

Are Non-human Animals Deserving of Justice

Traditionally the concept of justice has been applied within human societies, addressing fairness, rights and moral obligations among individuals, leading to the structures that make human societies. Over time philosophers such as, Plato, Aristotle and Kant conceptualised justice in ways that “excluded non-human animals” and treating them as “mere resources” for the use of humans. However and thankfully as ethical and political philosophy evolves, the question has arisen as to whether justice should be extended beyond humans to include non-human animals. The implications of this question are significant, particularly when considering practices like factory farming, where billions of non-human animals suffer under the industrialised agricultural systems.

If we are to accept that justice is concerned with reducing suffering and ensuring fair treatment, then surely the continued exclusion of non-human animals appears increasingly indefensible. We are aware from modern research in animal cognition, ethics and environmental sciences the suggestion that non-human animals possess sentience, self-awareness and complex social structures. So taking this into account how can it be and why can it be, ok to continue to exclude them from justice, when it is neither ethical or indeed scientifically justified.

In this essay I aim to argue that non-human animals, which I will be concentrating mainly on farm livestock with an emphasis of the livestock in the factory farming industry, deserve justice based on their capacity for suffering, cognitive complexity, intrinsic value and ecological importance. I will be looking at and drawing from the works of Peter Singer, Nathan Lents, Rebekah Humphreys, Robin Attfield, Alasdair Cochrane, Kate Raworth, Garrett Hardin and others. This essay aims to explore the ethical, legal, economic and environmental implications of justice for animals. I aim to structure this essay by looking at the various forms of justice that will be required. I will start with the moral status of non-human animals, including the historical views on animal morality, looking at the argument against speciesism and the scientific evidence of animal cognition. I will then move on to justice and non-human animals, taking into account the biocentric versus anthropocentric justice. After this I will look at the Trio model of justice and factory farming and looking how factory farming violates this. The economic and environmental case perhaps moves a little away from the non-humans, but instead focuses on the human and planetary concerns. Finally, would implementing non-humans justice, have to meaning include animal liberation.

Western philosophy for centuries has placed humans at the centre of moral concern and more than often, viewing non - human animals as inferior beings, without intrinsic value, while Kant argued, that because animals lacked “ rationality and moral reasoning”, then they had no inherent moral worth .(Kant.1781). Rene Descartes went further, claiming that animals were “ mere mechanical automata” (Descartes.1642) that were in fact incapable of true suffering or consciousness.

However through modern scientific and ethical developments , these traditional views have now been challenged. We now know that non - human animals do indeed suffer and exhibit complex mental capacities.

Peter Singer in his books *Animal Liberations* (Singer. 1990) and *Practical Ethics* (Singer.1975) argues that justice must be extended beyond humans. Singer with his utilitarian approach holds the view that morality is fundamentally about reducing suffering. Therefore if justice aims to prevent unnecessary harm, pain and suffering, then we must consider all sentient beings and not just continue to consider only humans.

Singer introduces the concept of species, which he defines as an “ unjust discrimination based on species membership” (Singer.1979). He argues that speciesism is , “morally equivalent to racism or sexism”, as it “ privileges one group over another, without “ justifiable moral grounds (Singer.1979) . Why then, does a human’s ability to suffer grants them moral consideration, does this then surely not mean that an non - human animal’s ability to suffer should grant them the same consideration.

Ethan Lents in *Not So Different : Finding Human Nature in Animals* (Lents. 2016) , is able to present compelling research on animals intelligence, emotions and self awareness. His findings strongly suggest that many non - human animals exhibit behaviours previously thought to be unique only to humans, such as self awareness, an example of this is Great Apes passing mirror tests. Many nonhuman animals also showed empathy and cooperation, which can be seen by how elephants mourn their dead, dolphins also assist injured individuals. Another of these behaviours is that of tool use and problem solving, examples of these are crows creating tools and pigs having the ability to learn to play video games.

The above and many more findings must challenge the notion that humans are the only beings worthy of justice, when it has been shown and proven that animals meet the criteria for moral consideration. Therefore if morality is based on sentience and suffering rather than species membership, then excluding animals from justice is ethically indefensible. So given the overwhelming scientific evidence of animal cognition and emotion , we have no option but to fully recognise their moral status and entitlement to justice.

If justice is about protecting the vulnerable and ensuring fairness, then non-human animals, who are so often abused, exploited and treated merely as a commodity, deserve its protection.

Rebekah Humphreys and Robin Attfield in *Justice and Non-Human Beings*, argue that justice should not be restricted to humans. One of the primary counter arguments against animal justice is that “justice requires reciprocity”, however Humphreys and Attfield reject this view, they point out that despite the lack of full moral agency, infants and disabled individuals are still considered worthy of justice. (Humphreys, Attfield.2017). They state that justice should prioritise vulnerability and not an individual's ability to reciprocate moral duties. (Humphreys, Attfield.2017). This perspective aligns with Martha Nussbaum's capabilities approach, in which she states that justice should enable all beings, both human and non-human to flourish. (Nussbaum. 2011).

Justice should not be anthropocentric (human centred), but it should instead be biocentric (all living elements), which acknowledges that all sentient beings have intrinsic worth. Biocentric justice recognises that animals have their own interests and therefore should not be exploited purely for human benefit.

A useful framework for analysing justice in relation to animals is Rebekah Humphreys and within Varghese's Trio - Model. This model presents three different approaches, firstly Anthropocentric Justice, which prioritises human interests, secondly Biocentric justice which recognises animals are moral subjects and thirdly Ecocentric Justice with focuses on the health of the ecosystem.

When we look further and explore factory farming, we see that it violates all three forms of justice in the Trio Model. When looking at the Anthropocentric justice, factory farming threatens human health by contributing to antibiotic resistance, Zoonotic diseases, with COVID 19 being a prime example of this and to the degradation of the environment. In reference to the Biocentric Justice, factory farming also known as industrial farming, inflicts immense suffering on animals within the system. The animals are subjected to confinement, mutilation and premature slaughter.

Finally in relation to Ecocentric Justice, factory farming has been shown to be one of the leading causes of deforestation, water pollution and climate change.

Kate Raworth's Donut Economics : Justice for People and the Planet, is helpful in understanding the environmental and economic case for non-human animal justice. Raworth argues that justice must balance human well being and planetary boundaries. (Raworth. 2017). Factory farming however violates this balance on two main levels. First, by consuming vast resources, mainly water, land and food. (Raworth. 2017). This over consuming occurs

while millions suffer from food insecurity, the question needs to be asked , why are we producing so much soy, wheat etc for animal fodder when instead food could be diverted or grown for humans. Nearly 80% of all soy grown is used for animal feed. (food navigator.com.2025). This soy is more often than not grown on land which has been cleared through deforestation, which is a significant cause of climate change, as the trees absorb carbon dioxide, which is a greenhouse gas.(food navigator.com.2025) Factory farming is destroying ecosystems , far beyond sustainable limits the ecosystems. (Raworth.2017). One solution that Raworth offers is the taxing of factory farmed products , banning extreme confinement (egg battery cages for chickens and gestation crates for pigs), and promoting plant based alternatives can significantly improve animal welfare , whilst at the same time maintaining social and economic stability. (Raworth.2017).

When looking at the over exploitation of shared resources, Garrett Hardin's Tragedy of the Commons: Over Exploitation of Animals , explains how over exploitation of shared resources leads to an environmental collapse (Hardin.).

This over exploitation can be linked directly to factory farming, where the corporate interests are only of maximising short term profit , to the expense of global sustainability. Species of fish have been depleted due to the greed of over fishing. Again we understand that the deforestation for animal agriculture accelerates climate change Animal agriculture's carbon footprint is a significant contributor to global warming. Therefore justice for animals also aligns with justice for future generations of human and non - humans and also that of the planet.

In Animal Rights Without Liberation, Alasdair Cochrane argues that animals should have a form of legal protection, but without necessarily being liberated from all the human control. (Cochrane.2012). Cochrane argues that while non - human animals have morally significant interests, such as avoiding suffering, experiencing pleasure and living autonomously, this in itself does not necessarily mean that they should be fully liberated from all human use. Instead he proposes a rights based approach that protects non - human animals from unnecessary suffering and exploitation, whilst at the same time allowing some forms of human and non - human animal relationships to continue. (Cochrane.2012). Cochrane has 3 key principles for his approach. He rejects absolute autonomy unlike traditional animal rights theorists like Tom Regan in The case for Animal Rights, where Regan argues that non- human animals should be treated as " subjects of a life" and not used by humans at all. (Regan.1983). In reply to this Cochrane instead suggests that justice can still be extended to animals without granting full autonomy. He favours legal protectors instead of total freedom, he argues that non - human animals deserve legally enforceable protections to prevent cruelty, ensure proper living conditions and to also recognise their

interests in a human dominated world . Unlike abolitionists who call for a complete end of non - human animal agriculture, Cochrane instead allows for the possibility of ethical animal use, providing that it does not involve suffering or exploitation. This could include companion animals, sanctuaries and non harming scientific research. (Cochrane.2012). However when looking at factory farming, even though Cochrane strongly criticises it ,he does not call for a complete cessation of all non - human animal farming. I myself understand and in some ways agree with him on this, whilst abolitionists like Singer (Animal Liberation.1975) advocate for an entire plant based system, however animals rights without liberation challenges this all or nothing approach and suggests gradual reforms that improve conditions whilst still working within the current societal frameworks. Cochrane's model; might allow for ethical farming methods where non - human animals are treated humanely and are not subjected to unnecessary suffering. The traditional small scale farmer, whose non -human animals where and are extremely important to them, are very different to that of the factory farmer. . The process of factory farming inherently, violates even the basic rights, such as freedom from suffering. The small scale farmer or ethical farming methods ,will know all their animals and are extremely important to them, they are treated humanely and are not subjected to unnecessary suffering. These non - human animals are not just simply a number with a pound note sign on them, but a way of life with a sustainable base at its heart. Animal rights without liberation challenges the all or nothing approach and suggest gradual reforms that improve conditions while working within the current societal frameworks. A legal framework for justice would need to be extensive, as even the very basic rights ,are not covered at the present time in the factory farming multinational companies, whose only interest is to make the most money in the shortest amount of time. Sadly capitalism is more important than the life of this non - human animal.

We must realise that justice must not only address welfare, but it must also consider and take into account public health. In Ethics, Zoonoses and Human Nonhuman Conflict, Humphreys, Chakraborty and Varghese discuss how animal exploitation increases pandemic risks. (Humphreys, Chakraborty, Varghese.2022).

In conclusion all humans worldwide, especially those in decision and law making roles, need to understand that Justice is not merely a human construct, but it is a moral imperative that transcends the species boundaries. There is not denying or doubt that the scientific, ethical and economic evidence overwhelmingly supports extending justice to all non - human animals.

Admittedly there will be the need for different levels and forms of justice depending on the non - human animal involved, but justice for non - human animals is simply not a choice for humans, it is a necessity. Even if animals

are still used for food, labour or companionship, their rights should still be legally recognised, ensuring their protection from all forms of abuse. Humphreys and Attfield argue that granting animals moral and legal recognition is a crucial step towards justice, even if they are not fully liberated. (Humphrey,Attfield. 2017).

Every small step towards non - human animals is a major step for them. In Garner's non ideal approach he suggests that whilst full non - human animal liberation may be unrealistic in the short term, any legal and political changes can still significantly improve their treatment. (Garner.2013).

IF justice is there to protect the vulnerable, then non - human animals who are subjected to systematic exploitation must be included.

IF justice aims to eliminate unnecessary harm , then there is no option available than to either totally reform or if justified, totally abolish factory farming and the non - human animal industries.

IF justice seeks to create a sustainable world then the human and non - human animal relationship must be reconstructed to prioritise fairness and an ecological balance.

For a truly just society, we must all reject speciesism and fully recognise the intrinsic value of all non - human animals and move and work towards a more ethical and sustainable future. We perhaps need to accept that certain human and non - human animal interactions, which would go against traditional absolutist views, are required. We should and can still insure legal and moral protection for these non - human animals, with a shift towards ethical human and non - human animal interactions.

It has been demonstrated that the exclusion of non - human animals from consideration of justice, is both arbitrary and morally indefensible.

For the good of non - human animals, humans and the planet , an end to factory farming and extreme exploitation is required and needed as a matter of urgency, along with the implementation of justice for all non - human animals.

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