

The Right Not to Be Eaten^{*}

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The debate over the rights of animals has had some effects which are not satisfactory from a vegetarian point of view. Often, meat-eating philosophers who listen to the arguments that animals have rights respond by expressing reservations about whether animals can satisfy the conditions for the attribution of rights. Usually it is noted that animals do not have a developed language, cannot make contracts, cannot even agree to something cannot complain when rights are violated, cannot exercise coercion in the absence of respect for rights, etc. In short, it is argued that animals cannot do everything that human beings can do and that the distinctly human capacities are precisely those features which qualify one for rights. Furthermore, since human beings typically think of rights in terms of the exercise of such powers, it is not altogether surprising that these philosophers should find it "odd" to think of other types of beings which have moral claims on human conduct and yet do not exercise human-life powers in articulating and defending these claims. The conclusion of the meat-eating philosopher who hears the vegetarian arguments is that the contention that animals have rights is "doubtful" in view of the "complications," and consequently there are not sufficient grounds for changing a practice which is otherwise quite agreeable. The vegetarian philosopher is—rightly, I believe—angry at this outcome. He/she observes that the line of reasoning is typical of those who commit moral outrages, proceeding from an "impartial" hearing to an endorsement of the status quo without ever seriously examining what is at issue. But such charges are not themselves arguments (although they may be of some use in discouraging attitudes of complacency), and a more systematic response is necessary if there is to be an advance in the debate.

It should be clear that the vegetarian's feeling of moral outrage will not be diminished by claims that the bearer of rights must have human capacities. It should also be clear that those who eat animals will not be persuaded that they have violated rights when this concept is—for them—so loaded with properties which apply only to human beings. Are we at an impasse? Is there nothing more to be said which will take the debate a step further? At this point one might be motivated to search for an alternative approach if one believes our philosophic concepts are not doing an adequate job of reflecting our moral sensibilities. Is it possible that moral outrage *is* a legitimate response to the practice of slaughtering animals but that the vocabulary (and logical geography) of the concept of rights is not *in itself adequate* to express these justifiable protests? Might it not be the case that our concept of rights needs to be amplified so that we are able to acknowledge both the rights which are claimed and defended in human conflicts and those "rights in effect" which we attribute to animals because we think they are something more than a material to be manipulated at will? Moreover, one might also be motivated to search for an alternative philosophical language and theory if one believes that "rights talk" begins to sound artificial when "rights" are added to "rights" without any consideration of what it would take to honor them. Fortunately, the philosophical tradition readily supplies a likely candidate in the kind of teleological ethic which follows the lines of investigation pursued by Plato and Aristotle. In this tradition, which is taken up by such thinkers as Leibniz and Whitehead, we are urged to seek the highest good, which is generally understood as the most perfect or complete state of affairs possible.¹ Here a right is not

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¹ A teleological theory of obligation can be simply defined as a theory which "maintains the moral Tightness or wrongness of an action is a function of the good that is produced in the world, and nothing else" (Richard T. Garner and Bernard Rosen, *Moral Philosophy*, Macmillan & Co., New York 1967, p. 24). A wide variety of ethical positions can find a place within the general designation "teleological ethic." As Robert Olson has observed, virtually every ethic up through the early modern (pre-Kan-tian) period can be classified as teleological. (Cf. "Teleological Ethics" in *Encyclopedia of Philosophy*, Collier Macmillan, New York 1967, Vol. 8, p. 88.) Among the classical teleological ethical theories are Plato's ethical idealism, Aristotle's natural teleology, and the various formulations of the "great chain of being" ethic (including Leibniz's process teleology). What all of these ethics have in common is the conviction that one

understood in the "rigorous" sense of an inviolable claim which ought to condition the conduct of everyone regardless of the circumstances. Instead, an individual or species has a right to existence and well-being if either (a) such an existence figures into a system of beings which would be richer and more developed through the existence of that individual or species or, (b) the individual or species does not undermine such development.² It is only when we take into account the effects a particular being has on the total system of beings that we will be able to decide whether that being has a right to exist—including the right not to be eaten. In other words, there can be no determination of the value of a creature, or of the rights which should or should not be ascribed to it as a consequence of the determination of its value, apart from an assessment of its impact on the organization of a life-system.

Thus, in the absence of indications that the issue of animal rights can be settled by an abstract discussion of the concept of rights, it seems advisable to ask what sort of guidance a teleological ethic might provide—especially since such an approach allows us to consider empirical evidence concerning effects on the natural environment, which otherwise does not find its way into discussions of the rights of animals. A further advantage of this approach is that it avoids the criticism that philosophers are arbitrarily expanding the list of rights without any regard to what kind of natural environment and social context would be required to support them. It is in this larger (teleological) context that I propose to discuss the conditions which determine which creatures *ought not* to be eaten.

There are some animals who are usually thought to have the right not to be eaten. Ordinarily, we say that "the rational animal" has this right, and our horror at the idea of a cannibal has more to it than merely sympathy for the one who is to be eaten. In fact most people would probably say that chimpanzees have the right not to be eaten and would feel moral indignation at the thought of people eating them. But how far this right extends and why it extends no further are the issues which concern us here. In line with the teleological approach we will not begin with the question of the constitution of a rights-bearing creature. Instead, we will look for that type of conduct which serves to sustain the highest level of organization of life.

One reason why this approach to the question is promising is that the meat-eating philosophers usually concede it is morally relevant to consider the level of organization of life in decisions concerning how animals are to be treated and used. The recognition of this higher/lower division can be seen (at least indirectly) in two types of arguments which have been made by meat-eating philosophers. In the first place it is said we should treat animals kindly (although we are always, of course, free to eat them) because, in the words of Aquinas, "whoever is practiced in the affection of pity towards animals is thereby more disposed to the affection of pity toward men,"³ or in the words of Kant, "Tender feelings toward dumb animals develop humane feelings toward mankind."⁴ The persistence of this argument in the history of philosophy leads one to believe that there is considerable uneasiness over how to reconcile the total denial of animal rights at the moment an animal is slaughtered for the dinner table with the undeniable feeling that there is something wrong with torturing an animal. But if killing an

must come to grips with the basic nature of the highest good before other questions concerning value can be satisfactorily answered. Furthermore, they all share the belief that harmony, diversity, and subtlety of response are essential constituent properties of the system which is guided by the *telos*. While there are serious disagreements on how much emphasis should be placed on each of these factors, as well as on how the various factors are related to each other, often reflecting developments in the debate over the One and the Many, there is sufficient agreement on the nature and status of the highest good for the purposes of this paper, viz. to show that the values implicit in a teleological ethic of this kind should lead us to major changes in the ways we think of and treat animals. Although it is not always clear exactly what a teleological ethic includes, it is clear that such an ethic provides the basis for ruling out any practice (including meat production) which causes great losses in diversity and mutual adaptation.

² This formulation of the concept of rights presupposes that the ideal which is put forward in classical teleological theories can be stated without an anthropocentric bias. The fact that many of these classical ethical theories were also "eudaemonistic," i.e. primarily concerned with human happiness, has obscured their more general thesis about a system of value achievement. . . .

³ Saint Thomas Aquinas, *Summa Theologica* (Benziger Brothers, 1918), Part II, Question 65, Article 3.

⁴ Immanuel Kant, *Lectures on Ethics*, trans. By Louis Infield (Harper and Row, 1965), p. 241.

animal is permissible *because* the creature has no rights against human beings, then obviously an animal can have no right not to be tortured either. The only way that the outrage against our moral sensibilities can be accounted for on the meat eater's scheme is to claim that we are undermining our moral responsiveness *to human beings* by this kind of behavior. The animal itself has already been denied any rights to be violated. This explains, I believe, why this argument has been so popular with meat-eating philosophers. But I am concerned at present with noticing something else: no one argues against cruelty to plants. This, I take it, is tacitly an admission that in comparison with plants animals are (a) more highly organized in that they share many features with human beings which make them capable of being tortured and (b) more valuable since their welfare is singled out for special attention (although in a somewhat backhanded fashion).⁵ In the second place we can see a recognition of the division between higher and lower types of beings—and its importance for values—in the concession that "in experiments on living animals for scientific purposes, it is right to prefer the less highly organized animal to the more highly organized, whenever the lower type is clearly sufficient for the purposes of the experiment."⁶ This and similar concessions which can be won from the meat eater in discussions of the issue of animal rights lead me to believe that even the meat eater would require a moral justification for how an animal was being treated and used if it were to appear that a member of a higher species were being sacrificed when a member of a lower species would do. But if this is true, then the meat eater needs to explain why his/her taste for animal flesh ought to be made an exception to the rule.

At this point an obvious objection needs to be considered. The meat eater may well reply that if we were always to favor the more highly organized being, we would soon find ourselves saddled with some unacceptable consequences. The consequences become apparent when we imagine the natural order which would result from the consistent application of the proposed moral standard. If the value of a creature is a function of the comparative degree of organization of its constitution, and if the human species is the highest species by this measure, then we would be required to protect, and even increase, the membership of this species at every available opportunity. Furthermore, because it happens to be true that grain yields the greatest amount of protein for human use⁷ (while the domestication of animals for food uses up more protein than it generates), the policy of always preferring the survival (i.e., Nourishment and continued existence) of the more highly organized being would eventually result in the polarization of all life-forms into the human species on the one hand and grain yielding plants on the other. In order to observe the moral standard we would have to eliminate the non-human animal population because it competes with some human beings for food. Thus the very moral standard which was designed to protect animal life actually encourages the destruction of animal life. If the vegetarian wants to place a value on animal life, he/she can hardly advocate a consistent preference for the more highly organized being.

There are two answers to this type of objection. First, there are prudential considerations (and it should be noted that such considerations can only assume their proper pivotal role in a teleological ethic). We have learned from recent ecological disasters that it is perilous for even the highest species to assume omniscience about nature's complex patterns and that we should not effect major dislocations in natural balances because the consequences do not make themselves known until it is too late. It is also dangerous to reduce the world to a few mutually dependent species for if something (e.g., disease) were to happen to one of the species, the

⁵ The comparison of animals with plants does not prove either (a) that plant life is not valuable, or (b) that in a choice between the well-being of a particular grouping of animal life and a particular grouping of plant life the former should always be preserved at the expense of the latter. A teleological ethic does not force us into such dilemmas because it takes into consideration the total environment bearing on value achievement. Thus it is in principle possible to place a very high priority on the preservation of a particular species of plant life if such a species is implicated in the survival of a complex ecosystem. Nevertheless, what the comparison does show (in a teleological ethic) is that *ceteris paribus* the more highly developed individual is to be favored.

⁶ D. G. Ritchie, "Why Animals Do Not Have Rights," in Regan and Singer (eds.), *Animal Rights and Human Obligations* (Prentice-Hall, 1976), p. 184.

⁷ For an estimate of the relative amounts of protein provided by grain v. Beef, see Note 8 below.

consequences for the other species would be devastating. Thus merely for human safety and preservation we should not accept this master plan for re-arranging nature.

But the second consideration is more concerned with the nature of the moral ideal itself. The question here is what we mean by the "most highly organized" as a moral ideal. Do we mean "the greatest quantity of the most developed species"? Or, do we mean "the natural order which encompasses the most developed and diverse types of beings in patterns of mutual adaptation and support?" In the former, organization is a standard which is only used to compare the various species, and we are asked to favor the highest species at the expense of all the others. In the latter, organization is a standard which is used to compare natural systems, and we are asked to favor that natural order which most successfully incorporates the characteristics of harmony, diversity, and subtlety of response. Among the classical teleological ethical theories there is not unanimity on this question of which organizational ideal would be the basis for our value judgments, but the latter view clearly predominates. Although it would be instructive to compare the classical philosophers who advance the latter kind of ideal and assess the coherence and plausibility of their various formulations, it is not necessary to do so for the purposes of this paper. While it is clear that we have many teleological theories to choose from, it does not especially matter whether the *telos* we choose is a "great chain of being," a religious conception of cosmological design, a naturalistic conception of evolution, etc. All we really need is an indication of the outlines of a non-anthropocentric teleological system so that we can decide how we ought to behave with respect to animals. Among those who adopt this type of view there is general agreement on three highly relevant theses: (1) that value is not to be placed solely in human projects and interests, (2) that there is special value in a situation in which a great variety of beings are adjusted to or are seeking adjustment to each other; i.e., when beings are subtle (more fully adapted) in their responses to each other, and (3) that the most perfect and complete state of affairs is one in which every species finds a place in the natural order and in which the existence and functioning of any one species is not a threat to the existence and functioning of any other species. In other words, there is agreement on the ideal of a rich and developed natural order.

If we now examine the effects of the human institution of meat production, we will see that this practice is inconsistent with holding to the teleological ideal of a diversified and highly-evolved environment for natural life. Indeed, it impoverishes the natural order in a way paralleled by few other practices. In order to fatten animals for slaughter, vast quantities of grain must be produced and fed to them.⁸ This in turn requires that vast wilderness areas must be converted into farm lands, and this in turn means that the wild animals which flourished in those wilderness areas will die. The institution of meat production replaces these wild and high-spirited species with what may be an equal quantity of animal life, but the replacements are creatures which are remarkable only in their singularly dull countenance.⁹ Their environment is purposely designed to avoid stimulation in any way except those that will put pounds of meat on their bones.

If this practice "de-animalizes" animals, it also de-humanizes human beings. The vast stores of grain which are processed through these lethargic beasts are withheld from large numbers of people who face starvation or a debilitating malnutrition. Consequently, the de-humanization is evident in two ways: it directly affects those who are losing their human capacities to deal with the world, and it indirectly affects those whose moral sensibilities are subverted by the

⁸ Peter Singer has noted that 21 lbs. of grain protein must be fed to a steer for each pound of beef protein produced. Even if the ratio is lower than this (and it is for some other animals), the waste from and moral implications of this practice are still extraordinary.

⁹ It might be argued that if we dramatically reduced the human population, we could continue to eat meat while restoring the kind of natural life discussed here. However, this argument is not consistent with the endorsement of a teleological ethic which favors the maximum development of the more highly organized beings consistent with the diversification of nature. There would be reductions in human beings in order to have greater quantities of unresponsive, domesticated animals. There would be a loss of active, highly organized beings in both human and animal life.

daily duplicity of stuffing themselves with meat while complaining about the miserable state of the world.

None of this is necessary. It is not necessary to continue to convert wilderness into farm land, wild animals into domesticated animals, or real human beings into zombies. It is one and the same practice which has all of these effects, and its prompt discontinuation will mean that we can begin to place a proper value on both natural life *and* human life.

The right not to be eaten gains new significance when it is placed in this larger context. The conclusion of this line of reasoning is not that every animal which now exists has the right to exist. The conclusion is that the natural *telos* is a diversified environment in which organic beings are capable of symbiosis as well as spontaneity (localized autonomy) and that any practice which inhibits the development of this type of environment ought to be discontinued. Since meat-eating is a conspicuous example of a human practice which has this effect, it should be discontinued, and a right not to be eaten should be *ascribed* to animals. However, it does not follow that the right not to be eaten must be ascribed to every member of the current generation of *domesticated* animals. These animals are elements of the very process by which wilderness and spontaneous animal life are destroyed, and it is a complicated empirical question as to how this type of being can be phased out and how a richer natural life can be restored.

This way of analyzing the issue removes the artificial character of the debate over the rights of animals. It rejects the assumption that the issue can be resolved by an appeal to the nature of the concept of rights (*in abstracto*). By examining the total natural and social context in which values and rights are grounded, we are in a position to notice that appetites which occasion large-scale transformations in a life-supporting natural system deny the *rights* of all beings that could have prospered in this natural order.¹⁰ This way of analyzing the issue also has the advantage of providing a basis for our moral intuition that it is wasteful to sacrifice a more highly organized being when a lesser being will do. Our intuition is that adaptation and subtlety of response are intrinsic to the environment of value which has been discussed above. Thus in normal circumstances we do not feel morally justified in destroying the most highly evolved creatures in this natural system.

Regardless of what is to be done with the domesticated animals now living, it should be clear that a teleological ethic—if it is consistently applied to our practices in the natural world—gives us a mandate for ascribing rights to animals (that is to say, to wild animals). The ideal of developed natural beings in developed natural relationships places an obligation on the human species. The obligation is to cease the destruction of wild (developed) animal life for the sake of satisfying an unnecessary and wasteful appetite. The vegetarian's moral intuition is correct even if the vegetarian's absolute and rigorous (deontological) way of formulating the problem is not. We are justified in *ascribing* a right not to be eaten to animals inasmuch as (a) they need not be sacrificed in order to maintain human life and health (i.e., a lower being will do),¹¹ and (b) the practice of meat production has the effect of decimating the population of wild animals. Moreover, the human institution of meat-eating has the further effects of both destroying the balanced natural environment which is necessary for sustaining a multitude of life-forms and undermining the abilities of human beings to function in human ways. While a teleological ethic does not forbid us from killing animals under any circumstances, it does place upon us the obligation to discontinue the production and consumption of meat and to take up those alternative styles of living which will allow natural life to be natural and human life to be human.

¹⁰ Cf. Note 5 above. If it takes 21 pounds of grain protein to feed a steer enough to produce every 1 pound of beef protein, then the person who eats the beef protein is in effect depriving twenty other persons of an equivalent amount of protein—protein which cannot be available to them while meat production and consumption are in fashion.

¹¹ In fact a lower being would be much better. Saturated fat is the principal cause of circulatory ailments and heart disease.

