

# Not All Animals are Equal

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If a being suffers, there can be no moral justification for refusing to take that suffering into account.... If a being is not capable of suffering, ..., there is nothing to be taken into account. (Singer, 2002: p. 84)

How ought we to consider and treat animals? Or otherwise put, what is the moral status of animals? Here's a concise ten-step argument spelling out my answer to that question—in five words, *not all animals are equal*—followed by an elaboration of that answer.

1. By *consciousness*, I mean *subjective experience*, including sensation, sense perception, and affect (desire, emotion, and feeling).

2. Since consciousness is *essentially embodied*—that is, consciousness necessarily and completely inheres in and diachronically emerges from living organisms of an appropriate level of complexity—(Hanna and Maiese, 2009), and given all the available scientific and commonsense evidence, it seems obviously true that all healthy, normal animals, both human and non-human, possess a capacity for consciousness, to a greater or lesser degree.

3. In turn, pleasure and pain are basic modes of consciousness, hence all healthy, normal animals, both human and non-human, can subjectively experience pain.

4. Although pain always has some sort of value or disvalue for the creature that subjectively experiences it, the fundamental existential and moral question of what has *basic moral significance* concerns not pain per se, but instead *suffering*, by which I mean the self-conscious awareness or belief that something is deeply bad, messed-up, or otherwise wrong with ourselves, with our relationship to other people including society more generally, or with our relationship to the world.

5. Indeed, the real possibility of suffering, as requiring a capacity for self-consciousness and not merely for consciousness, is essentially bound up with our *rational animality*: all and only rational animals can suffer, hence not all animals can suffer.

6. Suffering, per se, does not necessarily involve pain (e.g., depression or disappointment). Even more importantly, pain, per se, does not necessarily entail suffering. This is clear from such examples as: high performance athletes in extreme sports (e.g., marathoners or mountain climbers), mothers during natural childbirth, consensual sadomasochistic sex, self-flagellating monks, Stoics, etc. These all involve, generally, pain of some kind, and often very intense pain, but rarely also involve suffering.

7. Now, suffering is always morally significant; indeed, it's arguable that other things being equal, in view of the fact that all rational animals—aka *real persons*—have dignity (Hanna, 2018a, 2023), and in view of the further fact that we have a moral obligation to have sufficient respect for the dignity of rational animals, including both ourselves and others, then we also have moral obligations (i) not to treat others as mere means or mere things, (ii) not to intentionally make others suffer (e.g., cruelty or torture), and also (iii) to prevent or reduce suffering in all other rational animals or real persons (Hanna, 2018b: esp. ch. 4).

8. All animals, whether human or non-human, can subjectively experience pain; and all *rational animals*, whether human or non-human, can suffer; but relatively few *non-human* animals can suffer, since, given all the available scientific and commonsense evidence, it is obvious that most non-human animals are cognitively incapable of having a self-conscious awareness or belief that something is deeply bad, messed-up, or otherwise wrong with themselves, with their relationship to other people including society more generally, or with their relationship to the world. Ironically, then, although Peter Singer is absolutely correct, as per the epigraph of this essay, that

[i]f a being suffers, there can be no moral justification for refusing to take that suffering into account ... [and i]f a being is not capable of suffering, ..., there is nothing to be taken into account,

nevertheless, he's mistaken that all animals can suffer, and therefore he's also mistaken that, morally speaking, "all animals are equal" (Singer, 2002).

9. Therefore, although the pain of non-human animals certainly should be *considered* in our moral judgments about how to treat them, it *doesn't* follow that non-human animal pain, per se, is of basic moral significance, except for those relatively few non-human animals who are also *rational animals*—for example, arguably, Great apes and dolphins. And this is further confirmed by the fact that even the most ardent animal-rights activists do *not* believe that we have a moral obligation to prevent non-human animals from hurting each other, for example, via natural predation.

10. Nevertheless, under certain special conditions—broadly speaking, the necessary and sufficient conditions governing the existence and specific character of a normative convention<sup>1</sup>—human or non-human non-rational animals can be temporarily or permanently treated *as if* they were rational human animals falling under the protection of basic moral principles like the Categorical Imperative (Hanna, 2018b: esp. ch. 2). They thereby gain an "associate membership in The Realm of Ends," whereby they are *secondary* subjects of dignity and *secondary* targets of respect, and thus *extrinsically* receive a temporary or permanent *right-to-life*.

According to the view I've been arguing for, is it morally permissible, other things being equal, for us to kill, or cause states of bodily pain in, non-human non-rational animals—including, for example, cephalopods, fish, insects, reptiles, and other proto-sentient or "simple minded" invertebrates, but and especially also bats, bears, birds, cats, cows, dogs, horses, lions, mice, sheep, and wolves, and other sentient, fully sentient non-human non-rational animals—for the purposes of, for example, greater human convenience or safety, eating meat, producing other sorts of food, medical experimentation, scientific experimentation more generally, the manufacture of clothing, cosmetics, and furniture, or sport, animal-driven conveyance or transportation (for example, horseback riding, cart-pulling, dog sleds, etc.), or zoos, etc.?

The crucially qualified answer I am offering is: yes, *provided that* this is not torture/cruel treatment, that is, *provided that* this is not either directly to try to cause any highly intense experience of bodily pain in any animal, or, insofar as one is trying to do

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<sup>1</sup> See, e.g., (Lewis, 1969; Rescorla, 2024).

something else, foreseeably will cause a highly intense experience of bodily pain in them when it is also possible, insofar as one is trying to do that other thing, to cause a significantly less intense experience of bodily pain in them. For example, these non-torturing/non-cruel-treatment conditions would strongly favor banning or seriously restricting, other things being equal, many current practices of scientific experimentation on non-human non-rational animals, and many current practices of using them in meat production and other sorts of food production, in drug testing, in clothing production, and for display in private zoos, as well as the pointless slaughter of non-human conscious animals in traditional sport fishing, big-game hunting, fox-hunting, deer hunting, bird-hunting, and so-on, other things being equal.

On the other hand, however, these conditions would also morally permit, other things being equal, the non-torturing/non-cruel *use* of non-human non-rational animals in scientific experimentation, meat production, other sorts of food production; the non-torturing/non-cruel *use* of them in animal sports; the non-torturing/non-cruel *use* of them as conveyance or transportation; public zoos; the non-torturing/non-cruel *use* of them as specially-trained companions for people with certain kinds of disabilities; and also the non-torturing/non-cruel *use* of them, via private ownership, as ordinary companions or pets. Correspondingly, these conditions would also morally permit your killing a bee, hornet, or mosquito that is stinging you, or likely to sting you, and also morally permit your killing flies or other insects inside your house, when they are likely to be an annoyance or a health hazard. Nevertheless, they would *still* morally prevent your pulling the wings off flies, or simply killing them (or any other insect, cephalopod, fish, or reptile) slowly and painfully, “for our sport” —like *King Lear’s* cruel gods, or “wanton boys” —other things being equal.

This approach to the moral status of animals, in turn, coherently comports with the widely-held commonsense moral intuition, shared alike by animal liberationists and radical or vegan vegetarians on the one hand, and by non-animal-liberationists and non-radical non-vegetarians who still morally care about our treatment of non-human non-rational animals on the other hand, that torturing/cruelly treating non-human non-rational animals is strictly morally impermissible, no matter what *other* views one may hold about animal ethics. Thus this approach to the moral status of animals also entails a moral obligation to prevent or reduce cruelty to all animals, including of course all non-human non-person animals, other things being equal, although it does not *also* entail a moral obligation generally to prevent or reduce harm to them, other things being equal. That latter moral obligation—more specifically, the moral obligation generally to try to prevent or reduce dignity-violating harm, that is, harm which involves someone’s being treated as a mere means as a mere thing, without her actual or possible rational consent,

and with cruelty—is specially reserved for our respectful treatment of rational animals or real persons, whether human or non-human. Or in other words:

Other things being equal, we're morally obligated to try to prevent or reduce the suffering of all rational animals; and our serious moral concern for the suffering of all human rational animals morally overrides our serious moral concern for the experience of bodily pain in non-human non-rational animals, assuming roughly comparable levels in the intensity of the experience of emotional or bodily pain, and provided that no animal is being tortured/treated with cruelty (see also Hanna, 2018b: ch.4).

There's one other basic element of my theory of the moral status of animals that I need to elaborate a little more. According to my theory, as I noted in step 10 of the argument above, under certain special conditions—namely, the necessary and sufficient conditions governing the existence and specific character of a normative convention—human or non-human non-persons can be temporarily or permanently treated *as if* they were rational animals or real persons falling under the protection of basic moral principles like the Categorical Imperative, and thereby gain what I called “an associate membership in The Realm of Ends.” As such, these conventionally-protected creatures are secondary subjects of dignity and secondary targets of respect, and, as extrinsically considered, they receive a temporary or permanent right-to-life, by which I mean:

a subject's unalienable moral demand against others to let her continue being alive, that is, the moral demand not to be impermissibly actively or passively killed by those others, which is not a forfeitable right of any sort, and not a strict right-not-to-be-killed.

Such an associate membership in The Realm of Ends has the following four individually necessary and jointly sufficient conditions.

**First**, there must be an imaginative extension of our existing moral obligation to prevent or reduce dignity-violating harm to rational animals or real persons (namely, the positive duty to prevent harm), to a pre-selected class of living organisms, whether non-minded, proto-sentient and “simple minded,” or fully sentient and fully minded, human or non-human non-rational animals, where this extension is normally motivated by moral feelings such as compassion, empathy, or sympathy.

**Second**, there must be a collective rational disposition to provide moral arguments purporting to show that such an extension of specific moral character, aka moral status, is warranted.

**Third**, there must be an implicit or explicit normative convention adopted by a sufficiently large community of like-minded rational animals or real persons, in order to confer, defend, and heed this moral status.

**Fourth** and finally, there must be a generally public, social-institutional recognition of and support for this extension of moral status.

Although associate membership in The Realm of Ends can be taken to absurd lengths—for example, Caligula’s appointing his favorite horse to the Roman Senate—nevertheless it also has many plausible and praiseworthy extensions, for example, to people’s beloved pets or companion animals, or to sacred animals. Associate membership in The Realm of Ends and its corresponding conventional moral principles thus result from coordinated acts of special moral concern and kindness towards animals of any species, or towards living organisms of any kind, by rational animals or real persons like us. And in this way, associate membership in The Realm of Ends provides for what, in effect, is a fairly robust eco-ethical *Noah’s Ark Principle* that *could be* endorsed by even the most radical eco-ethicist, for example, Albert Schweitzer. For even though Schweitzer himself might disagree about its conventionalist metaphysical foundations, *pragmatically speaking*, associate membership in the Realm of Ends and Schweitzer’s own ethical principles are morally equivalent.

Not all animals are equal. But under the right conditions, any animal can be brought temporarily or permanently onboard our moral Noah’s Ark.

## REFERENCES

- (Bulb, 2024). Orkhanito. "The Ethics of Animal Rights: Exploring Moral Obligations to Non-Human Beings." *Bulb*. Available online at URL = <https://www.bulbapp.io/p/7932cb07-b914-40f3-87e9-9de4ea70d9f9/the-ethics-of-animal-rights-exploring-moral-obligations-to-non-human-beings>>.
- (Hanna, 2018a). Hanna, R. *Deep Freedom and Real Persons: A Study in Metaphysics*. THE RATIONAL HUMAN CONDITION, Vol. 2. New York: Nova Science. Available online in preview at URL = [https://www.academia.edu/35801857/The\\_Rational\\_Human\\_Condition\\_2\\_Deep\\_Freedom\\_and\\_Real\\_Persons\\_A\\_Study\\_in\\_Metaphysics\\_Nova\\_Science\\_2018](https://www.academia.edu/35801857/The_Rational_Human_Condition_2_Deep_Freedom_and_Real_Persons_A_Study_in_Metaphysics_Nova_Science_2018) >.
- (Hanna, 2018b). Hanna, R. *Kantian Ethics and Human Existence: A Study in Moral Philosophy*. THE RATIONAL HUMAN CONDITION, Vol. 3. New York: Nova Science. Available online in preview at URL = [https://www.academia.edu/36359647/The\\_Rational\\_Human\\_Condition\\_3\\_Kantian\\_Ethics\\_and\\_Human\\_Existence\\_A\\_Study\\_in\\_Moral\\_Philosophy\\_Nova\\_Science\\_2018](https://www.academia.edu/36359647/The_Rational_Human_Condition_3_Kantian_Ethics_and_Human_Existence_A_Study_in_Moral_Philosophy_Nova_Science_2018) >.
- (Hanna, 2023). Hanna, R. "In Defence of Dignity." *Borderless Philosophy* 6: 77-98. Available online at URL = <https://www.cckp.space/single-post/bp6-2023-robert-hanna-in-defence-of-dignity-77-98>>.
- (Hanna and Maiese, 2009). Hanna, R. and Maiese, M., *Embodied Minds in Action*. Oxford: Oxford Univ. Press. Available online in preview at URL = [https://www.academia.edu/21620839/Embodied\\_Minds\\_in\\_Action](https://www.academia.edu/21620839/Embodied_Minds_in_Action)>.
- (Lewis, 1969). Lewis, D. *Convention*. Cambridge: Harvard Univ. Press.
- (Rescorla, 2024). Rescorla, M. "Convention." In E.N. Zalta and U. Nodelman (eds.), *The Stanford Encyclopedia of Philosophy*. Spring Edition. Available online at URL = <https://plato.stanford.edu/archives/spr2024/entries/convention/>>.
- (Singer, 2002). Singer, P. "All Animals are Equal." In P. Singer, *Unsanctifying Human Life* Oxford: Blackwell. Pp. 80-94.