

*The Moral Framework of Peter Singer's
Animal Liberation:
An alternative to utilitarianism*

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ABSTRACT. Peter Singer's arguments in *Animal Liberation* have often been misinterpreted. The most common, and momentous, misinterpretation among professional philosophers consists in the belief that the moral argument advanced by *Animal Liberation* is based on utilitarianism, and not, as is in fact the case, on the principle of non-maleficence ("not causing harm"). This essay examines some of the reasons for this misinterpretation of *Animal Liberation* as well as its effects on one's assessment of the book's philosophical merits. In particular, it argues that many of the alleged or apparent inconsistencies in *Animal Liberation* – e.g. Singer's position on the use of violence to advance animal liberation, or his treatment of the so-called Argument from Replaceability – arise only when the book is erroneously interpreted as a utilitarian text. When *Animal Liberation* is read correctly, as a work whose basic normative inspiration is the principle of non-maleficence, it becomes clear that Singer's text contains none of the alleged or apparent inconsistencies considered in the essay.

KEYWORDS. Animal Liberation, non-maleficence, Peter Singer, speciesism, utilitarianism.

Peter Singer's *Animal Liberation* is surely one of the most cogent, influential and *effectual* works of applied ethics ever published. Since the publication of the first edition in 1975, Singer's work has been read, and its main theses ardently debated, by both professional philosophers and readers with little interest in philosophy per se. Indeed, if it is true, as Bertrand Russell is said to have remarked, that the ideal work in philosophy should begin "with propositions no one would question and conclude with propositions no one would accept" (as cited in Wolff 1998, vii),¹ there can be little doubt that *Animal Liberation* comes close to attaining the ideal.

Nevertheless, precisely because it has enjoyed an exceptionally broad readership and defends some unfamiliar and controversial theses – or at least theses that were unfamiliar and controversial in the mid-1970's – it is hardly surprising that *Animal Liberation's* arguments have often been misinterpreted (and also, alas, deliberately distorted), or that this has occurred despite the fact that the book is written in a clear, direct style, and is almost entirely free of jargon and technical language. What does prove surprising, however, is the frequency with which even professional philosophers have misconstrued or misstated some of *Animal Liberation's* central theses. The most common error among professional philosophers no doubt consists in the belief that the moral argument advanced by *Animal Liberation* is based on utilitarianism, or – what in effect amounts to the same thing – the tendency to analyze the book as though its normative basis were utilitarian, when in reality the views defended in *Animal Liberation* are derived, at bottom, from the principle of non-maleficence, i.e. “not causing harm,” and the principle of “equal consideration of interests.”² The list of philosophers who have committed this error, i.e. who have analyzed *Animal Liberation* as if it were a utilitarian text, includes authors who have made some of the most valuable contributions to the debate on ethics and animals, such as Evelyn B. Pluhar, Steve F. Sapontzis, and R.G. Frey, as well as many other writers who have addressed these topics in lesser detail.³

In light of the substantial evidence that *Animal Liberation* is often misinterpreted in such a fundamental way, it is worth our while considering the reasons for this misinterpretation. It is also worthwhile, and more important, to consider the ways in which an understanding of the fact that Singer's core argument in *Animal Liberation* is not utilitarian can affect our assessment of the book's philosophical merits.

With regard to the first question, it is important to point out, in the first place, that the terms “utilitarianism” and “utilitarian” hardly ever appear in the pages of *Animal Liberation*.⁴ Moreover, when Singer does explicitly discuss his normative framework, he makes it clear that his argument

proceeds from a certain conception of the principle of non-maleficence. As he writes in the first chapter: “the conclusions that are argued for in this book flow from the principle of minimizing suffering alone” (1990, 21; cf. 228, 244). On the other hand, Singer has underscored on at least one occasion, and as a response to this very misunderstanding concerning the normative orientation of *Animal Liberation*, that “the text of *Animal Liberation* is not utilitarian,” since “It was specifically intended to appeal to readers who were concerned about equality, or justice, or fairness, irrespective of the precise nature of their commitment” (1999, 283; cf. 292).⁵ If we find such theoretical transparency on Singer’s part, however, why the persistent misunderstanding of this aspect of *Animal Liberation*?

No doubt one reason for the tendency to construe (mistakenly) *Animal Liberation* as a utilitarian argument has to do with the fact that Singer has stressed, in countless writings, that *his own* ethical position or outlook is purely utilitarian. Furthermore, Singer has taken pains to explain that *he* personally is a vegetarian on account of his utilitarianism.⁶ If *Animal Liberation*’s readers know that Singer advocates utilitarianism and that he himself is wont to stress the connection between his adherence to this doctrine and his commitment to vegetarianism, it is only natural for them to assume that Singer’s book is based on utilitarian reasoning.

Another reason that many readers assume that *Animal Liberation* rests on a utilitarian argument probably has to do with some of the examples used by Singer and some of the key concepts that he employs. Consider, for example, Singer’s way of explaining his proposition to the effect that “there can be no moral justification for regarding the pain (or pleasure) that animals feel as less important than the same amount of pain (or pleasure) felt by humans” (1990, 15). The example that Singer uses to illustrate and clarify this proposition is the following:

If I give a horse a hard slap across its rump with my open hand, the horse may start, but it presumably still feels little pain. ... If I slap a baby in the same way, however, the baby will cry and presumably feel pain, for its skin is more sensitive. So it is worse to slap a baby than a

horse, if both slaps are administered with equal force. But there must be some kind of blow... that would cause the horse as much pain as we cause a baby by slapping it with our hand. ... [I]f we consider it wrong to inflict that much pain on a baby for no good reason then we must, unless we are speciesists, consider it equally wrong to inflict the same amount of pain on a horse for no good reason (1990, 15).

With examples such as this, it is only natural that some readers assume that Singer's arguments rest on utilitarian grounds, since the tendency to introduce these sorts of considerations, which require us to weigh amounts of pain (and/or pleasure), is associated above all with the utilitarian tradition. On the other hand, the normative principle that inspires this passage (and one of the key concepts in *Animal Liberation*), "equal consideration of interests," also inclines one to think of utilitarianism, given the importance of the principle of equality within the utilitarian tradition – recall Bentham's maxim: "Everybody to count for one, nobody for more than one" – along with its well-known insistence that all sentient beings have interests.

Finally, it is important to realize that Singer himself bears some of the blame for these fundamental misinterpretations of *Animal Liberation*. This is true for a number of reasons. To begin with, in what is probably his most extensive statement of the utilitarian case for vegetarianism, "Utilitarianism and Vegetarianism" (published five years after the first edition of *Animal Liberation*), Singer fails to distinguish utilitarian arguments for vegetarianism from the arguments presented in *Animal Liberation*, and in effect creates the impression that the latter is based on utilitarian reasoning.⁷ Secondly, Singer has on occasion favoured this very mistake insofar as he has refrained from correcting those who, in the course of different exchanges with him, have referred to *Animal Liberation* as a "utilitarian" defence of animals.⁸ Thirdly, Singer's formulations of some of *Animal Liberation's* central propositions actually tend to favour a utilitarian interpretation of his book. One such formulation can be found in a passage cited earlier, in which Singer remarks that "the conclusions

that are argued for in this book [*Animal Liberation*] flow from the principle of minimizing suffering alone.” As I have already noted, I construe this phrase – within the argumentative context of Singer’s book – as a statement of the principle of non-maleficence. It must be acknowledged, however, that the phrase also plainly lends itself to a distinctly utilitarian interpretation, for to use the locution “minimize suffering” is to avail oneself of an expression that smacks of classical utilitarianism.⁹ Indeed, Karl Popper once proposed these very words – “Minimize suffering” – as the motto for so-called “negative utilitarianism” (1966, 235, n. 6). Finally, it is undeniable that Singer sometimes replies to his detractors’ criticisms in such a way as to encourage a utilitarian reading of *Animal Liberation*. This can take two forms. On the one hand, in attempting to meet objections to various aspects of *Animal Liberation*, Singer has taken the trouble to respond to criticism *that only makes sense on the assumption that the book is an exercise in utilitarian philosophy*. On the other hand, he has himself resorted to utilitarian reasoning in his efforts to refute the various criticisms levelled against *Animal Liberation*.¹⁰

In the following pages, I focus on these latter two sources of misinterpretation of *Animal Liberation*, and I do so by means of a brief consideration of five questions, each of which might appear to reveal or reflect a certain theoretical incoherence in Singer’s position and most of which have been noted by a variety of commentators. These five questions concern the following themes: the use of violence to advance animal liberation; the so-called Argument from Replaceability; the ethical justification for vegetarianism; the advisability of human interventions in nature to prevent the harms that some animals inflict upon others; and Singer’s attitude toward speciesism. As I will demonstrate below, it is only insofar as *Animal Liberation* is interpreted – erroneously – as a utilitarian text that Singer’s position seems to involve inconsistencies with respect to these five questions. When his text is read correctly, as a work whose basic normative inspiration is the principle of non-maleficence, there are no such inconsistencies.

Before addressing the aforementioned questions, however, it might be helpful to briefly review the fundamental argument from which Singer derives the main theses of *Animal Liberation*, and also clarify the difference between this argument and a strictly utilitarian argument.

Recall, first of all, the essential features of utilitarianism. As an ethical theory, utilitarianism 1) is a consequentialist doctrine: what matters in the moral assessment of acts are the acts' consequences; 2) holds that there is only one type of consequence that matters or counts (e.g. pleasure, happiness, welfare, preference-satisfaction, etc.), that is, it acknowledges one value or state as the sole intrinsic good; 3) includes a principle of maximization of the intrinsic good; and 4) assumes that each person's happiness (or pleasure, welfare, etc.; in a word, whichever intrinsic good is stipulated) is equally important, or should be counted equally.

What then, in its most general structure, is the basic argument from which Singer derives all of his prescriptions and the most important conclusions of *Animal Liberation*? Colin McGinn is correct, I believe, in representing this argument as follows:

1) It is morally wrong to cause the suffering and death of animals unnecessarily; 2) We do cause the suffering and death of animals unnecessarily; Therefore: 3) What we do to animals is morally wrong (1999, 150-1).¹¹

After clarifying that the “suffering” referred to in the first premise includes, for example, meat consumption, hunting, vivisection, the use of fur coats, etc., McGinn underscores that the argument is not necessarily utilitarian. As McGinn writes,

[I]t is not necessary to derive the argument from some general form of utilitarianism. We need not take the first premiss to depend upon some such general principle as that it is our duty to maximize pleasure and minimize pain. All the argument requires is that we should not *cause* the suffering and death of an animal unnecessarily; it does not entail that we have a duty to go out into the world and *prevent* as much

animal suffering as possible. The argument... does not commit us to the principle that we should do everything we can to prevent any animal suffering anywhere. Thus the argument is consistent with supposing that there exists animal suffering we have no obligation to prevent, or have a lesser obligation to prevent than that which obtains in respect of animal suffering of which we are the agent (1999, 152).

I am inclined to support McGinn here. As he makes clear, the argument does not include any imperative of maximization (nor, for that matter, is it even consequentialist), and for this reason alone it should not be regarded as utilitarian in nature. All we need to add to McGinn's lucid commentary is the observation that the first premise constitutes a variety of the principle of non-maleficence, coupled with the principle of "equal consideration of interests" (hence the extension to cover animals).¹² The fundamental point, in any case, is that even if *Animal Liberation* could be read as a utilitarian argument, it should not be read in this way, Singer evidently did not want it to be read in this way, and it proves far more coherent and defensible if it is not so read. I now proceed to offer some support for this last claim.

Let us return to the five questions mentioned above. It will be recalled that the first of these questions has to do with the use of violence to hasten or advance animal liberation, i.e. the liberation of those animals that are systematically exploited or mistreated. The issue, simply stated, is the following: Can we justify recourse to violence against human beings in order to obtain the liberation of some animals, or perhaps even to further the aims of the animal liberation movement generally?

Singer addresses this issue in his preface to the second edition of *Animal Liberation*, in response to the activities of groups like the "Animal Rights Militia," which had mailed letter-bombs to Margaret Thatcher in 1982 (1990, xii). Singer's position, as stated in the preface, seems to involve a categorical rejection of the use of violence: "We may be convinced that a person who is abusing animals is entirely callous and insensitive; but we

lower ourselves to that level if we physically harm or threaten physical harm to that person.” He adds, moreover, that “Violence can only breed more violence – a cliché, but one that can be seen to be tragically true in half a dozen conflicts around the world” (1990, xii-xiii).

These remarks are noteworthy for two reasons. First of all, the thinking expressed in these remarks seems to reflect – as odd as this may sound, given that Peter Singer is their author – a *speciesist* perspective¹³ (not to mention a failure to apply the principle of “equal consideration of interests”), for they implicitly repudiate a whole range of measures and actions that almost everybody would be inclined to endorse if the victims of the suffering in question were human beings. It suffices to consider the following counterfactual conditional: If the subjects of painful experimentation or the kind of confinement characteristic of factory farming were human beings, nearly everyone would support violent measures, including acts of violence directed at other human beings, to secure their liberation. Thus, Singer’s apparently wholesale rejection of violence in this passage can fairly be interpreted as a vestige of, or at least an important concession to, speciesism.

The second reason that the thinking contained in these remarks proves noteworthy is that Singer omits altogether any reference to the utilitarian justification for using violence in cases that, being more or less analogous to the exploitation and abuse of animals, involve human beings. Indeed, in discussing the issue of violence in this preface, Singer writes as if the motive of those who have employed (or are considering employing) violent tactics were vengeance, or some similar desire to mete out the appropriate quantum of retributive justice.¹⁴ At any rate, it is of course not difficult to imagine situations in which utilitarian calculations, if not those of a consequentialist sort more generally, would sanction acts of violence, and perhaps even outright terrorism, because of the probable benefits to be gained (elsewhere in his writings Singer himself has certainly acknowledged the legitimacy of these sorts of calculations).¹⁵ As far as animals are concerned, it certainly might be the case that specific acts

of violence will promote the attainment of the animal liberation movement's objectives, while others will not; utilitarianism would require that different situations be analyzed on a case-by-case basis.¹⁶ It seems clear, therefore, that utilitarians must never exclude the use of violence as a matter of principle.

Bearing these implications of utilitarianism in mind, one might come to the conclusion that Singer's rejection of the use of violence involves an inconsistency in his position, given that he is an avowedly utilitarian philosopher. This, for example, is what Keith Tester apparently wishes to suggest in his book *Animals and Society: The Humanity of Animal Rights* (1991, 186-188).¹⁷ Indeed, if the conclusions presented in *Animal Liberation* were deduced from utilitarian premises, Singer's comments in this connection would appear inconsistent, even absurd. As we have seen, however, the fact is that Singer's argument *is not a utilitarian argument*, or at the very least need not be interpreted as such. Rather, it proceeds from the premise formulated by McGinn, "It is morally wrong to cause the suffering and death of animals unnecessarily." If we bear this in mind, it turns out that there is no inconsistency between the normative framework of *Animal Liberation* and Singer's position on violence in the pages cited. Indeed, if we acknowledge that this principle is the origin of all of Singer's commitments in *Animal Liberation*, his rejection of violence does not prove speciesist either, for the principle of non-maleficence entails the obligation not to cause harm (without this being an absolute prohibition), but the exercise of violence against other human beings almost invariably entails doing them harm. In short, Singer's attitude with respect to the use of violence does not pose any problems for the consistency of his moral position provided that *Animal Liberation* is not interpreted as a work of utilitarian applied ethics.

Another question that allegedly poses serious problems for the argument developed in *Animal Liberation* concerns the so-called Argument from Replaceability. The central idea of this argument can be explained as follows. It starts with the observation that those animals that are raised

to be consumed as food would not have existed were it not for our desire to eat their flesh. Yet if 1) these animals enjoy a satisfactory life, 2) they are sacrificed in a painless fashion and without our causing them any fear or anxiety, and 3) their relatives are not made to suffer either (through separation during their lifetime or through exposure to the slaughter of the animals), it might seem that there is little to object to in the raising, slaughter and consumption of these animals. If, moreover, these animals are *replaced* by other animals that have likewise had a satisfactory life, are sacrificed without having to endure any pain, and so on, then there are not even any grounds for criticizing this practice from a utilitarian viewpoint: the utility that would otherwise be lost when the animals are killed is produced, or rather enjoyed, by the new animals that are brought into existence to replace them. Consequently, there is no overall loss of utility. If, in addition, we factor in the pleasure – the utility – enjoyed by the human beings who consume meat from the animals slaughtered, it would seem that one cannot but conclude, at least if one embraces a utilitarian perspective in ethics, that the raising and slaughter of animals under such circumstances and their subsequent consumption by human beings represent an optimal social arrangement. This in turn implies, if one embraces utilitarianism, that we have an *obligation* to eat meat. This is the way to maximize utility in this regard, and all concerned, animals and human beings alike, benefit.¹⁸

The first thing that needs to be said with regard to this argument – and this is an observation that is often made, quite rightly – is that its relevance in practice is negligible at the present time, given that the meat produced in such a “humane” fashion makes up a very small part of the total quantity consumed in industrial societies. Even so, this argument is invoked with a certain frequency in connection with *Animal Liberation* because many appear to believe that it poses a major problem for Singer’s defence of moral vegetarianism. Indeed, Singer himself acknowledges that this argument raises important theoretical difficulties, for which we have

not as yet found a satisfactory solution. He admits, moreover, that his view concerning the theoretical considerations behind this argument is the only issue with regard to which he had a change of opinion between the first and second editions of *Animal Liberation* (1990, 228). As Singer observes in the second edition,

... most of us would agree that it would be wrong to bring a child into the world if we knew, before the child was conceived, that it would have a genetic defect that would make its life brief and miserable. To conceive such a child is to cause it harm. So can we really deny that to bring into the world a being who will have a pleasant life is to confer on that being a benefit?... The argument we are now considering raises the issue of the wrongness of killing... The real difficulty arises when we consider beings not capable of having desires for the future – beings who can be thought of as living moment by moment rather than having a continuous mental existence... But in the absence of some form of mental continuity it is not easy to explain why the loss to the animal killed is not, from an impartial point of view, made good by the creation of a new animal who will lead an equally pleasant life (1990, 228-9).

As I already noted, Singer acknowledges that he has not yet resolved the problems brought to light by this sort of argument. He points out, nevertheless, that the argument, besides being largely irrelevant at the present time, would in all likelihood – recall that its plausibility depends on empirical considerations, namely the quantities of utility produced – not lead to the desired conclusion.

Those who use this ingenious defence of their desire to eat pork or beef rarely follow out its implications. If it were good to bring beings into existence then presumably, other things being equal, we ought to bring as many humans as possible into existence too; and if to this we add the view that human lives are more important than the lives of animals – a view the flesh-eater seems sure to accept – then the argument may be turned on its head.... Since more humans may be fed if we do not feed our grain to livestock, the upshot of the argument is, after all, that we ought to become vegetarians! (1990, 230).

It should be clear, in any event, that the Argument from Replaceability, as used to justify meat-eating and criticize the position advanced in *Animal Liberation*, as well as the strategy that Singer adopts in the response that I have cited, presuppose that our aim ought to be the maximization of pleasure (or happiness). In other words, both the argument or criticism and Singer's response to it are based on utilitarian considerations. Yet if we proceed, correctly, from the premise that the positions developed in *Animal Liberation* are based on the principle of non-maleficence and not on utilitarianism, the Argument from Replaceability can hardly be used to criticize Singer's views in this book, Especially if we bear in mind that the principle of non-maleficence does not entail any duty of maximization. Indeed, in the last analysis, the Argument from Replaceability "has only a peripheral relationship to the ethical foundation on which the argument of this book [*Animal Liberation*] rests" (1990, x-xi), as Singer himself notes in the preface to the second edition of *Animal Liberation*. The principle of non-maleficence, on the other hand, serves to ground the condemnation of killing animals for food in most circumstances, for the simple reason that to end an animal's life will be, generally speaking, to cause it harm.¹⁹

The third question mentioned above has to do with the moral justification for vegetarianism. As is well known, since the publication of the first edition of *Animal Liberation* Singer has defended the adoption of vegetarianism on the grounds that this commitment "is of supreme importance; it underpins, makes consistent, and gives meaning to all our other activities on behalf of animals" (1990, 159). Becoming a vegetarian, according to Singer, "is the most important step" (1990, 231),²⁰ given "the moral necessity of refusing to buy or eat the flesh or other products of animals who have been reared in modern factory farm conditions. This is... the absolute minimum that anyone with the capacity to look beyond considerations of narrow self-interest should be able to accept" (1990, 170). Furthermore, Singer maintains that "becoming a vegetarian is not merely a symbolic gesture," but rather "is a highly practical and effective step" (1990, 161), since "vegetarianism is a form of boycott" (1990, 162).

As some of Singer’s critics were quick to point out,²¹ however, one person’s decision to abstain from buying meat will normally have no affect whatsoever on the number of animals that are raised for slaughter. In responding to this criticism, Singer has argued that even if the consumer behaviour of one person cannot, under normal conditions, affect the market, the practice of a large number of consumers can in fact have some impact on its functioning. In other words, there will be “thresholds” that, on being attained, will have some effect on the level of exploitation of animals raised in factory farms. Moreover, as Singer reminds us (the reasoning is presented in the essay “Utilitarianism and Vegetarianism”) in the end it does not matter, from a utilitarian point of view, whether vegetarians manage to save 10 chickens for certain or, with their refusal to eat meat, have a probability of 0,0001 of saving 100,000 chickens.

Singer is not the only one who has sought to develop a strictly utilitarian defence of vegetarianism on the grounds that it serves as an effective boycott.²² It turns out, nevertheless, that it is not necessary to invoke such arguments – whether or not they ultimately prove sound – in order to ground moral vegetarianism (insofar as this commitment is defended in *Animal Liberation*), because this commitment can be derived directly from the principle of non-maleficence. If, as Beauchamp and Childress stress, the principle of non-maleficence “requires *intentionally refraining* from actions that cause harm” (2001, 115), and the practice of meat-eating plainly harms the animals raised for human consumption (by typically depriving them of decent lives during their lifetime, and ultimately by depriving them of life itself), an agent ought to refrain from the practice of meat-eating.²³ It is for this reason that, as James Rachels has observed, this type of moral vegetarianism “might be thought of as a severely conservative moral stance,” insofar as it follows from “the rule against causing unnecessary pain,” which “is the least eccentric of all moral principles” (1990, 212).

It is also worth noting in this connection that if we recognize that the main theses of *Animal Liberation* do not derive from utilitarianism,

there is nothing contradictory about Singer’s remark, in the course of discussing “the assumption that ‘human beings come first’” (1990, 219), that he “would not question the sincerity of vegetarians who take little interest in Animal Liberation because they give priority to other causes” (1990, 221). By adopting vegetarianism we largely succeed in discharging our obligation to animals not to cause them unnecessary suffering (if, to be sure, one must also “stop using other animal products for which animals have been killed or made to suffer” [1990, 231]). In other words, vegetarianism is a necessary, if not quite sufficient, condition for fulfilling this duty. Yet it is likely to be quite unsatisfactory from the perspective of a theory that requires us to maximize well-being or minimize suffering. This is precisely the point that McGinn underscores in his explication of *Animal Liberation*’s basic argument, as he reconstructs it.

The last two questions that I wish to address lend themselves to briefer treatment. The first of these questions concerns the advisability of human interventions in nature for the sake of preventing harms that some animals inflict upon others. While this question has not generated much debate within the literature on animals and ethics, it is not completely pointless to raise this issue, inasmuch as human beings could in principle prevent some of the harms and suffering that occur within the animal realm. Singer poses the question in the following terms:

It must be admitted that the existence of carnivorous animals does pose one problem for the ethics of Animal Liberation, and that is whether we should do anything about it. Assuming human beings could eliminate carnivorous species from the earth, and that the total amount of suffering among animals in the world would thereby be reduced, should we do it? (1990, 225-6)

Singer then adds that his answer to this question is “no,” for “judging by our past record, any attempt to change ecological systems on a large scale is going to do far more harm than good” (1990, 226).

As should be obvious, the reasoning reflected in this conclusion is clearly consequentialist, if not utilitarian, and quite probably correct. That

is, it seems reasonable to assume that any human interventions in nature aimed at minimizing the suffering found throughout the earth's ecosystems would in the long run end up increasing the total disutility. In any case, the important thing for our purposes is to realize that if we proceed from the principle of non-maleficence we need not trouble ourselves with these sorts of deliberations, nor "must [it] be admitted that the existence of carnivorous animals does pose a problem for the ethics of Animal Liberation."²⁴ Recall, again, McGinn's words: "the argument is consistent with supposing that there exists animal suffering we have no obligation to prevent."

The final question noted at the outset concerns, once again, speciesism. I have already noted that Singer's position as regards the use of violence to achieve the goals of animal liberation can be considered, without any exaggeration, to be speciesist. Yet there is another inconsistency related to the issue of speciesism that arises when *Animal Liberation* is interpreted along utilitarian lines. As Gary Francione, one philosopher who underscores this apparent inconsistency, has put it, "Singer argues both that we ought to avoid speciesism irrespective of consequences *and* that the rightness or wrongness of particular acts is dependent *only* on the consequences of actions" (1998). In other words, for a consistent utilitarian – or at least for a consistent *act utilitarian* – acts and practices have no intrinsic value, but can only have an instrumental value. Yet this implies that if a utilitarian agent knew that a given speciesist act were going to maximize utility, they would be under an obligation to perform the act, i.e. would be morally required to act in a speciesist manner. Therefore, a utilitarian cannot condemn speciesism categorically.

Just as in the case of the other alleged inconsistencies that I have discussed, however, it turns out that this putative inconsistency in Singer's position only arises on the assumption that Singer's argument for animal liberation is always, or is necessarily, based on utilitarian premises. Indeed, in the passage cited Francione seems to be conflating Singer's *personal* theoretical motivation for espousing animal liberation and the non-utilitarian

case for the same commitment that Singer makes in the pages of *Animal Liberation*, as though a utilitarian could not develop a non-utilitarian argument for a position that also happens to be dictated by his utilitarianism.²⁵ At any rate, if the principle that orients and regulates our treatment of animals is “do not cause harm” and we have not assumed any duty to maximize the good – however it is defined – we can, without any risk of contradiction, categorically condemn speciesism. As a form of unjustified discrimination, speciesism – “a prejudice or attitude of bias in favour of the interests of members of one’s own species and against those of members of other species” – will typically have an adverse impact on the interests of non-human species. Even if a situation arises in which a speciesist act would serve to maximize the good, the fact that it would also cause harm would be sufficient grounds for the agent to refrain from performing the act.

In this essay I have sought to show that the perception of various inconsistencies and contradictions in the pages of *Animal Liberation* typically derives from a misunderstanding or misinterpretation of the position advanced by Singer in this work. I have also argued that Singer himself bears some of the blame for certain misunderstandings, insofar as he has chosen, on some occasions, to respond to the criticisms arising from these misunderstandings *as if they were legitimate criticisms of the book*, and, on the other hand, sometimes chosen to address issues that, while relevant to other debates regarding the moral status of animals, do not pose any problems for the most important theses developed in *Animal Liberation*. Once it is understood that many of the most frequent and supposedly devastating (philosophical) criticisms of Singer’s book are in fact quite groundless, it becomes much easier to understand why, more than three decades after it was first published, *Animal Liberation* remains such an enduring contribution to applied ethics.

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NOTES

1. Wolff actually quotes Arthur Danto's report of Russell's remark, as Danto presents it in *The Nation* magazine, November 17, 1997. It is interesting to note in this connection James Rachels' observation concerning the central argument of *Animal Liberation*: "The most striking thing about the argument is that it derives such a remarkable conclusion from such a sober, conservative starting point" (2004, 71).

2. The latter principle holds that "the interests of every being affected by an action are to be taken into account and given the same weight as the like interests of any other being" (Singer 1980, 328-329). In this paper I will be focusing exclusively on the principle of non-maleficence, even though the main practical conclusions of *Animal Liberation* can also be independently derived from the principle of equal consideration of interests. Indeed, one of the virtues of Singer's book is that his practical, substantive conclusions can be derived from both the principle of non-maleficence and the principle of equal consideration of interests. It is not surprising, therefore, to find that Singer sometimes stresses the former (e.g. 1990, 21), and sometimes the latter (e.g. 1990, 231). Nor is it surprising that both principles have led some to assume that *Animal Liberation* is a work of utilitarian moral philosophy.

3. See Pluhar (1995, 179), Frey (1983, 168), and Sapontzis (1987, xii), as well as Sumner (1988, 161-62), Solomon (1999, 82), Jamieson (1999, 7), Pence (2004, 256), Posner (2004, 59), Watson (2000, xi), Tester (1991, 3), and Curnutt (1997, 153). One could easily cite numerous other instances of the same error.

4. Bentham and Sidgwick are both identified as utilitarians on page 5 of *Animal Liberation* (Singer 1990). To my knowledge, this is the only time that the term “utilitarian” appears in the book. To be sure, Bentham’s name is mentioned in a few other passages, but none of these passages has anything to do with utilitarianism per se.

5. Singer has recently reiterated that he does not “regard AL as a work of either utilitarianism or negative utilitarianism” (personal communication, June 13, 2007).

6. “I am a vegetarian because I am a utilitarian” (1980, 325).

7. Singer’s article “The Fable of the Fox and the Unliberated Animals” also perhaps tends to create this impression, for in this essay he writes, “My basic moral position (as my emphasis on pleasure and pain and my quoting Bentham might have led [Michael Allen] Fox to suspect) is utilitarian” (1978, 122).

8. A recent example is his reply to Richard A. Posner (Singer 2004). For another example, see his response to David DeGrazia’s review of the second edition of *Animal Liberation* (Singer 1992).

9. Recall that the minimization of pain (or unhappiness) and the maximization of pleasure (or happiness) are correlative notions for utilitarianism.

10. Singer’s treatment of the Argument from Replaceability, which I address below, is a case in point, illustrating as it does both of these ways of encouraging a utilitarian reading of *Animal Liberation*.

11. As Singer does not challenge this statement of the argument in his reply to McGinn (included within the same volume), it is fair to assume that he considers it accurate. For a similar presentation of the argument, see Rachels (2004).

12. As I said in note 2 above, *Animal Liberation*’s chief conclusions can also be derived from the principle of equal consideration of interests. The basic argument is roughly as follows: 1) “Non-human animals[?]... interests are to be given the same consideration as the like interests of any other being” (the principle of equal consideration of interests as formulated by Singer [1987, 5]); 2) If a being has interest x , it should not be subjected to treatment y ; 3) Human beings have interest x ; 4) Therefore, human beings should not be subjected to treatment y ; 5) Animals $a, b, c,$ and d have interest x ; 6) Therefore, animals $a, b, c,$ and d should not be subjected to treatment y .

13. Singer defines speciesism as “a prejudice or attitude of bias in favor of the interests of members of one’s own species and against those of members of other species” (1990, 6).

14. “Some believe that people who make animals suffer deserve to have suffering inflicted upon them. I don’t believe in vengeance...” (1990, xii).

15. A relatively recent example can be found in Kuhse and Singer (1999, 3-4).

16. This formulation applies only to act-utilitarians; rule-utilitarians would of course analyze types of acts or practices.

17. It should go without saying that Tester assumes that *Animal Liberation* uses a utilitarian framework. See Tester (1991, 3-4).

18. The argument, at least as stated here, assumes that nearly everyone enjoys eating meat (which should be understood as including seafood), if only occasionally.

19. As Beauchamp and Childress point out, “Do not kill” is in fact one of the “specific moral rules” that “the principle of nonmaleficence supports” (2001, 117). I should perhaps note

that my claim that death is bad for animals (because it entails a harm) is controversial, at least as regards animals that lack future-related interests. I cannot, however, defend this claim here.

20. In the passage cited, Singer explicitly argues that this view follows from acceptance of the equal consideration of interests principle. He could, however, have derived the same commitment from the principle of non-maleficence.

21. Some of these critics are mentioned in Singer (1980, 335).

22. See, for example, Gruzalski (1989, 2004).

23. This is presumably also what Rachels has in mind in remarking that “There are already millions of vegetarians, and because they don’t eat meat, there *is* less cruelty than there otherwise would be. The question is whether one ought to side with that group or with the people whose practices cause the suffering” (1997, 106).

24. That is, it does not pose a problem for the ethics of Animal Liberation as defended by Singer in the book titled *Animal Liberation*. It is certainly possible that the existence of carnivorous animals might pose a problem for other ethical perspectives that likewise entail a commitment to some form of Animal Liberation.

25. Singer has himself listed (1999, 292) some of the important occasions on which he has chosen not to write from a utilitarian perspective.