

Animal Welfare

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Concern for farm animal welfare is growing. In 2004, the state of California passed legislation banning the production and sale of foie gras, a delicacy produced by force feeding geese until their livers become diseased. In June of 2008—in response to videos of inhumane treatment of cattle made public by the Humane Society—Ed Schaffer, the U.S. secretary of agriculture, called for a ban on the slaughter of non-ambulatory or “downer” cattle. In Europe, concern for animal welfare is even more mainstream. In 2004, David Byrne, the European commissioner for Health and Consumer Protection, stated that animal welfare can be improved with minimal cost. “The experience within Europe has shown that in many cases there are no significant additional costs in improving animal protection.”¹ Indeed, the European Union (EU) has given a central place to animal welfare. The Treaty of Amsterdam in 1997 officially recognized farm animals as sentient beings whose welfare matters. Recent legislative efforts in the European Union are based upon this idea. And the European Union acknowledges the so-called five freedoms for farm animals:²

- Freedom from hunger and thirst
- Freedom from discomfort
- Freedom from pain, injury, and disease
- Freedom to express normal behavior
- Freedom from fear and distress

Traditional animal husbandry practices took care to provide for animal welfare, as defined in this way.³ But the economic pressures of the global economy have made it more difficult to sustain traditional animal husbandry. So the intensive animal agriculture of the factory farm has created conditions in which concern for animal welfare is subordinated to the demand for increased productivity. In response, organic farmers and advocates of traditional husbandry have staged a minirevolution of sorts in the last decade. This movement produces free-range meat and eggs, organic milk, and so on. At the other end of the food production

line, organic restaurants and chains, such as Chipotle, and stores such as Whole Foods provide cruelty-free animal products.⁴

This developing concern for animal welfare comes as demand for cheap and nutritious meat is growing at a rapid pace. In North America and Europe, seventeen billion animals are killed every year for food. Americans alone kill more than eight billion animals per year for food. Every day in the United States, twenty-three million chickens, pigs, cows, and other assorted animals are slaughtered. That amounts to per capita annual consumption of: 51 pounds of chicken, 15 pounds of turkey, 63 pounds of beef, 45 pounds of pork, 1 pound of veal, and 1 pound of lamb. If we focus on pigs alone, we should note that demand for pork has been soaring in the United States and abroad. Eight million or so hogs are slaughtered every day around the globe.⁵ To satisfy our craving for meat, meat production must be intensified. And thus the vast majority of meat is produced via industrial animal agriculture, that is, on the factory farm.

As industrial animal agriculture grows, activists concerned about animal welfare focus their energies in a variety of ways. The Humane Society is dedicated to the prevention of cruelty to animals, including the confinement and crating practices of the factory farm.⁶ More radical animal welfare activist groups include People for the Ethical Treatment of Animals (PETA) and the Animal Liberation Front. These groups take direct action aimed at eliminating animal cruelty—from street theater to raids on animal laboratories. One novel sort of activism occurred in spring of 2008, when PETA offered a \$1 million prize to anyone who could bring to market chicken meat grown in a test tube. The goal is to produce meat for human consumption without actually using animals. Now this may sound like a quixotic or even oxymoronic endeavor. But it points to the central problem of animal welfare. Contemporary animal husbandry uses sentient animals in a way that produces suffering. Until it is possible to produce meat without animals, then animal welfare will continue to be a central concern for all.

Animal welfare is a broad topic. It includes questions about hunting and habitat preservation; animal entertainment, including horseracing, dog-fighting, and circuses; raising animals for furs; using animals in biomedical research; and breeding pets. Our focus here is animal agriculture, especially the intensive livestock operations or “factory farms” that provide the majority of our food. Intensive animal agriculture generates a number of ethical problems. Factory farms produce air and water pollution. They make use of controversial biotechnologies: from antibiotics and hormones to genetic engineering and cloning. And factory farms create labor and economic dislocations as they replace more traditional family farms. But factory farming also creates serious questions about the welfare of individual farm animals.

There are two basic approaches to animal welfare: an instrumentalist or anthropocentric approach and a deeper, nonanthropocentric or animal-centered approach.

The instrumental or anthropocentric approach is concerned with animal welfare only to the extent that animals serve human interests or satisfy human needs. Farmers are concerned with animal welfare in this sense because livestock represent capital investment and future profit. And consumers are concerned with animal welfare in this sense because they want cheap and nutritious meat. From this point of view, our duties to animals are at best indirect.

The nonanthropocentric or animal-centered approach assumes that it makes sense to consider things from an individual animal’s point of view. Animal-centered

approaches hold that human beings have some sort of direct moral obligation to consider the well-being of individual farm animals. And this approach maintains that it makes sense to be concerned with animals for their sake and not merely for ours. This is explained in terms of concern to prevent cruelty or reduce suffering. The most radical form of the animal-centered approach wants to extend the idea of legal and moral rights to animals.

We will consider here the sorts of assumptions that are made about morality and about animals on both sides. As we shall see, anthropocentric approaches to animal welfare can be used to justify intensive animal agriculture, while animal-centered approaches tend to maintain that factory farming—and meat consumption—is immoral.

THE FACTORY FARM AND ETHICAL VEGETARIANISM

Everyone who consumes meat and makes a profit from its production has an interest in animal welfare: consumers and producers want meat that comes from healthy animals. Animal welfare in the mainstream is anthropocentric: it is focused exclusively on the production of cheap, tasty, and nutritious meat. Farmers want their livestock to live healthy lives, put on weight, and reproduce so that they might bring their products to market. And consumers want meat that is free from disease.

The anthropocentric or instrumentalist conception of animal welfare found in the mainstream is concerned with the well-being of animals only to maximize return on investment and to satisfy the human desire for meat. Factory farms do provide for animal welfare. They keep animals safe from predators and parasites. They provide heat in the winter, plentiful food, and substantial doses of antibiotics. But this is all in an effort to keep animals healthy so that they might be turned from animals into meat.

A deeper, more animal-centered approach to animal welfare concerns itself with the welfare of animals from a perspective that takes up the animal’s point of view. From this point of view, the concern is not cheap and plentiful meat. Rather the concern of deep animal welfare is in the quality of the lives lived by individual animals. From this perspective, the cheap meat of the factory farm comes at a substantial price in cruelty. Factory farms are not set up to deliberately torture animals. The cruelty of the factory farm is not sadistic or malicious. Industrial livestock operations are designed to produce cheap meat; and sadism or cruelty provide no profit. But the industrial production of cheap meat requires a drastic alteration in the natural life cycle of the animals on the factory farm.

Those who are concerned with animal welfare in its deepest sense—authors such as Tom Regan, Peter Singer, and groups such as PETA—claim that the entire process is cruel insofar as it prevents farm animals from living normal or natural lives. From the animal’s perspective, the factory farm is an unnatural and cruel place because the factory farm is designed to prevent animals from acting on natural instincts and from satisfying basic drives. Farm animals are locked in cages, kept out of the sunshine, and prevented from touching the Earth. They are—contrary to their own natural tendencies—forced into proximity with others animals and are unable to escape from the stench of their own excrement. Even reproduction and birth are controlled by the use of artificial insemination and farrowing crates.

Moreover, animal agriculturalists are quite interested in creative breeding, genetic engineering, and cloning. And the resultant animals can be warped versions of natural animals: for example, animals bred to be so large that they eventually cannot stand up. Animals are also subjected to other more routine indignities and minor cruelties. Cattle are branded. Male pigs and cows are castrated without anesthesia. Chickens are debeaked and declawed to prevent them from injuring themselves and each other. And some animals—such as veal cattle and poultry raised for foie gras—are kept in complete confinement and are force fed diets that cause disease.

When the time for slaughter comes, animals are crowded in trucks and moved in conditions that often result in such significant stress that many thousands of animals die yearly in transport.⁷ On the killing floor, these animals are stunned, hooked, hoisted, bled out, and skinned. The slaughter assembly line can cause significant damage to animals before they are dead: legs are often dislocated, poultry and swine are occasionally scalded alive, and downer cattle are dragged or forklifted into place. Although the law requires that mammals (with the exception of rabbits) be stunned before killing, 5 percent of the time the stunning fails and animals are hung, cut, and bled while still conscious.⁸ Even though industrial standards are aimed at minimizing cruelty when animals are killed, in an industrial process focused on speed and efficiency, mistakes are made and shortcuts are taken.

Some people opt out of the animal economy altogether, choosing instead vegetarianism. Ethical vegetarians choose to avoid meat for principled moral reasons (unlike those who renounce meat for health reasons). Principled vegetarianism has grown in the Western Hemisphere in opposition to the development of factory farming. Although Eastern Hemisphere traditions such as Buddhism, Jainism, and some varieties of Hinduism have long held that it was virtuous to abstain from meat, industrial nations have a much deeper commitment to meat eating. Traditional Western agriculture was grounded on a stewardship or good husbandry model in which the farmer's duty was to care for the animals and to be thankful for the goods that the animals provided in return. In the Judeo-Christian tradition, God created the animals and gave them to humanity to care for and to use. Indeed, vegetarianism was often associated with pagan or heretical views that venerated nature in a way that was deemed antithetical to Christian orthodoxy. But the factory farm leads us away from the stewardship model of animal welfare and pushes us in an instrumental direction in which animals are merely commodities to be used without care or thanksgiving.

Some critics of contemporary animal agriculture choose to eat only animal products that are grown organically or that are produced under humane or "cruelty-free" conditions. Vegetarians avoid meat entirely. And vegans also avoid eggs and dairy. There are a variety of principled reasons to be a vegetarian.⁹ Some follow Regan and Singer in rejecting meat eating altogether, on the principle that killing animals is wrong. Others, such as Martha Nussbaum, are less concerned with killing itself than with the systematic cruelty of the factory farm and its perversion of the idea of stewardship. Other vegetarians are more concerned with the negative environmental impact of meat eating: meat production creates water and air pollution, including greenhouse gases. In 2006, a UN report claimed that "the livestock sector" produced more greenhouse gases than did transportation and that livestock operations contributed to habitat loss and environmental degradation. In 2008, the head of the Intergovernmental Panel on Climate Change claimed that the world should convert to a vegetarian diet to combat global warming.¹⁰ Others are concerned with

the negative impact that intensive animal agriculture has on native animal species: concerned, for example, with the way the cattle industry in the American West has systematically destroyed wolf, bison, and prairie dog populations and habitats. Still others choose to eat lower on the food chain to leave a smaller footprint and to leave more grain and food available to fight hunger.¹¹ And some feminists give up meat because they link meat to male dominance and the oppression of women.¹² Vegetarians of all sorts agree that meat eating is simply not necessary for human health—since there are readily available nutritious alternatives. And if meat eating is not necessary for health, then there is no good reason to support an industry based on cruelty that produces what is basically a luxury good: meat.

In response, meat eaters and producers will defend meat eating by claiming that meat and dairy are cheap and nutritious components of a healthy human diet. They will also claim that human beings are justified in using animals as food—especially if farming and slaughtering practices are undertaken with concern for animal welfare. Let us turn, then, to the justification of using animals and the anthropocentric versions of animal welfare.

FOUR PRINCIPLED DEFENSES OF ANTHROPOCENTRISM

There are four principled ways to respond to the ethical concerns raised by vegetarians. That is, there are four basic ways to support the anthropocentric and merely instrumentalist approach to animal welfare.

Ontological Claims

The first response is to deny that animals are the sorts of beings who can suffer. This view is often associated with the early modern philosopher René Descartes, who famously claimed that animals were merely mechanical bodies—what he called machines or automata.¹³ From this perspective, although animals exhibit pain behavior, this does not indicate any sort of mental or spiritual disturbance. It is "mere pain" without understanding or, as Peter Carruthers has described it, "unconscious pain." From this point of view, animals cannot be said to "suffer," where suffering is thought to mean the presence of pain plus other affective states such as anxiety and fear, as well as the idea that pain is not justified or desired.

Descartes' view makes sense in the context of Christian theology, which denies that animals have souls. While the stewardship model of the Christian tradition holds that animals have value insofar as they are created by God, the stewardship model also holds that there is an unbridgeable ontological difference between human beings and animals: animals are made for human uses and only human beings have eternal souls. From this point of view, those who claim that animal welfare matters in a nonanthropocentric sense make a category mistake. From their perspective, animals are simply not the sorts of things that have "welfare" in the human sense of the term. Indeed, we have a word for this category mistake: "anthropomorphism," which is the tendency to project human features onto non-human objects. Defenders of a Cartesian sort of view—which denies that animals suffer—will claim that it is a mistaken anthropomorphism that makes us think that animals care about the quality of their lives or that animals can suffer from conditions such as we find on the factory farm.

Claims about Moral Concern

Closely related to this is the second response, which claims that animal "suffering," if we choose to call it such, is simply not a matter of moral concern. The Cartesian view can seem quite odd, especially for those who recognize that animal bodies and minds are quite similar to human bodies and minds. Animals bleed when cut. They feel hunger when left unfed. They can exhibit fear behaviors in response to smells, sounds, and threats. And social animals like dogs and horses can appear lonely, anxious, and so on. Indeed, animal experimentation in human biomedicine—including psychological and neurological experiments—assumes that animal physiology is similar to ours in these obvious ways. The second approach need not deny this sort of similarity. But it does deny that these elements of animal experience have moral import.

The most influential proponent of this sort of approach is Immanuel Kant.¹⁴ Kant admits that it is possible to be cruel to animals. But on his view, morality is exclusively focused on human beings. We have direct duties only to other human beings. And any moral duty we have to animals is only indirect: the treatment of animals matters only when it has impacts on our behavior toward other humans. For Kant, cruelty to animals is wrong because it tends to encourage cruelty toward humans.

Such an anthropocentric ethical theory will tell us that we have no moral obligation to take animal pain and suffering seriously. Anthropocentric ethics maintains a simple distinction: we are obliged to care directly about humans but not about animals. This sort of view can in fact result in a quite positive assessment of factory farming: factory farming is good if it fulfills the needs and desires of the human population. Contemporary theorists who defend this point of view include libertarians such as Tibor Machan, who argues that we only have obligations to ourselves (and to our kin and fellow humans); and that we have no obligations to other species.¹⁵

Claims about the Order of Nature

Related to this is a third principled response, which holds some version of the view that animals are literally given to human beings for their consumption. This view can be traced back, in the Western tradition, to the idea found in Genesis, that God creates the animals for human usage. A more naturalistic or Darwinian approach would maintain that the struggle for survival that has led us to dominate the animals also entitles us to use them for our own purposes. According to proponents of this way of thinking, it might be true that animals suffer, and we might even feel compelled to minimize animal suffering (out of respect for God's creation or out of a spirit of kinship with the animals). But from this perspective, animal suffering should not prevent us from making use of animals for our own benefit. A version of this theory can be found in Friedrich Nietzsche's idea that predatory animals—including human animals—love their prey because they are good to eat.¹⁶

This view is anthropocentric in the sense that it claims that human beings are the focal point of creation or of evolutionary progress. From this perspective, it is our right (and maybe even our duty) to celebrate our dominion over the animals. Some take this view to an extreme that claims that human beings are by nature carnivorous hunters and that meat eating satisfies some deep primal desire in the human psyche.¹⁷ But even hunters are concerned with animal welfare, albeit in an

anthropocentric sense. Hunting clubs such as Ducks Unlimited protect wild animal habitat. And the ethics of hunting emphasize that a kill should be as clean as possible and that the meat and hides should be put to good use.

Utilitarianism

Perhaps the most sophisticated and complex way of articulating an anthropocentric approach to animal welfare is found in utilitarianism. Utilitarianism can be employed in defense of current agricultural practices. Utilitarian moral philosophy is based on the idea that it is good, as John Stuart Mill put it, to produce the greatest happiness for the greatest number.

A utilitarian would emphasize that intensive animal agriculture has produced vast benefits for human beings (and even for farm animals that would not exist, if it were not for farming).¹⁸ Humans live longer and healthier lives now than at any time in history, and the human population continues to grow, arguably as a result of an ongoing revolution in animal farming practices. Moreover, utilitarians might argue—as Mill does—that humans are capable of higher pleasures: only human beings can enjoy art, philosophy, and politics. Even our gustatory experiences consist of more complex and subtle pleasures than animals can ever experience—as witnessed by gourmet cooking and the rich social and psychological pleasures of fine dining. From this point of view, the savory taste of bacon, hamburger, and fried chicken—not to mention the subtle flavors of veal, lamb, or foie gras—provide for important human pleasures. Moreover, the protein and calories that come from animals make such an important contribution to human happiness and productivity, that the suffering caused by meat production is justified.

ANIMAL-CENTERED RESPONSES

In response to these anthropocentric ideas, defenders of a more animal-centered approach to animal welfare can respond in a variety of ways. We will consider four responses here.

The Darwinian Approach

Defenders of animal welfare will argue that the anthropocentric claim that animals do not suffer runs counter to what we know about animal physiology and about the connections between and among species. Animal brains and bodies are similar to human brains and bodies. This similarity is assumed by those who use animal models in biomedical research. Moreover, the reason for this similarity has to do with our evolutionary connection. Mammals share much in common. Even the fishes and the birds share much in common with mammals.

If one takes the Darwinian approach seriously, then the Cartesian argument that focuses on a deep ontological difference between humans and animals must be rejected. In the *Descent of Man*, Darwin himself argues that the differences between humans and animals are matters of degree and not of kind. Given our similar physiology and evolutionary heritage—as well as the adaptive advantage of the ability to experience pain and suffering—sufficient evidence warrants the assertion that animals experience pain, anxiety, and fear, and that they suffer from it.

David DeGrazia has concluded after an extensive review of the scientific and philosophical literature, "the available evidence suggests that most or all vertebrates, and perhaps some invertebrates, can suffer."¹⁹

An obvious piece of evidence used to support this point of view is the fact that farm animal health does suffer under the stress of the factory farm and in transport from farm to slaughterhouse. Obvious signs of stress include chickens who peck each other to death, if their beaks are not removed; pigs who gnaw at the bars of their cages and bite each other's tails out of boredom and frustration; and veal calves who crave iron to such an extent that they would lick their own urine if they were permitted to turn around.²⁰

Animals have evolved in such a way that their brains and physiology are well adapted for certain conditions, and poorly adapted for others. In general, the predecessors of farm animal species have spent millions of years adapting to the wild and domesticated species several thousands of years adapting to captivity and cultivation. The changes in environment and behavior found in the factory farm represent a radical departure from the conditions for which evolution has bred farm animals. This gives us good reason to suspect that factory farming causes significant stress and suffering for the animals raised there.

Moreover, some have argued that the Darwinian perspective can be used to undermine anthropocentric claims that humans are unique and special. James Rachels has argued in this way in support of a point of view that he calls "moral individualism." Rachels' idea is that species membership is an irrelevant factor in morality. He contends that, "how an individual should be treated depends on his or her own particular characteristics, rather than on whether he or she is a member of some preferred group—even the 'group' of human beings."²¹ For example, humans with cognitive disability may have capacities that make them more similar to animals than to other humans. Rachels claims that if differences in basic capacities of individual members of a species are recognized, we will see that anthropocentrism is an unjustified prejudice.

Utilitarianism

We saw above that utilitarian approaches to ethics can in fact be used to justify meat eating and the factory farm, especially if utilitarianism is constrained in an anthropocentric way to focus primarily on the greatest happiness for the greatest number of humans. But utilitarians have long admitted that animal suffering matters ethically. If pain and pleasure are key indicators of morality, and animals experience pain and pleasure, then animal pains and pleasures should be included in any utilitarian calculation. We mentioned above that John Stuart Mill thought that human pleasures were qualitatively superior to animal pleasures. But other utilitarians have called this idea into question and have argued for equal consideration of animal pain and pleasure.

Jeremy Bentham proposed a radical revision of our view of animals a few decades before Mill, by focusing on the capabilities possessed by individual animals and humans.

A full grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day or a week, or even a month, old. But suppose they were otherwise, what would it avail? The question is not, Can they *reason*? Nor Can they *talk*? But Can they *suffer*?²²

If animals can suffer, then their suffering should be taken account of in any utilitarian calculation.

Many contemporary utilitarians end up arguing against factory farming and in favor of vegetarianism because they maintain that the cost in animal cruelty is not outweighed by the benefit of meat consumption. This is especially true if the supposed benefits of meat eating are minor gustatory pleasures. In other words, if there are easy and nutritious meat substitutes, then there is no good reason to cause animal suffering in the production of meat. Peter Singer is the most famous contemporary utilitarian proponent of vegetarianism and critic of factory farming. Singer's now classic book, *Animal Liberation* (first published in 1975), makes just such an argument. In a recent defense of his ideas, Singer states his view quite clearly:

The only acceptable limit to our moral concern is the point at which there is no awareness of pain or pleasure and no conscious preferences of any kind. That is why pigs are objects of moral concern, but lettuces are not. Pigs can feel pain and pleasure, they can enjoy their lives, or want to escape from distressing conditions. To the best of our knowledge, lettuces can't. We should give the same weight to the pain and distress of pigs as we would give to a similar amount of pain and distress suffered by a human being.²³

Singer argues that animals deserve what he calls "equal consideration," which means that animal pain and pleasure would have to be included in any calculation of "the greatest happiness for the greatest number." Utilitarian defenders of industrial animal agriculture will either have to claim that the human pleasure of eating meat outweighs the animal suffering caused on the factory farm. Or, they can resort to denying that animals feel pain or suffer. Animal welfare advocates such as Singer claim that we have a moral obligation to give equal consideration to the interests and well-being of animals. If we fail to give equal consideration in this way, we are guilty of what Singer maligns as "speciesism." Singer explains 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."²⁴ Anthropocentric approaches to animal welfare remain speciesist because they do not give equal consideration to animal suffering.

The Aristotelian Approach

One of the problems of the utilitarian approach is found in the sorts of cross-species comparisons that Bentham, Singer, and others end up making. Their ideas can lead to odd conclusions in which some animals are treated better than some humans. For example, Bentham suggests that horses may be of more concern than infants. And Singer is notorious for condemning factory farming while also arguing that euthanasia for retarded human infants might be permissible. One of the problems here is the focus on equal consideration and moral individualism.

In response to this problem, we might focus on understanding "species typical function," and thus base our treatment on the natural norm for members of a given species. The idea of species typical function fits more closely with an Aristotelian approach to the issue. This approach looks into the normal or natural function of

a species and is not focused on the capacities of individuals. This approach still results in a radical critique of factory farming.

Unlike the utilitarian approach that looks at pain and suffering, the Aristotelian account attempts to make sense of a broader conception of welfare or well-being. Anthropocentric accounts will tend to argue that welfare is a concept that only makes sense with regard to human beings: only humans have an interest in concepts such as well-being or quality of life because such concepts matter to us in a subjective way. But an Aristotelian approach is concerned with an objective inquiry into the question of whether a human being or an animal is living well. For the Aristotelian, objective criteria for well-being matter as much as subjective experience.

Welfare literally means to fare well, do well, thrive, or flourish. Philosophers have reflected on this concept at least since the time of the ancient Greeks.²⁵ Aristotle claims that happiness or flourishing occurs when a creature actualizes its purpose or function (Greek: *telos*). For Aristotle, a thing's purpose or function is defined by its nature. So to understand welfare or well-being, we have to inquire into the natural capacities of the thing. A plant flourishes when it grows, flowers, fruits, and spreads its seeds. A human being flourishes when it actualizes its capacities as a rational, political animal. In the same way, we could say that a social animal, such as a pig, flourishes when it actualizes its natural capacities: when it grows, socializes, and reproduces.

Bernard Rollin has made use of this sort of idea in his work on farm animal welfare. Rollin is quite sympathetic to the idea of good husbandry and the stewardship view of animal welfare. Traditional animal husbandry is supposed to help animals flourish in this Aristotelian sense. This view of animal welfare can still allow for a firm ontological distinction between animals and humans, because humans and animals have different natures. Nonetheless, Rollin describes a sort of human-animal "social contract" that was typical of good husbandry practices for thousands of years. Human farmers helped their farm animals to thrive by protecting them from predators and weather, providing them with nutritious food, and so on. In exchange, the animals provided the farmer with food, fiber, and toil. Rollin maintains that in traditional husbandry, animal interests and human interests coincided. It was in the interests of humans to help the animals fulfill their natural functions, to satisfy their own animal interests, and to provide for their welfare. Traditional husbandry decried cruelty to animals and even appointed rest days—the Sabbath—for animal laborers. The credo of traditional agriculture was, according to Rollin, "we take care of the animals—and the animals take care of us."²⁶ But Rollin argues that the factory farm has changed this equation in radical ways by preventing animals from fulfilling their natural functions.

A further elaboration of this sort of idea can be found in the recent work of Martha Nussbaum. Nussbaum is sympathetic to Singer's utilitarian approach. But her point of view is closer to Rollin's view. Nussbaum asks us explicitly to return to Aristotle in trying to make sense of animal welfare. Aristotle was one of the first philosophers to take up the systematic study of animal life. He tells us that each of the wide variety of animals is marvelous, beautiful, and wonder-inspiring, because each is the embodiment of some unique purpose or function.²⁷ From this perspective Nussbaum claims that sentient animals should be given the opportunity to live according to what she calls the natural "dignity of their species." Nussbaum

concludes: "No sentient animal should be cut off from the chance for a flourishing life, a life with the type of dignity relevant to that species ... all sentient animals should enjoy certain positive opportunities to flourish."²⁸ Like Rollin, Nussbaum is reluctant to completely condemn the system of intensive agriculture. Instead, Nussbaum concludes with a compromise position that attempts to include concern for animal welfare and global utilitarian concern for human health.²⁹ Such a compromise would be criticized by Singer and others who argue that human health can be sustained by a purely vegetarian diet.

The Kantian and Animal Rights Approach

Moderate conclusions of the sort we find in Rollin or Nussbaum will appear insufficient for those committed to a more demanding idea of animal welfare. The Aristotelian approach can allow killing and consuming animals for food, so long as animals are raised in a way that affords them dignity and allows them to fulfill their natural capacities. And utilitarians such as Singer could allow for animals to be used if it turned out that there were serious human needs to be fulfilled by eating meat (say if there were no alternative sources of protein available). But all of this can seem insufficient if one believes that animals have rights that simply cannot be violated.

Nussbaum derives her idea of dignity and respect for nature from the Aristotelian view that sees wonder and purpose in the natural world and its diverse species. But ideas about dignity and respect can be pushed even deeper. Concepts such as dignity and respect are often associated with a Kantian or deontological approach to ethics. We have seen that Kant claims—following upon insights that connect him to Descartes and to the history of the Christian tradition—that only human beings have dignity and are worthy of respect.

But some philosophers have argued that animals are in fact the sorts of beings that are deserving of respect in the deepest sense of this term. The most famous proponent of such a view is Tom Regan, who first published his *Case for Animal Rights* in 1983. Regan claims that at least some animals are "subjects of a life," by which he means that animals have the sorts of interior lives that allow them to understand themselves and to have an interest in their own continued existence. Another way of putting this is to claim that animals have a kind of intrinsic value, which means that it is wrong to use them for our purposes. When this sort of assumption is made, quite radical conclusions follow. Regan calls for the abolition of animal agriculture and animal testing in the laboratory: "the rights view will not be satisfied with anything less than the total dissolution of the animal industry as we know it."³⁰ If what Regan says about the intrinsic value of animals is true, then vegetarianism becomes obligatory; and it is not merely a personal choice: "Merely to content oneself with personal abstention is to become part of the problem rather than part of the solution."³¹

Regan's radical views have inspired the sorts of direct action taken by members of the Animal Liberation Front and others. But also within the legal system, the concept of animal rights has led some to argue for changes in the law. Steven Wise, for example, has called for the extension of the "legal convention" of rights to animals—especially for higher animals such as chimpanzees.³² Without this legal basis, authors such as Francione claim that it is impossible to press animal welfare

claims.³³ The worry is that anticruelty laws that are based on merely indirect duties to animals will ultimately be ineffective. If obligations to animals are completely indirect and derivative of human ownership rights, then the owners of animals can simply claim that they can do whatever they want with their own property. It is true, of course, that we do have anticruelty and animal protection laws that make it illegal for humans to do certain things to their own animals. But these laws are usually directed at animals commonly kept as pets. And anticruelty statutes in most states are often written so that there are exemptions for "common farming practices," including the use of confinement, farrowing crates, and so on.³⁴ Proponents of the animal rights approach will claim that the only solution to the problem of animal cruelty is to give animals more obvious and strenuous protection under the law.

CONCLUSION

Animal welfare activists can cite some recent successes, as noted at the outset, in expanding concern for animal welfare. But these successes are often met with strong resistance from those who make money from cheap meat as well as those who enjoy eating it. Self-interest is often at work in those who are resistant to thinking critically about animal welfare—perhaps more so than deep philosophical disagreements about the concept of animal welfare. Further progress must be made on both fronts: encouraging people to think more critically about the animals they consume, while also enabling people to imagine profitable and nutritious alternatives to factory farming.

In the long run, humans must take the issue of animal welfare seriously. As our population grows and as the taste for meat spreads around the globe, more and more animals will become part of the meat production line. Even those whose concern for animals is entirely anthropocentric must realize the risks of meat production in terms of diseases such as *E. coli* and bird flu and in terms of pollution and other negative impacts that directly affect human health. The factory farm can indeed be criticized from an anthropocentric perspective. It also seems that we must take seriously the nonanthropocentric concern for animal welfare: animals experience pain and it makes good sense to talk about the quality of an animal's life. Traditional animal husbandry acknowledged this. Traditional farmers and herdsmen directly cared for the animals that fed and clothed them. But in the age of industrial animal agriculture, we are disconnected from the animals that support us. Concern for animal welfare is thus an important part of a larger attempt to be mindful of what we are eating. Once we realize that billions of animals per year are raised in inhumane conditions and slaughtered for the minor human pleasure of tasty meat, once we see that nutritious alternatives to meat are readily available, then it becomes more difficult to justify the cost in cruelty of contemporary animal agriculture.

NOTES

1. David Byrne, Speech at the World Organization for Animal Health (OIE), Paris, February 23, 2004, European Directorate for Health and Consumers, <http://europa.eu/rapid/pressReleasesAction.do?reference=SPEECH/04/92&format=HTML&aged=0&language=EN&guiLanguage=en> (accessed August 15, 2008).

2. See "Animal Welfare: Fact Sheet" (March 2007), European Directorate for Health and Consumers, http://ec.europa.eu/food/animal/welfare/factsheet_farmed03-2007_en.pdf (accessed August 15, 2008).

3. See Bernard Rollin, *Farm Animal Welfare: Social, Bioethical, and Research Issues* (Ames: Iowa State University Press, 1995).

4. See Peter Singer and Jim Mason, *The Ethics of What We Eat* (Emmaus, PA: Rodale, 2006), chapter 12.

5. These figures are derived from Gary L. Francione, *Introduction to Animal Rights: Your Child or The Dog?* (Philadelphia: Temple University Press, 2000), xx; Matthew Scully, *Dominion: The Power of Man, the Suffering of Animals, and the Call to Mercy* (New York: St. Martin's, 2002), 30–31; and Gaverick Matheny, "Utilitarianism and Animals" in *In Defense of Animals: The Second Wave*, ed. Peter Singer (Malden, MA: Blackwell Publishing, 2006), 13. Francione and Scully both derive their data from the U.S. Department of Agriculture.

6. The Humane Society was founded in 1954. Related organizations include the Society for the Prevention of Cruelty to Animals International (SPCA) and the American Society for the Prevention of Cruelty to Animals (ASPCA). The American SPCA dates from 1866 and claims to be the first organization concerned to prevent cruelty to animals founded in the Western Hemisphere. For SPCA, see www.sPCA.com; for ASPCA, see www.asPCA.org. The SPCA is more concerned with the care of pets, while the Humane Society is more directly involved in issues of farm animal welfare.

7. Erik Marcus reports that 80,000 pigs die each year on the trip to the slaughterhouse. Erik Marcus, *Meat Market: Animals Ethics, and Money* (Boston: Brio Press, 2005), 33.

8. This figure is according to Singer and Mason, *The Ethics of What We Eat*, 67–68. For discussions of animal slaughter see Marcus, *Meat Market*, and Rollin, *Farm Animal Welfare*.

9. A useful summary can be found in Michael Allen Fox, *Deep Vegetarianism* (Temple University Press, 1999). Before this, a seminal article was published by Phillip Devine, "The Moral Basis of Vegetarianism," *Philosophy* 53, no. 206 (1978): 481–505. For articles and vegetarian activism, see the International Vegetarian Union, <http://www.ivu.org/>.

10. The United Nations report is found at the Food and Agriculture Organization of the United Nations, <http://www.fao.org/newsroom/en/news/2006/1000448/index.html> (accessed August 15, 2008). For discussion of IPCC head Rajendra Pachauri's plea to "eat less meat," see *New York Times Magazine* (April 20, 2008).

11. The most influential argument along these lines is James Rachels, "Vegetarianism and 'the Other Weight Problem,'" in *World Hunger and Moral Obligation*, eds. William Aiken and Hugh LaFollete (Upper Saddle River, NJ: Prentice Hall, 1977).

12. The best-known proponent of this point of view is Carol Adams. See Carol J. Adams, *The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory* (New York: Continuum, 1990); or Josephine Donovan and Carol J. Adams, eds., *The Feminist Care Tradition in Animal Ethics: A Reader* (New York: Columbia University Press, 2007).

13. See Descartes, *Discourse on Method*, Part V, or his letters to Henry More in *The Philosophical Writings of Descartes* (Cambridge: Cambridge University Press, 1991). Tom Regan criticizes Descartes in *The Case for Animal Rights* (Berkeley: University of California, 1983); John Cottingham offers a more sympathetic reading of Descartes in "A Brute to the Brutes: Descartes' Treatment of Animals," *Philosophy* 53, no. 206 (1978): 551–59.

14. See Immanuel Kant, "Duties to Animals and Spirits" in *Lectures on Ethics* (Cambridge: Cambridge University Press, 1997); and see Regan's discussion in *The Case for Animal Rights*.

15. Tibor Machan, *Putting Humans First* (Lanham, MD: Rowman and Littlefield Publishers, 2004).
16. Friedrich Nietzsche, *On the Genealogy of Morals* (London: Vintage, 1989), First Essay, section 13.
17. See James Swan, *In Defense of Hunting* (San Francisco: Harper One, 1995). For critique, see Scully, *Dominion*.
18. See Jan Narveson, "Animal Rights Revisited," in *Ethics and Animals*, ed. Harlan Miller and William Williams (Clifton, NJ: Humana Press, 1983).
19. David DeGrazia, *Taking Animals Seriously: Mental Life and Moral Status* (Cambridge: Cambridge University Press, 1996), 123. Also see Bernard Rollin, *The Unheeded Cry: Animal Consciousness, Animal Pain, and Science*, expanded ed. (Ames: Iowa State University Press, 1998); Donald R. Griffin, *Animal Minds: Beyond Cognition to Consciousness* (University of Chicago, 1994).
20. See Singer and Mason, *The Ethics of What We Eat*.
21. James Rachels, *Created from Animals: The Moral Implications of Darwinism* (Oxford: Oxford University Press, 1990), 5.
22. Jeremy Bentham, *Principles of Morals and Legislation* (New York: Hafner, 1948), chapter XVII, 311.
23. Peter Singer, "Ethics Beyond Species and Beyond Instincts: A Response to Richard Posner," in *Animal Rights: Current Debates and New Directions*, ed. Cass R. Sunstein and Martha C. Nussbaum (Oxford: Oxford University Press, 2004), 80.
24. Peter Singer, *Animal Liberation*, 2nd ed. (New York: Avon Books, 1990), 6. Updated discussion can be found in Peter Singer, *In Defense of Animals: The Second Wave* (Malden, MA: Blackwell Publishing, 2006).
25. For a recent discussion, see L. Wayne Sumner, *Welfare, Happiness, and Ethics* (Oxford: Oxford University Press, 1996).
26. Rollin, *The Unheeded Cry*, 285.
27. Aristotle, *On the Parts of Animals* (Whitefish, MT: Kessinger Publishing, 2004), Book 1, Section 5, 645a.
28. Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, and Species Membership* (Cambridge, MA: Harvard University Press, 2006), 351.
29. *Ibid.*, 402–403.
30. Regan, *The Case for Animal Rights*, 395. Regan has updated his argument in *Defending Animal Rights* (Urbana and Chicago: University of Illinois Press, 2001).
31. Regan, *The Case for Animal Rights*, 353.
32. Steven Wise, *Rattling the Cage: Toward Legal Rights for Animals* (Cambridge, MA: Perseus Press, 2000).
33. Gary L. Francione, "Animals—Property or Persons?" in *Animal Rights*, ed. Sunstein and Nussbaum, 108–142, 108.
34. See Darian Ibrahim, "The Anticruelty Statute: A Study in Animal Welfare," *Journal of Animals Law and Ethics* 1 (2006): 175.

RESOURCE GUIDE

Suggested Reading

- Carruthers, Peter. *The Animals Issue: Moral Theory in Practice*. Cambridge: Cambridge University Press, 1992.
- DeGrazia, David. *Taking Animals Seriously: Mental Life and Moral Status*. Cambridge: Cambridge University Press, 1996.

- Machan, Tibor. *Putting Humans First*. Lanham, MD: Rowman and Littlefield Publishers, 2004.
- Nussbaum, Martha C. *Frontiers of Justice: Disability, Nationality, and Species Membership*. Cambridge, MA: Harvard University Press, 2006.
- Rachels, James. *Created From Animals: the Moral Implications of Darwinism*. Oxford: Oxford University Press, 1990.
- Regan, Tom. *The Case for Animal Rights*. Berkeley: University of California, 1983.
- Rollin, Bernard E. *Farm Animal Welfare: Social, Bioethical, and Research Issues*. Ames: Iowa State University Press, 1995.
- Singer, Peter, and Jim Mason. *The Ethics of What We Eat: Why Our Food Choices Matter*. Eramus, PA, and New York: Rodale, 2006.
- Singer, Peter. *Animal Liberation*, 2nd ed. New York: Avon Books, 1990.
- Sunstein, Cass R., and Martha C. Nussbaum, eds. *Animal Rights: Current Debates and New Directions*. Oxford: Oxford University Press, 2004.

Web Sites

- Humane Farming Association, <http://www.hfa.org/about/index.html>.
- Humane Society of the United States, <http://www.hsus.org/>.
- People for the Ethical Treatment of Animals, <http://www.peta.org/>.
- U.S. Department of Agriculture, Animal Welfare Information Center, <http://awic.nal.usda.gov/>.
- European Union Directorate for Health and Consumers Animals Welfare Site, http://ec.europa.eu/food/animal/welfare/index_en.htm.

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