

SPECIESISM AND THE IDEA OF EQUALITY

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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 them for food, keep them confined, use them in painful experiments. The moral philosopher has to ask what relevant difference justifies this difference in treatment. A look at this question will lead us to re-examine the distinctions which we have assumed make a moral difference.

It has been suggested by Peter Singer¹ that our current attitudes are "speciesist," a word intended to make one think of "racist" or "sexist." The idea is that membership in a species is in itself not relevant to moral treatment, and that much of our behavior and attitudes towards nonhuman animals is based simply on this irrelevant fact.

There is, however, an important difference between racism or sexism and "speciesism." We do not subject animals to different moral treatment 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 chimpanzees. Intelligence is thought to be a morally relevant capacity because of its relation to the capacity for moral responsibility.

What is Singer's response? He agrees that nonhuman animals lack certain capacities that human animals possess, and that this may justify different treatment. But it does not justify giving less consideration to their needs and interests. According to Singer, the moral mistake which the racist or sexist makes is not essentially the factual error of thinking that blacks or women are inferior to white men. For even if there were no factual error, even if it were true that blacks and women are less intelligent and responsible than whites and men, this would not justify giving less consideration to their needs and interests. It is important to note that the term "speciesism" is in one way like, and in another way unlike, the terms "racism" and "sexism." What the term "speciesism" has in common with these terms is the reference to focusing on a characteristic which is, in itself, irrelevant to moral treatment. And it is worth reminding us of this. But Singer's real aim is to bring us to a new understanding of the idea of equality. The question is, on what do claims to equality rest? The demand for human equality is a demand that the interests of all human beings be considered equally, unless there is a moral justification for not doing so. But why should the interests of all human beings be considered equally? In order to answer this question, we have to give some sense to the phrase, "All men (human beings) are created equal." Human beings are manifestly not equal, differing greatly in intelligence, virtue and capacities. In virtue of what can the claim to equality be made?

It is Singer's contention that claims to equality do not rest on factual equality. Not only do human beings differ in their capacities, but it might even turn out that intelligence, the capacity

for virtue, etc., are not distributed evenly among the races and sexes:

The appropriate response to those who claim to have found evidence of genetically based differences in ability between the races or sexes is not to stick to the belief that the genetic explanation must be wrong, whatever evidence to the contrary may turn up; instead we should make it quite clear that the claim to equality does not depend on intelligence, moral capacity, physical strength, or similar matters of fact. Equality is a moral ideal, not a simple assertion 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 satisfying 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.²

Insofar as the subject is human equality, Singer's view is supported by other philosophers. Bernard Williams, for example, is concerned to show that demands for equality cannot rest on factual equality among people, for no such equality exists.³ The only respect in which all men are equal, according to Williams, is that they are all equally men. This seems to be a platitude, but Williams denies that it is trivial. Membership in the species *Homo sapiens* in itself has no special moral significance, but rather the fact that all men are human serves as a reminder that being human involves the possession of characteristics that are morally relevant. But on what characteristics does Williams focus? Aside from the desire for self-respect (which I will discuss later), Williams is not concerned with uniquely human capacities. Rather, he focuses on the capacity to feel pain and the capacity to feel affection. It is in virtue of these capacities, it seems, that the idea of equality is to be justified.

Apparently Richard Wasserstrom has the same idea as he sets out the racist's "logical and moral mistakes" in "Rights, Human Rights and Racial Discrimination."⁴ The racist fails to acknowledge that the black person is as capable of suffering as the white person. According to Wasserstrom, the reason why a person is said to have a right not to be made to suffer acute physical pain is that we all do in fact value freedom from such pain. Therefore, if anyone has a right to be free from suffering acute physical pain everyone has this right, for there is no possible basis of discrimination. Wasserstrom says, "For, if all persons do have equal capacities of these sorts and if the existence of these capacities is the reason for ascribing these rights to anyone, then all persons ought to have the right to claim equality of treatment in respect to the possession and exercise of these rights."⁵ The basis of equality, for Wasserstrom as for Williams, lies not in some uniquely human capacity, but rather in the fact that all human beings are alike in their capacity to suffer. Writers on equality have focused on this capacity, I think, because it functions as some sort of lowest common denominator, so that whatever the other capacities of a human being, he is entitled to equal consideration because, like everyone else, he is capable of suffering.

If the capacity to suffer is the reason for ascribing a right to freedom from acute pain, or a right to well being, then it certainly looks as though these rights must be extended to animals as well. This is the conclusion Singer arrives at. The demand for human equality rests on the equal capacity of all human beings to suffer and to enjoy well being. But if this is the basis of the demand for

equality, then this demand must include all beings which have an equal capacity to suffer and enjoy well being. That is why Singer places at the basis of the demand for equality, not intelligence or reason, but sentience. And equality will mean, not equality of treatment, but "equal consideration of interests." The equal consideration of interests will often mean quite different treatment, depending on the nature of the entity being considered. (It would be as absurd to talk of a dog's right to vote, Singer says, as to talk of a man's right to have a abortion.)

It might be thought that the issue of equality depends on a discussion of rights. According to this line of thought, animals do not merit equal consideration of interests because, unlike human beings they do not, or cannot, have rights. But I am not going to discuss rights, important as the issue is. The fact that an entity does not have rights does not necessarily imply that its interests are going to count for less than the interests of entities which are right-bearers. 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 rights.⁶ Yet it certainly does not seem that either Hart or Benn would agree that therefore their interests are to be counted for less, or that it is morally permissible to treat them in ways in which it would not be permissible to treat right-bearers. It seems to mean only that we must give different sorts of reasons for our obligations to take into consideration the interests of those who do not have rights.

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?

I hope to show that this is not the case. But first I want to point out that the issue is not one of cruelty to animals. We all agree that cruelty is wrong, whether perpetrated on a moral or nonmoral, rational or nonrational 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 animals 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

nonvoluntary 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. Singer says, quite rightly I think, "If a being suffers, there can be no moral justification for refusing to take that suffering into consideration."⁷ But he thinks that the principle of equality requires that, no matter what the nature of the being, its suffering be counted equally with the like suffering of any other being. In other words sentience does not simply provide us with reasons for acting; it is the only relevant consideration for equal consideration of interests. It is this view that I wish to challenge.

I want to challenge it partly because it has such counter-intuitive results. It means, for example, that feeding starving children before feeding starving dogs is just like a Catholic charity's feeding hungry Catholics before feeding hungry non-Catholics. It is simply a matter of taking care of one's own, something which is usually morally permissible. But whereas we would admire the Catholic agency which did not discriminate, but fed all children, first come, first served, we would feel quite differently about someone who has this policy for dogs and children. Nor is this, it seems to me, simply a matter of sentimental preference for our own species. I might feel much more love for my dog than for a strange child—and yet I might feel morally obliged to feed the child before I fed my dog. If I gave in to the feelings of love and fed my dog and let the child go hungry, I would probably feel guilty. This is not to say that we can simply rely on such feelings. Huck Finn felt guilty at helping Jim escape, which he viewed as stealing from a woman who had never done him any harm. But while the existence of such feelings does not settle the morality of an issue, it is not clear to me that they can be explained away. In any event, their existence can serve as a motivation for trying to find a rational justification for considering human interests above nonhuman ones.

However, it does seem to me that this requires a justification. Until now, common sense (and academic philosophy) have been no such need. Benn says, "No one claims equal consideration for all mammals—human beings count, mice do not, though it would not be easy to say why not.... Although we hesitate to inflict unnecessary pain on sentient creatures, such as mice or dogs, we are quite sure that we do not need to show good reasons for putting human interests before theirs."⁸

I think we do have to justify counting our interests more heavily than those of animals. But how? Singer is right, I think, to point out that it will not do to refer vaguely to the greater value of human life, to human worth and dignity:

Faced with a situation in which they see a need for some basis for the moral gulf that is commonly thought to separate humans and animals, but can find no concrete difference that will do this without undermining the equality of humans, philosophers tend to waffle. They resort to high-sounding phrases like 'the intrinsic dignity of the human individual.' They talk of 'the

intrinsic worth of all men' as if men had some worth that other beings do not have or they say that human beings, and only human beings, are 'ends in themselves,' while 'everything other than a person can only have value for a person.' . . . Why should we not attribute 'intrinsic dignity' or 'intrinsic worth' to ourselves? Why should we not say that we are the only things in the universe that have intrinsic value? Our fellow human beings are unlikely to reject the accolades we so generously bestow upon them, and those to whom we deny the honor are unable to object.⁹

Singer is right to be skeptical of terms like "intrinsic dignity" and "intrinsic worth." These phrases are no substitute for a moral argument. But they may point to one. In trying to understand what is meant by these phrases, we may find a difference or differences between human beings and nonhuman animals that will justify different treatment while not undermining claims for human equality. While we are not compelled to discriminate among people because of different capacities, if we can find a significant difference in capacities between human and nonhuman animals, this could serve to justify regarding human interests as primary. It is not arbitrary or smug, I think, to maintain that human beings have a different moral status from members of other species because of certain capacities which are characteristic of being human. We may not all be equal in these capacities but all human beings possess them to some measure and nonhuman animals do not. For example, human beings are normally held to be responsible for what they do. In recognizing that someone is responsible for his or her actions, you accord that person a respect which is reserved for those possessed of moral autonomy, or capable of achieving such autonomy. Secondly, human beings can be expected to reciprocate in a way that nonhuman animals cannot. Nonhuman animals cannot be motivated by altruistic or moral reasons; they cannot treat you fairly or unfairly. This does not rule out the possibility of an animal being motivated by sympathy or pity. It does rule out altruistic motivation in the sense of motivation due to the recognition that the needs and interests of others provide one with certain reasons for acting.¹⁰ Human beings are capable of altruistic motivation in this sense. We are sometimes motivated simply by the recognition that someone else is in pain, and that pain is a bad thing, no matter who suffers it. It is this sort of reason that I claim cannot motivate an animal or any entity not possessed of fairly abstract concepts. (If some nonhuman animals do possess the requisite concepts—perhaps chimpanzees who have learned a language—they might well be capable of altruistic motivation.) This means that our moral dealings with animals are necessarily much more limited than our dealings with other human beings. If rats invade our houses, carrying disease and biting our children, we cannot reason with them, hoping to persuade them of the injustice they do us. We can only attempt to get rid of them. And it is this that makes it reasonable for us to accord them a separate and not equal moral status, even though their capacity to suffer provides us with some reason to kill them painlessly, if this can be done without too much sacrifice of human interests. Thirdly, as Williams points out, there is the "desire for self-respect": "a certain human desire to be identified with what one is doing, to be able to realize purposes of one's own, and not to be the instrument of another's will unless one has willingly accepted such a role."¹¹ Some animals may have some form of this desire, and to the extent that they do, we ought to consider their interest in freedom and self-determination. (Such considerations might affect our attitudes toward zoos and circuses.) But the desire for self-respect per se requires the intellectual capacities of human beings, and this desire provides us with special reasons not to treat human

beings in certain ways. It is an affront to the dignity of a human being to be a slave (even if a well-treated one); this cannot be true for a horse or a cow. To point this out is of course only to say that the justification for the treatment of an entity will depend on the sort of entity in question. In our treatment of other entities, we must consider the desire for autonomy, dignity and respect, but only where such a desire exists. Recognition of different desires and interests will often require different treatment, a point Singer himself makes.

But is the issue simply one of different desires and interests justifying and requiring different treatment? I would like to make 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. 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 beings 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 I think that such experimentation is justified because human lives are more valuable than animals' 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.

My point is not that the lack of the sorts of capacities I have 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 treatment 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 that nonhuman animals do not, in virtue of specific capacities, and without resorting to "high-sounding phrases."

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. Kevin Donaghy argues (rightly, I think) 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.¹² 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 interests 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.¹³ 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 I doubt 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.

But there is one point of Singer's which I have not yet met. Some human beings (if only a very few) are less intelligent than some nonhuman animals. Some have less capacity for moral choice and responsibility. What status in the moral community are these members of our species to occupy? Are their interests to be considered equally with ours? Is experimenting on them permissible where such experiments are painful or injurious, but somehow necessary for human well being? If it is certain of our capacities which entitle us to a privileged position, it looks as if those lacking those capacities are not entitled to a privileged position. To think it is justifiable to experiment on an adult chimpanzee but not on a severely mentally incapacitated human being seems to be focusing on membership in a species where that has no moral relevance. (It is being "speciesist" in a perfectly reasonable use of the word.) How are we to meet this challenge?

Donaghy is untroubled by this objection. He says that it is fully in accord with his intuitions, that he regards the killing of a normally intelligent human being as far more serious than the killing of a person so severely limited that he lacked the intellectual capacities of an adult pig. But this parry really misses the point. The question is whether Donaghy thinks that the killing of a human being so severely limited that he lacked the intellectual capacities of an adult pig would be less serious than the killing of that pig. If superior intelligence is what justifies privileged status in the moral community, then the pig who is smarter than a human being ought to have superior moral status. And I doubt that this is fully in accord with Donaghy's intuitions.

I doubt that anyone will be able to come up with a concrete and morally relevant difference that would justify, say, using a chimpanzee in an experiment rather than a human being with less capacity for reasoning, moral responsibility, etc. Should we then experiment on the severely retarded? Utilitarian considerations aside (the difficulty of comparing intelligence between species, for example), we feel a special obligation to care for the handicapped members of our own species, who cannot survive in this world without such care. Nonhuman animals manage very well, despite their "lower intelligence" and lesser capacities; most of them do not require special care from us. This does not, of course, justify experimenting on them. However, to subject to experimentation those people who depend on us seems even worse than subjecting members of other species to it. In addition, when we consider the severely retarded, we think, "That could be me." It makes sense to think that one might have been born retarded, but not to think that one might have been born a monkey. And so, although one can imagine oneself in the monkey's place, one feels a closer identification with the severely retarded human being. Here we are getting away from such things as "morally relevant differences" and are talking about something much more difficult to articulate, namely, the role of feelings and sentiment in moral thinking. We would be horrified by the use of the retarded in medical research. But what are we to make of this horror? Has it moral significance or is it "mere" sentiment, of no more import than the sentiment of whites against blacks? It is terribly difficult to know how to evaluate such feelings.¹⁴ I am not going to say more about this, because I think that the treatment of severely incapacitated human beings does not pose an insurmountable objection to the privileged status

principle. I am willing to admit that my horror at the thought of experiments being performed on severely mentally incapacitated human beings in cases in which I would find it justifiable and preferable to perform the same experiments on nonhuman animals (capable of similar suffering) may not be a moral emotion. But 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. I have been arguing that we are morally obliged to consider the interests of all sentient 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.¹⁵

Notes

1. Peter Singer, *Animal Liberation* (A New York Review Book, 1975).
2. Singer, 5.
3. Bernard Williams, "The Idea of Equality," *Philosophy, Politics and Society* (Second Series), Laslett and Runciman (Eds.) (Blackwell, 1962), 110-131, reprinted in *Moral Concepts*, Feinberg (Ed.) (Oxford, 1970), 155-171.
4. Richard Wasserstrom, "Rights, Human Rights, and Racial Discrimination," *Journal of Philosophy* 61, No. 20 (1964), reprinted in *Human Rights*, A. I. Melden (Ed.) (Wadsworth, 1970), 96-110.
5. *Ibid.*, 106.
6. H. L. A. Hart, "Are There Any Natural Rights?," *Philosophical Review* 64 (1955), and S. 1. Penn, "Abortion, Infanticide, and Respect for Persons," *The Problem of Abortion*, Feinberg (Ed.) (Wadsworth, 1973), 92-104.
7. Singer, 9.
8. Benn, "Equality, Moral and Social," *The Encyclopedia of Philosophy* 3, 40.
9. Singer, 266-267.
10. This conception of altruistic motivation comes from Thomas Nagel's *The Possibility of Altruism* (Oxford, 1970).
11. Williams, *op. cit.*, 157.
12. Kevin Donaghy, "Singer on Speciesism," *Philosophic Exchange* (Summer 1974).
13. Singer, 22.
14. We run into the same problem when discussing abortion. Of what significance are our feelings toward the unborn when discussing its status? Is it relevant or irrelevant that it looks like a human being?
15. I would like to acknowledge the help of, and offer thanks to, Professor Richard Arneson of the University