BOOK REVIEW


*The Animal Rights Debate* is part of a point/counterpoint series put out by Rowman and Littlefield, where established philosophers debate contemporary issues. In this book Carl Cohen and Tom Regan focus on the divisive contemporary issue of animal rights.

Cohen (author of *Why Animals Do Not Have Rights*) asserts that human rights exist for all people, simply because we are human. He appeals to generally accepted beliefs for support – “We all agree that humans do have rights” (253) – yet he denies the existence of animal rights.

Cohen focuses on the issue of animal experimentation for his utilitarian argument: “For most of those who are troubled by experiments using animals, reservations will dissipate when the consequences of forbidding those experiments are fully understood” (5). Though Cohen never attempts a weighing of gains and losses, he concludes that animal rights advocates are “gravely mistaken” and that their point of view is “indefensible” because acknowledging rights for other animals would “seriously damage human well-being” (6).

Regan (author of *The Case for Animal Rights*) does not assume that humans have rights. He explores moral theories to ponder the issue. He does assert very firmly that, if an individual does have rights, no utilitarian excuse for violating those rights or for exploiting the lives of those who have rights is morally acceptable.

Ultimately, Regan admits that he cannot formulate a proof of the existence of rights–human or otherwise. But, he concludes, similar cases ought to be treated similarly. Regan demonstrates that in as much as we acknowledge our own inherent value and, moreover, in as much as we assert our right to be treated with respect, reason leads us to acknowledge these same qualities, and concurrent rights, in other animals (217). Other animals also suffer when treated cruelly, they have a welfare and, argues Regan, we are no less obliged to acknowledge and defend their welfare than we are with respect to that of small children, or the senile.

Regan addresses common complaints against animal rights, clarifies common misunderstandings and replies to frequent criticisms leveled against his theory of animal rights. He strongly denounces Cohen’s
utilitarian approach: “Morally, we are never to take the life, invade or injure the body, or limit the freedom of any animal just because we personally or society in general will benefit” (213). This is the core, and strength, of Regan’s stance against Cohen.

Cohen responds, noting that Regan cannot delineate precisely which animals have rights and which do not – where do we draw the line? He reiterates his utilitarian justification for rejecting animal rights, focusing on “practical questions” – what would we sacrifice in diet and scientific method if animals are acknowledged to have rights? (254). Cohen concludes, “the proposal to eliminate all animal agriculture, all animal use, is not noble, not humane. It is fatuous; and when its consequences are weighed thoughtfully, it will be judged callous” (255).

Regan’s rebuttal begins with a note on what a privilege it is to be able to respond directly to his most outspoken opponent, a man he has been in personal dialogue with for many years on this controversial topic. But Regan draws attention to Cohen’s inability to hold to the original guidelines of the debate, which include a ban against ad hominem attacks. Regan lists dozens of slights from Cohen’s writing, including “silly,” “absurd,” “preposterous,” “fanatical,” “ignorant,” “pernicious,” and “ridiculous” (to name just a handful). Regan concludes, “one does not refute a position . . . just by saying unflattering things” (294–295).

Regan moves on to note points of agreement: both philosophers agree that human beings have direct duties to other animals, both agree on the relationship between duties and rights, both agree regarding the psychology of animals and both agree regarding the prerequisites of moral responsibility (269). With such an impressive list of agreements, how do these two scholars reach such radically different conclusions?

Regan calls Cohen to task for failing to face the central, foundational question – “do humans have rights?” (272). Regan also demonstrates that Cohen’s argument, if sound, would prevent many humans from being considered as rights holders, such as children, or those who are senile. Even if Cohen carried the day, his arguments would sacrifice much in the way of human rights.

The Animal Rights Debate is a thought-provoking exchange. Cohen’s utilitarian argument against animal rights could arguably have been used as a justification for the maintenance of slavery in the southern United States. Those in power in the South, at that time, had at least as much to lose (and gain) from the abolition of slavery as we now have to lose (and gain) by adopting Regan’s philosophy of animal rights. By implication, if Cohen’s stance against animal rights is the best we can do, we had better re-think lunch.
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