

140: Life and Death – 20 – Contractualism on animals (2): the role of character

1 Offence to animal lovers

Reflective equilibrium requires that we find *some* sort of place within Contractualism for duties towards animals. This is because of deeply-held common-sense beliefs that some ways of treating animals are *wrong*.

One suggestion is that these duties towards animals are *indirect* ones which –

- fail to have any corresponding animal *rights*
- derive from a direct duty not to cause unnecessary offence to the feelings of animal lovers.

But (i) this could only explain the wrongness of acts that are unavoidably public.

But (ii) it cannot explain our common-sense beliefs in relation to examples like that of Astrid the astronaut who (out of boredom) uses her cat for a dart-board.

2 Judging acts by character

Thesis – sometimes we judge actions by the qualities of character they evince, irrespective of any harm that they cause, or any rights that they infringe.

E.g. Astrid the astronaut and her grandfather's corpse – she cuts him up and feeds the pieces to the cat.

- Surely wrong? 'disrespectful', 'inhuman'.
- But no harm is caused.
- And no rights are infringed.

E.g. lazy Jane the doctor – out of laziness fails to go to the assistance of someone who collapses ill at a doctors' convention.

- No harm is caused – others do assist him.
- She could predict that no harm would be caused – she knew the circumstances.
- No rights are infringed – the sick man had no claim against her in particular.
- But still very wrong of her?

So a better suggestion is that our duties towards animals are indirect in this way –

- deriving from the good or bad qualities of character the actions in question would evince (i.e. display and encourage)
- where those qualities *are* good or bad in virtue of the role that they play in the agent's interactions with *other human beings*.

→ The most basic kind of wrong-doing towards animals is *cruelty* – the infliction of unnecessary pain, either thoughtlessly, or for its own sake.

Cruel *action* displays a cruel *character*. And what makes a cruel character *bad* is that it is likely to express itself in cruelty towards people (involving direct violations of right).

Note: this is always the basis for SPCA prosecutions; and the SPCA have amassed a good deal of evidence that those who are cruel to, e.g., a pet tend also to be cruel to, e.g., children.

3 A Contractualist rationale

How, in general, do qualities of character acquire their significance within Contractualism?

In a way not entirely dissimilar from quality-of-character-utilitarianism – rational contractors should realize the very significant part that long-term dispositions and qualities of character play amongst the springs of human action.

In particular, self-interested rational contractors should see that there are many ways in which they will only get what they want if all are obliged to develop a general disposition towards beneficence (kindness and generosity).

Note: this does *not* mean that actions undertaken out of generosity are really self-interested ones – only that self-interest enters into the *explanation* of *why generosity is a virtue*.

Rational contractors should also agree that people's actions can be judged (praised or blamed) for the

qualities of character they evince, independently of harm caused or any violations of right.

This is because people *should have*, or should develop, the required good qualities. Failure to have those qualities is a *failure of duty* (of justice).

And those qualities *are good* because of the way that, *in general*, they prevent harm and violations of right.

Note, also, a difference from quality-of-character-utilitarianism –

- once agreement is reached, virtuous action may be required of us independently of its consequences in the circumstances
- for you have a strict duty to *have* / develop the required virtues
- e.g. Astrid playing darts with her cat again.

4 Reflective equilibrium attained?

This proposal can explain the common-sense belief that it is wrong of Astrid to throw darts at the cat, even though no one else will ever know or care. Similarly for many forms of cruelty and neglect.

Note that someone with the virtue of beneficence, who acts to prevent suffering to an animal, will do so *for the sake of the animal* – for this is what having the right sort of sympathetic attitude consists in.

But we can still claim that the reason *why this attitude is a virtue* is because of the way in which it is likely to manifest itself in the person's dealings with other human beings.

So we can *explain away* the natural (but now theoretical) belief that duties are owed to the animal *for the sake of the animal* – this is because someone with the right attitude will act from that motive, not because animals possess moral standing.

5 Psychological separability and practical implications

Thesis: what virtue or defect of character is displayed by a given action will depend crucially upon the circumstances and the motives from which it is performed.

E.g. Astrid in the life-raft, who cuts up her grandfather's corpse for fish-bait to save her own life.

E.g. Candy the Canadian who cuts up her grandfather's corpse to dispose of it out of the building when holed-up by snowstorms, to avoid the nauseating smell.

Thesis: attitudes towards the sufferings of animals and of humans are psychologically linked (especially in Western culture) – but they are also psychologically separable, so one *can* lose the former without undermining the latter.

This means that there need be no moral objection to practices, such as factory-farming, that cause regular suffering to animals.

It may show something good about you that you find such suffering abhorrent, but that is no ground for objection – and nothing bad need be revealed in the characters of those who engage in such practices.

Is there an objection to factory-farming from the offence caused to animal lovers? Perhaps.

The argument here becomes quasi-political, turning on the question whether animals are already accorded too much significance in our society.

Conclusions from 17, 18, 19 & 20

I have argued that non-human animals *lack* moral standing within Contractualism. So there are *no animal rights*. But acts towards animals can still be wrong, because of the bad qualities of character they evince.

I have argued that Utilitarianism must accord *equal* moral standing to non-human animals. So killing and causing suffering to animals is wrong *in the same way* that killing/causing suffering to people is.

The choice is between a theory that only finds a place for *indirect* duties towards animals (Contractualism), or a theory that places animals on a moral par with humans (Utilitarianism).