
Do animals have moral worth?

The contemporary debate with special reference to Aristotle

Alex Antonites

Department of Philosophy, University of Pretoria

Abstract

This paper examines reasons why animal existences can be regarded as subjects of moral concern. This debate is examined in conjunction with contemporary discussion on this issue, with Aristotle's thinking on animals in the background. The change in thought brought about by thinking on sentience is taken account of. The issue whether animals are moral agents like humans, as argued in Aristotle and contemporary thinkers, is addressed. In particular the recent views of Bekoff and Cohen are examined. With reference to Irvin and Bekoff, the moral relevance of cognitive capacities in animals is considered. The article concludes that higher capacities, especially self consciousness, are indeed morally relevant to the issue.

Introduction

Animals have become a focus of interest in philosophy and other sciences. In the past, apart from the zoological, anatomical and physiological (veterinary science) fields, animals were not thought to constitute a field of interest. Apart from fascination with the majesty and beauty of many animals, philosophical issues such as cognitive capacities were not even thought of. These functions were considered to be uniquely human. Even sentience is still regarded by many observers as exclusively human. To even consider the further possibility that such capacities could be of moral concern did not arise. Although this approach is still strong, many philosophers have succeeded in postulating the importance of sentience. This is regarded as the sole criterion for moral relevance. Other capacities in animals were discussed but only in a very loose fashion. This article intends to take other capacities not only seriously, but also as relevant for moral concern. I do this by taking into account the recent views of authors in contemporary discussions. Looking at this discussion, I felt that Aristotle's contribution to this debate cannot be neglected. Although his influence is not direct, I discuss the topic with Aristotle as an important background.

Aristotle: humans and animals

Aristotle is the first person, as far as is known, who called the human an animal, but a *rational* animal. As far as we know he was also the first commentator who wrote scientific treatises on animals. He is known for his knowledge about the Asian and African elephant and is reported to have been the first observer of dolphins. His *De Generatione Animalium*, *Historia Animalium*, *De Partibus Animalium* (all of which we shall use as well as his *De Anima*) are rich in empirical detail and facts. He compares animals with plants as well as humans, remarking for example: "now it is by sense perception that an animal differs from those organisms which have only life" (Aristotle a:680). Aristotle noticed that there are some borderline cases between plants and animals where it is not possible to clearly distinguish between the two. "But the function of the animal is not only to generate (which is common to all living things), but they all of them participate also in a kind of knowledge, some more and some less, and some very little indeed. For they have sense perception, and this is a kind of knowledge. (If we consider the value of this we find that it is of great importance compared with the class of lifeless objects, but of little compared with the uses of intellect...)" (Aristotle a:679-680). Aristotle here makes distinctions that are today still relevant as they have become part of the debate on moral concern, namely lifeless objects, plants, animals and humans. For Aristotle they are definite and distinct categories.

"All men by nature desire to know. An indication of this is the delight we take in our senses" (Aristotle c:689). Something of this capacity is also to be seen in animals: remarkable is Aristotle's distinction between what in (current discussion) are called sentient and non-sentient animal beings: "By nature animals are born with the faculty of sensation, and from sensation memory is produced in some of them, though not in others. And therefore the former is more intelligent and apt at learning than those who cannot remember; those who are incapable of hearing sounds are intelligent though they cannot be taught, eg. the bee, and any other race of animals that be like it ; and those which besides memory have this sense of hearing can be taught" (Aristotle c : 689). This is the first systematic analysis of capacities in animals.

The soul, which is in both humans and animals, is pained and pleased, bold or fearful, angry, perceiving and thinking (Aristotle b:548). He adds: "In the great majority of animals there are traces of psychical qualities or attitudes, which qualities are more markedly differentiated in the case of human beings. For as we pointed out resemblances in the physical organs, so in a number of animals we observe gentleness or fierceness, mildness or cross temper, courage or timidity, fear or confidence, high spirit or low

cunning, and, with regard to intelligence, something equivalent to sagacity" (A e:634). However, "The case of mind is different; it seems to be an independent substance implanted within the soul and to be incapable of being destroyed... Thinking, loving, and hatred are affections not of the mind, but of that which has mind, so far as it has it" (Aristotle b :548). We notice in the quoted remarks that Aristotle, like several scientists and philosophers today, would regard some animals as intelligent, but without rationality or reason. This means that reason is not seen as a necessary condition for intelligence. This is somewhat problematic, because how does one then make sense of intelligence? Even what is today called emotional intelligence is not understood without thinking capacities. Unlike Plato, who worked with the idea of a World Soul, which became more pronounced in Neo-Platonism, Aristotle thinks that nothing is ensouled beyond animals and humans. If a soul should reside in air or fire, Aristotle asks why it does not then form an animal and why the soul in air would be higher and more immortal than in animals.

Hierarchies are an important part of the contemporary debate but also go back to Aristotle. He clearly thinks hierarchically about animals, but makes no explicit pronouncement on the moral standing or value of animals. We can however deduce that he does not regard them as moral agents. This is clear from the only reference to animals in his *Nicomachean Ethics*: "It is natural, then, that we call neither ox nor horse nor any other of the other animals happy; for none of them is capable of sharing in such activities" (Aristotle d:946). Happiness has to do with lengthy character building and with virtue where politics and reason play an important role. For Aristotle the capacity of reason is absent in animals. This view, although not necessarily for the same reasons, is still defended today by well known scientists like Rawls and Bekoff. By expressing it Aristotle laid the foundation for current thinking in this matter.

Aristotle and contemporary science

In both Aristotle and contemporary discussion, the issue of hierarchies is linked to capacities. Our problem today however is whether capacities and species in a hierarchical sense make a meaningful difference regarding moral standing and treatment. Since animals, according to Aristotle, do not possess the capacity of reason, as we saw, they are morally indifferent. He does not even discuss such a possibility in his ethical works. Only those who possess the capacity of reason are moral agents and have moral standing. Yet the style of Aristotle gives the impression that he would be willing to revise his views in the light of new evidence. Let us briefly consider the following: "We have no evidence as yet about mind or power to

think...reflection confirms the observed fact..." (Aristotle b:558,559) and "this *apriori* event is confirmed by the facts... What occurs in birds and oviparous fishes is the greatest proof that neither does the semen come from all parts of the male nor does he emit anything of such a nature as to exist within that which is generated, as part of the material embryo, but that he only makes a living creature by the power which resides in the semen (as we said in the case of those insects whose females insert a part of themselves into the male" (Aristotle a:677). We note Aristotle's frequent usage (there are many more instances) of terms like *evidence*, *proof*, *confirm*. I argue that in this there is an important philosophy of science lesson to be learnt: the idea of empirical proof is not a positivistic heritage, but rather an Aristotelian one. One could say that the positivistic emphasis on and usage of verification and proof is a later narrowing down of the original Aristotelian usage. Aristotle is a good example of a scientist who is strongly empirical, but is clearly far from taking a positivist stance. He i) by implication states that confirmation, proof, evidence are criteria of scientific thinking and ii) is by implication open minded and would be willing to change his views in the light of new evidence.

It would in my view not have been too surprising if Aristotle, had he encountered contemporary scientific findings, would have welcomed and even enjoyed them. Aristotle did not know anything of evolution or evolutionary continuity (it is not clear whether Aristotle took note of the first evolutionary proto-theory of Anaximander). However his final theory of causality in the biological world and the increased complexification in nature, could have paved the way for modern evolutionary thinking and theory. When reading this theory, it almost seems that he is describing something of evolution: "Nature proceeds little by little from things lifeless to animal life in such a way that it is impossible to determine the exact line of demarcation, nor on which side thereof an intermediate form should lie. Thus, next after lifeless things in the upward scale comes the plant, and of plants one will differ from another as to its amount of apparent vitality; and in a word, the whole genus of plants, whilst it is devoid of life as compared with an animal, is endowed with life as compared with other corporeal entities. Indeed, as we just remarked there is observed in plants a continuous scale of ascent towards the animal. So, in the sea, there are certain objects concerning which one would be at a loss to determine whether they be animal or vegetable" (A e:635). Something reminiscent of design in nature can also be discerned, but it is considered in terms of the Greek concept of order in nature, as can be seen in: "For just as human creations are the products of art, so living objects are manifestly the products of an analogous cause or principle, not external but internal, derived like the hot and the cold from the environing universe" (A f:649).

The present genome project would have challenged some of Aristotle's ideas on animals. In genetics the sequencing of the chimpanzee genome was finished in 2004 and that of humans is well under way. It appears that the difference as to chromosomes between chimps and humans is slightly larger than previously thought. Earlier molecular comparisons suggested that the two species are very similar at nucleotide sequence level – a difference of only between 1.23% and 5%. Results now show that the chromosome 22 proteins of chimpanzees differ 83% from that of humans. In other words only 17% is identical. (Holding, C. *The New Scientist*: 1-3). Derek Whitman, a molecular scientist involved in the genome project, however explicitly states that there is no major difference between chimps and humans (Ibid). These new insights, like some previous ones, are altering the focus not only to the differences between humans and animals, but also to the similarities. In my view these similarities together with evolutionary continuity, prompt deeper thinking on rationality, consciousness and intelligence regarding both animals and humans. Would Aristotle be willing to classify the chimpanzee into a different category from his animal category or perhaps with humans?

The contemporary strong thesis: animals are animals

Even so, the possibility that animals may have moral worth is not taken for granted by all. A strong thesis still quite prevalent today in thinking on animals is that *animals are animals*. They are as a whole a separate species differing in a fundamental sense from humans. Inspired by a particular religious interpretation of Genesis 1 and 2, the view is strong that animals have only instrumental value. They are means to human ends. This concept was reinforced by the Cartesian view that animals are *automata*, soulless, lifeless beings devoid of reason, brutes. A thing cannot have moral worth. It is largely due to philosophers that this view was ruptured and that a change in thinking started to take place. By so doing philosophy succeeded in its task because it is indeed the task of philosophers (apart from other things) to puncture cosy beliefs, and start new thinking. Although there are some precursors who paved the way, like Jeremy Bentham, it is only in contemporary times that the influence of philosophers like Peter Singer, Tom Regan, Mary Midgley and David DeGrazia, has brought about new views, which have opened the gate for other scientists to do research on animal consciousness. These new perspectives conversely influenced philosophers to think even more fully about animal consciousness. In this area, Aristotle had not yet arrived at the idea of self consciousness. Yet he did express proto-ideas on this issue, e.g. concerning nous he refers to *νοῦς νοήσεως* (reason reflecting on reason, itself) which could be a precursor of self-consciousness.

Aristotle's thinking on mind and reason made contemporary thinking on consciousness possible. However, up to the present most philosophers have appealed to *sentience* as the primary criterion for determining whether a being is worthy of being given moral consideration. Singer used utilitarian arguments for this purpose, while Regan argued in terms of animal rights. The capacity for suffering and enjoyment is the only defensible boundary for moral concern, because all and only sentient beings have this capacity. Singer regards other possible capacities as irrelevant to the question of whether a being deserves moral consideration. Regan puts it this way: "Individuals are subjects-of-a-life if they have beliefs and desires; perception, memory and a sense of the future, including their own future; and emotional life together with feelings of pleasure and pain; preference- and welfare interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well for them, logically independently of their utility for others and logically independently of their being the object of anyone else's interests" (Regan, T. *The case for animal rights* p 247 in Irvin:74). Irvin is right in inferring that Regan would exclude animals like mollusks, crustaceans, and insects (Ibid:74).

Not to view animals as one fixed single category, as Aristotle did, is very difficult to accept with an open mind (even though I consider that if Aristotle had taken part in today's discussion, he would have been more open minded). On the grounds of the strong thesis it is believed that "something else cannot be, because it may not be!" New ideas in science are nearly always unpopular and are even viewed with hostility, because they tend to puncture one's comfort zone. Before Aristotle, Aristarchus had to flee Athens as a result of his propounding the first heliocentric theory, while Galileo Galilei later on is a notorious example. Though Charles Darwin, Albert Einstein and Niels Bohr did not need to flee, their new ideas caused a considerable stir. New ideas on animal existence similarly make us feel uncomfortable. It is more reassuring to know that animals are devoid of sentience, thinking, have no intrinsic moral rights. We have nothing to be worried about, have no further responsibility and no need for further thinking about animals. Furthermore all animals form one separate class as Aristotle saw it. This view is still largely maintained. It is generally accepted that the proverbial mouse differs from an elephant only by size, physiology and anatomy. There is nothing more to it. Thus even when evolution is accepted, it does not lead to radical rethinking. However, new insights from neurophysiology, ethology and psychology cannot be hindered and ignored for all time, and are slowly beginning to revolutionize our understanding of animal minds. These insights point to the fact that this equalizing view (animals are animals) can no longer be maintained, that certain species like

cetaceans, primates, elephants and others can be grouped with humans and constitute a radical difference from the others.

Animals not moral agents?

We have noted that Rawls, like Aristotle, did not regard animals as moral agents because they themselves cannot apply moral norms and evaluate ethically. But can such a view be maintained today? Let us consider *Carl Cohen*, who agrees that animals are not moral agents. However unlike the Cartesian approach, he does not see animals as machines, but as sentient beings who ought to be treated humanely: "We have a universal obligation to act humanely, and this means that we must refrain from imposing pain on sentient creatures so far as we reasonably can... [animals] ought not to be made to suffer needlessly" (Cohen in *Nobis*:54). *Nobis* (55) rightly asks whether this implies for Cohen that animals have a right not to suffer needlessly. We can see that even Cohen was not unaffected by Singer and Regan's thinking on sentience. However, for Cohen only humans are able to conceive of their actions using moral concepts; only we are able to believe we can do right and wrong and choose to act in accordance with (or in violation of) the moral law: only we can freely restrict our own behaviour out of respect for others. If an individual has these properties he or she has the capacity for free moral judgment; holders of rights then must have the capacity to comprehend rules of duty, governing all including themselves (*Ibid*:44). "Rights arise, and can be intelligibly defended, only among beings who actually do or can, make moral claims against each other. Whatever else rights may be, therefore, they are necessarily human; their possessors are persons, human beings... Animals cannot be the bearers of rights because the concept of rights is essentially human; it is rooted in, and has force within, a human moral world" (Cohen in *Nobis*:53,54,55).

But why would animals not be objects of moral concern or rights? Animals are not beings of a kind capable of exercising or responding to moral claims. They have no rights and they can have none.

More formalized in argument form, Cohen's main view, according to *Nobis* (*Ibid*:45), looks like this:

1. If an individual lacks the capacity for free moral judgment, then he or she does not have moral rights.
2. All animals lack the capacity for free moral judgment.
3. Therefore, animals do not have moral rights.

Nobis then critiques Cohen's notion of kinds. He asks whether this would include the cells of a human being's flesh, or an embryo? He argues that kinds, like species, are abstract concepts, classificatory devices or

metaphysical entities. They cannot exercise or respond to moral claims. Individuals of a kind can respond to moral claims, but not the kind as a whole. To explain a kind as something normal or natural is also difficult as a criterion, because it does not entail that all humans have it (e.g. a human with only one leg). Cohen thus could modify the first two premises to "*individuals of a kind*". But from this it will follow that marginal humans also have rights and then we face the problem of many animals who, like primates, possess higher capacities and intelligence than many retarded humans. These humans then are objects of moral concern, have rights, but not these animals.

Should one question Cohen as to whether a human embryo which also cannot make moral judgments, has rights and is a object of moral concern, he would reply that an early embryo is a potential human person and thus indeed an object of moral concern. Singer and Dawson have indicated the flaw in such an argument (although not in response to Cohen). They probed the meaning of potentiality. Possibility, real physical possibility, according to them is a necessary condition for potentiality. The difference between an egg or sperm is a difference in degree rather than kind: "In our view the fact that the embryo, but not the egg has a uniquely determined potential does not suffice to show that the embryo is a different individual from the egg, or that it, but not the egg, is a potential person" (Singer & Dawson 2002:199-207). Nobis argues that a specieist must be able to specify why a being of the type "biologically human" is indeed itself a morally relevant type. "It appears not to be, since human biology seems neither necessary or sufficient for having rights: friendly space aliens could have rights and dead, human cells in a Petri dish do not" (Nobis:52)

"Being of the kind 'biologically human' is neither logically sufficient nor conceptually necessary for having rights: biological kinds are not in themselves morally relevant. Furthermore, we share little, morally, with human cells in flasks or organs in an icepack: bare biology does not count much" (Ibid:57). Taking my own and Nobis' critique on Cohen, I would conclude with Nobis that Cohen has not provided any rational support for the view that animals have no rights or moral standing. It seems that he should have gone beyond mere membership of biological species in his biological argument.

Capacities other than sentience

Singer regards other possible capacities (besides sentience) as irrelevant to the question of whether a being deserves moral consideration. Singer and Regan regard sentience as the only criterion and borderline for considering moral concern. Other capacities, like self awareness, rationality or cognitive

capacities similar to humans, have up to the present been put forward in a somewhat loose way, for example by DeGrazia and Griffiths. However unlike the sentience argument, other capacities never figured very strongly as a criterion for moral consideration. Singer logically would then not support the idea that humans deserve more moral concern, but in tension with this he does incorporate the idea that humans do deserve more moral concern, when he argues that it might be worse to kill a human rather than a mouse. Even though I tend to agree with him, there is somewhat of a tension between sentience as the only criterion for moral concern and regarding humans as on a "higher" level for concern. However his argument is not specieist, since he argues from capacities as such and not merely from the biological species of the human. By implication, then, he does appeal to capacities more than mere sentience, since he appeals to hope and future planning. Unlike the killing of a mouse, the killing of a human who can plan for the future, hope, work on some future goal, "...is to deprive that being of the fulfillment of these efforts".

This does not apply to beings who do not or cannot hope and act in a future directed way. Singer here distinguishes (and rightly so) between self-conscious beings and non-self-conscious beings. Mere conscious beings are replaceable, self-conscious ones not. Let Singer formulate this himself: "To take the view that non-self-conscious beings are replaceable is not to say that their interests do not count. I have elsewhere argued that their interests do count. As long as a sentient being is conscious, it has an interest in experiencing as much pleasure and as little pain as possible. Sentience in a being suffices to qualify it for equal consideration of interests; but it does not mean that the being has a personal interest in continuing to live. For a non-self-conscious being, death is the cessation of experiences, in much the same way as birth is the beginning of experiences. Death cannot be contrary to a preference for continued life, any more than birth could be in accordance with a preference for commencing life. To this extent, with non-self-conscious life, birth and death cancel each other out; whereas with self-conscious beings, the fact that once self-conscious one may desire to continue living means that death inflicts a loss for which the birth of another is insufficient gain" (Singer 2002:118). Singer finds the view that only language users can be self-conscious unconvincing (Ibid:119). I concur. An argument of Singer's is that higher level capacities increase the value of an individual. The magnitude of these interests may depend upon certain higher level capacities. Calculation of these interests ought to be taken into consideration. Normal human adults will suffer more than animals if their interests are frustrated, because of "higher" capacities. In addition to magnifying these interests, higher level capacities also give rise to additional interests, such as an interest in seeing one's plan realized in future.

Individuals with more highly developed capacities require greater delicacy of treatment, since they will be harmed more by death and will suffer more by ill treatment (Ibid:63). According to Singer's line of argumentation, a human has much more to lose than a mouse which is sentient, but does not have the sense of future goals, etc. I would add that one has to do with the qualitative difference between a sense of future and sense of meaning on the one hand and satisfactions on the other. The former makes the loss more profound.

As we will see, Bekoff even regards the presence of sentience as not decisive but argues that there are no good reasons why non sentient animal beings should not also deserve moral consideration. Species alone cannot guarantee moral worth. While this is acceptable, the question is whether his giving more weight to human life in terms of capacities for hope, does not nullify such a non-specieist stance. This does not however mean that an appeal to capacities is wrong, as we shall see later.

Another valuable perspective (and in my view one of groundbreaking importance since Aristotle) that Singer has put forward is to focus thinking on *individual* animal existence. Up to the present, thinking on animals has revolved around species and the conservation of species. The species of whales ought to be protected from extinction, but the individual whale does not come into consideration. A good contemporary example is furnished by the countries who insist on the resumption of whaling. It is argued that some whale species have recovered their numbers and that their numbers are even increasing more than "necessary". But necessary for what? For whom? So the species is safe, therefore "surplus" whales can be slaughtered. There is not even an inkling of the value of the life of the individual whale. The thought simply does not occur, that the whale's life may be more than of instrumental value for humans. In the light of my argument here, Singer's approach that we should shift our attention from the species to the individual is therefore a major shift in thinking, and most important. If the individual becomes more relevant and important, so do capacities.

Bekoff and specieism

Marc Bekoff, well known researcher in animal ethology, is quite critical as to classification schemes of "higher" and "lower" among animals. He regards these as misleading, because they fail to take into account the lives of, and worlds of, the animals themselves. Recently Sherri Irvin has also argued for the context of animals to be taken into account (Irvin, S: 68-75). Bekoff argues that the placing of species in some hierarchical order of higher and lower on the phylogenetic tree, after which we humans then decide which is morally more relevant or not, presents serious problems if one were to argue

convincingly that animal species should be ranked on a single scale. He calls this "humanocentric" — who are we as humans from the vantage point of *our* species to decide who has moral worth? Such hierarchies are usually specieist and primocentric because we group higher primates with humans.

Unlike Aristotle, Bekoff argues that humans ought to give moral consideration to all animals, not only the sentient ones. This point of view will require that the rights of all animals be respected when moral decisions are being made about them (Bekoff:638). First appealing to cognitive difference and then making decisions about higher or lower levels is misguided. Bekoff refers to (as we mentioned before, rather loose attempts to define) cognitive capacities of chimpanzees, gorillas and orang-utangs. Usually their ability to learn human sign language is referred to. The argument then runs: we can do it, primates can do it. Mice cannot do it. Mice therefore deserve less moral concern than we and primates do. The reason why Bekoff rejects this argument is that animals have to be able to do what they need to do in order to live in their own worlds (Ibid:639). It can be expected that specie differences will be the rule rather than the exception. These variations should not be viewed as being "good" or "bad", or used to place animals "higher" or "lower" on a linear scale. This narrow minded primatocentric and humanocentric specieist cognitivism (as he calls it), should be resisted when applied to decisions about how animals should be treated. Some writers think that only non-human primates have rich cognitive lives. Bekoff notes that claims for the view that apes are "more intelligent" than monkeys are not solid. There are few naturalistic observations, if any, that will substantiate such broad-based general specie claims (Ibid:639). The point cannot be dismissed that at least some non primate individuals also have rich cognitive lives. Researchers are far from having an adequate database from which meaningful claims about taxonomic distribution of various cognitive skills can emerge. However he concedes that it is still possible to discuss whether chimps are smarter than, e.g., mice or dogs. That is, researchers need to be clear about the criteria that are used to make comparative statements about smartness or intelligence — what they mean when and if they claim that chimps' social lives are able to solve more complex or difficult problems than mice, or show more versatile patterns of behaviour in response to environmental changes. To draw moral boundaries at species level, using some set of average specie-typical characteristics, is fraught with difficulties. He quotes R Hubbard: "At that point I was working with squid, and I think squid are the most beautiful animals in the world. And it just began to bother me. I began to have the feeling that nothing I could find out was worth killing another squid" (Hubbard as quoted by Holloway in Bekoff:640). Remarkably similar sentiments have been expressed by researchers as to other animals.

Bekoff is right in claiming that there are and may be other animals than primates that also have "higher" cognitive capacities. In fact, cetaceans', like dolphins', capacities probably even exceed those of primates! The elephant is another example. That others may be discovered is rather to be welcomed. However to argue, as he does, that these capacities do not make them morally more relevant, because animals have to do what they must do, is not convincing. The latter is correct, but not the conclusion he reaches on moral worth. His assumption is perhaps that some animals do not need these cognitive capacities. This is granted. Many animals without these cognitive skills, like bats, are highly complex and marvellous beings — even astonishing, as is their sonar system. This however is not a convincing reason not to regard certain cognitive skills as more advanced — advanced also in the sense that they enhance self awareness. These more advanced skills link up with the more developed and advanced brain in humans, cetaceans, elephants and primates. It is the profoundness and richness of experience which higher capacities make possible which in turn appeal to judgements regarding higher moral concerns. This excludes a narrow primatocentric approach. A point that Bekoff has made, that there is no solid case for claims that the "higher" primates like chimpanzees are more intelligent than "lower" primates like monkeys, seems worth considering. Research indeed could pursue this further.

Bekoff, like Aristotle, argues that animals are not moral agents. This is why humans are not only part of nature, but also have a unique responsibility to nature. Those who appeal to the "brutality of nature" to justify the bad treatment by humans of animals, fail to see that animals are not moral agents (Ibid:641). Animals are, rather, moral patients in that they cannot be held responsible for their actions as being right or wrong, good or bad. Deep ethics also implies that one should be sensitive to the world of animals themselves, and make serious attempts to adopt their point of view. When all animals are admitted to the community of equals, they will be protected regardless of their cognitive skills or their capacities to experience pain, anxiety and suffering. We cannot override their rights (Ibid:641). Bekoff argues that when we are unsure about an individual's ability to reason or think, then we should assume that he or she can do so, in his or her own ways. And if we are unsure about an individual's ability to experience pain, anxiety and suffering, then we must assume that he or she can do so. We should therefore be on the side of animals (Bekoff:641). I could not agree more. Bekoff notes that when, as humans, our own moral sensibilities develop and our scientific understanding increases, moral distinctions are likely to change as well (Ibid:641). I concur, although I think the change in moral sensibilities is already happening.

While I consider that he is right that the brutality of nature is no excuse

for bad treatment of animals, the view that all animals are not moral agents is however quite debatable. That lions versus non-lions are indifferent to morality seems plausible and could be argued for. When we come to the four "higher" species mentioned, as well as many others, the supposed indifference is not so clear. The world renowned primatologist, Frans de Waal, confirmed a definite sense of morality and justice among chimpanzees. Records are more than anecdotal in cases of cetaceans, like dolphins, but also elephants, rescuing individuals of other species (including humans) from imminent danger and death. This strongly suggests compassion but also moral awareness. In March 2004, when an elephant was severely injured by a train on a railroad track in eastern India, a large number of the same group of elephants blocked the rail on both sides of their wounded conspecific. This gave medics time to rush in and save the life of this elephant. This event could hardly be anecdotal as it comprised a large number of elephants (TerraNewsletter 2004:1). This behaviour was not only witnessed by reliable witnesses, but is also consistent with many other examples of elephants saving the lives not only of conspecifics, but also of individuals of other species, like dogs and humans. To claim that these elephants did not behave like this out of compassion and with a sense of morality, would be difficult to explain.

Bekoff concludes that "we" versus "them" dualisms just do not work. It is the similarities rather than the differences between humans and animals that drive much of the research in which animals' lives are compromised. Although not exactly for all the reasons Bekoff mentioned, I agree.

Capacities and context

Recently *Sherri Irvin* has also argued against mere capacities as a criterion of moral worth. Like Bekoff she also supports the idea of the moral worth of animals, but philosophically counters the idea that capacities like rationality etc. could be a criterion of the moral position of animals. The problem is not capacities as such, but that they are not seen in conjunction with their context: "Context shapes the development of a being's capacities and helps to determine the value of these capacities. The shaping of capacities by context is a salient aspect of human development" (Irvin:63). An example is the education of children. Their flourishing is stimulated by the capacities for meaningful relationships, for physical prowess and dexterity, artistic expression and many others, which in turn may all be promoted by the stimulations of one's early environment. Context affects the development of a human in a quite straightforward way throughout his or her life span (Ibid:64). The value and worth of a capacity for well being, depends on one's context.

If one does not take the context into account then one will not really be able to discriminate between alternatives, and one cannot have a preference between them. Beings with greater capacities would have a correspondingly larger number of interests to choose from. Although it is not exactly clear how she distinguishes between the two, Irvin thinks that expected utility is a **measure** not of *potential* for satisfaction, but of *likelihood* of satisfaction (Ibid:65). "And the discrimination model does not establish that beings with more advanced capacities, have a greater likelihood of satisfaction, thereby making their lives more valuable. Indeed, it is at least equally plausible that the expected utility of such beings will be lower: for only *satisfied* interests contribute to utility, and frustrated interests tend to detract from utility...this model involves a progressive narrowing of interests, and it seems that the narrower one's interests become, the less likely they are to be frustrated... if my interests become narrower, frustration is more and more likely" (Ibid:65, 66). One, then, is not better off. She asks why or how the satisfaction of these interests counts morally for anything: why would it count for more than, say, a cow's munching on her hay? (Ibid:66). "Thus, although higher level capacities may lead to a greater quantity of interests, there is no reason, on the discrimination model, to conclude that these interests will translate into greater expected utility" (Ibid:66). Unless one is prepared to offer a further argument that my satisfaction is more intense, just by virtue of the greater refinement of my capacities or interests, it is unclear that we will end up with the likelihood of higher utility scores for beings with higher capacities. So, beings with greater capacities will have more interests, but this does not establish that these interests are likely to lead to greater levels of satisfaction or to more valuable lives.

I have a problem with a crucial aspect of this argument. Irvin in utilitarian fashion argues using amounts and quantities. The way she does so is almost painful; it too clinically quantifies satisfactions. The argument constantly turns on *amounts of, pot of, interests greater than, more interests, greater levels, longer duration, add to the pot, spreading a fixed amount of satisfaction more thinly*, etc. I have no problem with a measure of quantities and satisfactions. This is even inevitable, important and useful up to a point. But only up to a point. A human or dolphin indeed has *more* than the cow munching. However to limit the capacity only to these quantities, is a too narrow way of understanding such a profound issue. The "more" in this context of higher activities (than munching) refers to something qualitatively different. In the case of experiencing a piece of music, or a stunning beauty, or an academic treatise, I would prefer rather to speak of fulfilment of meaning. This does not necessarily exclude satisfaction. To say, however, that the fulfilment in the case of an academic work endures several hours longer than the satisfaction of thirst, is perhaps less appropriate. Of course

the experience of meaning, in the case of say an academic work, cannot always be separated from that of satisfaction. An experience of fulfilment could, and many times does, accompany or effect satisfaction. The converse is less probable: Irvin's cow munching hay experiences satisfaction, but it is rather improbable that the same cow also experiences fulfilment of meaning. The cow is "missing" another kind of experience, namely such a fulfilment.

Irvin's appreciation model argues that there are some kinds of rich and valuable experiences that we can appreciate only because we have certain capacities. Our interest in intellectual stimulation obviously depends on the attainment of a certain level of intellectual ability (Ibid:67). Similarly, our psychological faculties will determine our close interpersonal relationships. The satisfaction to be had from these pursuits, may seem to be more intense and more enduring than the satisfactions that do not involve our higher faculties. These pursuits will add to the pot of satisfactions, rather than spreading a fixed amount of satisfaction more thinly. My ability to enjoy a mango is intuitively not compromised by my interest in love or Dostoyevsky (Ibid). Once again we note an increase in the amount or pot of interests. I would rather propose a qualitatively different pot. It is a pot of another kind. Hunger or sexual satisfaction in one pot is not necessarily less good in number than fulfilment of meaning through intellectual work in the other pot. In fact the latter pot is difficult to explicate in terms of numbers.

Irvin's *appreciation model* intends to account for the fact that beings with higher level capacities would have greater expected satisfactions and utility. According to Irvin, however, context largely determines this: in a context of freedom, yes; but in a context where there is a severe environmental constraint, the converse is true — it may lead to misery. "The claim that higher level capacities make for more valuable lives, then, must be read as conditional on assumptions about context" (Ibid:68). Chimps may have more interests in social relationships. And the expected value of the chimps' future satisfactions is greater than that of an impoverished human. Irvin uses the example of people in an overloaded lifeboat who are in danger of sinking in the sea: someone must be thrown into the sea to save the rest. If there is a large number of dogs on the boat, and we must choose, we will have to throw the dogs into the sea. Human contexts, being more enriching, suggest that the value of a human life is more than that of a dog. I revise the example: suppose there are some humans, one of which is a psychopath, and a chimpanzee. Whom do we throw into the sea to keep the boat above the water? The measure is once again the value of lives. In the light of our discussion up to this point, I would decide against the psychopath and in favour of the chimpanzee. The difficulty and complexity of such competing situations is clear in a more real example, namely the

case of a human far advanced in pregnancy when the life of either the baby or the mother is in danger.

Irvin is right that the value of human life is interwoven with context. The context must, however, not be stressed at the cost of the capacities. A human baby, e.g., does not and cannot experience meaning as an adult in a free, enriching context. Instead of using the expression "potential", I would rather formulate it this way: ontologically speaking the baby is a full human being, but empirically the baby still cannot realize this. The adult is already empirically realizing what is ontologically there. With the experience of more free and enriching contexts, this empirical realizing can be continued. This is why the argument against capacities is not convincing. Certainly, beings with higher capacities, like humans, do not always de facto experience meaning. The point is that they in principle can. To count the number of frustrations I suppose could be done, but does this explain the profundity of many experiences which are not frustrated? This point also applies to many animals. Research has confirmed the influence of human culture upon dogs over many thousands of years. A Hungarian team of veterinarian researchers established that the dog can and does follow the human gaze or where a pointed finger points, or tries to figure out what it is that we are looking at and seek out the target. This does not occur with the dog's ancestor, the wolf. In a more enriching human context of 15,000 years, the dog has picked this skill up from humans. Along with this, mental development and advance took place in dogs: the research team suggested an understanding by dogs of human mental states, indicating a "higher mind" on the dog's part (Arney, 2003:1-3). I would suggest that the primary implication of "higher mind" is self-consciousness.

Therefore we note that context influences transcend specie boundaries, just as within a specie; this of course without reducing the one context to the other. The question still remains: does the context relevance solve the problem of alternatives and discrimination? It seems to me, rather, that the problem is shifted from the capacity to context. Capacity presupposes context. In existentialist philosophy and philosophical anthropology this was always of primary importance.

Restrictive contexts – animal experimentation

Without intending to discuss the whole issue of animal experimentation, I would like to consider it insofar as it relates to our topic of the moral worth of animals. "The contexts in which animals are sometimes brought into contact with humans, are very often such as to stunt the development of their capacities. Typical contemporary examples, in such areas as scientific experimentation and the meat industry involve rearing animals from birth in

the context of severe restrictions on movement, limited environmental stimulation and abnormal or absent social relations. It is to be expected that animals will develop abnormally. Moreover, little or no attention is given to promoting the capacities most likely to contribute to the animal's flourishing within such contexts... (Irvin:68). It is not always incidental that capacities are stunted by restrictive contexts...for example the development of veal calves is discouraged by the animal's placement in small enclosures which completely restrict their movement, so as to preserve the tenderness of their flesh for human consumption. It seems clear that such stunting of capacities, whether intentional or incidental, is morally reprehensible in itself." (Ibid:68). This can be compared with the capacities of humans also being stunted. A good example not explicitly mentioned by Irvin is that of Taliban Afghanistan, where women were so restricted in movement and ability to determine their own course of life that their flourishing was stunted. Education, outdoor exercises, clothing and public appearances and participating in a large number of activities were out of bounds for women.

Both animals' and humans' capacities are restricted when they are deprived of opportunities to pursue the satisfaction of their interests (Ibid:70). I add deprivation of fulfilling of meaning. Does this mean that because of this an animal's and human being's life is less valuable? No. Irvin argues that the problem cannot be solved by the *potential* for satisfaction the individuals should enjoy in a morally neutral context. The appropriate context for a human being is freedom. This view of Irvin's has strong rational support.

As just suggested, many animals have fewer capacities than humans, cetaceans or primates. We would never condone laboratory experiments like vivisection on retarded humans simply because their limited capacities make their lives less valuable than those of normal adult humans. Singer used this as a *reductio* argument as to experimentation: if we accept the experimentation on lower humans, we should accept it on humans with compatible capacities, since all the justificatory arguments are applicable. So, "Because we would not be willing to subject any human to such experiments, we should abandon experimentation on at least some animals... when it comes to human beings, we begin from the understanding that it is not morally acceptable to imprison and exploit them, regardless of their endowment of higher level capacities. When it comes to animals, however, no such understanding can be assumed" (Singer:80-94).

In spite of many places where there seems to be no change of conditions and of the moral standing of animals, it would be one sided to argue that matters have not changed appreciably in many localities. Ethics has appeared where there was none before. I would not credit philosophy alone for this change. There are many other factors, such as research and

influential persons like Jane Goodall and Frans de Waal, who have wielded a strong influence on the change of thinking. As to philosophy: just as the constitution of the USA and the Charter of the UNO were influenced by the natural rights philosophy of John Locke, so it now appears that the charters and constitutions of states and councils such as medical councils and others are clearly influenced by the thinking of the philosophers Peter Singer and Tom Regan. One state, Germany, was the first to safeguard animal rights in its constitution in 2003. New Zealand nearly succeeded in doing the same.

There are many instances and places where the restrictions on animals have been lifted and changed so that their needs are more fully met. Much is still to be done, though. However, even a worldwide and well known chicken industry, KFC, has changed unacceptable practices and restrictions as to the treatment of chickens in the USA.

Remarkable changes have occurred in areas of animal experimentation. The mark of philosophy here is even explicit. The move towards more humane treatment is motivated not only by appeals to sentience, but animals are also described as being not objects, but subjects worthy of moral concern. The British government recently made the bold move of banning laboratory or vivisection experiments on Great Apes. This is indeed a long time overdue.

Conclusion

Contemporary discussion on animal existence and their moral worth has on the one hand moved quite far away from Aristotle's position. Nevertheless, Aristotle can be seen as the definite starting point for any academic discussion on animals. On the other hand, I consider that one can safely assume that without Aristotle's groundbreaking thinking on animals in the four works we made use of, contemporary thinking may have looked different or would not have occurred at all. Aristotle thus was perhaps not a necessary condition for current thinking, but one could say his work was a sufficient condition. His particular realist approach, his rich and sometimes elaborate empirical descriptions and explanations of animals and species, have been ingrained in the Western mind. For Aristotle the *general*, the *whole*, the *specie* and *genus* was of primary importance. For Aristotle the individual was relatively less important. This explains why he did not regard history as a science and that while he paid attention to so many sciences, there is practically nothing of history. For Aristotle no general conclusions or essences could be established in history. There were only individuals and individual events.

During the Romantic period this attitude started to change. However, as far as animals are concerned we have noticed how outlooks began to alter with Singer and others, moving from only focusing upon the *specie*, to

an emphasis upon the individual. We also noticed the move away from Aristotle's view that animals are devoid of reason, but also the post Cartesian approach's return to Aristotle (animals have souls): to what we today call sentience. Aristotle, throughout the four works used here, in a systematic way touched upon animal capacities and compared them with those of humans and plants. But his analysis of animal and human capacities paved the way for today's discussion of the same. In all this one may see the enormous influence wielded by Aristotle, logically as well as chronologically. His - (capacities have no moral relevance) turned into a + (the capacities gained moral relevance among many thinkers and scientists) This may be remarked of many paradigm shifts or turns to new insights in science. Immanuel Kant demonstrated that our knowledge of the world cannot be known unless through our human categories of space, time, causality and others. We cannot go beyond that. Beyond is the unknowable (by science) *ding-an-sich* world. Kant showed that the basic laws of Newtonian science can be derived from these basic *apriori* categories of understanding. No future experience can change this limitation of humankind. This is a limit, a -. Einstein, who studied Kant thoroughly, turned this - into +, in a sense. Einstein with his theory of relativity opened up perspectives of new worlds, other ways of seeing them than in terms of the Newtonian space and time. But - and this is important - without Kant this would have been rather improbable. I see a parallel to this in Aristotle's thinking on animals and in contemporary thinking. The emphasis on the specie and the non rationality of animals was a - turned into a + by contemporary thinking. Yet, the groundwork had been done by Aristotle. As with Newtonian space and time, the Aristotelian species approach and non-rationality of animals, was also thought to be a view that new experience would never change. Like many other views of Aristotle, these at one time nearly became canonized. However, as I have indicated, Aristotle's mindset was open and he surely would have been willing to consider new insights and revisions of some part of his knowledge.

In this article Singer, Cohen, Bekoff and Irving's views on related topics were discussed. The sentience approach chimed with that of Aristotle, but went further, in that a) it regarded sentience as morally relevant and held that animals thus are candidates for moral consideration and in that b) although in a loose way, other capacities came into consideration. I would turn Bekoff's approach around and argue that these "higher" capacities, especially cognitive capacities, can be developed, and are morally relevant. These ought to be approached in a more definite and systematic way. Self-consciousness of animals correlates to similar brain structure and brain activity and the same parts of the brain. Humans cannot have certain mental states if certain parts of the brain are not functioning. I argue this point

basing it on non-natural reasons and meaning. I argue that such a being is in an important sense higher than, e.g., a bat or mouse. This does not take away the fact that a bat is a marvellously complex animal with its sonar system. In this respect it may even exceed some human capacities. However a cetacean, also with a sophisticated sonar system, is much more capable because of self-consciousness and intelligence. Intelligence, especially with self-consciousness, cannot be easily dismissed as a trivial capacity amongst others. Nature itself does not make any ethical judgment on the value of consciousness or rationality or whether a human is "higher" than a bat. This is why rationality has to judge it. It is a circle (rationality judging rationality) but not a vicious circle. It is a fact that dolphins prefer the company of humans. Is that not also a judgment from the side of dolphins regarding something both have in common, namely rationality and self-consciousness? This is of course not a necessary condition for the presence of self-consciousness.

I would thus argue that apart from sentience, self-consciousness would be basic to "higher" capacities. Self-consciousness would either make rationality, thinking, conceptualizing, abstraction possible or enhance it. A self-conscious being is aware of its world but is also aware that it is aware, can make itself an object of cognitive interest. There is a sense of identity. In my view self-consciousness further involves an awareness of past, present, future. This awareness has been confirmed as to several animal species. This involves a very high value being placed on life. I conclude that self-consciousness, which is the very being of several species, constitutes a very high value. The presumption against killing such beings or using them as mere means to human ends, is not strong. It is absolute. The presence of self-consciousness can be scientifically confirmed or disconfirmed. But that self-consciousness has such a high value cannot be confirmed or disconfirmed. The high value it has and its moral relevance is a decision which I think is related to Aristotle's idea of *phronesis*. What is more – I am convinced that Aristotle, had he been acquainted with contemporary science, would have agreed concerning the moral relevance of animals.

References

- Aristotle, 1941a. *De Generatio animalium*, in McKeon, R (ed): The basic works of Aristotle. New York. Random House by arrangement with Oxford University Press.
- Aristotle, 1941b. *De anima*, in Opera citandum.
- Aristotle, 1941c. *Metaphysica*, in Opera citandum.
- Aristotle, 1941d. *Ethica Nicomachea* in Opera citandum.
- Aristotle, 1941e. *Historia animalium* in Opera citandum.
- Aristotle, 1941f. *De partibus animalium* in Opera citandum.

- Arney, K. 2003. The dog's eyes have it. *BBC News*.
<http://news.bbc.co.uk/2/hi/science/nature/2956766.stm> June 3.
- Bekoff, M. 1998. Resisting specieism and expanding the community of equals. *BioScience* Vol. 48, no 8. August.
- Holding, C. 2004. Chimps are not like humans. *The Scientist*, www.the-scientist.com May 27.
- Indian elephants stop trains to help injured jumbo. 2004. *Terra daily newsletter*.
<http://www.terradaily.com> March 18.
- Irvin, S. 2004. Capacities, context and the moral status of animals, *Journal of applied philosophy*, Vol 21, No 1.
- Nobis, N. 2004. Carl Cohen's "kind" arguments for animal rights and against human rights. *Journal of applied philosophy*, Vol 21, No 1.
- The Scientist*. 2004. www.the-scientist.com May 27 (no author)
- Singer, P. & Dawson, K. 2002. IVF technology and the argument from potential in *Unsanctifying human life* ed: Kuhse, H. Oxford, UK: Blackwell Publishers Ltd.
- Singer, P. 2002. Killing humans and killing animals in *Unsanctifying human life*, Kuhse, H (ed). Oxford, UK: Blackwell Publishers Ltd.