

# **Dr. James S. Spiegel, Christian Ethics, Session 18, Animal Rights**

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This is Dr. James Spiegel in his teaching on Christian Ethics. This is session 18, Animal Rights.

Okay, our final issue here is animal rights.

And we'll tackle the question, what rights, if any, do animals have? And correlatively, what sorts of duties or obligations do we have towards animals? Now, the most controversial practices related to animal rights issues are those related to factory farms and biomedical research. Here are some factory farming statistics. Globally, about 70 billion farm animals are bred for consumption.

In the US, 99% of farm animals are factory farmed. The majority of antibiotics worldwide are fed to farm animals. Factory farm cruelty facts reveal that 94% of Americans say they believe that animals bred for consumption shouldn't suffer.

Which may be a surprisingly high number given the extent to which Americans consume meat. Factory farming is the top cause of water waste in the US. Around 260 million acres of forest in the US have been cut down to produce food for farm animals.

In the US, it's estimated that 40% of agricultural emissions come from factory farms. Globally, dairy cows produce 3.7 billion gallons of excrement daily, which has been noted as a significant impact on the environment. A number of these issues are environmentally salient.

The father of the contemporary animal rights movement is Peter Singer. In his 1975 book called *Animal Liberation*, he makes the case for animal rights. He spends a lot of time informing readers of the facts regarding factory farming.

So, his thesis is that all animals deserve equal consideration. All animals deserve equal consideration. He notes that equality is a moral idea.

It's not an assertion of fact, which seems plainly obvious. No two people, in fact, are alike exactly from a physical or intellectual standpoint. But equality is something that we all affirm as a significant and important value and ideal in our society.

He notes it's a moral idea, not an assertion of fact. Concern for others ought not to depend on the abilities that they possess. That goes for animals as well.

Because of this, we must condemn speciesism. He coins the term speciesism, which is like sexism or racism in a certain respect. It's a way of tagging those who are guilty of a certain kind of prejudice or bigotry.

He defines speciesism as a prejudice or attitude of bias toward the interests of members of one's own species and against those of members of other species. So, we shouldn't maintain that prejudice. It's a natural one. Just because we are, he would argue, this is a primary reason for the prevalence of speciesism.

We are the ones in control as human beings. We control the cows, the pigs, the chickens, and other animals. So, it's easy to favor ourselves and our own interests at the expense of these animals just because we are the ones that have higher cognitive functions and we are in control.

But that is not something that justifies any kind of moral privilege on our part. He says, quoting him, that The capacity for suffering and enjoyment is a prerequisite for having interests. And any being that can suffer, just because of the fact that they suffer, that is sufficient reason to recognize that they have rights.

If an animal can suffer, then it has interests. And if it has interests, then it has rights. He says that to mark the boundary of concern for others by some other characteristic, like intelligence or rationality, would be to mark it arbitrarily, so what criterion should we choose as a way of demarcating where concern is appropriate for another being? He says that whatever criterion we choose to single out, those who have a right to life will not include all and only members of our own species.

If we rule out higher mammals because they don't have a certain level of intelligence, then by doing so, we're going to rule out certain humans because there are certain higher mammals, higher primates, that are more intelligent than some humans because of either their age or because of developmental issues when there's a cognitive developmental disability. So, the best criterion that we have, Singer argues, is the capacity for suffering. But, he deals with this objection: what if animals are incapable of suffering? What if Descartes is right, and animals are basically machines; there's no consciousness there, and there's no ability to suffer? Singer's response to that is two-fold.

We have good reason to believe that animals can suffer, just as a matter of analogy. When we look at how they respond, if you just step on a dog or a cat's tail, it's going to yelp or screech. That's the kind of behavior that's consistent with experiencing pain and having a negative mental state.

So, there's that. And then, we also know, just from physiological similarities, that animals feel pain. Their central nervous systems are so much like our own,

particularly among mammals, that they must feel pain and pleasure very much like we do.

So, animals are capable of suffering, and they are capable of experiencing pleasure as well. He notes that while the capacity to suffer implies that animals are due moral consideration, it does not imply that they're due the same moral consideration that's due to humans. So, he does nuance his position a bit here.

Another advocate of animal rights is Tom Regan, who makes a different sort of argument. It's not based on utilitarian reasoning as Singer's is. Regan argues that all animals have equal inherent value just because they have a kind of basic awareness and state of consciousness.

So, they should be treated with respect. They are experiencing subjects of life, and that's sufficient to guarantee that they have certain rights. He says inherent value cannot be limited to human beings because we're so similar in many respects to other animals.

We tend to regard fellow human beings as valuable because each of us is an experiencing subject of life. But then, why not extend that to other animals who also are experiencing subjects of life? He says that all have an equal right to be treated with respect and not to be reduced to the status of a thing. Now, an objection that may be made here is that, no, only humans have inherent value because only we have the requisite intelligence, autonomy, and reason.

Sure, my dog, Austin, has genuine experiences and feels pain and pleasure, and so on, but she's not truly intelligent, certainly not autonomous. She does not act for pre-established ends or aims and views. She can't reason.

Regan's response to that kind of argument is, again, as Singer notes, many human beings don't have these abilities, infants and mentally disabled adults, for example. Yet, we recognize that they have inherent value. So, if we're going to extend recognition of inherent value to severely mentally disabled infants or adult human beings as well as infants, then we should extend it to animals as well.

So, Regan argues that all who have inherent value have it equally, whether they be human animals or not. Another objection is this. Why should we accept the claim that all who have inherent value have it equally? That's something that Regan never demonstrates, and it's an area where he should, I would maintain, be more like Peter Singer in recognizing that not all rights, or in this case, inherent value, are equal.

Sure, I can recognize that a dog or a cat or a chimpanzee has inherent value, but it doesn't follow that these animals have the same inherent value as human beings. Now, under the question of biomedical research, we can ask, what about the ethics

of biomedical research on animals? Is this morally permissible? There are a number of strong animal rights advocates who would oppose this. I would assume that Regan and Singer would oppose that, for reasons that are evident in the logic of their arguments for animal rights.

R.G. Fry supports the use of animals in medical research, and he defends his position, interestingly, without appealing to the concept of rights at all, which he believes is fraught with problems. His argument is grounded in the notion of quality of life, which appeals to I'm sorry, which people of any moral persuasion can affirm. He notes that it's a creature's quality of life which determines whether it deserves moral consideration.

Moral standing, he says, turns on whether a creature is an experiential subject with an unfolding series of experiences that, depending on their quality, can make the creature's life go well or badly. He says the value of a life is a function of its quality, its quality of its richness, and the richness of its capacities or scope for enrichment. And because animals' lives have a certain quality, their lives have value, but not the same value as a normal adult human life.

I think this is a sort of qualification that someone like Regan should be open to. Fry challenges the notion suggested by Singer that this is speciesist because it's not on the basis of our belonging to the human species that our lives tend to have more value than that of animals. It is just based on the fact that we have a certain quality of life.

Now, this raises some interesting questions with regard to Fry's view because we could ask, well, what about those human beings that don't have the same quality of life? Those people who are developmentally disabled don't have the same level of quality of life as the rest of us who have a certain higher cognitive function. And it's for this reason that Fry actually grants that experimentation on certain human subjects, just as we experiment on animals, would be appropriate, which is, I think, a kind of reduction of his view to absurdity, at least from a Judeo-Christian standpoint, that he would take that view. But he bites the bullet.

I have to give him credit for that. But that's the approach he takes to the whole matter of biomedical research and animal experimentation. So, Andrew Tardif, let's now turn to his case for vegetarianism.

He argues for an obligation to vegetarianism. He does so using a theological argument. He says the obligation to avoid deliberately killing animals for food or to avoid buying them, even if one does not kill them oneself.

So, his case is not against eating meat, per se. He makes this argument based on something we've already talked about in the context of euthanasia and physician-

assisted suicide: the principle of double effect. And he draws a bit from a scholar named Thomas Higgins in this context.

So, he points out that according to the principle of double effect, it would not be reasonable to allow a grave evil for a relatively insignificant good. As Tardif puts it, even if a good outweighs the evil in question, the action is unlawful if, quote, the good effect could have been secured without the evil effect. This has to do with one stipulation within the principle of double effect, which is that the means of achieving good should not be evil.

You shouldn't use evil as a means of achieving a good effect. So, he points out in his argument, appealing to the whole idea of the hierarchy of being, that in the created order, there's a kind of hierarchy of beings of greater and greater value and worth, from inanimate nature to, say, microscopic organisms up through worms and insects, fish, amphibia, reptiles, mammals, humans, and then up through the angelic order to God. So, there's a kind of hierarchy of being.

This idea is much more commonly espoused in the medieval period, but that he would maintain those coming out of the Judeo-Christian tradition today should be affirmed. So human beings are higher on that hierarchy than animals, which are higher than plants, which are higher than non-living things. We should respect this hierarchy of values when it's possible.

It should regard each kind of organism appropriately according to its place on the hierarchy. That's why most of us don't think twice about swatting a fly or killing a mosquito. But we would be horrified if someone just as casually killed a dog or a cat or even a bird because we intuitively recognize there's a hierarchy there.

If you're going to kill an animal, then, you know, doggone it, you better have good reason to do so. But we never demand good reasons from people when they step on an ant or swat a fly. So when we combine this notion of the hierarchy of being with the principle of double effect, it seems that, according to Tardif, whenever a person can serve his ends by killing plants instead of animals, then he may not kill animals since, as ontically superior to plants, doing so in those circumstances would constitute more than necessary violence.

Otherwise put, he says, killing animals to maintain life and health would violate the condition of proportionate good since it would be destroying animals to achieve ends that can be achieved at the expense of lesser goods and plants. So, quoting him some more, Tardif says that anyone who could live well on a vegetarian diet would, other things being equal, be obliged to adopt it because this option would secure the greatest goods of his life and health while doing the least amount of evil. So basically, the idea is that you can achieve just as much health and well-being in your life by eating plant products as you can by eating animal products.

If you live a completely vegetarian diet and avoid eating meats, then you're doing a lot of good by avoiding participation in cruelty to animals or increasing their suffering. Physically, you're doing just as well as you would otherwise. This kind of ignores a further argument that a vegetarian diet is actually healthier.

Some argue on those grounds, and he mentions it actually here when he talks about the nutrition dimension of this. You don't need to make an argument for nutrition to advance this argument. He notes that a vegetarian diet, at least, is just as nutritious as that of the omnivore, the meat eater.

And he notes that, if anything, it's a healthier diet. So much so that it's usually assumed that when a person becomes vegetarian, it's for health reasons. I know I practice a cruelty-free diet.

I generally avoid factory-farmed meats. And when I tell people that I generally avoid eating meat, they'll say, you do it for health reasons or otherwise? Because they recognize that there are often tremendous health benefits to avoiding or minimizing meat in the diet. Okay, you could make that kind of argument, but for the sake of his argument, you don't need that.

There's the moral argument that's sufficient. A second consideration is availability. In our culture, as in most developed countries, we have convenient access to plenty of non-animal food products.

And we can have a very robust vegetarian diet year-round. So that's not a worry for us in the West. I don't know if it would be that much of a worry in the vast majority of other countries as well.

Certainly, more efficient, I've been told. It's much more efficient to eat grains, vegetables, and fruits than to eat meat from animals that have been feeding on all these grains. And so many of these grains actually provide protein.

In particular, nuts and other non-animal products can provide a lot of protein. Here are some objections that are sometimes made. One is the objection from pleasure.

Meat tastes good. Feels good to chew meat. And the flavor you get out of a steak or pork, pork chop, or baby back ribs, it's good.

So many will really emphasize the pleasure that we can get out of eating meat. Doesn't that provide a proportionate reason for killing animals in order to get it? Tardif pushes back by noting that there are lots of delicious meat-free foods and the pleasure of eating meat is not that great, such that treating an animal cruelly would

justify that. With the advent of some of these plant-based hamburger substitutes, I think this argument is especially strong on his part.

I'm a big fan of the impossible Whopper, and I've not been paid by Burger King or anybody else to say that, but it is astounding to me how much this thing tastes like a real Whopper. I can't tell the difference. So, I probably eat at least once every couple of weeks, and I'll get an impossible Whopper burger.

I think I might get one this afternoon. In fact, I've made myself hungry for it. But it's amazing now that with the technology we have, we can create meat substitutes.

It tastes, in my mind, just as good as the real thing, and that is healthier because you don't have all the nitrites and nitrates that are in actual red meat. Anyway, even if there was a significantly greater pleasure in eating meat, Tardif argues that it's not enough to warrant killing an animal for it. Another objection is the economic objection.

If everybody became a vegetarian, it would cause economic upheaval. It's a worry that some express. I don't know how seriously they make this argument, but sometimes you hear it.

In response, Tardif says that even if everybody became vegetarian, it would only cause economic problems if it happened abruptly. It's not going to happen that tomorrow, everybody suddenly becomes a vegetarian, or even a huge chunk of the population becomes vegetarian. It would happen very gradually, and markets would adjust.

Look at how much this has happened already in terms of restaurants and grocery stores. They've made changes in terms of offering vegetarian options because there's an increased demand for this. The market will adjust, and it will happen gradually, so there's no need to worry about economic disaster as a result of this.

If people do become, well, as people are increasingly becoming more sensitive to this issue and changing their eating habits accordingly. Well, let's look next at biblical arguments for animal care. What sorts of considerations should figure in our thinking regarding this issue from a biblical standpoint? One point we can begin with has to do with divine ownership, which is that God owns everything in this world.

He is the owner of the entire universe, and that includes planet Earth and everything that is in it, including human beings and every animal on every hill and every bird and every tree, as the psalmist says in Psalm 50. The earth is the Lord's and everything in it, another psalm says. So, God owns everything, and disrespect towards any aspect of nature is indirect disrespect towards God.

Cruel treatment of animals is disrespectful, not just to them, but disrespectful towards God. So, we have a duty to treat them humanely. Secondly, there are divine commands that pertain to the treatment of animals that are easy to overlook.

Traditionally they haven't really been highlighted, but they're there in scripture. The Bible gives us specific directives regarding care for animals. One of them appears in Exodus 23, where God commands the Israelites to extend the Sabbath rest to animals.

Ox, oxen, and donkeys should rest as well. Deuteronomy 25:4 says not to muzzle the ox while it's treading out the grain. And Proverbs 12:10 says the righteous care for the needs of their animals.

It's something a righteous person does, and they take care of their animals. I think about that verse literally every morning when I go out to our backyard into the chicken coop that houses our four chickens. And I give them their chicken scratch and let them out of the inner part of the coop.

I'm trying to be a righteous man in this regard, too, watching over the cares of these very unintelligent animals. Chickens are very stupid animals, quirky little beasts. But I have a duty, even though they're very low in intelligence, to take care of them and provide for their needs as I do for my cat and my dog.

And that's just part of fulfilling a biblical mandate, the cultural mandate to care for creation. But it's interesting to know these specific commands in scripture regarding the care for animals. Then, we have already talked about the hierarchy of ideas, which are beings that differ in terms of their various perfections.

The propriety of our treatment of any being may be assessed according to its place in the hierarchy as we talked about with Tardif's argument. So, what is the upshot here? The argument can be made that we have a two-fold moral duty towards animals.

Even if we don't want to go so far as to say that animals have rights, which is not something that I would declare about animals, that seems too strong of a term. Most animal welfare theologians, like the late great Stephen Webb, who is a friend of mine, have written a lot on this topic.

Andrew Lindsay and others tend to avoid language rights. They like to talk more about animal welfare, animal care, and compassion. I think that's the right way to go.

We have a two-fold duty towards animals. One, to care for them in a way that's respectful of God. They're God's pets.



And if you are going to hunt, then there's a right way to do that in terms of minimizing pain and suffering there. There are irresponsible ways to do it. And if you're going to eat meat that was acquired some other way, then avoid supporting a system that causes so much suffering.

There are ways that we can support animal products and processing that are not inherently cruel. Free-range means free-range pork, chicken, and beef. That's something that we could support.

Or just abstain from eating meat altogether. So, the second part of this would be to treat animals in a way that's appropriate to their nature as conscious beings with needs and the capacity to suffer. If we keep these things in mind, that will imply perhaps some adjustments in one's buying and eating behavior.

But that would be my recommendation. It's a kind of serious consideration of animal welfare. It will also prompt us to reconsider our support, whether directly or indirectly, of factory farms.

Just because in factory farms, huge numbers of animals are processed, and that often or typically involves a certain amount of cruelty. Circuses. Frequently, animals in these contexts are trained in torturous ways.

Something that was done for many years in circuses, at least in certain contexts, kind of typifies that. Where, say, a donkey or a horse would walk off a high dive, fall down into the water, and do so without much force. Maybe being prompted a little bit.

But think about what it would take to train an animal to do that voluntarily. And what would be used would be electrical prods. It's just jumping into that pool of water as frightening as it would be to the animal.

It's better than being electrocuted. But even today, in circuses in various places, animals that are trained to do all sorts of things that are unnatural, very unnatural, even if amusing to the eye, they're very unnatural. And in so many cases, it's because of harsh treatment, and mistreatment that has enabled trainers to get them to do those stunts.

Trapping. Traps that are used to catch animals for their furs, in particular, are often very cruel. And even though there are laws that provide guidelines for how traps should be done and how frequently they should be checked, they tend to not be enforced very well.

So, in many cases, animals are left to suffer for hours and hours or days on end, trapped in cruel ways. And then finally, in terms of animal research, many animals

are tortured for the sake of questionable research. It's one thing to use animals to research brain injuries and cancers or to train people in terms of surgical techniques.

That's one thing. But doing painful, even excruciatingly painful, research on animals to test cosmetics, as is typically done with rabbits, where some cosmetic is placed in their eyes, and the rabbits are restrained to where they can't get away from it. They're reacting violently to this, but there's nothing they can do to ease the pain in their eyes when these cosmetics are being tested.

I mean, it's cosmetics. This is not essential for human flourishing. So, it's worth looking into what sorts of products do or do not depend upon these sorts of things.

And many products are labeled to indicate that they're not factory farmed or they're free range. You get free-range chicken eggs and free-range chicken meat, and that's what we buy as opposed to factory-farmed eggs. And we do get eggs from our chickens in our backyard, which are noticeably better in flavor than eggs you get at the store.

So, if you're concerned about flavor, taste, and aesthetic dimension, there's another mark in favor of cruelty-free or humanely raised animal products. Here are some online resources you can check out. One is the Christian Vegetarian Association.

There's also Jesus People for Animals. And then there's the Every Living Thing organization, which is tremendous. And there's a statement that was drafted a few years ago, five years ago or so, that I signed, and a lot of other people have signed.

It's the most balanced, biblical, reasonable thing I've seen as a kind of systematic statement on animal welfare and the ethics of animal treatment from a biblical Christian perspective. It's good stuff. So, that concludes our discussion of this issue.

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