

THE MORAL STATUS OF ANIMALS

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Is moral concern something owed by human beings only to human beings? Certainly two thousand five hundred years of moral philosophy have tended to suggest that this is the case, surprisingly enough, not by systematic argument, but simply by taking it for granted. Yet this answer is by no means obvious, and it crumbles when exposed to the most childlike question of all, "Why."

Animals are the most culturally and materially significant part of our earthly home. The evidence for this is obvious, sometimes surprising, and sometimes very close at hand. Say for instance, the first prehistoric art was primarily about animals. Wolves are the likely model for human civilization. Cattle, goats and sheep were domesticated before crops. Cats melded into human society without becoming fully domesticated. Companion animals remain our closest personal relation with non-human nature. Billions of animals are used for human purposes including research, experimentation, food and clothing. This implies that animals are simply ordinary entities and do not come under the purview of morality.

The practical field of animal ethics is animal right. Animal ethics examines the beliefs that are held about the moral status of animals. But animal ethics does not presume that any particular point of view is good and right. It accommodates a number of approaches for trying to resolve animal-human moral issues. Animal rights, on the other hand, is a doctrine about how humans should treat animals and states that animals should have rights, somewhat like but not exactly the same as humans rights. Animal rights concentrates on sentient animals and its basic doctrine is that using animals for human gain is morally wrong and should be stopped. Animal right is a movement that intends to protect all animals from being exploited and abused by humans. This includes the use of animals for anything that causes them pain and suffering, such as medical experimentation, imprisonment in circuses and zoos, and fur production.

There is an ethical dilemma and inconsistency in applied ethics with regard to our treatment of human life as opposed to our treatment of all other life-forms. In the traditional Western moral philosophy human's despot like attitude or human chauvinism (what Ryder, and Singer called speciesism) is prevalent. Traditionalist claims that animals are inferior to humans in power, intelligence and evolutionary status. They are

neither moral agent, nor rational, neither possessed with free will, nor are they capable of linguistic expressions thus, they are not bounded by social contract to humans and so on. Many key philosophers of the past centuries have largely given negative view about animals and rejected their moral status or standing and therefore, their rights. Say for example, philosophers from Plato to Rawls have shown their preferences for human chauvinism, which make human and only human to be worthy of moral consideration.

What is moral standing? An individual has moral standing for us if we believe that it makes a difference, morally, how that individual is treated, apart from the effects it has on others. That is, an individual has moral standing for us if, when making moral decisions, we feel we ought to take that individual's welfare into account for the individual's own sake and not merely for our benefit or someone else's benefit. Say for example, a doctor who attends to the physical welfare of her patients and believes that it would be morally wrong to mistreat them. Suppose that she believes this, not because of any benefits she will derive from taking good care of them nor because she is afraid of being sued, but only because she has a genuine concern for her patients' well-being. Her patients have moral standing for her. On the other hand, take a farmer who looks after the welfare of his cows and who also believes that it would be morally wrong to mistreat them. But suppose he believes this only because mistreating them would decrease their milk production and their milk is an essential source of nourishment and income for his family. Although this farmer considers his cows' welfare, he does so only for the sake of his family and not for the sake of the cows themselves. For the farmer, the cows have no moral standing.

For approximately the last three decades, attention paid to the issue of the moral consideration of animals has grown spectacularly. Many key philosophers in the past centuries have largely given negative view about animals and rejected their moral status. Say for example, for Aristotle, the most important faculty is the power of reasoning and only humans can reason. He said that:

Plant exist for the sake of animals, brute and beast for the sake of man, domestic animal for his use and food, wild one for food and other accessories of life such as clothing and various tools. Since nature makes nothing purposeless or in vain, it is undeniably true that she has made all animals for the sake of man.¹

Aristotle concluded that we can use animals without considering what we give to human beings. Christian philosopher St. Thomas Aquinas argues that since the only beings that are rational are capable of determining their actions, they are the only beings towards which we should extend concern "for their own sakes". In his major work *The Summa Theologica* Aquinas followed the passage from Aristotle and made classification of sins. In the gradation of sins he has room only for sins against God, our neighbors and us. There is no possibility of sinning against nonhuman animals or the natural world². Aquinas believes that if a being cannot direct its own actions then others must do so; these sorts of beings are merely instruments. Thus, for Aquinas only human beings are capable of achieving the final end, all other beings exist for the sake of human beings and their achievement of this final end of the universe. Descartes thought that "... Animals are "thoughtless brutes", *automata*, machines. Despite appearances to the contrary, they

¹ Singer, P. *The Environment: Practical Ethics* 2nd edition, Cambridge University Press: Cambridge, 1993.

² *Ibid.*

are not aware of anything, neither sounds nor smells, heat nor cold: they experience neither hunger nor thirst, fear nor rage, pleasure nor pain. They are like clocks: they are able to do something better than we can, just as a clock can keep better time: but, like the clock, animals are not conscious....”³

Kant believed that animals are not conscious and may therefore, be used as a means to an end, as a way of getting something we want. The absence of language in the nonhuman species indicates their absence of thought. This is the view also held by Descartes and Kant who give priority to rationality and power of communication, which is necessary to form concepts. In the natural order human beings have highest reasoning capacity. Inanimate objects and plants do not have this ability. Natural objects are incapable of planning, reasoning, analyzing and organizing, using or creating language. Extraordinarily, even Wittgenstein, the most anti-Cartesian of all philosophers, shares the Cartesian bias against animal mentation by virtue of the absence of language in animals. In one passage he tells us that:

“If a lion could speak, we could not understand him; in another he suggests that it is conceptually impossible for an animal to smile. He also suggests that a dog cannot simulate pain or feel remorse, that an animal can not hope or consciously imitate, and that a dog cannot mean something by wagging its tail and a crocodile cannot think.”⁴

The point here is Wittgenstein’s reasoning is somewhat different from that of Descartes’.⁵ The comment about the lion suggests that since nonhuman species have a radically different form of life, we would not privy to it even if they did have a rule-governed language.⁶ So it is clear that human beings have supremacy over nonhuman nature which goes against the moral status of animals or nonhuman species.

These and other philosophers spelt tragedy for many animals by doing nothing that challenged the deep-rooted assumption held by human beings. For them, the claims of humans always have priority over the needs of animals. Some physiologists make clear in believing that, “in contrast to ourselves, animal behaviour is mechanical, driven by the dictates of nature and immune to the processes of reflective cognition that we take for granted. It is a black, silent existence that is not conscious of its own processes or, at the very most, a dark murky experience that does not compare with our own.”⁷

In the religious tradition like the Judaic-Christian tradition a kind of dualistic view is found where it is said that God is a supernatural and spiritual being who shares his spirituality only with human beings. No other beings have such kind of spirituality. According to the ancient Hebrew tradition in 1450 B.C. the divine creator created the world as good and man and woman in His own image. It is said in the *Genesis* that:

God said “let us make man in our own image in the likeness of ourselves and let them be the master of the fish, of the sea, the birds of the heaven, the cattle, all the wild beasts and the earth”. God created man in the image of himself, in the image of God He created them. God blessed them saying to them “Be

³ Descartes, *Discourse on Method*, (Portions reprinted in *Animal Rights*, edit. Regan and Singer), p.62

⁴ Wittgenstein, L. *Philosophical Investigations* Oxford: Blackwell, 1958, p. 90,153,166,174,224

⁵ For Descartes, language expresses thought and codifies it, but an individual being in a solipstic universe logically *could* have thought even in the absence of public language. (Rollin, Bernard E. *Thought without Language: The Unheeded Cry*, OUP: 1989)

⁶ Rollin, Bernard E. *Thought without Language: The Unheeded Cry*, OUP: 1989

⁷ Internet Resources

fruitful, multiply, fill the earth and conquer it. Be masters of the sea, the birds of the heaven and all living animals of the earth.⁸

However, 18th century might have witnessed a beginning of rescue for animals. In his work *The Decent of Man* in 1871, Darwin claims that a moral sense, a conscience, is present to some degree in many other animals.⁹ Jeremy Bentham wrote, “The question is not can they reason? Nor, can they talk? But can they suffer?”¹⁰ He thought that animals can feel pain and the essential attribute qualifying an animal to be under moral consideration is the capacity for suffering and no other reference is necessary, not the power of reasoning, nor consciousness or cognition. Darwin argues “natural selection cannot possibly produce any modification in a species exclusively for the good of another species.” Darwin mentioned that:

Man is a part of nature and one of the products of the evolutionary processes. That man is an ecological species but this species has evolved with such unique and unprecedented properties on the animal level that in man the biological evolution has transcended itself.¹¹

In addition to the careful observations he made, Darwin also pursued a variety of experiments on animal mentation. Darwin placed great emphasis on verifying any data subject to the slightest question. Furthermore, in *The Descent of Man* Darwin specifically affirmed that “there is no fundamental difference between man and the higher animals in their mental facilities,” and that “the lower animals, like man manifestly feel pleasure and pain, happiness, and misery.”¹² Joel Feinberg states that to have a right is to have a claim to something and against someone and declares that only beings that can be said to have interests are capable of claiming such rights.¹³ He also asserts that though animals cannot express their feelings and emotions verbally, they have interests especially the interest for not to suffer pain and seek pleasure. In other words, the interest of every being that has interest is to be taken into consideration and treated equally with the like interests of any other beings. Though philosophers have different views regarding the “criteria of consideration” but our consideration for others must not depend whether they are possessed with certain characteristics. For Bentham, if a being suffers, there can be no moral justification to refute to take its suffering under moral consideration rather its sufferings can be counted equally with the like suffering of any other beings. One clear sign of moral agency or under moral consideration is the possession of personhood. John Locke notes:

“the word *person*, is a forensic term, appropriating actions and their merit; and so belongs only to intelligent agents, capable of a law, and happiness and misery.

⁸ *Genesis* 1-3: 26, 27-28

⁹ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*, New York: Hafner Press, 1948, p. 310-311 and Singer, P. *Animal Liberation* 2nd edition, New York: Avon Books, 1990, p. 7-9

¹⁰ *Ibid*

¹¹ Dobzhansky, T. Human Nature as a Product of Evolution: *The Range of Ethics* Harold H. Titus, Morris T. Keeton, East-West Press Pvt. Ltd., New Delhi, 1972, p.123

¹² Charles Darwin, *The Descent of Man and Selection in Relation to Sex* New York: Modern Library, 1971, p. 448

¹³ Feinberg, J. Interest Theory of Rights, the Rights of Animals and Future Generations: *Philosophy and Environmental Crisis* edit. Blackstone, W. Athens: University of Georgia Press, 1974, p.48-68

This personality extends itself beyond present existence to what is past, only by consciousness, - whereby it becomes concerned and accountable..."¹⁴

Thus, it can be said that if the possession of personhood is a sign of moral agency, then animals are not far behind from moral consideration. Also Locke, while responding to Rene Descartes' claim that 'animals were simply machines', makes patent his belief in their mental lives. In somewhat inconsistently, he allows that they can reason, without the ability to abstract. After affirming that perception is indubitably in all animals, and thus that they have ideas, he asserts that if they have any ideas at all, and are not bare machines, we cannot deny them to have some reason.¹⁵ For Locke,

It seems as evident to me, that they do some of them in certain instances reason, as that they have sense; but it is only in particular ideas, just as they received them from their senses. They are the best of them tied up within those narrow bounds, and have not (as I think) the faculty to enlarge them by any kind of abstraction.¹⁶

In another passage, he ridicules those who would assert "that dogs or elephants do not think when they give all the demonstration of it imaginable, except only telling us that they do so."¹⁷ Also it is David Hume who, among the empiricists, most unequivocally affirmed the existence of animal thought and mentation. Perhaps the greatest sceptic in the history of philosophy, Hume nonetheless extends no doubt to animal mind. In Section XIV of the *Treatise*, "of the Reason of Animals," Hume affirms "next to the ridicule of denying an evident truth, is that of taking much pains to defend it; and no truth appears to me more evident, than that beasts are endowed with thought and reason as well as men. The arguments are in this case so obvious, that they never escape the most stupid and ignorant."¹⁸ Thus, it can be said that the certainty of animal thought is affirmed throughout subsequent empiricist British philosophy, with Jeremy Bentham and John Stuart Mill.

From a religious perspective some verses in the ninth chapter of *Genesis*, revealed the fact that that God made his covenant with Noah to include not only human beings but also animals.

Verse-12: And God said this is the token of the covenant, which I make between one and you and every living creature that is with you for perpetual generations.

Verse -15: And I will remember my covenant, which is between me and you and every living creature of all flesh; and the waters shall no more become a flood to destroy all flesh.

For Kant, there can be more extensive indirect duties to animals. These duties extend not simply to the duty to refrain from harming the property of others and the duty to not offend animal lovers. Rather, we also have a duty to refrain from being cruel to

¹⁴ In addition to the normative component, there is also a descriptive component of the concept of person. A person, as Locke says, "is a thinking intelligent being, that has reason and reflection, and can consider itself as itself, the same thinking thing, in different times and places ..." Besides self-awareness and intelligence (including the capacity to reason), autonomy to some extent can be considered as another essential part of personhood. (John Locke, *An Essay Concerning Human Understanding* edit. A. C. Fraser, New York: Dover Publications, 1959, p. 467)

¹⁵ John Locke, *an Essay Concerning Human Understanding* New York: Dutton, 1871, p. 117

¹⁶ *Ibid*, p. 127

¹⁷ *Ibid*, p.87

¹⁸ Hume,D. *A Treatise of Human Nature* Oxford: Oxford University Press, 1968, p. 176

them. Kant argues that our duties towards animals are merely indirect duties towards humanity. “Animal nature has analogies to human nature, and by doing our duties to animals in respect of manifestations of human nature, we indirectly do our duty to humanity.... We can judge the heart of a man by his treatment of animals.”¹⁹

In *Animal Liberation* Peter Singer, the founder of modern practical ethics claims moral concern for animals. Translated into over seventeen languages this book in the twentieth century started a chain reaction of thought and publications, about animals and why they matter morally. According to the exponents of animal ethics, animals have soul, mind and feelings; therefore, they have moral rights. Paul Taylor rejected the view that only human beings have soul and therefore, nonhuman beings are subservient to human beings as held by the Cartesians. Keeping this view in mind Taylor asks, ‘Why substances like soul that adds value to its possessor’. ‘An immaterial soul, which does not think have value only if thinking itself has either instrumental or intrinsic value’²⁰. Why is the existence of soul, the only criteria for having moral rights? Nonhuman beings, like some higher animals have their mind, to some extent similar like humans; they have sense experiences. They are capable of expressing their feelings, sensations, happiness and anger. But it needs proper observation to understand them. They are able to reason in their own way. Wild animals defend their own lives because they have a good of their own. Animals hunt and howl, seek shelter, build nests and sing, care for their young, flee from threats, grow hungry, thirst, hot, cold, tired, excited, sleepy, and weak, seek out their habitats and mates. They suffer injury and lick their wounds. They can know their security and fear, endurance and fatigue, comfort and pain. All these, make us understood that man is not the only measurer of all things and intrinsically valuable.

Question may be raised that do nonhuman animals have sentience, awareness, self-consciousness, thoughts, beliefs or desires? The questions regarding the mental status of animals thus, have important ethical consequences if we assume that one’s moral status is at least partly a function of one’s mental status. There are also certain non-mental features relevant to the moral status of an individual. One may argue that an individual can come under the purview of morality without mental status e.g., perhaps simply by virtue of “being alive”. Thus, it seems clear that one’s mental status is an important determinant to come under the purview of morality and certain species at a certain stage of development have mental status.

In fact, Kant is right in thinking that we have direct moral duties only to rational beings and indirect duties towards animals.²¹ Jeremy Bentham and Peter Singer are right in believing that the capacity to suffer is sufficient for coming under the purview of moral concern.²² In both cases, mental status of an individual has consequences regarding how we should or should not treat the individual and requires answering some difficult questions regarding the nature of mind. One may say that there are different kinds of reasoning, say for example, theoretical, mathematical, practical, inductive, causal, and normative. But the point remains here is that, if we think that the capacity to reason

¹⁹ Kant, *Lectures on Ethics*, L. Infield (trans.) New York: Harper Torchbooks, 1963, p. 239-240

²⁰ Taylor, Paul W. *Respect for Nature* Princeton University Press, Princeton: NJ 1986

²¹ Kant, *Lectures on Ethics*, L. Infield (trans.) New York: Harper Torchbooks, 1963, p. 239-240

²² Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation* New York: Hafner Press, 1948, p. 310-311 and Peter Singer, *Animal Liberation* 2nd Edition New York: Avon Books, 1990, p. 7-9

makes an individual an object of moral concern, we need to decide which varieties of reasoning and to what degree are the most ethically significant?²³

It can be said that moral status of an individual is a function of its mental status. Particularly in case of moral agency this seems to be true. It is arguable that being a suitable object of moral concern does not require moral agency. According to Bentham and Singer, the capacity to suffer is enough to make an individual a potential object of our moral obligations, even if the individual does not qualify as an agent that bears moral responsibility for its actions. So the question arises: Do any nonhuman animals qualify as moral agents?

According to Charles Darwin a moral sense, a conscience, is present to some degree in many other animals.²⁴ Gould and Gould note that “dolphins keep injured members of the group afloat, vampire bats share food with starving inhabitants of their colony, [and] childless elephants help from a defensive circle to protect the young of the herd.”²⁵ This is called behaviour characteristic of altruism, i.e. behaviour which is normally associated with genuinely altruistic mental states like in human beings. Yet, whether mental status is necessary for altruism that really underlies “caring” behaviour of these animals, remains a significant question. It requires a conceptual inquiry into the nature of altruism along with difficult empirical investigation which is needed to provide adequate evidence for or against its presence in other animals.²⁶

There are significant continuities between the cognitive life of some non-linguistic animals and the cognitive life of human animals. Some species of animal are genuine thinkers in much the same way that humans count as genuine thinkers. According to Bermudez²⁷ a genuine thinker is that kind of thinkers who behave in ways that reflect their desires and their beliefs about the environment. There are also others who can be considered as genuine thinkers in a weaker sense - the sense characterized by Bermudez as “minimalist conception of non-linguistic thought.” Even at the minimalist level we are dealing with forms of behaviour that cannot be explained purely in terms of conditioning or innate releasing mechanisms. Animal ethicists who think that moral significance of animals is a function of their level of cognitive sophistication will need to take account of the subtle gradations between different types of thinking without words. They also need to consider the limits to non-linguistic thought. There are serious consequences in making the moral significance of animals depending upon the capacity for higher-order thought. By a “higher-order thought” Bermudez means a thought that takes another thought as its object. Thoughts about another’s mental states count as higher-order thoughts, for example, as reflection does on one’s own mental states. As Bermudez brought out with reference to non-linguistic “mind-reading” and non-linguistic reasoning, non-linguistic animals can get a long way without thinking about thinking.

²³ Robert Francescotti ‘Animal Mind and Animal Ethics: an Introduction’ the Journal of Ethics 11:2007, p.239-252

²⁴ Darwin, *The Descent of Man, and Selection in Relation to Sex* London: D. Appleton, 1897, Chapter 4

²⁵ J. L. Gould and C. G. Gould, *The Animal Mind* 2nd Edition, New York, 1999 p. 150

²⁶ Deceptive behaviour is another possible source of evidence for the kind of higher-order intentionality involved in moral agency. Desiring to produce a false belief in others, and acting upon that desire, might be enough to make one morally blameworthy for one’s action - provided there is suitable autonomy involved. (J. L. Bermudez, *Thinking without Words*)

²⁷ J. L. Bermudez, *Thinking without Words*, Oxford: Oxford University Press, 2003

Those who are experimenting on animals like researchers are doing so, for the benefit of humans and argument on this variety is essentially utilitarian. It is based upon the calculation of the net product, in pains and pleasures, resulting from experimenting on animals. The reason is nonhumans are so different from humans that we cannot know whether they suffer. But the defender of vivisection cannot use this argument because he stresses on the point that there are a lot of similarities between human beings and other animals. Researchers experiment on rats, which have nervous system very similar to humans. For them, the way a rat reacts with electric shock is presumably similar with that of a human. They consider it normal and regard animals as statistics rather than sentient beings with interests. Thus, the experimenter shows a bias for his own species, when he carries out a painful experiment on a nonhuman, thinking that it would not be justified for him to experiment on a human. If this bias is eliminated then the disparity of thought between man and animal and animal experiments will be less. Thus, it can be said that using animals in research as ‘experimental torture’ and the scientist’s and the vivisectionist’s satisfaction at discovering knowledge through animal experimentation is “pathological”. From Singer’s animal liberation manifesto, it can be observed that moral obligation towards animals and their well-being may be interpreted in two ways.

- Obligations and duties to the nonhuman animals may be based upon the principle that cruelty to the animals is obnoxious. People must not inflict any needless pain on animals especially for profit. It is considered as a moral revulsion. It is not just pain in animals but the way it is inflicted which justifies moral outrage.
- Human beings are obliged to prevent and relieve animal suffering. So far as philosophical claims like animal equality is concerned it is an obligation to serve or protect the interest of all animals who suffer whether in the farm or in the wild forest.

‘Whether animals have rights or not’ is a controversial question in environmental ethics. Bentham’s conception of “suffering and pain”, Singer’s conception of “sentience”, and the concept of “potential autonomous beings” perhaps strengthen us to say that they have moral status. Even a deeper study of biology reveals that those species that have nervous system are capable of feeling, suffering and pain. But when we talk about animal rights we simply deal with the issue that whether animals have rights for not to be tortured by humans. The best thing we can say about animal rights is to say that if we human beings have rights then it can rationally and morally be extended to the animals of some kind i.e. mammals. It is we human beings, inflict rights on them and that is a kind of indirect obligation towards them. So, on the basis of suffering and pleasure or nervous system we can not say that they have rights. Rather we can say that they are not to be killed by us unnecessarily for our non-basic or luxury needs and we are not to be so cruel towards them.

If animals are sentient and the capacity to come under substantive moral concern match together does it follow that animals have rights? One answer may be given that though animals are sentient and feel pain and pleasure, they do not enjoy happiness and unhappiness in the way as human beings feel.²⁸ But this does not justify us to claim that animals do not suffer and therefore, not sentient. *The objective of this paper is not to*

²⁸ Sprigge, T.L.S. *Respect for the Nonhuman: The Philosophy of Environment*, edit. T.D.J Chappell, Edinburgh University Press 1983

establish the whole arguments and the issues of a typical animal right activist, but to persuade others that there are examples of animal rights.

The philosophical question in animal right is not that it is wrong to kill animals, but that why it is wrong. Following Aquinas and Kant, many philosophers will say if people treat animals as instruments then this attitude will develop a habit, which may be extended towards the treatment of fellow human beings. People who tortures animal will torture human. According to Kant, we should be kind to the animals since that will help us to treat our fellow human beings with greater consideration. "That is, our duties to animals are simply indirect duties to other beings. Tender feelings towards animals develop humane feelings towards mankind.²⁹ That is why killing animal is wrong. Also for Kant, we can judge a heart of a man by his treatment towards animals. The more we come in contact with animals and observe their behavior, the more we love them, because we see how great is their care for their young. It is then difficult for us to be cruel in thought even to a wolf." If human beings have rights because they have life and being alive makes those intrinsically valuable then this line of thinking can rationally be extended towards animals. Our duty is to put an end to the harm towards animals and the belief that they are made to endure sufferings and pain. Animals cannot speak out themselves on behalf of them. They cannot organize, march, and file petitions by using their conscience as we humans do. But all this cannot weaken our obligations towards them. Their importance in ecology makes our obligation more meaningful and strong.

Tom Regan another exponents of animal rights, believes that animals have same moral status as human beings, which is grounded on the concept of 'inherent value'. He argues that any being that is a 'subject-of-a-life' has inherent value.³¹ If a being has inherent value then we must show respect to that being. In order to show respect to a being we cannot use it merely as a means to our ends rather such a being must be treated with end in itself. From Regan it can be said that a being with inherent value has rights and these rights act as trumps against the encouragement of the overall good. Regan claims that when we raise animals for food and when we experiment on animals to develop human science, we are using animals merely as a means to our ends. But we need to treat them as ends in themselves. T.L.S Sprigge suggested that there are some basic animal rights, not the only basic animal rights, which can be summed up in the following ways.³²

- Each animal has a right for not to be subjected to serious suffering, except for its own sake (e.g. medical treatments by moral agents i.e. human beings).

²⁹ Kant, *Lectures on Ethics*, L. Infield (trans.) New York: Harper Torch books, 1963

³¹ One may ask, what are the criterias of a 'subject-of-a-life'? According to Regan if a being have belief and desires, perception, memory, a sense of the future, an emotional life together the feelings of pain and pleasure, the ability to initiate action for pursuit of desires and goals, a psychological identity over time, 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 interests. These properties are in all human beings and on the basis of that we think that they have rights. But these properties are also present in many animals especially in the mammals. Thus if human deserves rights then so do animals like mammals? (Regan, T. *The Case for Animal Rights* Berkeley: Univ. of California Press, 1983)

³² Sprigge, T.L.S. *Respect for the Nonhuman: The Philosophy of Environment*, edit. T.D.J Chappell, Edinburgh University Press 1983

- Each animal, in so far as its life is under control of human agents has a right to life of worth living and in particular to an environment in which it can involve in a fair amount of its inherited behavior patterns.
- Each animal has a right to some respect by human beings as a fellow conscious subject.

We do grant that humans have comparable rights to these above rights because each human being is an individual capable of enjoying its life or being miserable. This is equally true with animals so they must have kindred rights. Among the rights that some philosophers have attributed to nonhuman animals is the right to life. If animals have a right to life, then it must be asked, what specific moral duties do we have towards them? Clearly, one duty we would have to them is a duty to refrain from killing them. But does an animal's right to life also entail that we have a duty to assist animals in preserving their lives when they are endangered? It is often thought that human right to life entails not only a duty not to kill humans but also a duty to assist humans in preserving their lives. So, it seems that if animals have a right to life, it follows that we also have a duty to assist animals in preserving their lives.

This provides the background for a unique objection to the view that animals have a right to life. It is a fact of nature that animals routinely die in their natural habitat. They are killed by predators which depend upon killing prey for food in order to survive, or they suffer death from starvation or disease. Some philosophers have suggested that if animals truly have a right to life, then we morally ought to interfere in the wild to help animals in preserving their lives, whether this means protecting animals from their predators or feeding them for which they do not starve to death. But the idea that we ought to save wild animals from their predators or from starvation seems absurd difficult to accept for most of us. Thus, according to the objection, it is not reasonable to think that animals have a right to life.

In his article, 'Animal Liberation and Environmental Ethics: Bad Marriage, Quick Divorce', Mark Sagoff describes the condition of animals in their natural habitat. He states that "Nature ruthlessly limits animal populations by doing violence to virtually every individual before it reaches maturity; these conditions respect animal equality only in the darkest sense."³³ What is this violence that nature routinely does to animals? Sagoff explains, "The ways in which creatures in nature die are typically violent: predation, starvation, disease, and parasitism, cold".³⁴

Following this description of the conditions for animals in the wild, Sagoff suggests that if it is true that animals have basic rights like, right to life then we ought to be committed to assisting animals in preserving their lives and relieving them from suffering. For Sagoff,

If people have basic rights - and I have no doubt they do - then society has a positive obligation to satisfy those rights. It is not enough for society simply to refrain from violating them. This, surely, is true of the basic rights of animals as well, if we are to give the conception of "right" the same meaning for both people and animals. For example, to allow animals to be killed for food or to permit them to die of disease or starvation when it is within human

³³ Sagoff, M. 'Animal Liberation and Environmental Ethics: Bad Marriage, Quick Divorce' *Environmental Philosophy* (3rd edition), ed. M. Zimmerman, Upper Saddle River, NJ: Prentice-Hall, 2001, p. 89

³⁴ Ibid, p. 92

power to prevent it does not seem to balance fairly the interests of animals with those of human beings. To speak of the rights of animals, of treating them as equals, of liberating them, and at the same time to let nearly all of them perish unnecessarily in the most brutal and horrible ways is not to display humanity but hypocrisy in the extreme.³⁵

Although we do not believe that we have a duty to save wild animals from predators, but we can think that we have some duties to animals, both wild and domesticated. For example, if it is within our control to save animals from drowning or other natural accidents, without great risk to ourselves, then we ought to do so. Similarly, we ought to try to save animals from human-caused accidents, such as when animals are under cars. We also have a duty to protect animals from intentional killing or harm by humans.

It can be said that if animals have a right to life, then we have a duty to save animals from being killed by predators in the wild. However, it is absurd to think that we have a duty to stop predators from killing their prey, and therefore, it is absurd to think that animals have a right to life. In response to this objection, it can be argued that though we have no duty to save wild animals from their predators but it does not follow that animals do not have a right to life i.e. a right for not to be killed. This is because whether we have a duty to save another being's life in a given situation depends on a number of factors other than whether that being has a right to life. In fact, there may be cases in which we must allow some humans to die, even when it is within our purview to save them, but this does not mean that those humans do not still have a right for not to be killed. Similarly, in the case of predators, we must allow wild animals to be killed because saving them on any large scale would have disastrous ecological consequences, but this does not mean that animals do not still have a right for not to be killed. We do have a number of duties to preserve both domesticated and wild animals' lives, just not when doing so would result in ecological catastrophe.³⁶

Even if we think that animals do not have any rights and therefore, there may be nothing wrong in treating animals in ways in which it would be wrong to treat humans, the fact remains that animals are mistreated and this mistreatment of animals raises questions that as individuals, what we should do. If we consider rearing of animals for food especially, when it involves some of the methods currently employed is wrong, then, by becoming vegetarians, we can refuse to participate in this method. If we think that using animals to test cosmetics or killing animals for their fur is wrong, then we can refuse to participate. It may be suggested that before asking the question that 'do animals have rights' we must examine our treatment of animals far more carefully and be guided by our answers to the following questions.

- Is the treatment being dictated by our love or excitement or pleasure, or by the desire to maximize profit? If so are we not being selfish?
- Has due account been taken to the fact that sentient beings are suffering and dying? Are there alternative ways of achieving the same or similar ends?

³⁵ Ibid, p. 91

³⁶ Simons, A. 'Animals, Predators, the Right to Life, and the Duty to Save Lives' *Ethics & the Environment*, 14(1), 2009, p.26.

- If habitats have to be destroyed, can the effects be minimized? Can alternative habitats be found?

In twentieth century, many empirically-oriented philosophers and scientists were sceptical about attributing mentality to other animals. But their attitude is not at per with the beliefs of their empirically-minded ancestors. Accepting Bernard Rollin it can be pointed out that Locke, David Hume, Bentham, John Stuart Mill and Bermudez credited other animals with a variety of mental states, from the capacity of feeling pain to the ability to reason and genuine thinking, with the scientific culmination of Darwin. In *Animal Mind: Science, Philosophy, and Ethics* Rollin offers useful information about how this change in ideas came about. He mentioned: "In 1982, I was asked to respond to a noted pain researcher who gave a speech at a conference saying that since the electro-chemical activity in the cerebral cortex of dogs was different from that of humans, and the cerebral cortex was the area that processed pain, the dog "did not really feel pain as humans did." My refutation was singularly brief. I asked him, "As a prominent researcher in pain, you do your research on dogs." "Yes," he replied. "You extrapolate your results to people?" I queried. "Of course," he said, "that is why I do my work." "In that case," I said, *either your speech is false or your life's work is.*
