

Discussion Questions

1. Peter Carruthers's Kantian contractarian approach argues in his article that non-human animals have no innate moral worth, that their worth is entirely derived from humans' indirect duties towards them. To avoid the charges against contractarianism that Singer wields, Carruthers argues that our treatment of non-rational agents like infants and the disabled stem from deep psychological 'fixed points' of caring, while our benevolent treatment of animals appears to be more of a cultural convention. (Carruthers mentions that in Western culture, caring for pets is primarily a means of moral education for our children.) Do you agree with Carruthers' claims here, or do you think a case can be made for some deep fixed point of empathy and sympathy we might feel towards warm-blooded animals?

Karuna Panitz (§0106) argued affirmatively that a 'fixed point' of compassion and sympathy for certain kinds of animals is no doubt universal in human nature, and may be just as weighty in expression as what we innately feel toward helpless members of our own species—if not more, in some instances. He went on to say that this is because such a sentiment isn't usually qualified with the usual expectations we place on what would normally impute on moral agents: i.e. members of our own species. In this respect, Karuna argued, it's dubious that sole reason Western cultures have certain attitudes towards pets is directed toward developing good moral character in our children, as Carruthers claims. Though our attitude toward a specific member of a certain kind of animal species might be culture-specific, it does not follow that our moral sentiments towards animals in general is entirely a matter of cultural convention. In this respect, Karuna mentioned, Warren's claims make better sense.

Others however, especially in (§0103) found Carruthers' arguments¹ more convincing than Warren's. **Alex Smallcomb (§0103)** gave evolutionary biological reasons to point out why selective pressures makes one inevitably speciesist, and any emotional bond we may feel toward a particular animal or animal species is a matter that reduces itself strictly according to utility. (The example Alex gave was the relationship of mutually symbiotic trust between a guard-dog owner and the guard dog.) The point is, not only is our moral valuation of animals matter of convention, but also contingently based on selective pressures in biological evolution. By the same token, mentioned **Daniel Loveland (§0103)** it's conceivable that an innate and psychologically universal sense of caring can evolve over time, for precisely the same reasons: Hence one can use evolutionary arguments to back up Mary Anne Warren's weak animal rights theory just as one can with respect to Carruthers' Kantian-contractarian 'no innate moral value' claims. **Margo Rodnan (§0103)** offered the dietary analogy to illuminate what she considered was correct concerning Carruthers' thesis: just as preferences in food, and standards of taste seem strongly if not entirely constituted by culture, one's moral valuations towards animals is likewise perhaps entirely a matter of cultural convention.

¹ As I explained them in class, since the article wasn't required reading.

2. Warren's contractualist response to Regan is different from Carruthers', as she introduces elements of a more refined utilitarianism (*not* to be confused with Singer's Benthamine version) insofar as her weak animal rights theory (WRT) is based on questions of *practical outcome*² (recall: rule utilitarianism). The weighing of rights vis-à-vis capacities gives her a more tempered view than Carruthers': "We normally don't care for animals in the same way [as infants or other non-rational human agents] ...we protect them not only for their sake but also for our own,...But in ordinary usage, there is no sharp line between moral and those moral protections which are not rights." (433) Agree? Disagree? Do you think the question concerning empathy in 1. above would be answered in the affirmative by Warren?

Erin Coco (§0107) and **Zina Makar (§0107)** both mentioned the difficulties in assigning flatly such a minimal notion of rights (as spelled out in Warren's three prima facie reasonable points³ in 434, Vaughn) to some broad class of non-human animals (regardless is they satisfy all the criteria: pursuit of certain satisfactions, capacity for suffering, sentience). It appears more fitting to assign such weakly conceived rights in a 'sliding scale' or weighted manner, across a distribution of species. For instance, giant tarantulae probably satisfy all the three criteria as much as do horses, but it seems reasonably to let the horses' rights overrule those of giant tarantulae, at least according to our cultural preferences. In this respect, **Zina** mentioned Carruthers' points make good sense—for there are cultures in which animals are treated almost entirely in terms of utility, which lends credence that moral worth we place on animals is culture-specific and extrinsic.

3. Recall Warren's argument(s) against infanticide. She seems to make a similar point by claiming that "there are powerful practical and emotional reasons for protecting non-rational human beings." (433) But is this *always* the case? Consider situations in which orphaned children like other non-rational humans are actually uncared for (everyday examples abound). What's Warren's recourse here? Or are these counterexamples red herrings?

Jad Sleiman (§0106) argued the above worry is a red herring. For the existence of wards filled with unwanted orphaned children and mentally incapacitated adults does not imply that such "powerful emotional reasons" don't exist in human character: only that harsh circumstances by override. Jad's points finds support in Carruthers' arguments concerning what may appear prima facie as a cruel practice of involuntary euthanasia in the case of certain Inuit communities leaving their sick and elderly to die in the snow. However, Carruthers points out that the awareness of the fragility of the clan/tribe in its harsh struggle for survival is precisely why such instances of 'caring' can surface (recall James Hardwig's points in "Is there a Duty to Die?")

² "If logical analysis will not answer the question of whether animals have moral rights, practical considerations may, nevertheless, incline to say that they do." (Vaughn, 433)

"Moral rights and protections are designed to protect rights holders from harms or to provide them with benefits which matter *to them*." (434)

³ Any creature with a natural mode of living to pursue certain satisfactions has the right not to live in a manner constrained and prevented from the opportunity to pursue such satisfactions (i.e. as mentioned in lecture, March. 31, a statement weighing against factory farming), 2) Any creature capable of suffering should not be inflicted with pain unless there's overall compelling reason, 3) No sentient being shall be killed without some compelling reason.

4. Recent empirical evidence show that horses may communicate in a very sophisticated vocabulary, “making deals” with one another (so to speak) in complex negotiations of give-and-take, quid pro quo. Do such instances serve as counterexamples to her presuppositions of human behavior ultimately governable by rationality? Do horse communities represent rudimentary contractual agents?
5. Do you think Rachels’ notion of moral standing subsumed by facts and reasons “with each characteristic relevant to justifying some types of treatments” (440) confusing an ‘ought’ for an ‘is?’ (Note how he defers to open-ended and inconclusive scientific research concerning sentience.)

Though **Jad Sleiman (§0106)** found favor in Rachels’ points, *especially* in his disclaimer that no simple ways to ‘draw lines’ can hold—reasons of acting toward a being based on facts concerning that being’s characteristics is a matter of context—others found Rachel’s points excessively speculative and weak. **Daniel Loveland (§0103)** mentioned it was somewhat disingenuous of Rachels to point out that rough distinctions are called for when implementing policy—after proceeding to argue that this is not what his theory can deliver.