



Undergraduate assignment feedback form

(to be completed by marker)

Student Name: <u>Sam George Evans</u>	
Module title: <u>Env, Sustainability & Philosophy</u>	Student number: _____
For completion by marker:	
Comments: This piece of work evinces some engagement with the texts discussed, but the detail of the arguments are, in places, presented inaccurately and/or unclearly. Indeed, closer attention to the presentation is needed throughout (try to ensure that you proof read your essay a few times). References to specific page numbers are needed, e.g. in relation to the essay Q - your answer could be furthered by a discussion of texts that evaluate a wider range of normative stances. That said overall, this is a satisfactory piece of work which would be greatly improved with a bit more attention to presentation and with a more in-depth reading of complementary texts.	
Marker's signature: <u>[Signature]</u>	Date: <u>3/6/19</u>
Provisional mark: <u>56</u>	
NB. All marks are provisional until confirmed by the final examination board.	

Sam Evans

Do non-human creatures have interests? Does this mean that they also have rights? Provide reasons / support for your answer.

Annotated Bibliography

Attfield Robert Value, Obligation and Meta-Ethics (Atlanta: Editions Rodopi, 1995)

This is not accurate. Attfield acknowledges ^{the s} interest of non-human creatures not directly but implicitly through what he calls a point of view of its own, ascribing it to whatever is self-conscious. A point of view resides in whatever Attfield deems self-consciousness and it seems fair to conflate it with interest since the term implies having a subjective outlook that inevitably seeks to self-preserve. [Self-consciousness is a sufficient condition for moral standing but it is not Attfield a necessary one. Yet self-consciousness in some nonhuman creatures is apparent by the capacities and vulnerabilities that they display.] *Correct*

Attfield also attributes interest through sentience. Sentient creatures do have just as much of an interest in avoiding suffering but the only standard by which this does not justify a right to avoid it is by attaining higher status to humans by acknowledging "humanity". But this is only if we are also to maintain that people with fewer capacities, the mentally defected for example should be spared suffering only for the sake of third parties for whom their existence makes a difference. Intuitively, this does not seem right but Attfield attributes this wrongness to the possibility of having relationships with these particular humans. So either we have to acknowledge sentience to grant rights to non human creatures or grant higher status to "humanity" which is the only possible justification of not attributing moral standing and therefore rights to non human creatures. But because we also through human interest have to "qualify its bearers though moral consideration" we have to therefore consider that sentience does in animals equate to a nonhuman interest in suffering avoidance. *This is in tension with your previous claim*

Again, Attfield links this back to consciousness which he implies interest in the beginning of his chapter by stating that what can feel pleasure and pain, can avoid and suffer will be conscious. Even creatures that don't feel pain have an interest to pursue their goals and so this should not exclude them from other creatures that do or undermine their own individual interests. *This is a little confused*

Attfield recognises the point that is often made in response to this argument, that it unfairly compares or equates them with the lack of human function, specifically what he calls abnormal or defective beings. But he negates this, defending such lives as having a form of their own which allow them to flourish in a distinctive manner. He does not hold the view that intelligence, having a point of view or sentience are necessary conditions of the standards for which should bear moral consideration. Nothing has contradicted the idea that having a good of its own specific to whatever capacities are endowed to the thing in question is what should be valued above all else. Simply because the experiences of nonhumans seem alien to us, this should not affect at all how we consider their moral standing and hence rights should be upheld. (He quotes Bernard Williams to summarise his argument, a quote which expresses the concern of non human life as being despite only a part of non human life, something that nevertheless can be acquired, taught and cultivated but only in terms of how we are able to understand ourselves) *okay - but closer attention needed*

This is unclear

The idea of a good of its own however does complicate the discourse of interests and rights once the boundary of the moral constituency becomes less inevitably less clear if we are to adopt this idea. This is because it requires that the boundary cannot be drawn at sentience. Sentience was only part of Attfield's argument but it does intrinsically tie into the other component regarding consciousness. Attfield seems to imply that what gives one a good of its own is "a point of view" and sentience but he it seems as though he needed to compartmentalise intrinsic worth though other values. This is where inevitably his metaphysics come into play which may or may not justify his reasoning for subscribing to a conception of "something's own good" which seems identical to meaning intrinsic worth, while reducing it down to conceptual parts.

Not accurate

Garner, Robert, A Theory of Justice For Animals: Animal Rights in a Nonideal World (Oxford: Oxford University Press 2013)

Are you discussing the whole book, or a particular chapter?

Garner utilises the principles of an equal consideration of interests for a rights-based approach which he believes when focused on, is both compatible with justice and allows for inclusion in a convincing manner.

Ref...

He explains not just how the "will theory" inevitably excludes animals from rights since it determines that only anyone who can exclaim them can hold to them but also how philosophers have used this as part of their case against granting such rights. Self determination is the characteristic that should be promoted and hence philosophers such as McCloskey have backtracked on their views regarding rights to animals. The interest theory in contrast upholds that individual well being is what rights are functioned towards and therefore possessing interests renders the maintenance of the rights that follow necessary.

Garner responds to objections specifically targeted towards the association of rights with interests, arguing that there is significant distinction between the translation of interests to rights and the derivation of rights from interests. Not all interests get to become rights, some shouldn't be promoted and only rights that actually benefit the person in question should be recognised.

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He acknowledges that what interests an individual has is where the hard work starts for moral philosophers and that the interest theory presupposes the moral importance of animals. We are justified in utilising the interest theory because of this pre-existing belief however. Cochrane challenges animal interest in a broader sense by denying intrinsic interest in liberty as they lack independence in the sense they cannot mentally conceptualise and work with their own "conceptions of the good". And so this interest in liberty cannot be intrinsic, there is no automatic right to it. Still, animals' interests in avoiding suffering is still true so wherever this interest is threatened, it should be protected.

In his conclusion, he clarifies animals are entitled to rights and because they do have interests are entitled to be recipients of justice, which seems as if it is the same as saying that their rights should be indeed be protected. His theory is a capacity orientated theory and is different from that of Singer's utilitarian approach whom Garner writes in his next chapter neglects the individual. Singer's theory is not compatible with Garner's which is a theory of justice, a secondary concern for utilitarian's. What is inherent in justice, for Garner and many other commentators is the very separateness of individuals. Garner's aim is to discover from the acknowledgement that animals so

have interests, exactly what rights can be bestowed in the name of justice which is to say what are they owed that acknowledges their very separateness. This separation is intrinsic to Gamer's claim to his theory being orientated around capacity which is another component of his theory of justice. This component of his theory does undermine relationships which Gamer sees as being wrongly attributed to our moral obligations because to do so would imply we have no obligations to anyone we have relationships to. However it could be argued that Gamer's point here is flawed in that it neglects the potentiality of relationships as being reason for moral obligation. Not all relationships are formed instantaneously and as long as we can recognise a general need for others, the value embedded in the point that our relationships and obligations can be intrinsically tied to each other is that we have capacity for relationships with anyone. Our moral obligations do not have to be of the same kind, of the same weight but we have general obligations to one another at least of a respectful kind, regardless. So Gamer's point does not necessarily contradict anything about capacities in humans or even nonhumans in relation to both humans and non humans and therefore his capacity orientated approach would not have contradicted itself to acknowledge this. For animals can often hold a very special relationship to both animals and to other humans in many cases. But for Gamer there is nevertheless tension still because moral worth based on capacities cannot be assessed independently from moral worth derived from relationships. It is because of our faculties that we can form as emotionally rich and satisfying relationships as we do. But Gamer seems to overestimate the extent to which he imagines others emphasising the relational ethic as related to our moral obligations. Where he claims that preferences based on relationships should only be seen as supplementing his own theory, few it seems would disagree. The dispute seems to only manifest itself depending on the framework with which one utilises to form an argument for the rights of non human creatures.

What does this mean?

Singer, Peter, Practical Ethics (Cambridge: Cambridge University Press, 1979)

Again - which section are you discussing?

Yes - but he doesn't argue for rights for animals

Singer frames his argument for the rights of animals from the principle of equality and seeks to argue that to extend this principle to animals is to do nothing more than clearly understand the nature of another principle - that of a consideration of interests. He draws from the philosophy of Jeremy Bentham, a utilitarian who draws attention to the capacity of suffering. For this capacity more broadly speaking in terms of the entire spectrum of pleasure to pain is a vital characteristic unlike any other - it is a prerequisite for having interests. In other words, it makes no sense to speak of interests at all without addressing acknowledging whether one is or is not able to experience happiness, enjoyment etc And so regardless of the nature of any being, the principle of equality requires that suffering is acknowledged but if such suffering is not possible to occur then there is nothing to take into account. By this he also includes the possible experience of happiness - sentience generally. Sentience unlike any other characteristic like intelligence is the only meaningful marker to draw a boundary for interest concern as it is not arbitrary.

What this principle equates to in practice Singer does concede raises more room for doubt. He refers to a human cancer patient as contrasted to a nonhuman cancer victim to demonstrate this. However this does not negate the principle of equality based on consideration of interests as extended to nonhumans. What this does amount to in practice is the priority of relieving greater suffering which

References / pg. no's needed

may result in cases like animals being used for experiments over humans. The reason this is so is because humans using their other faculties can potentially dread and fear of this happening if this were a real occurrence whereas animals wouldn't and this would require ultimately less suffering. This also implicates that experiments on the mentally handicapped also would be permitted when priority has to be taken up. Singer recognises here a real challenge – if we are to choose to save a mentally handicapped person from experimentation over a nonhuman, is it based on nothing more than a instinctive preference for your species? It appears so. Singer however does not assume that just because the superior mental powers makes a difference to how we imagine another humans suffering in comparison to animals, that this does mean the animal experiences less suffering. He suggests that actually having less understanding could make the animal susceptible to even more suffering.

Still, how we compare human suffering to animals is a difficult road to pave, Singer concedes to. Not only can comparisons of suffering between animals and humans not be precise, but comparisons of individuals of the same species cannot be exactly accounted for either. Singer's overall defence here however is that we do not require precision for his argument to stand.

His argument in *Equality for Animals* he admits does only concern the rights of animals in terms of suffering, pleasure and pain and not about the right to life for he admits this is a more complicated matter and requires it's own work. Even within this utilitarian framework, the life of an animal is not necessarily from this as valuable, referring to abstract thought, complex communication as faculties that may make the difference. This is at all to imply that he did believe lives of animals less valuable, just that it is a different subject within the framework he has already drawn from Bentham regarding pleasure and pain.

Self consciousness, Singer clarifies towards the end of his chapter is not necessarily relevant to the discussion if they do not affect the nature of interests. But if greater interests are possessed by beings that lack self-consciousness and possess only sentience then compared to beings with more self-consciousness but lesser interests then this point seems necessary. But if interests have an intrinsic nature to them in the sense that they are what they are regardless, Singer believes all should have equal consideration. Perhaps it would be fitting to suggest that Singer would not even consider the idea of greater or lesser interests as meaningful at all. Rights are only threatened insofar as interests are regarded as nonequal. As alluded to earlier, this does not concern the right for life though Singer would in the majority of cases defend the animals right to life. An animals' sentience can have an intrinsic value but this does include the need to survive at least in the way this applies to humans. Because human's can consciously fear death, imagine death in a more complicated and abstract way, using faculties that the animal does not have, the interests between animals and humans may not be equal in this scenario. This is not to say that animals are not aware of death, if what it is to be killed but that they cannot conceptualise of it in the same way and so protection of death does not equally apply to the field of interests for animals. If there is a case to be made as to why killing is wrong, under Singer's utilitarian ethic, it cannot be demonstrated here.

Is it experiences
that have
intrinsic value, or
the thing
that has the
experiences?

Could you bring
other normative
stances into your
discussion (ie
other than sentientism)
They could be brought
into an evaluation
of Singer's sentientism.