

ANIMAL RIGHTS AND CULTURE

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Animal Liberation

Do nonhuman animals possess rights? Do they deserve respect for life? While they do not have the moral rights and legal entitlements that humans have, is there a basis for suggesting that they should not be abused? How do we morally evaluate the status of animals?

The welfare of animals is also an important matter for the way we treat nonhuman animals also reflect the kind of society we have. While we don't accord them liberty, there are prudent reasons to suggest that we should not at least expend them as if they are mere lifeless stones or minerals. But the norm in the manner by which we deal with them, Peter Singer complains, is this:

There are many obvious ways in which men and women resemble each other closely, while humans and animals differ greatly. So it might be said, men and women are similar beings and should have similar rights, while humans and nonhuman animals are different and should not have equal rights.¹

But Jeremy Bentham has pointed out the moral basis of the discussion on animal rights. The question is not, he says, "can they reason?" nor "can they talk?" but, "can they suffer?"² It may be objected that comparisons of the suffering of different species are

¹ Peter Singer, *Animal Liberation*, in *Moral Issues Today* ed. by Daniel Bonevac (Boston: McGraw-Hill, 2002), 81.

² *Ibid.*, 84.

impossible to make, and that for this reason when the interests of animals and humans clash the principle of equality gives no guidance.³

But Singer notes:

The basic principle of equality does not require equal or identical treatment; it requires equal consideration. Equal consideration for different beings may lead to different treatment and different rights.⁴

From a deeply utilitarian perspective, for Singer, “pain and suffering are bad and should be prevented or minimized, irrespective of the race, sex, or species of the being that suffers”.⁵ Many animal welfare groups like PETA have long complained that slaughtering animals is a barbaric act and pays no respect to the fact that animals also have a life. Thus, they argue that it is better for humans to end consuming meat in order to end the suffering of animals.

Slaughtering puts animals to unbearable and very gross procedures which exhibit no sentimental attachment to their status as creatures. Moreover, the method of transportation, including the manner by which animals are raised in cages and the way they are fed with food which accelerate their growth genetically are objectionable. Singer says:

The belief that human life and only human life is sacrosanct is a form of speciesism... The only thing that distinguishes the infant from the animal, in the eyes of those who claim it has a right to life, is that biologically, it is a member of the species *homo sapiens*.⁶

For Singer, the idea that human beings and only human beings possess an inviolable value is unfair. It is therefore a violation of the basic principle of equality. It favors humans and humans alone. It puts

³ Ibid., 85.

⁴ Ibid., 82.

⁵ Ibid., 86.

⁶ Ibid.

animals, which are unable to defend themselves, at a disadvantage. The idea that animals are less than human puts animals at the lower end of the ladder of evolution, and as such, makes using them or manipulating them, from the point of view of those who think that animals are no more than lower beings, morally tenable.

Let us revisit Singer's controversial argument from *Animal Liberation*. He says:

The life of every human being is sacred. Yet people who would say this about the infant do not object to the killing of nonhuman animals. How can they justify their different judgments? Adult chimpanzees, dogs, pigs, and many other species far surpass the brain-damaged infant in their ability to relate to others, act independently, be self-aware, and any other capacity that could reasonably be said to give value to life.⁷

There is no mistake in Singer's assertion that we should be sensitive to animal welfare. But it is morally objectionable that animals can be compared to infants. The idea that animals are of greater value than brain-damaged infants because some animals have higher thinking skills than these infants is morally unacceptable.

Singer's above argument in favor of animal rights suffers from two dangerous flaws. First, it identifies the dignity of the human person with that of a human person's functional mental capacities. Second, Singer wrongly assumes that the higher "thinking" capacities of nonhuman animals give them a status equivalent to that of a human person.

The dignity of any man or woman does not proceed from his or her capacities alone. Our humanity does not come from our usefulness in this world. We are humans because of the fundamental uniqueness of each human life. This uniqueness does not come from the uniqueness of a capacity or function. Rather, it comes from the unique way each human life is lived.

⁷ Ibid.

The brain-damaged child may not be able to perform the tasks that a “bright” monkey can, but in the same manner, a “bright” monkey also cannot render the joy of parenthood, for instance, in the basic recognition that there is a human life out there that is a value in itself, because however difficult the condition, it is one life that cannot be replaced. On the other hand, there can be many “bright” monkeys. The judgment that a “bright” monkey is better than a brain-damaged child is therefore misplaced.

Against Singer, it can be said that there is nothing wrong with speciesism. Speciesism is not like racism. The reason is simple. People, even if of another color or race, are endowed with human dignity. They are humans and should therefore be treated justly. While it is not found objectionable that we should minimize the pain and suffering of animals, assessing the issue from the point of view of equality is not valid.

Animal rights

Some don't feel anything about animals being subjected to very harsh conditions. This is not to say that animals should be treated in the same way as we treat humans. What this means is that animals too suffer and hence they must not be treated like emotion-less objects.

Consider, for instance, transporting hogs and chickens in very small cages which cause them to suffocate and die even before they reach the slaughter house. There are ways to properly handle animals before they are consumed and as such, it does no harm to humans to consider such in order to show some form of respect for other living creatures. For instance, Ryan Urbano discusses the Philippine Animal Welfare Act of 1998. Now, he says that although the law grants moral standing to animals and safeguards their welfare, it does not accord moral status to animals equal to that of humans.⁸ The point is that we should be concerned at least of their welfare, but not in the same manner as that of humans.

⁸ Ryan Urbano, “A critico-ethical analysis of the Philippine Animal Welfare Act of 1998,” *PHAVISMINDA Journal* 7 (2008): 87.

But should animals possess certain rights? Tom Regan puts into question the issue in terms of the unacceptability of the system by which we treat animals. He notes:

Factory farming, they say, is wrong. It violates animal rights. But traditional animal agriculture is all right. Toxicity tests of cosmetics on animals violate their rights, but important medical research, cancer research, for example, does not. The clubbing of baby seals is abhorrent, but not the harvesting of adult seals.⁹

For Regan, the fundamental wrong is the system that allows us to view animals as our resources, here for us, to be eaten or surgically manipulated, or exploited for sport or money.¹⁰ The common understanding is that people have no direct duties to animals. We think that we can do them no wrong. For instance, if I kill your goat, I have done something wrong to you, but not to your goat. Thus, I would not kill your goat not because it is wrong to do it to your goat. Rather, I am afraid that you might sue me for violating your rights over your goat which you as the owner are entitled to. Regan adds that “as for animals, since they cannot understand contracts, they cannot sign contracts and since they cannot sign, they have no rights.”¹¹

What Regan means is that we do not have a direct duty to animals since they do not have any legal or moral rights. For instance, the right to life implies the direct duty not to harm any human life. In the case of animals, our duty is to the owners; to animals there is only an indirect obligation. In the case of wild animals, we can say that we cannot harm them because they are God’s creatures. Or it can also be said that harming them is wrong because we might harm humanity as well if we don’t care for eagles, turtles and sharks.

⁹ Tom Regan, The case for animal rights, in *Moral Issues Today*, ed. by Daniel Bonevac, (Boston: McGraw-Hill, 2002), 89.

¹⁰ Ibid.

¹¹ Ibid., 90.

Like children, however, according to Regan, some animals are the objects of the sentimental interest of others. He says,

You, for example, love your dog. And thus, those animals that enough people care about, though they lack rights themselves, will be protected because of the sentimental interest of people.¹²

We show care to our pets because of our sentimental attachment to them. We enjoy their company; they are part of our leisurely activities. We find them important because they can serve as house security. But in the case of other animals, for instance rats, snakes, or bats, since there seems to be no sentimental interest in them from people, we think that there is nothing wrong if they are exterminated for they seem to be of no sentimental value to us. These animals are wild, and thus, not worth being a companion. We therefore show some interest to some animals; to others we don't. But that does not give them any legal or moral right. We are simply being considerate of their welfare.

Animal welfare laws are enacted to protect animals from cruelty and abuse. Some animals, many empirical studies have shown, suffer from the excesses of humans, for instance from hunting, caging, enhanced genetic growth, slaughtering, etc. But the basic principle governing such may not be moral duty. For instance, because animals are useful to us, they are of value and must not be abused. It can be said that since the survival of a farmer depends so much on his carabao, then it is morally unacceptable that he sells and then slaughters his carabao for its meat. Or because you have played with your German shepherd for so many years or have grown roosters, it seems unacceptable that you sell them to others or send them to a dogfight or a cockfight where they will suffer from injuries and die. You don't feel any moral duty to your animals. But you may show some regard for their welfare.

For Regan, since animals have a life, they must be viewed as entities or beings with some value. As such, they must not be used as

¹² Ibid.

means to an end. The fundamental wrong here, he argues, “is not that animals are kept in stressful closed confinements or in isolation or that their pain and suffering, their needs and preferences are ignored or discounted.”¹³ He adds that “all of those are wrong, but they are not the fundamental wrong”. He argues that “they are symptoms and effects of the deeper systematic wrong that allows these animals to be viewed as and treated as lacking independent value.”¹⁴ The fundamental wrong is that, according to Regan, “animals are viewed as mere resources for us, as indeed, a renewable resource.”¹⁵

The use of animals in medical research

Now, let us tackle medical research involving nonhuman animals. It is a matter of fact that every advance in medicine, every new drug, new operation, new therapy of any kind, must sooner or later be tried on a living being for the first time.¹⁶ Prohibiting the use of animals in experiments for biomedical research, according to Carl Cohen, or sharply restricting it, must result either in the blockage of much valuable research or in the replacement of animal subjects with human subjects.¹⁷ The above can be considered as the serious “consequences, unacceptable to most reasonable persons, of not using animals in research”¹⁸.

The use of animals in medical research, says Cohen, are justified since animals have no moral or political rights. For Cohen, to have a right means to make a claim. It is a claim that one party may exercise against another. You have the right to demand from your

¹³ Ibid., 93.

¹⁴ Ibid.

¹⁵ Ibid.

¹⁶ Carl Cohen, “The case for the use of animals in biomedical research,” in *Moral Issues Today*, edited by Daniel Bonevac (Boston: McGraw-Hill, 2002), 98.

¹⁷ Ibid.

¹⁸ Ibid.

government, as an example, the just and equitable distribution of welfare benefits. Further, the content of any claim should be fully understood by both parties. Animals are incapable of understanding any moral or legal claim.

Thus, animals cannot make any plausible moral claim. Whatever rights may be, Cohen suggests, they are necessarily human; their possessors are persons, human persons.¹⁹ Our being human persons means that we have a capacity for moral judgment. We are possessors of reason; animals are not. We are autonomous moral subjects; animals are simply not. Thus, for Cohen, animals cannot have rights. Cohen says:

Humans have such moral capacities. They are in this sense self-legislative, are members of communities, governed by moral rules, and do possess rights. Animals do not have such moral capacities.²⁰

The above quote means that we have moral obligations to our fellow human beings. Human beings are capable of moral reflection. Human beings assess or evaluate the consequences of their moral judgments. As such, humans can distinguish between right and wrong, between good and evil. Animals, however, lack these attributes. Thus, they cannot be conferred the same moral status as humans. On this basis, there is nothing wrong in using animals for medical research, the value of which is very clear. It is aimed at saving human lives. It aims at promoting the greater welfare of human beings. There is no greater value than human life. For Cohen, the use of animals in medical research in order to promote this inherent good is not morally wrong.

If animals are not utilized in biomedical research, then we may not be able to undertake biomedical studies that can potentially save thousands of lives later. While we consider that animals suffer in the course of such experiments, the moral good or value of medical

¹⁹ Ibid., 94.

²⁰ Ibid., 95.

research cannot be substituted for a concern on whether or not a rat or a dog feels pain in order for scientists to test and discover the effectiveness of a drug against cancer. Animals are possessors of a life. But they do not have nor can make a claim of a moral life. In this sense, the use of animals for biomedical research does not violate the sanctity of life.

Animal welfare and culture

Culture is an important aspect to consider when we think of the moral status of animals. There are ethnic groups who say, for example, that cockfighting or horse-fighting have always been a tradition and therefore, the right to one's cultural norm, they argue, should be respected. Urbano notes that the Philippine Animal Welfare Act exempts the killing of an animal "when it is done as part of the religious rituals of an established religion or sect or a ritual required by tribal or ethnic custom of indigenous cultural communities."²¹

Specifically, from the point of view of culture and tradition, the question is not about the violence done to or the disregard of the welfare of certain animals. The question is about the way of life of a people. It is about the wisdom of the old. As such, those in favor of cultural rights argue that there is nothing wrong with cockfighting or horse-fighting. But it could be wrong from a Western point of view, for instance, if we consider the concept of speciesism, which puts the moral concern for animal welfare on par with that of humans. But those in favor of cultural rights say that we are not a Western culture.

Culture provides a criterion that tells us something about a certain kind of consciousness. It is a kind of awareness of one's social environment. The value of an activity comes from the very way people understand this social environment. It speaks of a communal life. If people raise their own roosters and go to cockfights, it is not in their consciousness that they are acting violently against these creatures which they put in harm's way. Rather, they go there to gather and experience something, an experience that is not within

²¹ Urbano, *A critico-ethical analysis of the Philippine Animal Welfare Act of 1998*, 85.

the framework of a young boy or young girl raised in a Western culture.

A Westerner will never find any meaning in horse-fighting because it has never been part of his or her way of life. In a horse-fight, ethnic minorities don't make judgments about the good and bad, the right or wrong. From this perspective, there is an intuition that there exists no violation whatsoever of animal rights nor is there any disregard for animal welfare. The activity is done, using animals, as a part of communal life. In this kind of life, ethnic people are together to celebrate and re-create. The meaning is in the re-creating. It is a re-creation because the community lives and dwells into an identity that is nourished and nurtured. In the activity, they see life in the community, a bond of togetherness. Thus, from the point of view of custom, culture, and tradition, there is no sense of cruelty to animals. Animals are in the background. There lives only the spirit of this bond. Closing Manila Zoo, for instance, is equally devastating for the animals that have no idea of the wild as it is for humans who enjoy their presence in the metropolis.

As such, respect for the belief of people would sidestep any violence or harm done to animals, at least from the cultural perspective. Empirically, perhaps, from a modern person's vantage point, the kind of violence done to these animals is unacceptable. But in terms of our value-judgment, it would not be fair to those people who value a certain way of life to make assessments that are not fully appreciative of how they live and see things.

On animal rights advocacy

Very recently, we have seen serious campaigns to protect endangered species. Governments and private sectors have invested millions of dollars in order to protect and preserve many of these species. The preservation and the protection of the environment is a morally valid reason.

It is a scientific fact that these species keep the balance of nature. It is also undeniable that they are a joy to watch. These are very important points. Animal rights advocacy has played a big role in helping create a social consciousness that shows sensitivity and

concern for other species. But it can also be argued that animal rights advocacy also suffers from an over-emphasis.

The world has many serious concerns. People are hungry everywhere. The poor are becoming poorer everyday. There are not enough funds to send children to school. Ten million children die each year²² because there are not enough funds for vaccines. Perhaps, there is nothing so serious to argue against environmentalism. But what we can protest is the fact that some people seem to be more serious about donating money to preserve an eagle than donating money to charity in order to save the lives of street children and people who are in vulnerable places, i.e., Somalia, Congo or Myanmar. Are we concerned about each dying child in the African continent? Perhaps, we are, but the fact of the matter is that such is not apparent in the amount of humanitarian aid rich people give to poor nations.²³ Should we be more concerned of the condition of an endangered bat than that a child on the street?

We have many problems that require concrete solutions. It is important to consider the welfare of animals, but such should not be over-emphasized. The greater task of each one of us is to see to it that people, rich and poor, both enjoy the good life. The point is this: questions of ought are unique to the human mind and world, they are meaningless as applied to nonhuman animals.²⁴ In this regard, nonhuman animals can come next in terms of moral concern.

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²² See the United Nations' Human Development Report, 2005.

²³ See Jeffrey Sachs, *The End of Poverty* (London: Penguin, 2005).

²⁴ William Baxter, "People or penguins," in *Moral Issues Today* ed. by Daniel Bonevac, (Boston: McGraw-Hill, 2002), 130.

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