

ANIMALS ARE EQUAL?

HELEN STEELE

Peter Singer in “Animal Liberation” puts forth both an argument for the equal consideration of animals and for utilitarianism based upon that equality. Singer argues that the current practice of only considering the rights and needs of humanity in the utility equation is speciesist: it is based entirely upon the species of the being and is thus completely arbitrary.

At first glance, current practice might not appear arbitrary or inconsistent, but rather based on the capabilities unique to humanity: the ability to reason, to act upon principle, to have aspirations. Singer does not dispute that most of humanity does have these capacities, while other animals do not. However humanity should not base worth upon a person’s abilities: we would not consider it just to grant one man more rights than another because he is a particular race or gender, is more intelligent or has a better moral compass. Most moral persons abhor racism and sexism. We should be interested in the moral principle of equality, not any factual equality among humans because such factual equality does not exist.

Singer also notes that some humans have none or few of the unique qualities of humanity: it cannot be said that an infant, someone who is severely retarded or in a coma can reason or aspire and yet we would consider experimentation upon them repugnant. He believes that these non-paradigm humans make a nonsense of our claim that moral worth is based upon reason or aspiration.

As reason and species should not be used as criteria for judging moral worth, both being intrinsically arbitrary, Singer suggests that instead pain and pleasure should be used as the only criteria. In this he follows the lead of Jeremy Bentham who wrote, “The question if not, Can they reason? Not can they talk? but, Can they suffer.” Pain is non-arbitrary. And importantly, both non-paradigm humans and most animals would be given moral worth while inanimate things such as rocks, being incapable of feeling pain, would not. Singer describes those beings that can feel pain and pleasure as *sentient*.

It is important to note that Singer does not believe that equality of humanity and animals should mean the equal treatment and equal rights for both. He acknowledges that it would be a nonsense for a dog to be given the right to vote, for example. Rather it means that equal *consideration* should be given to both animals and humans and that treatment of each might be considerably different.

The second part to Singer’s argument is a straightforward utilitarian balance where animals as well as humans are both factors in the equation. Can we, he asks, justify our actions against animals when it may result in pain and unhappiness to them? Does our pleasure weigh against their pain? We eat meat for pleasure. Nutritionally we do not need it and indeed it can be contraindicated for a healthy lifestyle. Many animals suffer a great deal to produce cheap meat for our dinner plates. How can we justify this dreadful pain and suffering for our pleasure? Singer says that we cannot. Cosmetics testing is not necessary and is often conducted in an unusually cruel manner. Is it justified to cause suffering and pain just so that we can use a new shampoo or lipstick? Again Singer says that we cannot.

The situation with animal testing for pharmaceutical use is more difficult. It is hard to deny that, once again, animals are subjected to great pain and suffering, but in the case there are many who would argue that, in this case, it is for a justifiable reason. Humanity suffers a great deal from many diseases and other medical problems and if animal testing can alleviate that suffering then it should be allowable. Singer, however, argues that this is still not the case. Would we consider testing drugs upon non-paradigm humans? He asserts that most (if not all) moral persons would be repulsed by such a suggestion. To not extend the same consideration to all sentient beings, including animals, is simply to fall back upon speciesism and arbitrariness.

However, Singer differentiates between the value of pain and the value of life. He admits that the life of a normal paradigm human is worth more than that of a non-human animal or, more controversially, a non-paradigm human. It is not arbitrary to recognise that normal humans are self-aware, rational, able to act upon principle and plan and as such had we to choose between the death of a normal human and a non-human animal, we should choose the human to live. But at the same time, if we had to choose between the death of a normal human and a non-paradigm human, we should choose the normal human to live.

Bonnie Steinbock in her article "Speciesism and the Idea of Equality" denies that current practice is speciesist, arguing that unique human qualities, including our ability to accept moral responsibility and our desire for self-respect, give us a special position when balancing moral considerations. Animals and humans are not equal. She does agree with Singer to some extent. She agrees that pain and pleasure can and should be considered in the moral equation, but unlike Singer does not believe that they should be the only criteria.

Steinbock argues that Singer's belief in total equality of consideration based on upon pain and pleasure leads to some counter-intuitive results. She believes that given the choice between feeding starving dogs and starving orphans most rational people would choose to feed the starving children, and that to do otherwise would feel morally wrong, and yet the logical consequence of Singer's argument is that we should feed both equally, giving no weight to whether they recipient of the food is dog or child. Although Steinbock acknowledges that sometimes our moral feelings can be incorrect, she believes that in this case they are correct. She believes that we should consider unique human qualities not only in considering the worth of a life, but in considering how much moral weight an individual has in the utility equation. She posits that it is peculiar of Singer to consider the capacities of a normal human life when considering the value of a life but not the value of suffering.

Steinbock believes that our ability to take responsibility for our actions, our capacity for altruism, our desire for self-respect, all set us apart from non-human animals and give us special moral worth. This does not discount the consideration of pain and suffering, but it balances it with human needs. So, Steinbock would allow animal experimentation because the animal suffering is offset by the great human need. However, although Steinbock does not specifically state it, I would argue from Steinbock's position that meat eating and the testing of cosmetics upon animals should still not be acceptable. Human life and wellbeing is not at stake and still cannot justify the suffering involved.

Up to this point Steinbock has only considered humans who fall within the norms. She has not considered non-paradigm humans. By her previous arguments, they would have less moral status than normal humans. However, she believes that we are able to extend a special sympathy towards these non-paradigm humans that, while not moral, is not in itself immoral. She argues that we don't consider it immoral for a Catholic charity to give special consideration to Catholics if, at the same time, they don't deny non-Catholics their rights and this is analogous to the situation with non-paradigm humans. We do not grant them rights above those of the non-human animals, but we do give them special consideration and care because they are of the same species as we are. She admits that this sentiment may well be speciesist and not be a moral feeling, but is not in itself immoral.

Human capacities are a difficult factor in the question of animal welfare. Should we, as Singer puts it, only take them into account when talking about the value of a life, or should we, as Steinbock believes, take it account when referring to both the value of life and the value of pain. At first glance, it might appear that Singer is taking a peculiar position: human capacities count in one case and not the other? But I believe that he is correct. When we are weighing up the lives of a normal human being and that of a non-human animal or non-paradigm human, we must consider all factors that can lead to the fullest possible life. I believe that most rational people

would choose the life of a normal human to a severely retarded infant. One has the capacity to live a full life, to live a moral life greatly increasing the utility within society; the other can never know those things, can never live a full life. And yet if you hurt a severely retarded infant does he not feel the same pain as a normal human? Or a non-human animal? Our great capacities for moral feeling and rationality does not make our pain hurt any more, and should not allow us to believe it diminishes the importance of the pain of those not like us. In fact, as Singer points out, pain for the non-paradigm human or non-human animal may well be worse than for a normal human. We can rationalise pain: we usually can work out why we are suffering, we can know whether pain is going to be finite or long-term and we can develop techniques to manage pain. Animals do not have that luxury: they cannot rationalise pain; they do not have the capacity to understand why they are being made to suffer. Their pain could well cause more terror and suffering than that of a normal human. Consider an injection: normal humans know that it will hurt a little and then the pain will go away and the contents of the syringe could bring them some benefit. Animals in the same situation will only know that they are being hurt; they do not know it will go away, they do not know it is 'good for them', their terror and fright may well bring greater suffering.

If I now consider the issue of animal experimentation from this position, I don't believe that the consequences that either Singer or Steinbock envision quite work. Singer believes in no experimentation, Steinbock that experimentation is acceptable as animal pain is offset by human benefits. I certainly don't believe that experimentation can be justified for cosmetic reasons, to test detergents and shampoo: our trivial pleasure from whiter whites can hardly compare with the pain of the experimental subjects. Nor should we allow experiments for pure scientific reasons alone. Martin Seligman's experiments on dogs, for example, may well give some insight into the psyche, but it causes enormous suffering for an abstract concept of the human good. These experiments *may* aid in the long term but it cannot be said

that they are saving any human lives *per se* and so cannot and should not be considered justifiable. The only circumstances I can envision experimentation being even possibly justifiable would be for the imminent saving of human lives, and only then if the suffering of experimental subjects was minimised as much as possible. So if you needed to test a new cancer drug that could save innumerable human lives, it might be worth risking the life of an experimental subject *if* the pain and suffering could be minimised.

But where does this leave non-paradigm humans? According to both Singer and Steinbock their pain deserves equal consideration with the pain of normal humans, but their lives are not worth the same. Steinbock would use her 'special sympathy' argument: that non-paradigm humans could be experimented upon in the special circumstances as non-human animals, but that we extend them special sympathy and don't. Except that the special sympathy argument really has no moral base. Consider her analogy of the Catholic charity giving aid to Catholics. It is not, she argues immoral as long as they do not hurt non-Catholics through discrimination. But this is disanalogous to the experimentation circumstance. We would not consider it just, I would hope, for the charity to give aid to Catholics but to kick non-Catholics, and yet this is the situation we are really considering. The charity is not merely acting to give preference to Catholics, but is authorising an action against the non-Catholics; society is not merely acting to give preference to non-paradigm humans but it is authorising action – and the consequential suffering – against animals, suffering that it can't abide for the non-paradigm humans. Steinbock admits it may well be speciesist, and I would argue that it most definitely is, and more over that it is not moral.

There are other reasons not to experiment on non-paradigm humans. Unlike many animals, most non-paradigm humans will have normal human caregivers who themselves would be caused to suffer if their loved-ones were used as experimental subjects against their will.

Some non-paradigm humans were normal once: an elderly person with Alzheimer's or someone in a coma

from a car accident probably once functioned on a normal level. We can imagine that we might one day end up in that situation and, extrapolating from a Kantian or Rawlsian approach, we would be unlikely to legislate for the moral right to experiment upon ourselves and thus should extend that consideration to these non-paradigm humans. We may even use a similar argument for pre-paradigm humans: infants, who will, in due course become paradigm and capable of living full and moral lives.

However, there will be some non-paradigm humans who do not fall into any of these categories, and we must reach the conclusion that if it is a choice between their lives and the lives of (potentially) many normal humans, then we must choose normal humans above them. They should be treated as non-human animals: no unnecessary suffering and only for a tiny subset of the current range of experiments, a subset that is highly probably to lead to the saving of many human lives. If we are not prepared to experiment upon these non-paradigm humans, if we don't consider it so necessary as to be justified, then we have no justification for experimentation upon non-human animals.

Of course many people would still be horrified by the very thought of experimentation upon non-paradigm, but perhaps this is sentimentality, and without any real moral basis.

Some mention should be made of Tibor Machan's criticism. This is more fundamental than that of Steinbock. Machan asserts both that humans are naturally superior and

that they and they alone have fundamental rights. Animals have no rights *per se*: humanity can use animals as it seems necessary within the bounds of decency. Although Machan is mainly focusing on Tom Regan's "The Case for Animal Rights") his objections to animal rights encompass Singer's arguments too. The question of non-paradigm humans is unimportant, he says, as they are still genetically human. Machan is a speciesist, with all the problems that entails, and I could not find his arguments persuasive: where do these 'natural' rights come from? Why does our moral 'superiority' allow us to cause so much pain and suffering? He asserts that animal rights advocates agree to the hierarchy in nature because they agree that a rock is inferior to a human, but a rock is not sentient, it doesn't feel pain. Perhaps there is a scale of 'superiority' but why should it be based upon moral agency? It could just as well be based upon pain and pleasure as Singer posits.

Both Singer and Steinbock arrive at conclusions which should find immoral the eating of meat, cosmetics testing and other uses of animals, causing suffering, for trivial human interests, and I cannot disagree. They disagree upon animal testing for medical purposes: Singer opposed and Steinbock broadly in favor. I would argue that rather than a complete ban, animals and non-paradigm humans should not be used for anything other than tests with tangible life-saving consequences with strict limitations upon the suffering of the experimental subjects.