

## Utilitarianism and nonhuman animals

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The welfare of nonhuman animals has received growing attention in our society in the last decades, as have the accompanying ethical concerns (Broom, 2014). Animal ethics can address these concerns in multiple ways. For instance, using a value theory like utilitarianism as a guide, focusing on consequences of actions which regard the interests of sentient individuals but without legal rights for those individuals (de Lazari-Radek and Singer, 2017).

This essay will discuss hedonistic utilitarianism in general and its application to nonhuman animals by the well-known philosopher Peter Singer. Furthermore, rejections of Singer's views by late Tom Regan will be presented. Finally, the question is addressed when nonhuman animals ought to be regarded as sentient individuals.

### Peter Singer's hedonistic utilitarian application to nonhuman animals

Utilitarianism is a family of consequentialist theories in which one can distinguish different movements such as rule-, preference- and classical utilitarianism. It holds the philosophical position of zoocentrism which emerged from pathocentrism. This means that nonhuman animals are morally relevant and thus are included into the moral sphere alongside humans (Hanlon and Magalhães-Sant'Ana, 2016). It is also a form of anti-speciesism, the view that nonhuman animals ought not to be discriminated due to their lower degree of intelligence. In his groundbreaking book *Animal Liberation* Peter Singer agrees with Jeremy Bentham, the founding father of utilitarianism, who argued against speciesism with his famous words "The question is not, Can they *reason*? Nor Can they *talk*? but, Can they *suffer*?" (Singer, 2015:6-7).

Utilitarianism can guide the decision-making process when ethical issues arise. It identifies actions that are ethically acceptable, depending on their influence on the total sum of well-being for all stakeholders involved. To distinguish between right and wrong utilitarianism incorporates a cost-benefit calculation: for each action, the positive and negative effects on each morally important being must be considered and if the sum of these effects is positive, i.e. if benefits outweigh costs, the action is ethically justified (de Lazari-Radek and Singer, 2017).

For many decades, Singer was a preference utilitarian, holding the view that we ought to maximize the satisfaction of current and future-directed preferences. Nowadays Singer defends Sidgwick's objectivism and hedonistic utilitarianism which aims at maximising intrinsic valuable experiences such as desirable states of consciousness, or pleasure (de Lazari-Radek, and Singer, 2014).

Singer advocates that equal interests of nonhuman animals should get equal consideration, that is, for all sentient beings, i.e. those beings capable of having intrinsically valuable experiences. Sentience on itself is a fundamental morally relevant criterion for having interests, Singer argues (Hanlon and Magalhães-Sant'Ana, 2016). To decide which nonhuman animals are sentient, Singer refers to scientific evidence of similarities between humans and nonhuman animals on anatomical, physiological and behavioural grounds (de Lazari-Radek and Singer, 2016). This means that animals are deemed non-sentient unless proven otherwise.

The fact that Singer advocates that sentient nonhuman animals are entitled to equal consideration of equal interests should not be confused with Singer saying that they have legal rights, as in his view they do not.

Their interest cannot be cancelled, i.e. they are entitled to some degree of consideration, however their interests can be outweighed by those of other sentient beings (de Lazari-Radek and Singer, 2014).

A calculation of the net suffering and happiness of all sentient beings is used to determine if an action is ethically justified or not. There is a symmetrical and an asymmetrical conception of suffering and happiness. Within the former, equal amounts of suffering and happiness weigh the same, ranging for example from minus 100 (maximum suffering) to plus 100 for maximum happiness (de Lazari-Radek and Singer, 2017). Singer defends the latter conception, as there appears to be an asymmetry (Fridman, 2020), with suffering weighing heavier than happiness. The scale now ranges from minus 1000 for suffering to plus 100 for happiness (de Lazari-Radek and Singer, 2017).

### **Criticism on Peter Singer's views**

Late Tom Regan mentioned that, according to Singer, "all appeals to rights should be dismissed" (Regan, 2004a:268). Regan disagreed and defended the deontology-based animal rights approach to animal ethics, a non-consequentialist theory, with nonhuman animals having intrinsic value and therefore moral and legal rights (Regan, 2004b:59-62).

In principle, Singer and Regan are both in favour of abolishing animal exploitation. However, Singer uses the "no, unless" principle, allowing sacrifice of individuals for the greater good, whereas Regan strived for complete cessation of all animal-use such as having pet-animals, animals in agriculture and zoo-animals. Regan's idea is incorporated in the concept of abolitionism within the deontology-based animal rights movement (Wrenn, 2012). This means that actions are wrong or right irrespective of their consequences. It is the intention of an action that counts (Regan, 2004a).

Regan dismissed Singer's view that an individual itself does not have intrinsic value but must be regarded as a receptacle of intrinsic values, i.e. pain or pleasure. He stated that nonhuman animals are some-bodies instead of some-things and all sentient beings are "subject-of-a-life", irrespective of one's species (Regan, 2004a: 243-248).

Regan therefore also disagreed with Singer's approach of weighing intrinsically valuable experiences in a cost-benefit calculation when ethical issues arise, for this will mean that (the interests of) some individuals can be sacrificed, i.e. killed or otherwise mistreated, for the overall well-being of the group. Instead, he held the view that nonhuman animals have both moral and legal rights which ought to be respected, protected, and may never be violated (Regan, 2004a). He made his point by saying "Killing a moral agent is so grievous a moral wrong, we think, that it can only be justified under very special circumstances (e.g., self-defense)" (Regan, 2004a: 203). The right of the individual trumps the sum of interests of other stakeholders (Regan, 2014b).

### **The "view of the universe" towards nonhuman animals**

The 19<sup>th</sup> century philosopher Henry Sidgwick defended objectivism and proposed that we ought to take the view of the universe. In short, it is the perspective that our own well-being is no more significant than that of anyone else. Therefore, determining what is morally right and wrong needs to be judged by the consequences for the well-being of all sentient beings. A view that is shared by Singer (de Lazari-Radek and Singer, 2014).

But what does Singer mean when he refers to sentient beings? The answer to this question is given by Singer in his reply to critique from Nakano-Okuno who, according to Singer, seems to have misunderstood Sidgwick's proof of hedonism and furthermore seems to ignore empirical investigation on nonhuman animals which provided the evidence of their sentience. To clarify his point, Singer referred to *The Cambridge Declaration on Consciousness*, which is a convergent outline of evidence that a range of nonhuman animals are conscious beings (de Lazari-Radek and Singer, 2016).

This attempt to define the moral sphere of consideration of interests of all sentient beings also raises a concern. When looking at attitudes towards nonhuman animals through history it is evident that it took centuries before humans regarded a range of nonhuman animals as being sentient. Relying on scientific evidence during ethical decision making, one should be cautious of the fact that it has some disadvantages. Although the scientific evaluation of ethics-related animal experiences such as pleasure and suffering and animal states such as happiness has evolved significantly since the 1960's, such studies have been conducted through a broad range of invasive and non-invasive animal experimentation, with significant impacts on bodily and mental integrity of those subjects (Broom, 2014). This implies that extensive moral wrongness towards nonhuman animals has occurred already and continues to exist until their capability of having sentience is either demonstrated or dismissed, i.e. until their worthiness as moral patients is or is not proven and approved of.

### **Conclusion**

This essay shows that Singer's utilitarian view on ethical issues concerning nonhuman animals has got its strengths and weaknesses. It can be used as an action guide when ethical issues arise. It respects interests of all sentient beings. It also strives at a surplus of happiness over suffering. However, some individuals might be sacrificed for the greater good as they are not granted rights. Another point of concern is the fact that he uses scientific evidence to consider nonhuman animals as sentient beings and thus worthy of the right to some degree of consideration of interests. This essay argues that all nonhuman animals should be considered worthy as moral patients, anti-speciesism in its most comprehensive form. If humans could adopt such a "universal point of view" than justice will be done to the "point of view of the universe".

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