

## Why Speciesism is Wrong: A Response to Kagan

---

PETER SINGER

**ABSTRACT** *In Animal Liberation I argued that we commonly ignore or discount the interests of sentient members of other species merely because they are not human, and that this bias in favour of members of our own species is, in important respects, parallel to the biases that lie behind racism and sexism. Shelly Kagan, in 'What's Wrong With Speciesism' misconstrues this argument, as well as the principle of equal consideration of interests, which I offer as an alternative to speciesism. Kagan also offers, as an alternative explanation of, and possible justification for, our discounting the interests of nonhuman animals, the suggestion that your interests count more if you are a member of a species whose typical adult members are persons. Although this view is not a form of speciesism, Kagan seems not to be aware of the fact that it is a view commonly defended by advocates of natural law ethics, on which there is already an extensive critical literature.*

Over the 40 years that have passed since the publication of *Animal Liberation*, there have been very few forthright defenders of speciesism. Bernard Williams is one of those rare exceptions. As the title of his essay, 'The Human Prejudice', suggests, he really is defending a prejudice in favour of human beings, and his defence is, in the end, simply that *we are humans*. He imagines a situation in which we have been conquered by aliens who are benevolent, fair-minded, and far-sighted. They are able to predict, much better than we can, what will be the best for everyone. Unfortunately, it turns out that they see that we humans are beyond hope of reform, and things can only go well if we are removed. An unprejudiced moralist taking a universal point of view would agree with this judgment. Williams says: 'And at this point there seems to be only one question left to ask: Which side are you on?'<sup>1</sup>

Both the title of Williams' essay and that 'Which side are you on?' question show that Williams is defending speciesism as I have defined it and as Kagan quotes it: '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.' So clearly it is *possible* to defend speciesism, without redefining it so as to avoid making the fact that it is a prejudice part of the definition. Of course, I don't think that the defence Williams offers is sound. It is vulnerable to the objection that I made to speciesism in *Animal Liberation*, namely that it leaves us open to a parallel defence of racism or sexism.

Kagan seems to miss the fact that this is part of my argument against speciesism. He writes:

. . . when a speciesist claims that it is more important to avoid human pain than it is to avoid animal pain — even pains of equal duration and intensity — Singer insists that this is mere prejudice: 'pain is pain' he tells us (AL, p. 20).

But what is the argument for this last step? Suppose that the speciesist insists that it is morally relevant to ask *who* the pain belongs to — that ownership of the pain is in fact a morally relevant difference, even among pains that are otherwise alike (in terms of duration and intensity). That is, suppose the speciesist holds that it *is* legitimate to count human pain more than animal pain, simply by virtue of the fact that the pain is had *by a human*.

What exactly is the argument that establishes that this is mere prejudice, rather than moral insight?

As far as I can see, Singer offers no argument here at all. He simply denies what the speciesist insists upon. And that is not an argument.

This is an odd statement, since Kagan has already quoted part of my argument for the claim that it is a mere prejudice. So that the reader can judge who is right here, I will quote both the paragraph he quotes, and the one that precedes it. After referring to the principle of equal consideration of interests as the best basis for defending equality and for opposing racism and sexism, I continue:

If a being suffers there can be no moral justification for refusing to take that suffering into consideration. No matter what the nature of the being, the principle of equality requires that its suffering be counted equally with the like suffering — insofar as rough comparisons can be made — of any other being. If a being is not capable of suffering, there is nothing to be taken into account. So the limit of sentience (using the term as a convenient if not strictly accurate shorthand for the capacity to suffer and/or experience enjoyment) is the only defensible boundary of concern for the interests of others. To mark this boundary by some other characteristic like intelligence or rationality would be to mark it in an arbitrary manner. Why not choose some other characteristic, like skin color?

Racists violate the principle of equality by giving greater weight to the interests of members of their own race when there is a clash between their interests and the interests of those of another race. Sexists violate the principle of equality by favoring the interests of their own sex. Similarly, speciesists allow the interests of their own species to override the greater interests of members of other species. The pattern is identical in each case.<sup>2</sup>

The argument is, in other words, that if we embrace speciesism we leave ourselves vulnerable to racists and sexists. Consider a racist rewriting of one of the sentences I just quoted from Kagan:

That is, suppose the racist holds that it *is* legitimate to count Caucasian pain more than the pain of an African, simply by virtue of the fact that the pain is had *by a Caucasian*.

We would all reject that claim. My argument is that if we accept a claim like the one made in Kagan's version of the sentence, we will have difficulty in rejecting the racist version of it.

Clearly there is an argument here. It would be challenged by a plausible account of how we can accept speciesism and reject racism. Kagan gestures at such an account later in his article, when he returns to the analogy between speciesism and racism and sexism,

and says that racism and sexism are prejudices because racists and sexists hold false empirical beliefs despite the fact that the evidence for them falls short of meeting the standards that they would normally insist on for evaluating such claims. That may be true of some racists and sexists. But it is hard to believe that what we ought to object to in the conduct of those who carried on the slave trade, or brutally administered the lash to their slaves of African descent when they were, in their master's judgment, lazy or insubordinate, is that they did not apply the appropriate evidentiary standards for evaluating their beliefs about the capacities of Africans. It is far more plausible to think that what is most objectionable about their behaviour is that they just did not care about the interests of Africans.

Kagan also misconstrues the principle of equal consideration of interests. His initial characterisation of it is correct. It 'tells us to treat *like* interests with equal weight.' But then he goes astray when he claims that it is trivial: 'It really just says to disregard irrelevant differences — that relevant differences are relevant, and irrelevant ones are not. But it says nothing about which differences *are* relevant.' 'Like interests' is not, however, the same as 'relevant interests'. I make that clear by referring, in my discussion of the principle of equal consideration of interests, to Bentham's 'Each to count for one and none for more than one' and to Sidgwick's 'The good of any one individual is of no more importance, from the point of view (if I may say so) of the Universe than the good of any other'.<sup>3</sup> This is a substantive ethical principle. In a footnote, Kagan acknowledges this possible understanding of the principle, describing it as giving equal weight to interests that are 'equal in terms of their impact on the welfare or wellbeing of the beings whose interests'. He then argues against accepting such a principle, on the grounds that it would make it illegitimate to give more weight to undeserved suffering than to deserved suffering. But there are familiar utilitarian theories of punishment that explain why, within a framework that gives equal weight to interests that have a similar impact on the welfare of the beings whose interests they are, we should take account of desert.

Kagan raises the question of whether plants have interests and says that I simply fail to discuss it. I don't blame anyone for not reading everything that I have written, but I addressed the claim about the interests of plants in *Practical Ethics*.<sup>4</sup> In brief, I don't think plants have interests, in the morally relevant sense, any more than, say, a car guided through traffic by a computer would have an interest in reaching its destination. Neither plants nor the car are conscious. To imagine what it is like to be a pig in a factory farm is an idea that makes sense, even if it is difficult to get it right. Imagining yourself as a plant or a computer-guided car yields only a blank.

In Part 2 of his article, Kagan asks what we do believe, and in asking this question, considers some views that are not speciesist. He begins with the possibility that we are 'personists' but acknowledges that this fails to account for the fact that we give a higher moral status to humans who are not persons than we give to non-human animals who are, or are better candidates for being, persons. He then modifies the view he is considering so that it becomes the view that 'so long as you are a member of a species, *any* species, whose typical adult members are persons — call this a "person species" — that suffices to have your interests count more.'

This view was put forward many years ago by Stanley Benn, and I argue against it in *Animal Liberation*.<sup>5</sup> Again, I would not criticise Kagan for not noticing this, but it is more surprising that he seems unaware that he is simply restating the view standardly put

forward by proponents of a natural law ethic when defending their opposition to abortion and to euthanasia for profoundly intellectually disabled humans.

Patrick Lee, for example, advocates this view in an article entitled ‘The Basis for Being a Subject of Rights: The Natural Law Position’:

Every human being is an animal with the basic natural capacity to reason and make deliberate choices, even though something may prevent the actualization of that natural capacity. This is true of unborn human beings and of infants, and it also is true of a human being with severe dementia, or in a coma, or in a so-called persistent vegetative state. They possess the basic natural capacity to reason and make deliberate choices, but they also may suffer from some impairment that prevents the actualization of that capacity. . . .

This view supports the position . . . that all human beings have equal fundamental rights. The basis for this is that such rights are due to every individual with a rational nature.<sup>6</sup>

Kagan’s apparent advocacy of this view raises two questions: is it true that this view, rather than speciesism, lies behind the higher moral status that most people in our society give to human beings? And is it a defensible view? The first of these questions is an empirical one. After more than 40 years of paying attention to what people say about animals and how they behave, I continue to think that a speciesist prejudice plays a major role, but I grant that it is not the only factor that is operative. I don’t have the kind of evidence that would be needed to resolve this question, and I presume that Kagan doesn’t either.

The second question is normative. In *Practical Ethics* I argue briefly against the position taken by Patrick Lee, together with Robert George, in regard to the moral status of the embryo and foetus, but the issue needs much more discussion than I give it there, or can give it here.<sup>7</sup> The reader interested in following this discussion could start with Jeff McMahan’s ‘Challenges to Human Equality’ which objects to the position that Kagan and Lee defend, and includes discussion of the case to which Kagan also refers, of a genetic disorder incompatible with becoming a person.<sup>8</sup> Patrick Lee responds to McMahan in ‘The Basis for Being a Subject of Rights: The Natural Law Position’<sup>9</sup> and readers may judge for themselves whether his response is successful.

*Peter Singer, University Center for Human Values, Princeton University, USA and School of Historical and Philosophical Studies, University of Melbourne, Australia. psinger@princeton.edu*

## NOTES

1 Bernard Williams, ‘The human prejudice’, in Jeffrey Schaler (ed.) *Peter Singer Under Fire* (Chicago and LaSalle, IL: Open Court, 2009), p. 95, first published in *Philosophy as a Humanistic Discipline* (Princeton, NJ: Princeton University Press, Princeton, 2006).

2 *Animal Liberation* (New York: Ecco, 2002), pp. 8–9.

3 *Ibid.*, p. 5.

4 *Practical Ethics*, 3rd edn. (Cambridge: Cambridge University Press, 2011), pp. 249–50.

5 Stanley Benn, ‘Egalitarianism and equal consideration of interests’, in J.R. Pennock & J.W. Chapman (eds) *Nomos IX: Equality* (New York: Atherton Press, 1967), p. 62; for my response see *Animal Liberation*, p. 240.

6 Patrick Lee, 'The basis for being a subject of rights: The natural law position', in J. Keown & R. George (eds) *Reason, Morality and Law: The Philosophy of John Finnis* (Oxford: Oxford University Press, 2013), p. 243. For another example, see Charles Camosy, *Peter Singer and Christian Ethics* (Cambridge: Cambridge University Press, 2012), pp. 38–40.

7 *Practical Ethics*, pp. 143–4.

8 Jeff McMahan, 'Challenges to human equality,' *The Journal of Ethics* 12 (2008): 81–104.

9 Lee *op. cit.*, pp. 243–248.