no morally relevant ability that the marginal-case humans have that non-human animals lack. Here, "moral status" may include a right not to be killed or made to suffer, or a general moral requirement to be treated in a certain way. Singer proposes the following logical inference to support the type of argument he makes above:

1. In order to conclude that all and only human beings deserve a full and equal moral status (and therefore that no animals deserve a full and equal moral status), there must be some property  $P$  that all and only human beings have that can ground such a claim.
2. Any  $P$  that only human beings have is a property that (some) human beings lack (e.g., the marginal cases).
3. Any  $P$  that all human beings have is a property that (most) animals have as well.
4. Therefore, there is no way to defend the claim that all and only human beings deserve a full and equal moral status.<sup>19</sup>

Singer makes no effort to defend his first premise, as he does not need to. The proponents of the view that all and only humans deserve a full and equal moral status rely on this first premise themselves. In support of the second premise, Singer asks us to consider exactly what properties only humans have that can ground such a strong moral status. Certain properties, such as "being human," having a particular human DNA or walking upright do not seem to be the kind of properties that can ground this kind of status. For example, if we were to encounter alien life forms that did not have human DNA but lived their lives much like our own, we would not be justified in according these beings a weaker moral status simply because they were not human.<sup>20</sup>

However, there are some properties which only human beings have which have seemed to many, reasons to ground only humans a full and equal moral status; for example, being rational, autonomous, or being able to act morally have all been used to justify giving a stronger moral status to human beings than animals. The problem with such a suggestion is that not all human beings

have these properties. So if rationality is what grounds a full and equal moral status, it follows that not all human beings are equal after all.

If we must choose a property that all human beings possess that will be sufficient to ground a full and equal moral status, we will be forced to choose something such as being sentient, or being capable of experiencing pleasure and pain. Since the marginal cases have these properties, they too are deserving of full and equal moral status. However, if we choose a property of this kind, animals will likewise have a full and equal moral status since they too are sentient.

The attempt to grant all and only human beings a full and equal moral status does not work, says Singer. We must either conclude that not all human beings are equal, or we must conclude that not only human beings are equal. Singer suggests that the first option is too counter-intuitive to be acceptable; so we are forced to conclude that all animals are equal, human or otherwise.<sup>21</sup>

#### **b. The Sophisticated Inegalitarian Argument**

Another argument Singer employs to refute the claim that all and only human beings deserve a full and equal moral status is the one that focuses on the supposed moral relevance of such properties as rationality, autonomy, the ability to act morally, etc. Singer argues that if we were to rely on these sorts of properties as the basis for determining moral status, then we would justify a kind of discrimination against certain human beings that is structurally analogous to such practices as racism and sexism.<sup>22</sup>

For example, the racist believes that all members of his race are more intelligent and rational than all of the members of other races, and thus assigns a greater moral status to the members of his race than he does to the members of other races. White racists do not accept that pain is as bad when it is felt by blacks as when it is felt by whites.<sup>23</sup> However, the racist is wrong in this factual judgment; it is not true that all members of any one race are smarter than all members of any other. Notice, however, that the mistake the racist is making is merely a factual mistake. His moral principle that assigns moral status on the basis of intelligence, rationality or sentience is not what has led him astray. Rather, it is simply his assessment of how intelligence, rationality or sentience is distributed among human beings that is mistaken.

If that were all that is wrong with racism and sexism, then a moral theory according to which we give extra consideration to the very smart and rational would be justified. In other words, we would be justified in becoming, not racists, but sophisticated inequalityists. However, the sophisticated inequalityist is just as morally suspect as the racist is. Therefore, it follows that the racist is not morally objectionable merely because of his views on how rationality and intelligence are distributed among human beings; rather, he is morally objectionable because of the basis he uses to weigh the interests of different individuals. How intelligent, rational, or sentient a being is, cannot be the basis of his moral status; if it were, then the sophisticated inequalityist would be on secure ground.


Notice that in order for this argument to succeed, it must target properties that admit of degrees. If someone argued that the basis of human equality rested on the possession of a property that did not admit of degrees, it would not follow that some human beings have that property to a stronger degree than others, and the sophisticated inequalityist would not be justified. However, most of the properties that are used in order to support the claim that all and only human beings deserve a full and equal moral status are properties that do admit of degrees. Such properties as being human or having human DNA do not admit of degrees, but, as already mentioned, these properties do not seem to be capable of supporting such a moral status.<sup>24</sup>

### **Practical Implications on Singer's Principle of Equal Consideration of Interests**

As earlier stated above, Peter Singer argues on the equality for all animals which he based on his principle of equal consideration of interests:

The fundamental principle of equality on which the equality of all human beings rests, is the principle of equal consideration of interest. A basic moral principle of this kind can allow us to defend a form of equality which embraces all human beings ...It provides a basis which cannot be limited to humans. In other words, I shall suggest that, having accepted the principle of equality as a sound moral basis for relations with others of our own species, we are also committed to accepting it as a sound moral basis for relations with those outside our own species-the nonhuman animals.<sup>25</sup>

His principle of equal consideration of interest states that we should give equal consideration in our moral deliberations to the like interests of all those affected by our actions.<sup>26</sup> What this principle really amounts to is that an interest is an interest, no matter whoever's interest it might be. Let us illustrate: Suppose that we have been placed in a situation where we have only a choice of saving one of two creatures from a fire. One is a local backyard hen; the other is a mentally handicapped human infant. In this situation, then we must try to imagine and consider the inherent value based on the interest of both hen and handicapped child. According to Singer, we must consider what existence is like to the child and we must also do our best to grasp or consider what it is like to the hen.<sup>27</sup> We do not then disregard the hen just because it is a hen. The point is that we consider the inherent worth of existence which is of interest to both the hen and the handicapped child. In comparing hens and humans, for instance, Singer says, we must decide, in effect, between the value of the life of a hen to the hen, and the value of the life of a human to the human. Employing George Graham's notion of *imaginative interior impartial comparism* which is the idea of scaling or ascertaining the relative moral weight of different forms of conscious creatures,<sup>28</sup> if we as impartial participants prefer to choose the local backyard hen, despite the difference in species, then the hen carries more moral weight than the handicapped child. Therefore, between saving the hen or the child, morally, we ought to save the hen. The principle of equal consideration of interest prohibits making our readiness to consider the interest of others depending on their ability or other characteristics, apart from the characteristic of having interest. Singer writes:




There is no need to pin the case of equality to one particular outcome of a scientific investigation. The claim to equality therefore, does not depend on intelligence, moral capacity, physical strength or similar matters of fact. There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to their needs and interests. The principle of the equality of human beings is not a description of how we should treat humans.<sup>29</sup>

It is pertinent to note that Singer's basic principle of equality does not require equal or identical treatment, since the same treatment can cause unequal amounts of suffering to different animals; it

requires equal consideration. Equal consideration for different beings may lead to different treatment and different rights and status.<sup>30</sup> This requires the need for a differentiation between moral standing/worth and moral status. Moral standing is when an entity has a worth morally as opposed to being worthless. Therefore moral standing is moral worth. Moral status on the other hand is the degree of moral worth of an entity. Thus, it is possible to have moral standing but not have as much moral status as another entity. Therefore the moral status of different entities may differ. This incited Robert Garner's question; Are human and nonhuman animals moral equals?<sup>31</sup> This shows that Singer's concept of equal consideration of interest is a minimal principle of equality in the sense that it does not outrightly dictate equal treatment.


So for Peter Singer, in order to implement the Principle of Equal Consideration of Interests in the practical sphere, we must be able to determine the interests of the beings that will be affected by our actions, and we must give similar interests similar weight. It is for this reason that he concludes that animals can experience pain and suffering by relying on the argument from analogy. Since animals can experience pain and suffering, they have an interest in avoiding pain. These facts require the immediate end to many of our practices against animals. For example, animals that are raised for food in factory farms live lives that are full of unimaginable pain and suffering.<sup>32</sup> Although human beings do satisfy their interests by eating meat, Singer argues that the interests the animals have in avoiding this unimaginable pain and suffering is greater than the interests we have in eating food that tastes good. According to Singer, if we were to apply the principle of equal consideration of interests, we will be forced to cease raising animals in factory farms for food. A failure to do so, he says, is nothing other than speciesism; that is, the practice of giving preference to the interests of our own species merely because they are of our species.<sup>33</sup>



Singer does not unequivocally say that we should not eat animals if we correctly apply the principle of equal consideration of interests. Whether we are required to refrain from painlessly killing animals will depend on whether animals have an interest in continuing to exist in the future. In order to have this interest, Singer believes that a being must be able to conceive of itself as existing into the future, and this requires a being to be self-conscious. Non-self-conscious beings are not harmed by their deaths, according to Singer; for they do not have an interest in continuing to exist into the future.<sup>34</sup> Singer argues that we might be able to justify killing the



sorts of beings mentioned above with the “Replaceability Argument.” On this argument, if we killed a non-self-conscious being that was living a good life, then we have lessened the overall amount of good in the world. This can be made up, however, by bringing another being into existence that can experience similar goods. In other words, non-self-conscious beings are replaceable: killing one can be justified if doing so is necessary to bring about the existence of another. Since the animals we rear for food would not exist if we did not eat them, it follows that killing these animals can be justified if the animals we rear for food live good lives. However, in order for this line of argumentation to justify killing animals, such animals must not only be non-self-conscious, they must also live lives that are worth living, and their deaths must be painless. Singer expresses doubt that all of these conditions could be met, and unequivocally claims that they are not met by such places as factory farms.



It is for the above reason that he condemns most experimentation in which animals are used. He first points out that many of the experiments performed using animal subjects do not have benefits for human beings that would outweigh the pain caused to the animals. For example, experiments used to test cosmetics or other non-necessary products for human beings cannot be justified if we use the Principle of Equal Consideration of Interests. Singer also condemns experiments that aim at preventing or curing human diseases. If we are prepared to use animal subjects for such experiments, it would indeed be better from a scientific point of view to use human subjects instead, because there would be no question of cross-species comparisons when interpreting the data. If we believe the benefits outweigh the harms, then instead of using animals we should instead use orphaned infants that are severely cognitively disabled. However, if we believe that such a suggestion is morally repugnant when human beings are to be used, but morally innocuous when animals are to be used, then we are guilty of speciesism.

The principle of equal consideration of interests will also reject such practices as hunting for sport, using animals in rodeos, or the keeping of animals confined in zoos wherein they are not able to engage in their natural activities. The utilitarian criterion of moral standing accepted by Singer and Rachel is sensitive and consciousness. Since animals are conscious, and are capable of feeling pain or pleasure, it follows that they have moral standing. For this reason, we have the moral duty not to cause them to suffer without any good reason. However, this view is

criticized by environmentalist as still another kind of bias, namely, “sentientism,” or the belief that only conscious or sentient beings can have rights or deserve moral consideration.

Other animal rights advocates or anti-speciesists make a different moral appeal. As they see it, the principle of utility does not guarantee fit treatment of nonhuman animals. Suppose, for example, that the elimination of factory farms could create such havoc in our economy that utility is maximized by keeping them. Would that really justify keeping them? If our answer is ‘yes’, we should ask ourselves an analogous question: Suppose we could maximize utility by re-introducing slavery, would that justify doing so? Presumably, we would all chorus ‘no’ for our answer to that question. Humans have certain rights that we morally cannot violate, regardless of utility. Some animal rights advocates think that we are still guilty of the charge of “speciesism” if we do not feel the same about at least some animals.

#### **4.3.2 Regan’s Anti-Speciesist View**

Tom Regan's book, *The Case for Animal Rights* published in 1983 is one of the most influential works on the subject of animal ethics. In the book, Regan makes the claim that animals have rights in just the same way that human beings do. He also argues that it will be a mistake to believe that animals have an indirect moral status or an unequal status with humans, and to then infer that they (animals) cannot have any rights.<sup>35</sup> Regan’s position on the issue of the moral status of nonhuman animals slightly differs from those of his anti-speciesist colleagues. For example although he agrees with Singer that our treatment of nonhuman animals is often wrong and that speciesism is unjust, to show this, he does not appeal to any form of utilitarianism. For him, Utilitarianism is not an acceptable moral theory because it treats persons and animals as worthless receptacles for valuable pleasures and because it allows immoral actions if they can bring about the best balance of total satisfaction for all those affected by the action. It is for this reason that Regan argues that it will be a mistake to ground an equal moral status on utilitarian grounds as Singer did. For Regan, we must conclude that animals have the same moral status as humans and that moral status is grounded on rights, not on utilitarian principles. So instead of utilitarianism, Regan defends a rights view. On this view, animals have rights based on their inherent value as experiencing subjects of life, and our treatment of them is wrong because it violates their rights.<sup>36</sup> He also argues that just as respect of persons requires that we do not treat other humans in certain

ways, regardless of utility, so should respect for at least some nonhuman animals require that we do not treat them in certain ways, regardless of utility.

Regan defends his position by appealing to the concept of “inherent value.” According to Regan, any being that is a subject-of-a-life is a being that has inherent value. A being that has inherent value is a being towards which we must show respect; and in order to show respect for such a being, we are not to use it merely as a means to our ends. Instead, each such being must be treated as an end in itself. In other words, a being with inherent value has rights, and these rights act as trumps against the promotion of the overall good.<sup>37</sup>



Appealing to a version of the Marginal Cases argument, Regan seeks to know the grounds for human rights. He rejects robust views that claim that a being must be capable of representing itself as legitimately pursuing the furtherance of its interests on the grounds that this conception of rights implies that the marginal cases of humanity do not have rights. But since we think that these beings do not have moral rights, it follows that there must be some other property that grounds these rights. For Regan, the only property that is common to both normal adult human beings and the marginal cases is the property of being a subject-of-a-life. A being that is a subject-of-a-life will have beliefs and desires, perception, memory, and a sense of future, including its own future. Such a being will have an emotional life, together with feelings of pleasure and pain; preference, and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychological identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independently of their being the object of anyone else’s interest.

When asked which animals possess these properties, Regan replied: ‘at the very least, those that, like us, are experiencing subjects of their own lives’. By that phrase, Regan means the following: conscious creatures that are aware of their environment, that have desire, feelings, emotions, memories, beliefs, performances goals and a sense of their own identity and future.<sup>38</sup> However, Frey objects to Regan’s application of such mentalistic terms to creatures that do not use a human-style language.<sup>39</sup> On the other hand, Regan insists that adult animals do have such features and because they do, their lives, like ours have inherent value, value independent of any use they

may be to us. This property is one that all of the human beings that we think deserve rights have; however, it is a property that many animals (especially mammals) have as well. So if these marginal cases of humanity deserve rights, then so do these animals.

Although this position may seem quite similar to Singer's position, Regan is careful to point to what he perceives to be the flaws of Singer's Utilitarian theory. According to Singer, we are required to count every similar interest equally in our deliberation. However, by doing this, we are focusing on the wrong thing, Regan claims. What matters is the individual that has the interest itself. For example, if it were possible to satisfy more interests by performing experiments on human beings, then that is what we should do on utilitarian grounds. However, Regan believes this is clearly unacceptable: any being with inherent value cannot be used merely as a means. This does not mean that Regan takes rights to be absolute. When the rights of different individuals conflict, then someone's rights must be overridden. Regan argues that in these sorts of cases, we must try to minimize the rights that are overridden. However, we are not permitted to override someone's rights just because doing so will make everyone better off; in this kind of case, we are sacrificing rights for utility, which is never permissible on Regan's view.

Given these considerations, Regan concludes that we must radically alter the ways in which we treat animals. When we raise animals for food, regardless of how they are treated and how they are killed, we are using them as a means to our ends and not treating them as ends in themselves. Thus, we may not raise animals for food. Likewise, when we experiment on animals in order to advance human science, we are using animals merely as a means to our ends. Similar thoughts apply to the use of animals in rodeos and the hunting of animals. In his highly popular book, *Empty Cages – Facing the Challenge of Animal Rights* (2004), Regan argues that animals have intrinsic value (a value in themselves without reference to human needs) because they have feelings, beliefs, preferences, memories, expectations and so on. He apporions to animals such features as "subject's-of-a-life" because "what happens to them matters to them." He also says that "all animals are somebody – someone with a life of their own. Behind those eyes is a story, the story of their life in their world as they experience it." Regan sees the animal rights movement as part of the human rights movement and maintains that animals who are a subject of a life

should have the same rights to life as humans.<sup>40</sup> Richard Dudley Ryder, British animal ethics philosopher

### 4.3.3 Richard Ryder's Theory of Painism

Richard Dudley Ryder, British animal ethics philosopher and animal welfare campaigner, was a psychologist who experimented on animals but now speaks out for animal rights. Ryder denounces utilitarianism because it justifies the exploitation of some animals if there is a net gain in happiness for the majority of other animals, that is, humans. Instead, he posits a theory he characterizes as “painism”, which asserts that all animals who feel pain should be worthy of rights and that moral worth should be based on reducing the pains of individuals.<sup>41</sup> As mentioned in chapter three, it was actually Richard Ryder that coined the term *speciesism* in the 1970s, which was later popularized by Singer in his book *Animal Liberation*. Explaining the idea of painism, Ryder argues as follows:

Moral status has gradually been extended from members of our own tribe to those from other tribes, to include both sexes, those of other religions and nationalities, slaves as well as the free-born, and now to individuals of all suffering species. It is a logical progression and its logical boundary is at the limits of the capacity to experience pain.<sup>42</sup>

Following from the above, Ryder insists that morality is essentially about how we treat others; and by “others” he meant all those who can suffer pain or distress, that is to say, all those who are painient. Although Ryder employed such a term as “sentience”, but he was more concerned with that part of sentience that involves unpleasant feelings. He stresses that ethics is concerned with every moment of consciousness and with every conscious experience. The ethics of painism – the concern for the pain and distress of others – is extended to any painient thing regardless of its sex, class, race, nationality or species. Pain is pain regardless of who or what experiences it.<sup>43</sup>

Elaborating his notion of painism, Ryder argues as follows:

Painience, I believe is the only convincing basis for attributing interests, or indeed rights, to others. Many other qualities, such as inherent value, have been suggested, most notably by Tom Regan. But in my own

opinion, value cannot exist in the absence of consciousness or potential consciousness.<sup>44</sup>

Over the ages, many moral principles and ideas have been propounded which try to ground human rights and well-being such as the ideas of justice, freedom, equality and brotherhood. But all these, according to Ryder, are mere stepping stones to the ultimate good, that is, freedom from all forms of pain and suffering. Ryder says, if we think about it carefully, we will see that the reason why these other ideals are considered important is that people have believed that they are essential to the reduction of the suffering. Indeed, they do sometimes have this result, although not always. But we invariably end up with pain or suffering as being the basic thing that is considered to be bad. Ryder emphasizes on pain rather than pleasure or happiness because pain, for him, is much more powerful than pleasure. We would all rather avoid an hour's torture than gain an hour's bliss. One of the important tenets of painism is that we should concentrate upon the individual because it is the individual, not the race, nor the nation, nor the species, who does the actual suffering. Ryder therefore concludes that "in any situation, we should thus concern ourselves primarily with the pain of the individual who is the maximum sufferer".<sup>45</sup> It does not matter, morally speaking, who or what the maximum sufferer is – whether human, nonhuman or machine. Pain is pain regardless of its host.

#### **4.3.4. Mary Anne Warren's Weak Anti-Speciesist Position**

Mary Anne Warren has a different perspective to the animal rights position. She rejects what she calls *Regan's strong animal rights position*, which gives animals the same basic moral rights as humans. She makes two criticisms of Regan's position – the view that nonhuman animals have the same basic moral rights as humans based on inherent value. Her two criticisms are, one, it rests on an obscure concept of inherent value that is not adequately explained and two, as a result, it fails to draw a clear distinction between living things which have inherent value, and moral rights and other living things which do not have such value or rights. Warren concludes with an alternative defense which she calls a weak animal rights theory. On this theory, animals have rights, but they are weaker than human rights because humans are rational and animals are not. But still, her weak animal rights require us not to make animals suffer and not to kill them without any good reason.<sup>46</sup>

Without doubt, Tom Regan produced what is perhaps the definite defense of the view that the basic moral rights of at least some nonhuman animals are in no way inferior to our own. Warren agrees that Regan's case for the strong animal rights position is persuasive and that this position entails consequences which a reasonable person cannot accept. She did not deny that some nonhuman animals have moral rights. However, she extended the scope of the rights claim to include all sentient animals, that is, all those capable of having experiences, including experiences of pleasure or satisfaction and pain, suffering, or frustration.<sup>47</sup> However, she did not think that the moral rights of most nonhuman animals are identical in strength to those of persons. The rights of most nonhuman animals may be overridden in circumstances which would not justify overriding the rights of persons. There are, for instance, compelling realities which sometimes require that we kill animals for reasons which could not justify the killing of persons. She calls this view "the weak animal rights" position, even though it ascribes rights to a wider range of animals than does the strong animal rights position.<sup>48</sup>

For Warren, perhaps the most serious problems are those that arise when we try to apply the strong animal rights position to animals other than normal, mature mammals. Regan's theory requires us to divide all living things into two categories: those which have the same inherent value and the same basic moral rights that we do, and those which have no inherent value and presumably no moral rights. But wherever we try to draw the line, such a sharp division is implausible.<sup>49</sup>

#### **4.3.5. Christian Hoff's Moderate Anti-Speciesist View**

Christian Hoff on her part focuses on a particular issue that has been a concern to the animal right movement – experimentation on animals. The view she defends is sympathetic to the animal rights movement, but her position is more moderate than both Regan and Singer's. Although she rejects traditional arguments against animal rights, but she does not draw the conclusion that nonhuman animals deserve consideration equal to that of humans. Although nonhuman animals are equally capable of suffering pain, she says, morally critical differences remain between humans and other animals. Her conclusion then is that dangerous and painful animal experimentation may be morally permissible, but only if they yield vital benefits for humans or

other animals.<sup>50</sup> This is appealing to both currents – speciesism and anti-speciesism as it suggests that it recognizes benefits to both the human and the nonhuman animals as well.

Hoff began with a word about the comparative worthiness of human and animal life. For her although animals are entitled to moral consideration, it does not follow that animals and human beings are always equal before the moral law. Distinction must still be made between them. She stresses that one may acknowledge that animals have rights without committing oneself to a radical egalitarianism that awards to animals parity with human beings. If hunting animals for sport is wrong, hunting human beings for the same purpose is worse, and such a distinction is not inconsistent with recognizing that animals have moral status. Hoff argues that although some animal rights proponents may deny it, there are however, morally critical differences between animals and human beings. Animals share with human beings a common interest in avoiding pain, but the complexities of normal human life clearly provide a relevant basis for assigning to human beings a far more serious right to life itself. When we kill a human being, we take away his physical existence (eating, sleeping, and feeling pleasure and pain), but we deprive him of other things as well. His projects, his friendships, and his sense of himself as a human being are also terminated. According to Hoff, to kill a human being is not only to take away his life, but to impugn the special meaning of his life. In contrast, an animal's needs and desires are restricted to his place in time and space. He lives 'the life of the moment.' Human lives develop and unfold; they have a direction. Animal lives do not. Accordingly, she suggests the following differential principle of life worthiness: human lives are generally worthier than animal lives, and the right to life of a human being generally supersedes the right to life of an animal.<sup>51</sup>

Hoff's differential principle rejects the Cartesian thesis, which totally dismisses animals from moral consideration, and it is consistent with two other principles that she has been tacitly defending: animals are moral subjects with claims to considerations that should not be ignored; and an animal's experience of pain is similar to a human being's experience of pain.<sup>52</sup> In the light of these principles, Hoff tried to determine what general policies we ought to adopt in regulating the use of animals in experimental science. She limited herself to the moral questions arising in the specific area of painful or fatal animal experimentation, but some of the discussion will apply to other areas of human interaction with animals as well. Hoff noted that scientists who perform experiments on animals rarely see the need to justify them, but when they do, they almost always stress the seriousness of the



research. Although it may be regrettable that animals are harmed, their suffering is seen as an unavoidable casualty of scientific progress. The moral philosopher must still ask: is the price in animal misery worth it?

We can be somewhat more specific in formulating guidelines for animal experimentation if we consider the equality of animals and human beings with respect to pain. Because there are no sound biologic reasons for the idea that human pain is intrinsically more intense than animal pain, animals and men may be said to be equals with respect to pain. Equality in this case is a measure of their shared interest in avoiding harm and discomfort. The evil of pain, unlike the value of life, is unaffected by the identity of the individual sufferer. Animals and human beings, however, do differ in their experience of the aftereffects of pain. When an injury leaves the subject cosmetically disfigured, for example, a human being may suffer from a continuing sense of shame and bitterness, but for the animal, the trauma is confined to the momentary pain. Even the permanent impairment of faculties has more serious and lasting aftereffects on human beings than on animals. Hoff therefore insists that a person who is stricken by blindness suffers his loss more keenly than an animal similarly stricken. But this is questionable, because, for Peter Singer, it is necessary to grasp the life or mood of the animal from the inside. One must turn one's consciousness temporarily and imaginatively into another's consciousness. Therefore, one must imagine being the other animal. This he called 'the imaginative requirement.'

Hoff agrees that with regards to physical privation, animals and human beings do not differ. However, she argues that for humans, the measure of loss must be counted far greater than in animals. To sum up: human beings and animals have parity with respect to the trauma of a painful episode but not with respect to the consequence of the trauma. Yet when an experiment involves permanent impairment or death for the subject and thus considerations of differential life worthiness make it wrong to use most human beings, the pain imposed on the animals should still be counted as intrinsically bad, as if human beings had been made to suffer it, regardless of the aftereffects. Hoff's position with regards to the painful exploitation of animals for human benefits can be summed up thus: animals should not be used in painful experiment when substantial benefit is not expected to result. Even when the objective is important, there is a presumption against the use of animals in painful and dangerous experiments that are expected to yield tenuous results of doubtful value. Animals, but not human beings, may be

used in painful and dangerous experiments that are to yield vital benefits for human beings (or other animals).<sup>53</sup>

#### **4.3.6 Bonnie Steinbock's Moderate Anti-Speciesist view**

Bonnie Steinbock's view is a defense of our common practice of putting human interests ahead of the interests of other animals. Although, she conceded that Singer was right in claiming that nonhuman pain deserves some moral consideration, but she says he was wrong in claiming that there are no morally important differences between humans and other animals. Among the important differences are the human capacities to be held morally responsible for their action, to reciprocate in ways that nonhuman animals can't, and to desire self-respect.<sup>54</sup> Against Singer's charge that we treat humans who do not have these capacities better than nonhuman animals, she argues as follows: to extend special care to others out of sympathy is not morally wrong, even if we don't extend it to all. It is not; for example, wrong to go beyond our obligations to members of our own race, as long as we do not fail in our obligations to members of other races. Similarly, it is not wrong to give special care to severely retarded humans out of sympathy for them, even though we don't do the same for nonhuman animals.<sup>55</sup>

Most of us believe that we are entitled to treat members of other species in ways which would be considered wrong if inflicted on members of our own species. We kill the members of other species for food, keep them confined, and use them in painful experiments. Peter Singer sees this attitude as "speciesist," a word intended to make one think of "racist" or "sexist." For Steinbock, the idea is that membership in a species is in itself not relevant to moral treatment, and that much of our behaviour and attitudes towards nonhuman animals is based simply on this irrelevant fact. Steinbock insists, however, that there is an important difference between racism or sexism and "speciesism." We do not subject animals to different moral treatments simply because they have fur and feathers, but because they are in fact different from human beings in ways that could be morally relevant. It is false that women are incapable of being benefited by education, and therefore that claim cannot serve to justify preventing them from attending school. But this is not false of cows and dogs, even chimpanzee. Intelligence is thought to be a morally relevant capacity because of its relation to the capacity for moral responsibility.

On the rights view, Steinbock notices that according to the view of rights held by H.L.A. Hart and S.I. Benn, infants do not have rights, nor do the mentally defective, nor do the insane, in so far as they all lack certain minimal conceptual capabilities for having right.<sup>56</sup> Steinbock holds that we have reasons concerning the treatment of other people which are clearly independent of the notion of rights. We would say that it is wrong to punch someone because doing that infringes his rights. But we could also say that it is wrong because doing that hurts him and that is, ordinarily, enough of a reason not to do it. Now this particular reason extends not only to human beings, but to all sentient creatures. One has a prima facie reason not to pull the cat's tail (whether or not the cat has rights) because it hurts the cat. And this is the only thing, normally, which is relevant in this case. The fact that the cat is not a "rational being," that it is not capable of moral responsibility, that it cannot make free choices or shape its life – all of these differences from us have nothing to do with the justifiability of pulling its tail. Does this show that rationality and the rest of it are irrelevant to moral treatment?

Steinbock argues that this is not always the case, pointing out the issue is not one of cruelty to animals, but according to her, as we all agree that cruelty is wrong, whether perpetrated on a moral or non-moral, rational or non-rational agent. Cruelty is defined as the infliction of unnecessary pain or suffering. What is to count as necessary or unnecessary is determined, in part, by the nature of the end pursued. Torturing an animal is cruel, because although the pain is logically necessary for the action to be torture, the end (deriving enjoyment from seeing the animal suffer) is monstrous. Allowing animal to suffer from neglect or for the sake of large profits may also be thought to be unnecessary and therefore cruel. But there may be some ends, which are very good (such as the advancement of medical knowledge), which can be accomplished by subjecting animals to pain in experiments. Although most people would agree that the pain inflicted on animals used in medical research ought to be kept to a minimum, they would consider pain that cannot be eliminated "necessary" and therefore not cruel. It would probably not be so regarded if the subjects were non-voluntary human beings. Necessity, then, is defined in terms of human benefit, but this is just what is being called into question. The topic of cruelty to animals, while important from a practical viewpoint, because much of our present treatment of animals involves the infliction of suffering for no good reason, is not very interesting

philosophically. What is philosophically interesting is whether we are justified in having different standards of necessity for human suffering and for animal suffering.<sup>57</sup>

But is the issue simply one of different desires and interests, justifying and requiring different treatment? Steinbock makes a stronger claim, namely, that certain capacities, which seem to be unique to human beings, entitle their possessors to a privileged position in the moral community. According to her, both rats and human beings dislike pain, and so we have a *prima facie* reason not to inflict pain on either. But if we can free human being from crippling diseases, pain and death through experimentation which involves making animals suffer, and if this is the only way to achieve such results, then she thinks that such experimentation is justified because human lives are more valuable than animal lives. And this is because of certain capacities and abilities that normal human beings have which animals apparently do not, and which human beings cannot exercise if they are devastated by pain or disease. Her point is not that the lack of the sort of capacities she has been discussing gives us a justification for treating animals just as we like, but rather that it is these differences between human beings and nonhuman animals which provide a rational basis for different moral treatments and consideration. Singer focuses on sentience alone as the basis of equality, but we can justify the belief that human beings have a moral worth than nonhuman animals, in virtue of specific capacities, and without resorting to “high sounding phrases.” As Singer argues that a human life may be morally more important than the life of a nonhuman animal. Sometimes, though, it is not. When forced to choose between a human and a nonhuman life, we should base our distinction on the mental capacities of the individuals involved, not on species.<sup>58</sup>

Singer thinks that intelligence, the capacity for moral responsibility, for virtue, etc, are irrelevant to equality, because we would not accept a hierarchy based on intelligence any more than one based on race. We do not think that those with greater capacities ought to have their interests weighed more heavily than those with lesser capacities, and this, he thinks, shows that differences in such capacities are irrelevant to equality. But it does not show this at all. However, Steinbock agrees with Kevin Donaghy who argues that what entitles us human beings to a privileged position in the moral community is a certain minimal level of intelligence, which is a prerequisite for morally relevant capacities.<sup>59</sup> The fact that we would reject a hierarchical society based on

degree of intelligence does not show that a minimal level of intelligence cannot be used as a cut-off point, justifying giving greater consideration to the interest of those entities which meet this standard.

Interestingly enough, Singer concedes the rationality of valuing the lives of normal human beings over the lives of nonhuman animals. We are not required to value equally the life of a normal human being and the life of an animal, he thinks, but only their suffering. But Steinbock doubts that the value of an entity's life can be separated from the value of its suffering in this way. If we value the lives of human beings more than the lives of animals, this is because we value certain capacities that human beings have and animals do not. But freedom from suffering is, in general, a minimal condition for exercising these capacities, for living a fully human life. So, valuing human life more involves regarding human interests as counting for more. That is why we regard human suffering as more deplorable than comparable animal suffering.

Steinbock concludes that it is certainly not wrong of us to extend special care to members of our own species, motivated by feelings of sympathy, protectiveness, etc. If this is speciesism, it is stripped of its tone of moral condemnation. It is not racist to provide special care to members of your own race; it is racist to fall below your moral obligation to a person because of his or her race. The argument here is that we are morally obliged to consider the interests of all scientific creatures, but not to consider those interests equally with human interests. Nevertheless, even this recognition will mean some radical changes in our attitude toward and treatment of other species.<sup>60</sup>

#### **4.3.7 James Rachels' Vegetarian Anti-Speciesist Position**

James Rachels, in his anti-speciesist view, is more concerned to defend vegetarianism. He provides two arguments: the first appeals to our moral duty not to waste food when people are starving. Meat – eating for him wastes food, and for that reason it is wrong. The second and more compelling argument appeals to the suffering of animals that are raised and slaughtered for food. According to Rachels, this suffering is not justified by the enjoyment of the way they taste, and therefore it is wrong.<sup>61</sup> Rachels also went further to give a defense on animals' right to life. Given the facts about animals – that they live in communities, communicate with one another, have

social relationships and are capable of suffering and happiness – the burden of proof is on those who claim that they don't have right to life.<sup>62</sup> He compares animals with a severely retarded human and asks, "What would be the rational basis for saying that a severely retarded human, who is inferior in every important respect to a diligent animal, has a right to life but that the animal doesn't?"<sup>63</sup>

### **Vegetarianism and "the Other Weight Problem"**

Rachels first realized that there are moral problems about what we eat and about what we do with the food we control. In his research, Rachels came to the conclusion that it is morally wrong for us to eat meat, a conclusion, he admits, that many people will find implausible and even faintly ridiculous as he once did. After all, people believe that meat eating is a normal, well-established part of our daily routines; people have always eaten meat; and many find it difficult even to conceive of what an alternative diet would be like. So it is not easy to take seriously the possibility that it might be wrong. Moreover, vegetarianism is commonly associated with Eastern religions whose tenets we do not accept, and with extravagant, unfounded claims about health. Rachels observed that even a quick perusal of vegetarian literature might confirm the impression that it is all a crackpot business; tracts have titles depicting such fallacies of accents like "Victory Through Vegetables," which promise that if one will only keep to a meatless diet, one will have perfect health and be filled with wisdom. But the question is: does Rachels anti-speciesist position which stresses the avoidance of meat-eating aid the protectionist view on nonhuman animals? At first, Rachels asked:

What reason is there to waste this incredible amount of food? Why raise and eat animals, instead of eating a portion of grains ourselves... The meat we eat is no more nourishing than the grains the animals are fed. The only reason for preferring to eat meat is our enjoyment of its taste; but this is hardly a sufficient reason for wasting food that is desperately needed by people who are starving.<sup>64</sup>

Reflecting on the question he posed in the quotation above, notes that the wrongness of cruelty to animals is often explained in terms of its effect on humans. The idea seems to be that the animals'

interests are not themselves morally important or worthy of protection, but since cruelty to animals often has bad consequences for humans, it is wrong to make animals suffer.

In legal writing, for example, cruelty to animals is included among the “victimless crimes”. This explains, Louis Schwartz’s thinking with respect to prohibiting the torturing of animals based on the following arguments:

It is not the mistreated dog who is the ultimate object of concern... Our concern is for the feelings of other human beings, a large portion of whom, although accustomed to the slaughter of animals for food, readily identify themselves with a tortured dog or horse and respond with great sensitivity to its sufferings.<sup>65</sup>

Like Schwartz, Immanuel Kant had argued that humans have no direct duties to nonhuman animals. Kant’s “Categorical Imperative” which is the ultimate principle of morality, applies only to our dealings with humans. Kant maintains that animals are not self-conscious, and are there, merely as means to an end. That end, for him, is man. His argument that we should not be cruel to animals is because “he who is cruel to animals becomes hard also in his dealings with men”.<sup>66</sup>

However, Rachels like most other anti-speciesists, rejects Kant’s position. He argues that cruelty to animals ought to be opposed, not only because of the ancillary effects on humans, but only because of the direct effects on the animals themselves. Animals that are tortured suffer, just like tortured humans suffer; that is the primary reason why such cruelty is wrong. We normally object to torturing humans on a number of grounds, but the main one is that the victims suffer. So in so far as nonhuman animals also suffer, we have the same reason to oppose torturing them, and it is indefensible to take the one suffering but not the other as grounds of objection.

Rachels concludes by saying that although cruelty to animals is wrong, it does not follow that we are never justified in inflicting pain on an animal. Sometimes we are justified in doing this, just as we are sometimes justified in inflicting pain on humans. It does follow, however, that there must be a good reason for causing the suffering, and if the suffering is great, the justifying reason must be correspondingly powerful. It is for this reason that Rachels asserts that animals that are raised

and slaughtered for food also suffer, and that our enjoyment of the way they taste is not a sufficient justification for mistreating them.<sup>67</sup>

Unlike Rachels, Joel Feinberg has a very weak anti-speciesist position. For Feinberg, even if we say that individual animals have rights, it is implausible to ascribe to them the right to life, right to moral considerability, or equality on the human model. Nor do we normally have duties to keep individual animals alive or even abstain from killing them provided we do it humanely and non-wantonly in the promotion of legitimate human interests.

#### **4.4 Conclusion**

In this chapter, we have seen that many are the objections to animal rights based on rationality, language communication, autonomy and so on and so forth. It has been possible to review every one of them in the above chapter. The anti-speciesists have weighed the relevant facts and have given fair consideration to the competing arguments. Their cumulative effects overwhelmingly support only one conclusion: that the nonhuman animals have some rights and therefore should be treated with some moral considerations. Although the anti-speciesists have differing positions in terms of the (strength, weight and degree) on the moral considerability of nonhuman animals, but they all still agree that the nonhuman animals deserve some respect no matter how little. So returning to the question we posed at the beginning of this study: Are we justified to regard nonhuman animals as moral agents? Put differently, do they have any moral standing, like say, their human counterparts? Like the anti-speciesists have answered in the affirmative, common sense and the meaning of words in our common language support this answer. The behaviours that are common between the human and the nonhuman animals as well as their common anatomical structures also support this answer. Our common neurological systems and considerations about our common origins, whether through evolution or as a separate creation by God also support this answer in the affirmative. If we view this question before us with an unbiased and unprejudiced attitude, we see a world brimming with animals who are not only our biological relatives, but also our psychological kin. Like us (humans), these nonhuman animals are in the world, aware of the world and aware of what happens to them. And, like us, what happens to these animals matters to them as they have interests that need to be protected. Despite the many differences outlined especially by the speciesists, human and nonhuman animals are



sentient, subjects-of-a-life and deserve respect. But beyond the anti-speciesist views, there are some cultural perspectives on some nonhuman animals as seen in Igbo traditional thought system of eastern Nigeria which expresses some moral regards to some nonhuman animals. From the foregoing, do these features meaningfully ascribe moral status or rights to nonhuman animals? Are there not some cultural features which cut across the moral weight of both the human and nonhuman animals? These questions capture in a succinct manner that some of these traditional notions we are proposing will help enrich and fill the missing gap in Singer's anti-speciesist position. This viewpoint from the African cultural perspective will also help enrich our knowledge about these aspects of African culture that we have not paid close attention to. These, we hope to explore in the following chapter.

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## CHAPTER FIVE

### IGBO CULTURE AND MORAL CONSIDERABILITY

#### 5.0 Introduction

The previous chapter was a discussion on anti-speciesism – the position that nonhuman animals should be granted independent moral status because, like humans, they are beings that can feel pleasure and pain. According to anti-speciesists, a being that possesses moral status is entitled to freedom, respect and fair treatment. Such a being cannot be used as a mere tool or instrument to promote the welfare or interest of other beings. Indeed, as we quoted Peter Singer as saying, it is not only that all animals – humans and nonhumans – should be regarded as morally equal, but also whatever we consider as morally unacceptable to be done to humans ought not also to be done to nonhuman animals.<sup>1</sup> Anti-speciesists contend the reasons often advanced by speciesists for saying that nonhuman animals are inferior humans, such as rationality and the ability to communicate through verbal language. These for them are often morally irrelevant reasons. Physical differences between human and nonhuman animals, anti-speciesists say, are no justifiably good reasons to think that we are better or on a higher moral pedestal than the nonhuman animals. What is morally significant, anti-speciesists argue further, is the fact that nonhuman animals, like their human counterparts, are sentient beings – that is, beings that can experience pleasure and pain.

Following from the above argument, the following inferences may be drawn, which is that nonhuman animals are similar to humans in many important respects. One such respect is that nonhuman animals also have values and preferences – matters that humans place great premium upon. The other is that nonhuman animals, like humans, are subjects of a life. To be a subject of a life refers to being in the world, being aware of the world and aware of what happens to us. This is so because what happens to us – whether to our bodies, or our freedom or our lives themselves – matters to us because it makes a difference to the quality and duration of our lives, as experienced by us.<sup>2</sup> It is for reasons such as the above that anti-speciesists argue that the ethically sound thing for all morally conscious beings to do is to maintain and promote the rights and welfare of all beings that are subjects of a life, including nonhuman animals.

The position of the anti-speciesists notwithstanding, here, we must admit that in reality, it is still widely accepted in virtually all societies that nonhuman animals have no moral worth, and that their usefulness lies in their being able to promote the interests of humans. This belief has been used to legitimize a huge amount of animal exploitation, suffering and mistreatment. To this end, this study problematizes the two extreme positions of speciesism and anti-speciesism and argues that they have not fully taken into cognizance certain fundamental issues that are essential in trying to answer the question of whether nonhuman animals are deserving of moral status or not. This missing gap in the animal right discourse and debate is the infusion of other cultural perspectives, which this study advances. Existing studies have addressed these issues in animal ethics mainly from western socio-cultural perspectives without significant contribution from the African cultural ambient that could help in the adequate understanding of the debate. This study, therefore, interrogated the speciesist and the anti-speciesist positions with a view to exploring cultural elements from within the Igbo thought system that corroborate the position of anti-speciesism, that animals are beings worthy of moral consideration.

Our position in this study is that there are Igbo culturally relevant arguments that corroborate the claim that nonhuman animals are beings that are worthy of moral consideration, respect and care. Furthermore, we shall indicate the morally relevant reasons why animals, like humans, should be respected. In pursuing this goal, the study draws from the Igbo culture, specifically highlighting the aspect that requires that humans accord animals due rights and respect by not abusing or mistreating them. This, therefore, provides an answer to the charge of speciesism leveled against traditional ethics.

In the ancient era of human development, it used to be the case that people accorded respect to only those who were culturally near or contiguous to them. Among the Greeks for example, only the slave-owning Greek male was regarded as morally and socially important. This recognition was later extended to the next-door neighbour or people of other races. In many societies of the world, particularly in the West, the moral circle has been extended to include some categories of animals. The inclusion of animals in the moral circle of being is due to the great efforts of scholars in the animal welfare movement. The scholars in this group go as far back as Jeremy

Bentham, to Peter Singer and Tom Regan, to mention only a few. The extension of this moral umbrella according to Richard Ryder goes through a cultural and logical progression.<sup>3</sup>

## **5.1 The Igbo Cultural Perspective of the Animal Rights Debate**

As mentioned earlier, the thesis adopts a cultural perspective to the animal rights debate, using some traditional Igbo ideas or notions as a supporting argument. This approach will help enrich the debate and provide a better understanding of the key issues involved in the controversy. But before getting into the discussion proper, a brief elucidation of the term ‘culture’ will be necessary.

### **5.1.1 The Role of Culture**

What is Culture? Culture has been defined in several ways. Construed in a narrow sense, Thompson affirms that culture is “the way of life of a given society or the universe of values and artifacts in which a given people live a standardized and expressed behavior within the framework of a given system of social organization.”<sup>4</sup> This definition points to the fact that culture is about people, their values and the way they relate to their environment and with one another in society. In its broadest term, culture may include but not limited to customs, traditions, folklore, music, the day to day life of people, the family group, social and political organisation, how they approach productive endeavours and how they react to various experiences of life.

According to K. C. Anyanwu, human beings are products of culture in the sense that culture defines people. Culture, he further says, cannot be separated from human experience, it is the common living experience shared by a people. All forms of experience, whether personal, impersonal, scientific, religious, and political or economic, shared by a people form the basis of their culture.<sup>5</sup> Anyanwu’s definition of culture has implication for both human and nonhuman animals, as nonhuman animals share certain common experiences. Culture establishes the rules of conduct in society, defines its moral institutions and provides the framework for its preservation and sustainability. However, it is important to note that culture is never static, it is always dynamic because man changes with his experience in life and it is by being dynamic that culture is able to satisfy human needs especially as these arise within the context of their social relations,



in this case, with the nonhuman animals. Furthermore, the dynamic nature of culture warrants that those elements of behaviour that have become anachronistic be modified or jettisoned.

B. A. Aluko identifies some of the functions of culture that are germane to our discussion. First, culture is the basis for the identity of a people since it is about their values. It is also the means by which they communicate and relate with one another and with others (nonhuman animals). It is also a basis upon which a people can be evaluated and judged. Second, culture determines the social, ethical and political arrangements of a people. Thus, issues pertaining to human rights and justice as well as animal rights can be discussed within the framework of culture. Third, and very importantly, culture defines the moral institution of society and gives shape to the system of production and consumption of a people. When culture performs the above functions, it makes the experiences of life more meaningful and can also enhance the social, economic, educational and political development of a people.<sup>6</sup> D. R. Griffin makes an analogy to human and nonhuman animal cultural interaction as he writes:

Some cultures are overtly racist (invading to genocide) some are more mildly xenophobic (emphasizing assimilation), and some embrace diversity as a source of enrichment; likewise, some cultures overtly practice mysotherapy (leading to extinction), some are more mildly anthropocentric (emphasizing humanness and domestication), and some embrace the animal as a source of enrichment-creating institutions that honour the animal's perspective on the broader reality beyond the confines of human culture, and the insight into human existence it can make possible.<sup>7</sup>

### **5.1.2 Enriching the anti-speciesist view through some notions in Igbo thought system**

The Igbo is one of the three largest ethnic groups in Nigeria. They belong to the Negro world in Africa and speak a language that belongs to the 'kwa' group, found in West and Central Africa. Their language Igbo has many local dialects. Noting the dynamic nature of the Igbo culture, G. E. Ekwuru maintains that the way of Igbo people have coalesced their traditional worldview with modern, western cultures has resorted in what he calls a *deep culture*. The deep culture provides ample resources for contemplating philosophical issues, one of which is the question of animal rights.<sup>8</sup>

Animal rights advocates usually advance general principles or ideas as basis for their position. Some of these principles include sentientism and painism or the idea of subjects of a life etc. On their part, speciesists appeal to the ideas of rationality and the ability to verbally communicate as support for their claim that only humans are morally considerable. However, speciesism and anti-speciesism fail in not adequately accounting for the other cultural perspective in their viewpoints. None seem to have taken cognisance of the cultural relevance towards the moral considerability of nonhuman animals. It is this cultural perspective that this study provides.

The problem is therefore as follows. Following the reasons adduced by the two warring positions (speciesism and anti-speciesism), on the moral worth of nonhuman animals, which verge on the extreme, they still failed to take cognisance of certain fundamental issues based on the cultural perspective towards the discourse. This missing gap in the animal rights debate or discourse is the cultural perspective, which this study advances. The study adopts the culture of the Igbo people of Nigeria as a stalking horse or guide. Notwithstanding the recognition by anti-speciesists that nonhuman animals are morally considerable beings whose interests should count on the moral scale, the general attitude in almost all human societies is that they have no moral worth. The general belief is that their usefulness lies in their being able to promote the interests of humans. This belief has been used to legitimise a huge amount of animal exploitation, suffering and mistreatment. But the important question is: Do nonhuman animals indeed possess any moral worth? Put differently, should they be treated with care and respect? In addressing these questions, speciesists and anti-speciesists adopt positions that verge on the extreme as they fail to fully take into cognisance certain fundamental issues that are vital in answering the question of whether nonhuman animals are deserving of moral status or not.

The Igbo firmly believe that a tree cannot make a forest. Indeed, the Igbo cosmological order is a conglomeration of the following:

- (i) *Nmuo* – Spirit
- (ii) *Mmadu* – Human being
- (iii) *Anumanu* – Animals
- (iv) *Umu ahikia* – Vegetation
- (v) *Ihe* – Things<sup>9</sup>

The community survives in so far as every individual make-up contributes towards its survival. No single individual or group is the point for cohesion and group solidarity. The egalitarian nature of the Igbo society is sustained only by joint programmes, collective solidarity and group consciousness amongst the spirits, humans, nonhuman animals and things.<sup>10</sup> The structure of the cosmos is conceived in terms of unity and interactions of all beings. This mutual interaction which accords respect and regard to nonhuman animals promotes co-existence and creates goodwill and comradeship within the Igbo traditional community.

One outstanding feature of the traditional Igbo is the factor of unity, peace and co-existence which accommodates even the nonhuman animals.<sup>11</sup> This idea of the unity of all beings is found in Igbo Philosophy, which consists of the whole spectrum of Igbo culture, examining the material and the institutional foundations of this culture, looking into their oral literature – fables, parables, myths, proverbs, idioms and folklores.<sup>12</sup> Therefore, the moral status ascribed to both the human and nonhuman beings as seen in Igbo cosmogony is best expressed in the idea of *Omenala*. *Omenala* literally means “that which obtains in the land or community.” This includes the general custom, traditions, morals and beliefs of the Igbo people.<sup>13</sup> The *Omenala* is usually invoked with all authority and sacredness. Its violation is considered an *aru* (abomination) and is usually punished.

Generally, Africans are known to speak on many occasions in oblique allusions and proverbs. In particular, the Igbo of South Eastern Nigeria are fond of adapting their thought to basic obvious forms of expression. According to Udobata Onunwa, the most important channel to understand the deep and immense powers that guide and direct Igbo thought and action is to explore the Igbo myths, proverbs and folklores which the Igbo use enormously to express their philosophical, theological, cosmological and moral wisdom and values.<sup>14</sup> Ikenga Metuh maintains that within the morality of African societies, myths and proverbs are still the all-pervasive determinant of their life and culture. It is part and parcel of the cultural heritage and determines the spontaneous and subconscious reactions of the people and their interpretation of reality.<sup>15</sup>

Pursuant to the arguments above, the present study critically analyses those oblique allusions and verbal symbols by which the Igbo express their thought. In an attempt to do this, one may be

exposed to symbolic forms or representations that may appear askew or out of sync with what is generally acceptable. Such symbols are usually verbal or physical and expressive of the fact that the Igbo generally believe that animals are co-members of the world order and are therefore worthy of respect and care. For the Igbo, the natural environment is not only made of human beings but also of a horde of nonhuman animals and other preternatural entities. The verbal symbols alluded to above come in form of oral literature such as songs, poetry, and folktales that reflect the actions or activities of human and nonhuman animals. Since many traditional Africans did not learn the art of writing, they communicated their ideas by oral symbolisms.<sup>16</sup>

The oral symbols which are chosen to analyse in this study come in form of myths, proverbs and folklores. An important question that comes to mind here is to ask what roles myths and proverbs play in the lives of a people or community. The simple answer is to say that they help us to unravel the arcane or uncanny issues of life or existence. In the words of Nicolas Berdyaev:

Myth is a reality, immeasurably greater than concept...It is hightime we stopped looking at myth with invention with the illusions of primitive mentality, and with anything, in fact, which is essentially opposed to reality...Myth is always concrete and expresses life better than abstract thought can do; its nature is bound up with that of a symbol. Myth is the concrete recital of events and original phenomena of the spiritual life symbolized in the rational world, which has engraved itself on the language, memory and creative energy of the people.<sup>17</sup>

Myths and proverbs usually exist in narrative forms or prose directly or indirectly. For the Igbo, myths are stories about gods, humans, animals and things.<sup>18</sup> The Igbo, like the other Africans, used mythical images to convey fundamental truths about the world or about reality. The Igbo represent myth as *akuko maka omenala*, that is, stories about customs and traditions, also known as aetiological stories.<sup>19</sup> Myths and proverbs bear the stamps of antiquity. Since they served as objective and permanent philosophy of life in pre-modern societies, myths and proverbs formed the bedrock of cosmological and socio-ethical explanations for pre-literate peoples. Religious activities, taboos, customs, rituals, ethics and traditions of a people are validated with proverbs

and myths. Like myths, folklore deals with any aspect of a culture's beliefs, practices, crafts, speech, legends or stories that have been passed on orally from generation to generation.<sup>20</sup>

From the foregoing general discussions on myths, proverbs and folklores, we can deduce some points in Igbo myths and proverbs that show that for the Igbo, the nonhuman animals are beings worthy of moral consideration and respect. In the first place, the philosophical and moral values embedded in the folklores, myths and proverbs we have set out to analyse show that in the Igbo traditional society, nonhuman animals were accorded care and regard by their human counterparts. A systematic reflection on those normative principles or ideas that indicate the moral worth of nonhuman animals is not only long overdue but is also a valuable contribution to the ongoing quest for a search for meaning, thereby serving as an ethical guide in our post modern world of moral confusion, loss of values, and lack of respect not only of human but also nonhuman animal integrity and wellbeing.<sup>21</sup> Myths and proverbs should therefore be understood as important aspects of culture that give some meaning to social values and ethos. This is because they primarily deal in the most practical terms with certain invisible and otherwise inexplicable facts of life. They also serve as means of explanations of certain cultural practices and social beliefs.

Igbo myths on creation show that the people had moral regard for nonhuman animals. According to one such myth, *Chukwu or Chineke* (the Supreme Deity) created the universe – the sky (*Elu-igwe*), the earth (*Elu-uwa*), spirits, man, animals and everything in it. The first man created was called *Ifenta* (Junior light) and the first woman was called *Obo-omananya*. In the myth, *Chukwu* is symbolized by the Sun (*Anyanwu*), the supreme Force that radiates power and energy in the world. The name *Ifenta* (Junior light) is suggestive of the fact that man is next to *Chukwu* in the order of created beings in the visible order. According to the myth, at the very onset of the created order *Chukwu* had commanded all His creatures to live together in amity and mutual concord. This divine instruction was adhered to as we are made to know that man and all other creatures lived together as kin. Indeed, there existed, according to this Igbo creation myth, a fellowship of all beings, including spirits, animals, and humans. As kinfolk, men commonly joked and played with animals.<sup>22</sup> This myth attests to the Igbo belief that human and nonhuman animals are mutual partners in the natural order of things.

Uzodinma Nwala lends weight to the argument that animals occupy an important place in Igbo traditional thought when he writes as follows:

Traditional Igbo myth and folklore abound with belief that animals have souls and spirits like men. Animals are accorded a special respect for it is believed that they know things that human beings do not know and they see things that are not seen with ordinary human eyes.<sup>23</sup>

The Igbo believe that animals possess the ability to see into the realm of spirits. When, for example, a dog barks without any visible cause, or when fowls begin to quack uneasily without birds or any other visible object inducing them to do so, the Igbo take it to be that spirits may be around or that something mysterious is about to happen. The Igbo also believe that every object in nature has a spiritual quality. Animals have souls like men. They also have their own *Chi* that directs and determines their ultimate destiny in life. In Igbo thought, *Chi* is variously interpreted to be a guardian angel, a personal spiritual guardian of every being or an individual's alter ego.<sup>24</sup> Thus, if a hunter misses to kill an animal or the animal escapes, it is said that its *chi* had saved it.<sup>25</sup> Animism (i.e. the belief that natural objects and animals have souls) in Igbo traditional thought is better seen in the intimate address made to nonhuman animals. Very often, they are addressed as "Thou" and not "It" and they are reprimanded or praised accordingly. These attitudes, especially towards the interests of nonhuman animals confirm the fact that they were epitomised in the mould of moral beings. The imaging of animals as in the form a moral persona means that as the independent sentient beings that they are, they should not be treated as means to human ends but as ends in themselves. It also means that the moral concerns we apply among human beings should be extended to them also. Such moral concerns include the prevention of suffering and misery on them, or the abhorrence of arbitrary discrimination against beings that are not members of our own species.

From the Igbo cultural perspective, the relationship between human and nonhuman animals is analogized to a symbiosis, that is, as a relationship that is reciprocal or mutually beneficial. Put differently, a mutual exchange of benefits and burdens exist between human and nonhuman animals. For instance, the Igbo are known to relate with nonhuman animals with thoughtful care and compassion, with some species of nonhuman animals directly receiving their sustenance from

humans. On their part, nonhuman animals help provide certain benefits to humans – benefits that may be aesthetic, spiritual or social in nature.

Traditional Igbo ontology does not portray humans as overlords or as sole owners of the natural environment but as fellow citizens or co-inhabiters with the other beings that make up the world. The Genesis injunction which says that God instructed Adam and Eve to take “dominion” over the earth is understood as service. That form of “dominion” is not taken as kill, eat, maim, maltreat or mutilate but understood as service in Igbo thought and practiced as such. Igbo ontology therefore requires of humans to see all living things (including nonhuman animals) as mutually inter-independent, or an organic whole where each organism, species population, and community of life has its own good, and all have equal inherent worth in their own regard. The idea is prevalent in Igbo thought that our call to service as humans is not only to members of our own species but to all living beings as a whole. This service to all living beings helps to sustain life and the ontological diversity of the community rather than destroy it, where ‘life’ includes not just human life, but also animal life as well. Traditional Igbo thought system, of course, cannot prevent the alterations, or maltreatment of nonhuman animals to some degree, but it does affirm their right to continued existence, and, at least in a natural state. Such service as we have alluded to above is not only morally approbatory but also helps to preserve the integrity, stability and beauty of the biotic community (which includes plants, aquatic life as well as human and the nonhuman life).

### **5.1.3 The moral considerability of nonhuman animals: an Igbo cultural perspective**

The thesis of this study is that there exist culturally relevant facts from Igbo thought system captured in the Igbo philosophy of *Egbe bere Ugo bere* (live and let live) and the *Ugwu anu* concept (animal integrity) that justify the claim that nonhuman animals are beings that are worthy of moral consideration, respect and care. The Igbo phrase, *egbe bere, ugo bere, nke si ibe ya ebela nku kwaa ya*, when translated into English would read somewhat like this: “Let the hawk perch and let the eagle perch, whichever tries to prevent the other from perching, let its wings wither.” This phrase quoted above, is one of the most important sayings in Igbo philosophical thought, which takes seriously the idea of equal interests of all beings.<sup>26</sup> The Igbo adage, “live and let live” is a call to a fair treatment of all species. Adherence to this philosophy of mutual tolerance and fair treatment of all beings will allow for the mutual flourishing of both human and nonhuman



animals. The adage also conveys the ideas of social justice and freedom of all beings to pursue and equally enjoy the gifts of nature without discrimination. It conveys the idea that the humans should live and that the animals should live as well; the rich should live and the poor should live; that both the strong and the weak should also live. It is an ethical proverb that decries all forms of discrimination, molestation, cruelty and intimidation being meted out to the weak by the strong, or by the superior to the inferior, as the case may be. The adage emphasizes the ideas of equality and fair play amongst human and nonhuman animals.<sup>27</sup>

As with the *egbe bere, ugo bere* ideal, another culturally relevant principle, which for the Igbo lends weight to the claim that animals are deserving of moral consideration is found in the Igbo concept of *Ugwu Anu*, otherwise known as “animal integrity.” The *ugwu anu* concept emphasizes the idea of the mutual flourishing of all beings. In particular, it harps on the idea of the breadth and completeness of the species-specific balance of a creature, as well as the capacity of nonhuman animals to maintain themselves independently in an environment suitable to their species. A number of animal ethicists usually restrict the issue of moral status to entities that have a capacity to subjective welfare,<sup>28</sup> that is, beings that are sentient in nature. Sentient beings are beings that are capable of having positive experiences, such as pleasure, and/or negative experiences, such as pains. Utilitarians such as Peter Singer hold the opinion that sentience is the necessary and sufficient condition, the sole valid criterion for ascribing moral status.<sup>29</sup> On his part, Richard Ryder, coins the idea of pianism (from the word ‘pain’) as what confers moral worth on any being.<sup>30</sup> Going beyond these ideas, the Igbo posit the concept of *Ugwu anu* (that is, animal integrity) as another criterion for ascribing moral status to the nonhuman animals.

A practical demonstration of the *Ugwu Anu* principle is demonstrated in what obtains in the Egbule River in the Umuobiala community of present Abia State, Nigeria. The Egbule River is home to a huge number of animals which find comfort in and around it. The river itself is surrounded by a virgin forest to its North, and a steep valley to its south, which serve as refuge for animals in distress. Animals like monkeys, crocodiles, fishes and rats that live within the precinct of this river are never disturbed or killed by humans. The inhabitants of the community are also not allowed or permitted to fish inside the Egbule River. The interesting thing, however, is that the source of the community’s water supply is majorly from this same river. The great lesson here



is that the Egbule River, while serving as a source of life and sustenance for both humans and animals, none is allowed to hurt and injure the other. It is not uncommon, for example, when at the river to fetch water, to meet crocodiles lying at the river bank. All that the people will do is to splash some water on the idly creature, which will sluggishly give space to the humans to do their own business and go. There have been no reports of these nonhuman animals harming humans during such encounters. On their part, no one, not even the village hunters will ever think of preying on animals within the precincts of the Egbule River. And if by chance, a person fetches water home and finds a fish in it, no matter how little the fish may be, such a one will quickly return the fish unharmed, back to the river. The policy of doing no harm to animals found in the Egbule River clearly shows the binding force the *ugwu anu* rule has on the people.

The *ugwu anu* principle helps in allowing for the flourishing of animals in their natural habitat. We know, for example, that humans flourish when they have the opportunity to do what they like and find important, and have success in the projects they pursue. Therefore, there is also every reason to believe that if an animal has the opportunity to do all the activities that are characteristic of its species in its natural environment, this will contribute to its flourishing as well. Flourishing, therefore, allows nonhuman animals to exercise such basic rights as freedom, independence and autonomy even as they co-habit with their human counterparts. Indeed, in some extant Igbo communities, pigs are allowed the opportunity to root in the mud, chimpanzees to live in groups, and chickens the freedom to pick in the sand and so on. In some of these communities, the *Odoguma*, Muscovy duck in English, the turtle or the sheep are never killed wantonly. If by accident anyone kills any of these animals, or a driver mistakenly knocks them down with a vehicle, the one responsible for the act is held accountable for committing a great error. Usually, the offender is required to carry out funeral rites on the dead animals similar to that done for a dead human being. For whatever their worth, these social acts help to minimize the misery that humans bring to bear on animals. The issues discussed here also help to emphasise the fact that Igbo thought recognised that care for the welfare of animals helped create conditions in which they could lead a life that accords with their species-specific capacities and adaptation patterns.

One other Igbo wise saying that lends weight to the idea of animal integrity is the one which goes as follows: *Ube ariri ga-ebe, onye zopiara ya a na-ebe*. Translated into English the adage reads

thus: “instead of the millipede crying for being marched upon, the person that stepped upon it will end up doing the crying.” One would need to dig deep to understand the full essence of this maxim as the literal translation does not fully capture its hidden meaning. A peek into its secret meaning reveals what the adage is simply telling – that we be concerned with the interest of such a seemingly inconsequential creature as the millipede – a being, which by all accounts have no direct benefit to human happiness or welfare. The logic of this argument is that if it is required of humans to care for such a vile or insignificant as the millipede, they are similarly obliged to this consideration of care to all other beings with whom they co-inhabit our earthly terrain. It is this idea that lies behind the principle of equal consideration of interests, a principle we have alluded to already in the paper. The principle says the moral standards that we apply among humans might extend to other animals. The principle requires of humans not to always consider their interests ahead of the interests of other animals, requiring, for example, that if the millipede seemed disturbing to a household, that members only look for a stick to push it towards another direction. The attitude was not to crush its head as many would want to do today. It is evident from these analyses that some animals enjoyed and still enjoy some form of immunity from being cruelly treated by humans. And it was not only in nascent but also in modern times that the Igbo had the understanding that other living entities were co-members of biotic order whose interests counted on the scale of morality.

Care for animals requires that they should not only feel well (as in being free from prolonged and intense pain, fear and other negative states); they should also function well (as in having a satisfactory health, normal growth and normal functioning of physiological and behavioural systems). Alongside these capabilities, animals should also lead natural lives through the development of their natural capabilities and adaptations.<sup>31</sup> In the traditional Igbo setting, some animals enjoyed such privileges to the extent that they were neither tied to a stake nor confined. The principle of the *ugwu anu* is hinged on three mutually-related and complementary elements as follows:

- (1) Wholeness and Completeness,
- (2) Balance in species specificity and,
- (3) Capacity of a being to independently maintain itself.

An animal can only be said to be in a state of integrity if all the three elements above are present. Perhaps this explains why the traditional Igbo allowed most of their domestic animals on a free range. The goats and sheep moved around the entire fields and compound for grazing and only returned home in the evening times. From the foregoing, we can draw the following inference: respect for the integrity of animals requires that we not only abstain from infringements on their physical wholeness and completeness but that we also help provide conditions in which they can exhibit the behaviour characteristic of the species.

In some Igbo contemporary societies, animals, like rats and monkeys live freely within the forests without being hunted. With particular reference to these two breeds of animals – the rat and the monkey – the Igbo belief is that the rats have very high fertility rate while the monkeys are blessed with the gift of longevity, are playful and friendly with humans. From this the Igbo conclude that animals are like humans in the following respect: animals, like humans, are prolific in their procreative capacity and their ability to live long.<sup>32</sup> In statistical terms, it is a documented fact that the Igbo have one of the highest population densities in Africa. For some Igbo, the belief is that the care they extend to animals has a connection with their procreative ability or prowess. While no scientific evidence or data exists to corroborate this belief, the belief itself usually redounds to the benefit of those animals to whom the care is extended. Among the Igbo, a man or woman who regularly gives birth to children is nicknamed *oke*, meaning rat, corroborating the belief that the rat is a creature endowed with high fertility rate or the ability to quickly multiply its kind. Similarly, a person who lives to a very ripe old age is described as *enwe*, or monkey. Again, the belief here is that monkeys are creatures endowed with the gift of longevity. For the Igbo, therefore, long life or being gifted with many children are seen as enormous blessings and as payback for a life of respect and care towards the nonhuman animal species.

For the Igbo, the type of care we extend to beings that are not of our own species is a sign of how morally mature we are. Indeed, such virtues as love, tolerance and care are regarded as cardinal virtues within Igbo morality. A tolerant man, it is asserted, can easily defeat a belligerent man by his patience and forbearance. Indeed, such virtues as love and care have entered into the canons of Igbo folklore and proverbs in the form of mythical narratives, legends, poetry and literature. To give the

proper balance to these narratives, numerous taboos exist among the Igbo, which forbid the killing of a mating animal. The Igbo explain such restrictions by drawing parallels with the sexual relationships between humans, which are not to be disturbed. As with their human counterparts, animal sexual pleasure or emotion is something humans are not supposed to thwart or perturb. For example, hunters are forbidden to shoot or kill mating animals. A violation of this taboo is believed to result in the violator experiencing a similar fate when in consort with his or her partner.

Some other Igbo notions exist, which prohibit the oppression or exploitation of animals such as the one forbidding a hunter from killing or disturbing a pregnant animal; or the one restraining a person from disturbing or killing a fowl trying to incubate its eggs. A popular Igbo proverb captures the idea behind these restrictive codes this way: *Okenye anaghi ano n'ulo, ewu amuo na-obu*, meaning, “an elder cannot be at home and allow a goat to deliver on its tethers.” The message this adage seeks to convey is simple, which is that no animal should be allowed to suffer during delivery. Here, we see that the same care we extend to a woman in labour is also accruable to animals undergoing similar experiences. This is evidence of the high regard and consideration the Igbo have towards the nonhuman animals. In many Igbo communities, this care for animals find expression in particular situations when special types and varieties of food such as the *uvuru* or *ijikara* leaves are fed to a goat that is in labour to enable it have a safe and pain free delivery. Like a woman in labour, the pregnant goat is catered for, petted and undisturbed by her human counterparts when in labour.

More than any other thing, Igbo names and nomenclatures show the mutual link or interaction between human and nonhuman animals in the Igbo social world. So strong is the influence of the beast culture in the society that most people name their children after the character or aesthetic features of any beast they admire. Indeed, there are some names that both humans and animals share in common. A list of some of these names and their meanings are shown below:

- (i) *Agu*, or Tiger (a symbol of masculinity)
- (ii) *Odum*, or Lion (a symbol of masculinity)
- (iii) *Enyi*, or Elephant (a symbol of masculinity)
- (iv) *Akwaeke*, or Python's egg (a symbol of femininity)
- (v) *Ugo*, or Eagle (a symbol of masculinity)

- (vi) *Ugonma*, or Beautiful Eagle (a symbol of femininity)
- (vii) *Ele* or *Eneh*, or Antelope (the unisex symbol)
- (viii) *Nnabe*, or Tortoise (the unisex symbol)
- (ix) *Egbe*, or Hawk (the unisex symbol)
- (x) *Obiagu*, that is, a lion hearted individual (a symbol of masculinity)
- (xi) *Oduenyi*, or an elephant's tusk (a symbol of femininity)
- (xii) *Ugoloma*, or the Peacock (a symbol of femininity).<sup>33</sup>

Among the Igbo, both humans and nonhuman animals are similarly given names which are usually associated with the situation or circumstance surrounding their births – names that are not only meaningful in themselves but represent some special ideals to the peoples' worldview. For example, some animals, like humans, are given names which reflect their hue or the colour of their fur or skin. For example, a white-skinned animal would usually have the prefix *ocha* before its name; black with *oji*; the spotted with *agwa* etc. In accordance with this, a black goat is named *ewu ojii*, while a spotted sheep is named *aturu turu agwa*. Interestingly enough, when a beautiful baby girl is born, she is named *Ugonma* (Beautiful Eagle), or if she comes across as delicate in nature, she is named *Akwaeke* (Python's egg). A dark-skinned man is named *nwoke ojii* while a light-skinned lady is seen as *nwanyi ocha*. What all these show is the mutualism which the Igbo see between the human and animal species – a mutualism that is both advantageous and beneficial.

Furthermore, some notable Igbo towns and villages are named after some species of animals. Nnewi and Nnokwa, towns in Anambra State of Nigeria, mean 'the mother of the giant rat' and 'the mother of the bush fowl' respectively. Imerienwe, which is a town in Ngor-Okpala Local Government Area of Imo State, means 'children/people who do not eat monkey'. Umuagu is a town in Mbaise, Imo State and the name means 'children/people of the leopard'. Umuoke in Abia State connotes 'offsprings of rat'. Obazu, Umuchoke, Amankuta, Umuchumanwere, which are all towns in Mbaitoli Local Government Area of Imo State, are named after fish, rat, dog and lizard respectively. These are all names of various nonhuman animals, and interestingly, the cultures of these towns and villages regard, respect and in some cases venerate these animals after which they are named.

The Igbo would usually praise some human and nonhuman animals in some laudatory or descriptive poetry. This, the Igbo do through proverbs or through what they call *egwu otito*, or what the Yoruba call *Oriki*. Although *egwu otito* or *oriki* is often addressed to humans, but some are also addressed to animals. Praise singing, panegyrics in the English language, is a common feature of all human societies.<sup>34</sup> A few examples of the most popular Igbo panegyrics are outlined below:

- (i) *Agu na eche mba* – The tiger that guards the community.
- (ii) *Agu bata Mgbada agbawa oso* – When the tiger comes in, the antelope runs away.
- (iii) *Anu a na-agba egbe o na-ata nri* – The animal that is being shot and it keeps eating.
- (iv) *Eke nwe ohia* – The python that owns the forest.
- (v) *Odum na-egbu agu* – The lion that defeats the tiger.
- (vi) *Obu/Ovu na-ekwe ukwe* – The nightingale that sings.
- (vii) *Enwe na-awu jam jam n'ohia* – The monkey that jumps briskly in the forest.
- (viii) *Enwe na-akuziri nkita etu esi achu nta* – The monkey that teaches the dog how to hunt.
- (ix) *Enwe na-adobata dinta n'oke ohia* – The monkey that lures the hunter into the thick forest.
- (x) *Enwe na-anapu dinta egbe ya* – The monkey that seizes the gun from the hunter. This is a popular *egwu enwe* (monkey song).<sup>35</sup>

The *egwu otito*, as we have adumbrated above, establishes in particular, the mutual relationship that exists between the human hunter and the animal. Like the perspicacious hunter, the *egwu enwe*, for instance, portrays the monkey as insightful and smart in being able to deceive or outwit the hunter. At deeper level of analysis, most of the praise songs we have listed above resonate with the idea that some species of animals can reason or do plan their activities in advance in anticipation of danger or some eventuality. In the praise songs, animals are portrayed as employing special skills or schemes to avoid being killed or entrapped by predators. Some genres of the *egwu otito* are effusions of praises for some animals because of their nimbleness, dexterity, power and daringness. As noted earlier, a strong or courageous man in Igbo society is called *Odum* (lion), *Agu* (tiger) or *Oke enwe* (the great monkey). For example, in some of the songs, the lion and the tiger are portrayed as manifesting power and courage; the nightingale as possessing a sonorous and plangent tone of voice; the turtle as being wily and cunning, etc. The Igbo expression, *Obu nwere olu oma* is a reference to the nightingale as being the best singer in comparison to any other. Human singers feel elated when they are compared to the singing bird, the nightingale. To be called a nightingale is often proof that one possesses great

mastery in the musical act. Beyond what these praise songs show about the link between humans and nonhuman animals, what is of relevance to this study in what has been said, is that the songs help to illustrate the great value the Igbo placed on the moral worthiness of nonhuman animals.

As mentioned already, the Igbo have a plethora of folklores, myths, wise sayings that harp on the mutual interaction between man and animals – folklores on animals' struggle to elect their kings; tales on quarrels between two warring animals with man acting as mediator in the altercation, etc. These folklores or proverbial forms convey the idea of interconnectedness, interaction and inter-dependence these two species forms. Field experiences in the course of this research revealed that in some Igbo communities, humans mourn the death of some animals which were so dear to them. In many other communities, meat eating is not something one embarks upon with glee or enthusiasm. This idea is captured in the Igbo saying to the effect that: *nma adighi uto n'olu*, meaning that the knife is not something pleasant at the neck – whether it is the neck of an animal or a human. Some scholars have even argued that a society that is swift in killing animals may not have much restraint in killing other humans.

The Igbo depict some nonhuman animals as being enigmatic in character. Sometimes, the special characteristics of these animals are used as explanatory models for some mysteries of life. Seeing a giant millipede in one's house is often seen as a bad omen or sign; just as hearing the chirping of an owl near one's house in the day may portend some evil to come. Seeing a giant rabbit in the day is also a bad sign. A cock crowing early in the night also indicates a bad sign. Some animals such as the owl, the python and the giant millipede are special agents of the preternatural forces that live in the chthonian world of spirits.<sup>36</sup> The flip side to this belief is that some other types of animals are regarded as harbingers of good fortune or victory. For example, to see a snail at one's door step early in the morning is a sign of good luck. In fact, if seen by a barren woman, it is a sign that conception would soon take place. Sometimes, it is indicative of actual pregnancy. Such occurrences as the ones just mentioned are often causes for visiting the diviner and for embarking on spiritual exercises such as ritual purging and purification.

Also, in some Igbo societies, pets like dogs, cats, parrots, and so on are distinguished by living in the house and sharing room with their human counterparts. Some of such animals also accompany

their human counterparts to church or markets. They are given individual names and are neither slaughtered nor served as food. In some traditional Igbo societies, the human individuals go to church or market with their animal as companions. The spread of pet keeping created the psychological foundation for the view that some animals were entitled to moral consideration. Therefore, both human and nonhuman animals need each other for their optimum existence.<sup>37</sup> In totemic cultures, animals are considered ancestral kin worthy of piety. Most African traditional societies (with the inclusion of the Orientals) respect and regard some animals as totemic icons. In Igbo traditional society, the python called 'Eke' is a totemic animal for the Njaba community in Imo state. This particular community respect, care and even venerate the Eke (Python) which in turn, it is believed, cares and protects the community. This Eke also delivers messages from the gods and therefore is never killed for any reason whatsoever. It is to this day called Eke Njaba and respected by all neighboring Igbo communities.

To sum up the discussions above, Igbo proverbs and myths exercise great 'moral control' over the people – and such control that encourage people to positive action and conduct. With particular reference to the nonhuman animals, the myths and legends we have alluded to in this thesis help to provide support for the claim that they are beings that count on the moral scale of things. This form of Igbo morality is enshrined in their *Omenala* (customs and traditions).<sup>38</sup> The traditional notions we are proposing in this work will also help enrich and fill the missing gap in the extreme position of anti-speciesism. The viewpoint from the African cultural perspective will also help enrich our knowledge about these aspects of African culture that we have not adequately paid close attention to before now. But these traditional notions may not be emphatically saying that nonhuman animals have equal rights with their human counterparts, they however, support the claim that animals, as subjects of a life, are beings whose interests should count on the moral scale of things. And against the speciesist claim that nonhuman animals possess no moral standing of their own, this study tries to show that there is a strong ontological affinity between human and the nonhuman animals, and as such, humans need to extend to them such love and care that will aid their preservation and species flourishing in the world. In arguing this way, it is clear that traditional Igbo thought presupposed the existence of a biotic and egalitarian society where both human and nonhuman animals flourished together.



Furthermore, the traditional Igbo believed that nonhuman animals possessed inherent worth in themselves. Beings are said to have inherent or intrinsic worth when they have values in themselves and not because they help contribute to the social goal of humans. These beings have inherent worth that have a good of their own. It is a fundamental value presupposition in the field of axiology that beings that have a good of their own ought to be respected. In this wise, since human and nonhuman animals have a good of their own, it follows that they are beings that should be respected and accorded dignity. It also follows that both human and nonhuman animals could co-exist together peacefully without mutual antagonism or hostility. Finally, the highest moral value demands that we show care and love to those beings that have a good of their own, whether human or nonhuman animals. It is in this way that the goal of a sustainable environment can be achieved or realized.

## **5.2 Conclusion**

The goal of this chapter has been to bring to light the rich cultural heritage of the Igbo world, especially those aspects that underscore the fact that the Igbo regard nonhuman animals as beings worthy of care and moral consideration. As the chapter clearly shows, Igbo thought regards nonhuman animals as beings that have inherent worth in themselves. Like humans, it sees them as subjects-of-a-life and are, therefore, deserving of love, care and attention. This viewpoint provides a complementary framework that corroborates the position of anti-speciesism that the province of rights and care should extend beyond the human species to all other species that are constitutive of our cosmos or social world. The anti-speciesist position can be summed up in a single sentence as follows: non-human animals are sentient beings and as such are deserving of moral status and consideration. The chapter has shown that Igbo culture is replete with beliefs about non-human animals living in a community of their own and that to a large extent, they are held to possess such basic rights as freedom, autonomy and independence. These are ideas sometimes expressed in Igbo archetypal sayings such as myths, aphorisms and proverb, which, for example, forbid the killing of some categories of animals, either because they are pregnant or mating with their partners.

Igbo thought is diametrically opposed to the speciesist, which assigns moral status to only humans on grounds that they are rational beings and that they only possess self-consciousness and the

ability to communicate through verbal language. In consonance to the anti-speciesist position, the Igbo cultural prefecture maintains that as co-members of the world community, non-human animals have inherent value in themselves; and as beings possessing rights, they should equally enjoy those rights and privileges that accrue to all beings that make up the world order. Part of what we have done in the chapter has been to provide those culturally relevant facts from Igbo thought which corroborate the Igbo position explained briefly in the preceding lines above. For example, these facts can be gleaned from such Igbo notions as the *ube-ariri* (animal emotion) and *ugwu anu* (animal integrity), captured in the Igbo philosophy of *egbe bere, ugo bere* (live and let live), which allows for mutual tolerance and fair treatment to all beings, whether human or nonhuman. These notions or cultural ideals help justify to the position of anti-speciesism that non-human animals are beings that count on the moral scale of things

In our thinking, the philosophy of *egbe bere, ugo bere* (live and let live), as encapsulated in traditional Igbo thought is one that is worth projecting beyond the social space of the Igbo world and should be given universal application. The reason is that it is a philosophy that advocates or promotes mutual tolerance and fair treatment among beings; not just among humans but between humans and nonhuman animals as well. It is also a philosophy of peace that if fully imbibed will promote harmony and social amity in a world constantly besieged by wars and internecine conflicts.

### Endnotes

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10. Onunwa, U. R., “The Individual and Community in African Traditional Religion and Society” in *Individual and Community in African Religion and Society*. Volume XXXIV, Number 3, Spring 1994, p. 225.
11. Onunwa, U. R., *Studies in Igbo Traditional Religion*, Obosi, Anambra: Pacific Publishers, 1990, p. 9.
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13. Mazi Mbonu Ojike called this Philosophy *Omenalism*. See *My Africa*, London: Blandford Publishers, 1995, p. 150.
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15. Ikenga-Metuh, E., “Dialogue with African Traditional Religion” in Chidi Dennis Isizoh (ed.), *Christianity in Dialogue with African Traditional Religion and Culture*, Rome: Pontifical Council for Interreligious Dialogue, Vatican City, 2001, p. 85.

16. Onunwa, U. R., "Feminity in African Cosmology: Paradoxes and Ambiguities" in *Journal of Asian and African Studies*, Tokyo: Institute for the Study of Languages and Culture of Asia and Africa. No. 44, 1999, p. 132.
17. Berdyaev N., *Freedom and Spirit*, Diakofto – Greece: Semantron Press, 1935, p. 70.
18. Childs, B. S., *Myth and Reality in Old Testament*, London: S. C. M., 1960, p. 9
19. Onunwa, U. R., *African Spirituality*, p. 19. Aetiology or etiology means the study of causes, that is, the philosophical investigation of causes and origins.
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25. Opata, p. 34.
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27. Nwala, U. T. *Igbo Philosophy*, p. 149.
28. The term subjective welfare refers to the presence of positive experiences and the absences of negative experiences, thus to inner, mental states. The term objective welfare refers to an external state of affairs such as flourishing. All natural entities that have a capacity for flourishing are capable of having objective welfare. When speaking of welfare, I refer to both inner and external states.
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33. Okeke J. C., "Africa's Restoration: Rediscovering the Place of African Cultural Values in an Ichabodded History." In Godfrey Ozumba and Elijah Okon John (eds.), *African Political Philosophy*, Akwa Ibom; El-John's Publishers, 2012, pp. 320 – 321.
34. Panegyric is an extravagant form of praise, usually delivered in formal speech or writing.
35. The *Egwu Enwe* or "the monkey song" is a popular oral genre of Igbo hunters. It is enigmatic in meaning and a rich source of oral repertoire of the Igbo Philosophy about their cosmography. If cosmography is defined as the study of the universe or world, Igbo cosmography, therefore, would mean the study of the universe, the earth and the totality of human experience as the Igbo understood it.
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## Summary and Conclusion

The present decade has seen dramatic changes in moral attitudes. Most of these are still controversial. This thesis has been able to douse the tension and controversy as it has critically examined the concepts of intrinsic value/worth, moral rights/status, speciesism and anti-speciesism and the cultural perspective on ethical speciesism, using the Igbo traditional thought system as a foil to buttress the reasons for the inclusion of the nonhuman animal in our moral community.

The other animals humans eat, use in scientific research, hunt, trap, and exploit in a variety of ways, have a life of their own that is of importance to them apart from their utility to humans. The nonhuman animals are aware of the world. What happens to them matters to them. Each has a life that fare better or worse for the one whose life it is. That life includes a variety of biological, individual, and social needs. The satisfaction of these needs is a source of pleasure, their frustration or abuse, a source of pain. In these fundamental ways, the nonhuman animals in labs and on farms, for example, are the same as human beings. And so it is that the ethics of our dealings with them, and with one another, must acknowledge the same fundamental moral principles. At its deepest cultural level, human ethics is based on the independent value of the

individual: The moral worth of any one human being is not to be measured by how useful that person is in advancing the interest of other human beings. To treat human beings in ways that do not honour their independent value is to violate that most basic of human rights: the right of each person to be treated with respect.

The philosophy of animal rights only demands that logic be respected. For any argument that plausibly explains the independent value of human beings implies that other animals have this same value, and have it equally. And any argument that plausibly explains the right of humans to be treated with respect also implies that these other animals have this same right, and have it equally, too. Following from Singer's analogy of sexism and racism, it is true, therefore, that women do not exist to serve men, blacks to serve whites, the poor to serve the rich, or the weak to serve the strong. The philosophy of animal rights not only accepts these truths, it insists upon them and justifies them.

The human-animal relation has been noticed to be strictly for economic gains, entailing privileges without care and obligations. From the foregoing, we asked some of these questions – Is it meaningful or conceptually possible to ascribe moral status or right to animals? Are there not some cultural features which cut across the moral weight of both the human and nonhuman animals? These questions, which capture in a succinct manner the whole debate on the moral worth of animals have been assessed and addressed. Beyond some other answers given by some prominent animal ethicists like Peter Singer, Tom Regan, Immanuel Kant and Tibor Machan based on speciesism and anti-speciesism, we have tried to show that there are some cultural perspectives on some nonhuman animals as seen in Igbo traditional thought system of eastern Nigeria which expresses some moral regards to some nonhuman animals.

In the Igbo Traditional societies, there is a broad consensus that the fate of animals, at least of certain categories of animals, should not completely depend on the contingent and changing interests and preferences of men. The moral indignation about the abuse and maltreatment of animals was led to developing the view that cruelty by humans against animals constituted an offence against their own humanity.<sup>1</sup> The accepted position in animal ethics is now that many animals share morally relevant features with humans that justify assigning moral status to them. If

entities have moral status, humans may not treat them in just anyway they like. They then are members of a moral community. They are not to be killed wantonly; they are to be given some regard as seen in the Igbo thought system. This implies that humans have direct duties to them.

Entities having moral status are equal members of the moral community. They deserve to be treated as equals, which does not imply getting equal treatment. Humans are morally obliged to give weight in their deliberations to the needs, interests or well-being of all entities having moral status. These entities have, in other words, moral importance in their own right, and not merely because protecting them may benefit human interests or should prove, as with Kant, our humanity. The Igbo traditional thought system therefore realizes that evolution has equipped animals and humans with motives and desires to show certain behavioural patterns that are adaptive to living in a particular environment. This is also expressed in the concept of animal integrity which emphasizes on the wholeness and completeness of the species-specific balance and the capacity to maintain itself independently in an environment suitable to the species. To treat an animal humanely means to act in a benevolent way toward it. The Igbo thought system acts toward animals in such a way that respects the nature of the animal and the context of the interaction, in pursuit of its own interest. Generally, particularly with domesticated animals, that means acting kindly but firmly. Brutality toward animals is often ineffective, dangerous, and reveals moral depravity.

This attitude of respect for the moral rights of both the human and nonhuman animal is therefore encouraged in other human-nonhuman animal societies. Perhaps, the most serious obstacle preventing the concept of animal rights from permeating in our cultural ambient is the fact that our educational, economic and political systems are headed away from, rather than toward, an intense consciousness of the animal ontology. This is why the focus of this thesis is in the cultural perspective of ethical speciesism. The line has always been drawn between the human and nonhuman animals. What we need is some middle position which would avoid speciesism but would not make the lives of the retarded and senile humans as cheap as the lives of pigs and dogs now are, nor make the lives of pigs and dogs so sacrosanct that we think it wrong to put them out of hopeless misery.<sup>2</sup> What we must do is bring nonhuman animals within our sphere of moral concern and cease to treat their lives as expendable for whatever trivial purposes we may have.

In line with Singer, I conclude, then, that a rejection of speciesism does not imply that all lives are of equal worth. While superior mental powers like more detailed memory, self awareness, intelligence, the capacity for meaningful relations with others, and so on are not relevant to the question of inflicting pain – since pain is pain, it is not arbitrary to hold that the life of a self aware being, capable of abstract thought, of planning for the future, of complex acts of communication, and so on, is more valuable than the life of a being without these capacities.<sup>3</sup> The major fact still remains that both human and nonhuman animals have some moral worth as proved from the cultural perspective of the Igbo traditional thought system seen in the Igbo Philosophy of *egbe bere ugo bere* and the *Ugwuanu concept*. We are therefore enjoined to give the same respect to the lives of animals as we give to the lives of those humans especially at a similar mental level.

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### Endnotes

1. For Kant, our duties to animals are merely indirect duties to human beings, that is, the duty to animals is a means of cultivating a corresponding duty to humans. He stresses that we should not be cruel to animals because this tends to produce cruelty to humans. See Kant, I., “Our Duties to Animals” from *Lectures on Ethics*, translated by Louise Infield, London: Methuen and Co., 1963, pp. 239 – 40.
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