

## The Humanist View of Animal Rights

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The question I'm trying to answer in this paper is '*What is the humanist view of animal rights?*' I am taking to be 'the humanist view' that which is expressed in pamphlets issued by the Humanist Association of Canada.<sup>i</sup> I include in 'animal rights' both positive rights, such as the right to pursue interests, and negative rights, such as the right not to be tortured. (And I take 'animals' to mean non-human animals.<sup>ii</sup>)

As the name suggests, humanism has as its focus humans, not gods: "Humanists have faith, not in a *supernatural* being, but in *human* beings..." ("Are You a Humanist?" p.3, emphasis added); "Humanists look to scientific enquiry and reason for the solution of human problems...thus they differ from those professing belief in the supernatural and in revealed truth" ("Humanism" p.1). This emphasis is also explicit in two of the humanist principles: "Humanists consider beliefs based on dogma, revelation, mysticism, or appeals to the supernatural not only invalid, but also tending to make it difficult for believers to reach their full potential as human beings" (#10); "Humanists recognize that centuries of emphasis on the human-to-god bond has compromised the creation of human-to-human bonds that are needed to improve the quality of life for all human beings" (#5).

Because the supernatural is irrelevant, so too are four arguments standard in animal rights discussion.<sup>iii</sup> The first is that since man [sic] is made in God's image (*The Holy Bible* Gen 1:26-27), animals are subordinate to humans. It would follow that animals have fewer, if any, rights.

The second is that since God has given man dominion over the animals (*The Holy Bible* Gen 1:26,28), it would seem that he can do what he wants with them. Allowing such exploitation seems to disallow rights.

A different interpretation of 'dominion over' coupled with other Biblical references (the story

of Noah, for instance) leads to the third argument: God has given man stewardship over animals, and since we are thus responsible for animals suggests they *do* have rights.<sup>iv</sup>

The fourth argument claims that whether or not animals have rights depends on whether or not they have souls--this argument has gone both ways.

Discounting as irrelevant these and other arguments which depend on various aspects of the supernatural, one then asks 'So what arguments about animal rights *are* relevant to humanists?' Well, that's difficult to say. While humanist literature is quite explicit about 'human, *not god*,' it's *not* explicit about 'human, *not animal*.' Of course, humanism's failure to mention animal rights does not imply failure to 'recognize' or 'grant' animal rights. And yet, I do think it's leaning in that direction--for three reasons.

First, if humanism 'just' emphasized human-as-opposed-to-god, that is, if it were merely a reaction to belief in the supernatural, it would put at its centre, the natural. But it goes one further, it goes one narrower, it puts at its centre the human. It's called *humanism*, not *naturalism*.

In fact, humanism seems to pride itself on *not* being merely 'a reaction to.' On more than one occasion, and in "Are You a Humanist?" in particular, it compares itself to atheism: atheism is merely reactionary, negative, anti-religion; humanism, on the other hand, is proactive, positive, pro-human. So whereas naturalism is more general and would include non-human animals, *humanism* seems specifically, almost intentionally, to exclude them.

Second, humanism, "as defined in most dictionaries, [is] a way of life *centred* on human interests and values..." ("The Humanist Alternative" p.1, emphasis added). Now this is not to say that non-humans can't also be in the centre. But the word 'human' appears in so many principles, the specific-ness seems hardly accidental: "Humanism aims at the full development of every *human* being" (#1, emphasis added); "Humanists uphold the broadest application of democratic principles in all *human* relationships" (#2, emphasis added); "Humanists affirm the dignity of every *person* and the right of the individual to maximum possible freedom compatible with the rights of others" (#4

emphasis, added); "Humanists acknowledge *human* interdependence, the need for mutual respect, and the kinship of all *humanity*..." (#5, emphasis added); "Humanists call for continuous improvement of the quality of life so that no living *human being* may be deprived of the basic necessities of life" (#6, emphasis added); "Humanists support the development and extension of fundamental *human* rights..." (#7 emphasis added).

Given such a relentless focus on *human* development, relationships, and quality of life, one hardly needs to ask, regarding the third principle, "Humanists advocate the use of the scientific method, both as a guide to distinguish fact from fiction, and as a tool to develop beneficial and creative uses of science and technology"--beneficial for who?

And though a hierarchy with humans at the *top* is not described, I believe this view of human at the *centre* puts animals as much in a subordinate area. Indeed, "...humanists regard *ethical inquiry* as evolving like any other human endeavour, changing over time *to meet the changing needs of the human species*" ("The Humanist Alternative p.2, emphasis added).<sup>v</sup>

My third reason for thinking that the humanist view leans *away* from animal rights is that any extrapolations I can make from the principles that might *support* animal rights are rather weak. The fourth principle insists that the rights of the individual to freedom must be compatible with "the rights of others" and the ninth principle speaks of "a sense of responsibility to oneself and to others." Could those others include animals? It didn't say "the rights of other *humans*" or "the responsibility to...other *humans*." But I think I'm grasping at straws here.

The eleventh principle states that "Humanists affirm that human and world problems can be resolved only by means of human reason, compassion, and intelligent effort." World problems might involve animals, yes? And the compassion we are directed to use might at least justify their right not to be tortured, yes? Maybe.

Given these weak arguments and the overwhelmingly strong focus on *human* interests, it seems to me that the only animal rights arguments humanists would accept are instrumental ones.

Instrumental arguments, such as those put forth by Baxter,<sup>vi</sup> Passmore,<sup>vii</sup> and Guthrie,<sup>viii</sup> claim that animals have rights only insofar as they are of value to us. Animals are viewed, thus, as means to our ends, as instruments for our development, our interests, our quality of life.

Contrary, perhaps, to initial assumptions, instrumental arguments do not necessarily lead to rather *limited* animal rights. Animals may have scientific and medical value (they may be good for research), commercial value (parts of them can be sold, they can be used for income-generating activities), game value (they're used for food), observational value (we like to look at them, in zoos and sanctuaries), recreational value (they're fun to play with), and/or ecological value (the species may be important to the ecosystem).<sup>ix</sup>

So insofar as their rights are derived from their value,<sup>x</sup> they may have *many* rights (or at least the most important ones). Humanists can argue that cows have the right to graze (rather than be fed a chemical diet) because it's in our best interests to eat such cows (and not the ones pumped full of steroids and what have you). And I can argue that because my happiness depends on chessie's happiness,<sup>xi</sup> she has a right to be happy (and therefore will get a new stuffed toy for her birthday). In fact, the more we understand that we live in a complex web of life, that we depend on the ecosystem's stability for our survival, the more favourably we'll consider the *other* lifeforms in that ecosystem.<sup>xii</sup> So humanists may argue that plankton have rights too.

Even though instrumental arguments might justify a sufficiently broad range of animal rights, I'm uncomfortable with stopping here. There's something a little distasteful about using others--*any* others--as a means to one's own ends. And there's something very egocentric, very speciesist<sup>xiii</sup> in the anthropocentricity of this view. Isn't it selfish exploitation, pure and simple? If it gives pleasure and thus improves the quality of our lives to injure and sometimes kill animals just for the hell of it, well, that would be justified on instrumental grounds. It seems then that humanism must condone sport hunting.

But I most certainly do not. And yet I'd like to think (I think) that I'm a humanist. So, I'd

like to make room in the humanist view for intrinsic arguments. Unlike instrumental arguments which grant rights to animals only insofar as they are of value to us, intrinsic arguments grant such rights on the basis of the animals themselves, independent of their relation to us; intrinsic arguments say there is something in and of the animal itself that justifies its rights. At the broad end, the mere fact of being alive is the basis for rights; this view extends rights to trees as well. At the narrow end, the determining factor may be consciousness, sentience, intelligence, or 'having interests.' These arguments require one to draw lines, but I'm willing to admit degrees and I'm willing to live with fuzzy lines concerning the extent, content, and strength of these rights.<sup>xiv</sup>

For example, concerning *extent*, should *all* animals (and are sponges animals?) have rights?<sup>xv</sup> Or should rights be accorded only to those that are conscious, intelligent, sentient,<sup>xvi</sup> and/or have interests.<sup>xvii</sup> Or only those capable of moral autonomy?<sup>xviii</sup> I must admit that I think killing a dog is different, is worse, than killing a mosquito: the mosquito is no less alive, and intelligence is such a tricky term to define these days, but surely it's less conscious and has fewer interests than a dog (it may even be less sentient); so, I'm content to say it has fewer rights than the dog.

Fewer rights or less of the same rights? This opens up the *content* issue: *what* rights might animals have? The right not to be tortured? The right not to be bought and sold? The right to life liberty, and the pursuit of happiness? I'd say all of the above, depending.

Depending on what? Well, that's the *strength* issue. Might an animal have the right not to be killed *unless* it's for a good cause? And what's a good cause? (Human) food and clothing? The provision of a (human's) livelihood? Disease research, but not cosmetic research? Only fatal diseases? (And yet even then, why should my dog be killed to discover a cure for your lung cancer, when you could've just stopped smoking?)

(Even when it's a 'simple' question of the human or the animal, I'm not certain that a human life is always worth more than an animal life: between the psychopath who has killed and who has a lifetime of unfortunate experience which is unlikely to be reversed and who therefore is almost

certain to kill again and the golden lab with not a mean bone in its body who rescued a kid from drowning, I'd vote for the dog.) Are benefits *to us* the only exceptions? But all benefits are not equal--so how much benefit to us must result to justify how much expense to the animals? Should the benefit and expense be 'in kind'? That is, if the disease doesn't cause us death, then causing death to the animal to find a cure is not justified?

Do the ends ever justify the means? Do *only* the ends justify the means? I think whether or not there are alternatives should matter. And I think differentiating between needs and wants is crucial (and if there's an alternative to X, X is not a need). But even then, certainly all wants are not equal--are all needs equal?<sup>xix</sup>

How do I propose to incorporate these animal rights into humanism? Simple: I suggest the addition, after the first principle which states "Humanism aims at the full development of every human being," of the phrase "except at the unnecessary expense of certain non-human life forms."

Not simple at all, of course. 'Certain' leaves open the extent question: *which* animals? And 'unnecessary expense' leaves open the strength question: how do we define 'unnecessary' and how do we determine how expensive the expense is that is suffered by the animal? (However, I can safely close the content question and say let's grant every right possible, as long as the other two questions are left open.)

Would such a change in the principle change humanism? Yes, of course--that's the point.

But, and perhaps this is more important, I don't think it would change many humanists.

i. I have consulted three in particular: "The Humanist Alternative," "Humanism," and "Are You a Humanist?" Subsequent references to humanist principles (called 'principles' in "Humanism" but 'moral values' in "The Humanist Alternative") refer to "The Humanist Alternative"--the principles are a little more fully expressed in this one.

ii. For most of my paper, I will use the term 'animal' to refer only to non-human animals, because that is the convention in animal rights discussion, and adhering to convention in this case will make, I think, for an easier read. However, I will occasionally specify 'non-human animals' when I think that a reminder is in order of the speciesism implicit in the narrowness of referent.

iii. For a discussion of the theological foundations for/against animal rights, see *Environmental Ethics: Choices for*

*Concerned Citizens*, by the Science Action Coalition with Albert J. Fritsch and contributors Gerard McMahon, Alan Okagaki, and William Millerd (New York: Anchor Books, 1980), pp.233-254.

iv. For a discussion of stewardship, see Robin Attfield, *The Ethics of Environmental Concern* (New York: Columbia University Press, 1983).

v. See J. Baird Callicot ("The Land Ethic" in *Morality and Moral Controversies*, fourth edition, edited by John Arthur, New Jersey: Prentice Hall, 1996, pp.148-160), who distinguishes between ethical humanists (who defend the special status of humans on the grounds of their being rational, self-aware, linguistic, or interested), humane moralists (who reject such special status on the grounds that sentience is the only relevant capacity), and the land ethic (best represented by Aldo Leopold in *A Sand County Almanac*, New York: Oxford University Press, 1949, and which focuses on the good of the biotic community as a whole).

vi. William Baxter, "People or Penguins" in *People, Penguins, and Plastic Trees*, second edition, edited by Christine Pierce and Donald VanDeVeer (Belmont: Wadsworth, 1995), pp.381-384.

7. John Passmore, *Man's Responsibility for Nature* (London: Duckworth, 1974).

viii. R.D.Guthrie, "Anthropocentrism" in *Morality in Practice*, fourth edition, edited by James P. Sterba (Belmont: Wadsworth, 1994), pp.469-475.

ix. See *Environmental Ethics: Choices for Concerned Citizens*, by the Science Action Coalition with Albert J. Fritsch and contributors Gerard McMahon, Alan Okagaki, and William Millerd (New York: Anchor Books, 1980), pp.38-41.

x. This 'insofar' should not be glossed over: having value need not entail having rights; and not having rights need not release us from responsibilities or obligations toward animals.

xi. chessie is the canine I live with.

xii. Though I must admit that humanism may not be heading in this direction, given that the only interdependence mentioned in the principles is *human* interdependence (#5).

xiii. --reminiscent, in fact, of Judaeo-Christian accounts which place man above the other animals--

xiv. Thanks to Mary Anne Warren ("The Rights of the Nonhuman World" in *Environmental Philosophy: A Collection of Readings*" edited by Robert Elliot and Arran Gare, St.Lucia: University of Queensland Press, 1983) for the last two distinctions.

xv. See Paul W. Taylor, "The Ethics of Respect for Nature" in *Morality in Practice*, fourth edition, edited by James P. Sterba (Belmont: Wadsworth, 1994), pp.487-499.

xvi. Descartes, among others, believed that animals didn't feel pain; he called them automata. Bentham was the one who said "The question is not, Can they *reason?* nor Can they *talk?* but, Can they *suffer?*" (Jeremy Bentham,

*Introduction to the Principles of Morals and Legislation*, 1789, chap.17), implying that sentience was the crucial criterion.

Singer (Peter Singer, *Animal Liberation: A New Ethics for Our Treatment of Animals*, New York: Avon, 1975) is the contemporary most associated with championing the view that all sentient animals (human and non-human) are morally equal (he carefully avoids speaking of moral *rights*). Regan (Tom Regan, *The Case for Animal Rights*, Berkeley and Los Angeles: University of California Press, 1983), another champion in the field, *does* argue that animals have rights, on the grounds that they are 'subject-of-a-life.'

xvii. See Joel Feinberg, "The Rights of Animals and Unborn Generations" in *Ethical Issues: Perspectives for Canadians*, edited by Eldon Soifer (Peterborough: broadview, 1992), pp.151-169 and R.G.Frey, "Rights, Interests, Desires, and Beliefs" also in *Ethical Issues: Perspectives for Canadians*, edited by Eldon Soifer (Peterborough: Broadview, 1992), pp.170-179.

xviii. See H.J.McCloskey, "Moral Rights and Animals," *Inquiry* 22, nos. 1-2 (1979):31 and Carl Cohen, "The Case for the Use of Animals in Biomedical Research" in *Contemporary Moral Issues: Diversity and Consensus*, edited by Lawrence M. Hinman (New Jersey: Prentice Hall, 1996), pp.478-486.

xix. For a discussion about how to weigh and balance human and non-human interests, see James P. Sterba, "Environmental Justice" in *Morality in Practice*, fourth edition, edited by James P. Sterba (Belmont: Wadsworth, 1994), pp. 499-506, especially for his Principle of Disproportionality, which distinguishes between basic and non-basic needs.

Donald VanDeVeer, "Interspecific Justice" in *The Environmental Ethics and Policy Book*, edited by Donald VanDeVeer and Christine Pierce (Belmont: Wadsworth, 1994), pp.179-193, addresses the same problem and describes five principles that would enable decisions in such conflicts of interests: radical speciesism, extreme speciesism, interest sensitive speciesism, two factor egalitarianism, and species egalitarianism. He argues most in favour of two factor egalitarianism, which distinguishes between basic, serious, and peripheral interests and considers 'significant psychological capacities.'

Paul W. Taylor, "Priority Principles" also in *The Environmental Ethics and Policy Book*, edited by Donald VanDeVeer and Christine Pierce (Belmont: Wadsworth, 1994), pp.199-210, discusses five such principles: the principle of self-defense, the principle of proportionality, the principle of minimum wrong, the principle of distributive justice, and the principle of restitutive justice.