Introduction

In this unit, we will ask the questions, “Is it morally permissible to cause or contribute to animal suffering?” To answer this question, we will primarily focus on the suffering of animals raised for food (though keep in mind that we also contribute to animal suffering in other ways—e.g., with animal experimentation, by demolishing habitats, and so on). Nearly all of the meat that is produced in the United States is the product of “factory farming”. Factory farms are basically factories or businesses that are in the business of making meat. Just as an automobile factory employs assembly lines and highly efficient, cost-effective methods of producing large numbers of automobiles very quickly, factory farms do just the same for meat. This often results in extremely crowded, extremely dirty living conditions for animals before they are slaughtered.

- 7 billion chickens—99% of them raised in factory farms—killed in the U.S. each year
- 120 million pigs—90% of them raised in factory farms—killed in the U.S. each year
- 42 million cows—80% of them raised in factory farms—killed in the U.S. each year
- 300 million turkeys—99% of them raised in factory farms—killed in the U.S. each year

In short, nearly all chickens, cows, and pigs (about 99% of the animals we eat) experience very impoverished, nasty, brutal, and short lives before being sent to slaughter. But, also keep in mind that:

- Over 100 million mice and rats are killed in U.S. laboratories each year.
- There are about 70,000 monkeys currently in captivity in the U.S. being experimented on right now (over 75% of these experiments are labelled “harmful” in their project proposals; 90% if you include “minimally harmful” experiments).

In light of these facts, we will ask, is killing animals for human benefit morally permissible?
Cohen Against Animal Rights

Cohen argues that animals do NOT have moral rights. First, he defines what a “right” is:

**Moral Right:** A moral right is a moral claim that one can exercise against another.

For instance, I might have a right to life, or a right not to be harmed. These give rise to moral obligations (for instance, you are obligated not to kill or harm me).

[Note: Rights give rise to duties, but not vice versa. If I have a right not to be harmed, then you automatically have a moral duty (obligation) not to harm me. On the other hand, if we have a moral duty to benefit or help others (as many think that we do), this does not give you a right to be benefited by others.]

Cohen’s claim: Cohen claims that, since a right is a claim that one can exercise against another, **the only individuals who HAVE rights are those who CAN exercise claims against one another**. He writes, “The holders of rights must have the capacity to comprehend rules of duty, governing all including themselves. In applying such rules, the holders of rights must recognize possible conflicts between what is in their own interest and what is just.”

The result: But, note that animals are not capable of exercising claims against others, or comprehending the rules of moral duty. Therefore, animals have no rights. Since human beings are the only beings capable of exercising claims against others, only human beings have rights (Note that other intelligent species WOULD have rights under this definition if they existed; e.g., aliens or hobbits).

But, if animals have no right not to be harmed, then it is morally permissible to eat them, experiment on them, etc.

**Objections:** Let’s examine some objections to this view.

1. **Animals are smart:** Some animals DO reason and exhibit intelligence, so perhaps they DO have rights.

   **Reply:** Some animals may be intelligent, but they still aren’t capable of grasping moral arguments or applying moral rules to determine right and wrong action, etc. And THAT is what is required in order to have rights.

2. **Animal torture:** If Cohen is right, then it should be permissible to, say, brutally torture puppies. But, clearly this is morally wrong. So, Cohen must be mistaken.
Reply: Cohen does not think we can do ANYTHING to animals. For instance, he believes there are duties of non-maleficence (duty not to hurt others) and beneficence (duty to help others) that might give us obligations to at least act HUMANELY toward animals; i.e., we should not be cruel to animals. So, we cannot torture animals for NO reason. However, these duties do not imply that animals have rights. Since they do not have rights, I guess the idea is that just about ANY human reason overrides our duty of beneficence (e.g., it will save money to raise animals inhumanely, animals make good meals, they’re good for testing beauty products on, they might help us cure cancer, etc.).

3. Animals feel pain: Regardless of how intelligent animals are, they can still suffer. As Peter Singer noted, "The question is not, Can they reason? nor, Can they talk? but, Can they suffer?" And things like factory farming meat and animal experimentation make animals suffer. We should have consideration for their suffering. Not doing so is “speciesism.” Racism and sexism are beliefs that some particular group is more important than another, when there is really no relevant difference. Speciesism is the belief that HUMAN pain is the only important pain. This belief is unjustified.

Reply #1: Forms of discrimination like racism and sexism are immoral because there is no morally relevant difference between races and sexes. But there IS a morally relevant difference between humans and other species. If we were not speciesists, and all creatures were equal, we’d either have to admit that either: (1) NO living thing has rights, or (2) They ALL do (in which case, rats would have the same rights as humans). Either option is absurd.

[Is this fair to Singer? Singer EXPLICITLY takes steps to clarify that he is not suggesting equal TREATMENT of animals; but rather only equal CONSIDERATION of INTERESTS. Since, e.g., rats do not have the ability to reason or consider political policies and issues, they have no interest in being given the right to vote. But, since they CAN feel pain, they DO have an interest in not being physically harmed, so we should consider this fact when making moral decisions that might cause a rat to suffer.]

Reply #2: This objection that all pain is equally bad seems to be a form of impartiality, which is a Utilitarian belief. But, even a Utilitarian should oppose only factory farming (because the animal suffering far outweighs the benefit of tasty food), but they should NOT oppose animal experimentation used for medical research. The benefits of curing diseases, etc., is SO great that it outweighs the suffering of the laboratory animals that are experimented on.

4. Killing infants and the mentally disabled: If Cohen is correct, then infants and the mentally disabled have no rights, since they are not capable of exercising moral claims against others, or comprehending moral duties, etc. Therefore, according to Cohen, it is permissible to eat babies and experiment on the mentally disabled.
[Indeed, if moral rights depended ONLY on mental capacities, then it might be permissible for, e.g., Einstein to eat YOU. Possible reply: DO we recognize a limitation on rights due to intellectual capacity to some extent? For instance, a mentally disabled person does not have a right to run for public office, or bear arms, vote, raise children, etc. Also, people under 16, 18, 21, etc. are not allowed to drive, vote, join the military, smoke, drink, etc.]

Reply: Cohen amends his original claim. He now claims that an individual has rights if it is a member of a SPECIES that is IN GENERAL capable of exercising moral claims against others, comprehending the rules of duty, etc. Since human beings are IN GENERAL capable of these things (i.e., it is the norm, or the majority state), infants and the mentally disabled inherit these rights too.

In short, infants and the severely disabled get to have rights merely by being members of a species that, on the whole, fits the criteria for having rights.

Rebuttal: Imagine the following scenarios.

- Smart Cow: It turns out that a cow has been born which is extremely intelligent, and has learned to talk. The cow is capable of engaging in moral reasoning, and writes a philosophical essay in which she argues that it would be morally wrong to kill her.

But IS it morally wrong to kill the smart cow? Intuitively, yes. But, on Cohen’s revised view, it would NOT be wrong to do so. After all, assuming the smart cow is the only one of her kind, then apparently she is NOT a member of a species that is IN GENERAL capable of exercising moral claims, etc. Consider another case:

- Post-Apocalypse: In the future, nuclear war breaks out around the world. The survivors live in a devastated world where, for some reason, 70% of the human survivors live as animals, no longer capable of speech or rational thought. The other 30% are still what we would call “normal”.

Notice that in this scenario the human race is NOT a species that is “in general” capable of exercising moral claims, comprehending moral duties, etc. Does this mean that human beings no longer have rights? That seems absurd.

- Secret Experiment: Unbeknownst to us, China has been engaging in a MASSIVE undertaking in an attempt to create a superhuman in secret. Unfortunately, due to imperfections in the process, approximately 10 billion humans have been born with the mental capacity of a normal cow. These humans people are currently hidden away in the Himalayan mountains.
In this example, it turns out that RIGHT NOW the human race is NOT a species that is “in general” capable of exercising moral claims, comprehending moral duties, etc. If this story were true, would that mean that human beings CURRENTLY have NO rights? That is completely absurd. The fact of whether or not we have rights should not be affected by whether or not there are billions of humans that we do not know about, who are incapable of engaging in moral reasoning.

Reply: What if Cohen were to AGAIN amend his principle, and say that an individual has a full set of rights if it EITHER: (1) Can exercise moral claims against others, comprehend the rules of duty, etc., or (2) Is a member of a SPECIES that is IN GENERAL capable of exercising moral claims against others, comprehending the rules of duty, etc.

Rebuttal: This amendment would make it wrong to eat or experiment on those of us who CAN exercise moral claims (i.e., the 30% of us in Post-Apocalypse, or the rational people not in the Himalayas in Secret Experiment). But, notice: In both of those cases it still WOULD be permissible to eat or torture any babies or mentally disabled human beings. But, that seems false.