

TRACK 15 BEWARE SPECIESISM

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ANIMALS AND HUMAN RIGHTS

The treatment of animals is rarely discussed in human rights theory and practice. When animals are mentioned by the human rights community it is usually to highlight some awful and terrible treatment of human beings: 'they were rounded up like cattle', 'they were beaten like dogs', 'they were stripped of their humanity', and so on.

But these kinds of statements neglect some extremely important ethical issues.

- Why can animals, but not humans, can be treated in these awful and terrible ways?
- What about the everyday, routine and institutionalised abuse that is meted out to sentient non-human animals in contemporary societies?
- And then there are the exclusions inherent in the contemporary understanding of human rights: the exclusion of each and every creature who does not belong to the species *Homo sapiens*.

Interestingly, the [manifesto](#) of this project does seek to include animals. It claims that 'rights are for more than humans'. It even goes on to tell us to 'beware of speciesism'.

This brief essay offers support for the claim that rights are for more than humans and goes on to argue that the plight of animals is indeed a legitimate human rights concern.

It claims that the species exclusivity built into the notion of human rights is arbitrary and unjustified.

It argues that if the future of human rights is to be fair, compassionate and rationally justifiable, it **must** be radically reconceptualised to include the basic entitlements of sentient non-human animals.

ANIMALS AS RIGHTS-HOLDERS

Most people agree that we have certain moral obligations to non-human animals. Most people also probably agree that those obligations mean that we ought to treat farm animals, lab animals, zoo animals, wild animals and so on *better* than we do in most contemporary societies. But the question of whether we ought to treat those animals better because of their *rights* is much more controversial.

Can non-human animals even possess rights?

Rights are sometimes denied to animals because they are not moral agents. That is to say, it is sometimes argued that animals cannot have rights because they can neither respect the rights of others, nor claim their rights for themselves. This makes animals importantly different from human beings, and for some, disqualifies them from the possession of rights.

The problem with this position, of course, is that the same rationale would disqualify many human beings from the possession of rights. After all, young infants and the seriously mentally disabled cannot respect the rights of others, or claim their rights for themselves. And yet it seems absurd to deny these individuals all and any rights. Surely a child has the basic entitlement not to be tortured, just as her parents do, irrespective of whether she is capable of understanding her own duty not to torture, and irrespective of whether she can go to court to claim that right for herself.

In fact, this example illustrates that rights possession does not depend on the capacity for moral agency, but on the capacity for interests.

Children, the seriously mentally disabled, and animals all possess a right not to be tortured quite simply because they all have a compelling basic *interest* in not suffering terribly. The possession of interests, rather than moral agency, is the sufficient condition for holding rights. The classic statement to this effect is made by in a [famous essay by Joel Feinberg](#).

Crucially, all that one needs to possess interests is some form of conscious experience – to have some stake in how one’s own life fares.

As such, all sentient animals possess interests, meaning that all sentient animals can possess rights.

ANIMAL RIGHTS AS A HUMAN CONCERN

But even if animals can and do possess rights, it might be asked what any of this has to do with *human rights*.

Sentient animals may well have certain rights, but that does not necessarily mean that those animal rights are a human rights concern. Indeed, some might argue that human and animal rights are qualitatively different. After all, it would be strange to think that animals have rights to freedom of speech, to freedom of association, to take part in government, to self-determination, and so on. Human and animal rights, so it might be claimed, are of a different order.

But I want to argue that animal rights and human rights are part of the same ethical enterprise.

At bottom, human rights are about protecting those goods that allow us to lead minimally decent lives: see many earlier tracks in this project, especially [track one](#). Since sentient animals can also lead minimally decent lives, and since our actions and institutions routinely threaten their ability to lead such lives, they too are a human rights concern.

It certainly does not matter that animal rights and human rights are not identical in content. For one, some human and animal rights are shared: the right to life, liberty and security of the person, the right not to be enslaved, the right not to be tortured, the right to be recognised as a person before the law, and so on, all seem plausible candidates.

Moreover, the basic rights of humans also differ in content: adults possess certain human rights that children do not have, children possess certain human rights that adults do not have, women possess certain human rights that men do not have, disabled individuals possess certain human rights that able-bodied individuals do not have, and so on.

What secures a minimally decent life for a child is sometimes different to what secures it for an adult – hence some of their human rights are different. But given that both children and adults can lead minimally decent lives, both are a human rights concern.

Since sentient animals can also lead minimally decent lives, they too are a human rights concern.

The basic rights of humans and animals are part of the same ethical enterprise.

THE PRIORITY OF HUMAN RIGHTS?

At this stage, some of you may object that human and animal rights cannot be part of the *exact same* ethical enterprise quite simply because humans and their rights are *more important* than animals and theirs. Human rights and animal rights may well both protect the conditions for a minimally decent life – but some will claim that ensuring that humans are able to lead such lives must come first.

The argument in favour of prioritising humans and their rights usually assumes that the inclusion of animals necessarily involves the sacrifice of humans - that by turning our attention to the plight of animals, we necessarily turn our attention away from the plight of humans.

But we should be extremely wary of such arguments.

When the ‘rights of man’ and the ‘rights of the citizen’ were opened up to disenfranchised human beings - evolving into the present notion of ‘human rights’ - the entitlements of white male property-owning nationals did not exactly wither away.

Instead, our circle of compassion and the scope of our legal norms expanded to include all humans.

Just as we can respect the rights of foreigners without eroding the rights of co-nationals, so we can respect the rights of animals without eroding the rights of humans. Our aim should not be to sacrifice humans for the sake of animals, but to expand our circle of compassion and the scope of our legal norms to include all sentient creatures.

We should do so because the cruelties perpetuated upon non-human animals by contemporary societies cannot sensibly be regarded as trivial or as of low priority. The misery that animals suffer in modern industrial agriculture, for example, must be considered as amongst the most pressing and urgent ethical issues of our time. And it is especially pressing given the ever-expanding global consumption of animal-derived products: to illustrate, consider that global per capita consumption of meat has more than doubled between 1961 and 2007, and is expected to double again by 2050.

We need urgently to [rethink the meat guzzler](#).

The animal-dominated diet that many human beings now enjoy is not normal – obviously, it is unprecedented in human history. Such a diet is also unnecessary – in fact, humans can lead much healthier lives without deriving so much of their protein from the flesh, eggs and milk of animals. The diet is also extremely inefficient – as is well-documented, we can feed far more people with far less impact on land, using plant-based proteins: Peter Singer and Jim Mason have written [a stimulating book](#) about this.

Crucially, however, this diet is also based on the routine institutionalised abuse of *billions* of sentient animals.

The vast majority of the food we eat does not come from the idyllic and friendly farms we see in picture books for children. It comes from *factories* where animals are mechanically processed - bred, confined, mutilated, fattened and slaughtered – for our plates. If you don't believe this glance through the web site of one of the key NGOs in this area, [Compassion in World Farming](#). These animals have become simple production units whose sentience, lives, interests and rights are totally sacrificed for the sake of cheap meat, dairy and eggs - and, of course, for profit.

It is unclear to me why these kinds of routine abuses and rights violations should be of low priority.

If human rights are about ensuring that individuals are able to lead minimally decent lives, then the plight of many animals in contemporary societies is a legitimate and pressing human rights concern.