Animal Ethics, Social Change, and the Meat Industry

Bernard E. Rollin

There is an unfortunate tendency on the part of those who use animals to dismiss the new worldwide social concern with animal treatment as the irrational ravings of tofu-eating, ginseng-guzzling, urban wimps and bunny-hugging extremists. "Animal welfare is what we already do, animal rights is what *they* want us to do," one U.S. animal scientist said, neatly summarizing the stereotype. However, what is of paramount importance is that "they" are not just a band of radicals; the new ethic for animals has taken root among society in general. As one cowboy in Kingsville, Texas put it to me: "Hell, Doc, if it were just the damn radicals, we could shoot the sons of bitches!"

My first point, then, is to explain the new ethic and its conceptual roots. Although society has paid formal attention to limiting human behavior regarding animals for over 2000 years, such attention was restricted to the prohibition of overt, intentional, willful, extraordinary, malicious, or unnecessary cruelty; deviant sadism; or outrageous neglect--for example, not providing food or water. This ethic can be found even in the Bible--for example in the injunction not to yoke the ox and the ass to a plow together, or in the restriction against muzzling the ox when he is being used to mill grain.

This minimalistic, lowest common denominator ethic was formally encapsulated in the anticruelty laws during the 19th century. These laws were as much designed to ferret out sadists and psychopaths who might begin with animals and, if left unchecked, graduate to venting their twisted urges upon human beings, as to protect the animals for themselves. This view of prohibiting animal cruelty can be found in Catholic theology where, although animals do not in themselves count morally, animal cruelty is forbidden for its potential consequences for people since people who are cruel to animals will "graduate" to abusing people. Interestingly enough, contemporary research has buttressed this insight. The traditional humane or animal welfare movement was also caught up in the categories of kindness and cruelty, and for this reason tended (and still tends) to simplistically categorize anyone causing animal suffering as "cruel." Hence one can still find activists picketing medical research institutions and carrying signs which say "stop the cruelty"--as if researchers are on a par with people like the serial killers, many of whom did indeed torture animals in their youth.

Within the purview of this traditional ethic, any suffering inflicted on animals for "acceptable," "normal," "necessary" reasons, such as economic benefit, food production, pursuit of scientific knowledge, cures for disease, or, as one law puts it, otherwise "ministering to the necessities of man," was morally and legally invisible, shrouded by the all-encompassing cloak of "necessity." By and large, therefore, the "normal" use of animals for human benefit in research, agriculture, hunting, trapping, rodeo, and the like was not the concern of social moral thought on animals.

During the past two decades society has begun to move beyond the overly simplistic ethic of cruelty and kindness and to reach for a more adequate set of moral categories for guiding, assessing, and constraining our treatment of other animals. Perhaps the key insight behind this change is the realization that the overwhelming majority of animal suffering at human hands is not the result of cruelty, but rather, the animals suffer most because of normal animal use and socially acceptable motives. To prove this, I ask you to perform a thought experiment. Imagine a pie chart representing the total amount of suffering that animals experience at human hands. Then ask yourself, what percentage of that suffering is the result of intentional, sadistic, useless, deliberate infliction of pain or suffering on the animals for no purpose? Interestingly enough, all of my audiences, be they Montana rodeo people or San Francisco activists, say the same thing--well under 1%. Most animal suffering comes from reasonable human motives and goals. Scientists may be motivated by benevolence, high ideals, and noble goals, yet far more animal suffering is occasioned by people acting in pursuit of these motives than by the actions of overt sadists. Confinement agriculturalists may be motivated by the quest for efficiency, profit, productivity, low-cost food, and other putatively acceptable goals, yet again, their activities occasion animal suffering in orders of magnitude traditionally unimaginable.

As we mentioned, the old ethic doesn't apply to these normal, non-deviant uses of animals. This is true not only conceptually, but practically. The limitations of the ethic and the laws based in it were dramatically illustrated when the Animal Legal Defense Fund, a group of attorneys whose *raison d'etre* is raising the moral status of animals in society by use of the legal system, attempted to extend the scope of the anti-cruelty laws by a test case. As animal advocates, they generate many fascinating lawsuits which test, press, and expose the limits of the legal system's control over the treatment of animals. In 1985, they brought suit against the New York State Department of Environmental Conservation, that branch of New York State government charged with administering the use of public lands. Specifically, they charged the department with violating the anti-cruelty laws by permitting trapping on public lands utilizing the steel-jawed trap. Since there are no laws regulating how often a trapper must check his trap line, an injured animal could be trapped without food, water, medical care or euthanasia for long periods of time which, according to the plaintiffs, constituted unnecessary cruelty. They were thus seeking an end to such trapping.

Given the laws, the judge made a very wise decision. He opined that the steel-jawed trap was, in his view, an unacceptable device. But given the way the anti-cruelty laws have been written and interpreted, the actions of the agency in question did not constitute cruelty. After all, steel-jawed trapping is widely done as a means to achieving pest control, supplying fur, and providing a recreational past time. Thus the activity of trapping is a legitimate one from a legal point of view, and does not fit either the intent, judicial history or statutory language of the anti-cruelty laws. If one wishes to change the status of the steel-jawed trap, he asserted, one should therefore go not to the judiciary, but to the legislature. In other words, one must change the laws, i.e. the social ethic.

This case neatly illustrates some important features of what is happening in social thought: First of all, social thought is moving "beyond cruelty." Second, society is attempting to create new social rules and laws to protect animals. The best illustration of this point is the passage in the U.S. in 1985 of two new federal laws to protect laboratory animals after society realized that the research community

was not regulating itself. Third, society is moving beyond concern about traditional cute and cuddly animals to concern about all animals who can suffer.

Why is society suddenly concerned about the 99% of animal suffering that is not the result of deliberate cruelty? One can speculate as to why the demand for such an ethic has emerged only recently. First, society has just lately focused its concern on disenfranchised human individuals and groups, such as women, Blacks, the handicapped, and the Third World. This same emphasis on moral obligation rather than patronizing benevolence toward the powerless has led to a new look at animal treatment. Second, the urbanization of society makes the companion animal, not the food animal, the paradigm for animals in the social mind. Third, graphic media portrayal of animal exploitation fuels social concern. As one reporter said to me, "animals sell papers." Fourth, increased awareness of the magnitude of animal exploitation made possible by technologies of scale inspires massive unease among citizens, who perhaps see themselves being rendered insignificant in the face of techniques, systems and machines that relentlessly reduce the individual--animal or human--to a replaceable quantity. This sense of impotence in the face of forces one cannot even understand, let alone control, can fuel empathy with the animals. Fifth, numerous rational voices have been raised to spearhead the articulation of a new ethic for animals. Although concern for animals was traditionally seen (with much justice) as largely a matter of inchoate emotion, such a charge cannot be leveled against the numerous philosophers, scientists, and other intellectuals of today who eloquently and forcefully nudge the social mind in the direction of increasing moral awareness of our obligations to animals.

Sixth, and by far most important, the nature of animal use has changed significantly. The major use of animals in society was and is, of course, agricultural. Before the mid-twentieth century, the essence of agriculture was *husbandry*, a word derived etymologically from the Old Norse, hus/bond, bonded to the house. People who used animals put those animals into environments for which they were evolved and adapted and then augmented their natural ability to cope with additional food, shelter, protection from predators, etc. The Biblical shepherd who leads the animals to green pastures is the lovely paradigm case of this approach. Producers did well if and only if animals did well. This is what Temple Grandin has aptly called "the ancient contract"--"we take care of the animals and they take care of us," as ranchers say. No producer could, for example, have attempted to raise 100,000 egg laying chickens in one building--he would have had all his animals succumb to disease in weeks.

In contrast, when U.S. "animal husbandry" departments symbolically became "animal science" departments in the 1940s and 1950s, industry replaced husbandry, and the values of efficiency and productivity above all else entered agricultural thinking and practice. Whereas traditional agriculture was about putting square pegs in square holes, round pegs in round holes, and creating as little friction as possible while doing so, "technological sanders" such as antibiotics and vaccines allowed us to produce animals in environments which didn't suit their natures but were convenient for us. For example, we could now raise 100,000 chickens in one building.

Similarly, the rise of significant amounts of research and toxicity testing on animals in the mid-twentieth century also differs from the ancient contract--we inflict disease on animals, wound, burn, and poison them for our benefit, with no benefit to them.

These, then, are the reasons society seeks a new ethic for animals. What form is this emerging ethic taking? Very simply, since ethical progress always proceeds from pre-existing ethics, it asks that the consensus ethic we all share in society be extended to include animals, as it was extended to include disenfranchised humans. Despite an inherent tendency on our part to magnify and stress differences in the ethical positions among diverse persons in a society, the similarities and agreements in ethical principles, intuitions, practices, and theories that obtain in society far outweigh the differences. This phenomenon is true for many reasons. In our society, most of us are brought up and steeped in the same Judaeo-Christian, individualistic heritage. In addition, we live under the same set of laws, which encode much of that morality in ways that guide and shape our theories and practices. Finally, it is evident that we could not live and function together if we did not implicitly share a very significant set of moral guidelines. This point is typically unnoticed precisely because it is always there and it works. What is noted and remembered are the situations in which the point does not work and about which we are greatly divided--issues like capital punishment or abortion. If you x-ray very different looking people, what you see is very similar; if you x-ray a Hasidic rabbi and a Wyoming rancher morally, the same thing occurs.

What aspect of our social ethic is being extended to animals? In our democratic society, the consensus social ethic effects a balance between individuality and sociality, or more specifically, between individual rights and social utility. Although most social decisions and policies are made according to that which produces the greatest benefit for the greatest number, this is constrained by respect for the individual. Our ethic builds fences around the individual to protect the sanctity of his human nature, or *telos*, from being submerged by the general or majority welfare. Thus we cannot silence an unpopular speaker, or torture a terrorist to find out where he has planted a bomb, or beat a thief into revealing where he had hidden his ill-gotten gains. These protective fences around the individuals are rights; they guard fundamental aspects of the individual even from the general good. Specifically, these rights protect what is plausibly thought to be essential to being a human--believing what you wish, speaking as you wish, holding on to your property and privacy, not wanting to be tortured, and the like. These rights are fueled by the full force of law.

One major step toward extending the ethic to animals, not difficult for the average person to take, is the realization that there exists no good reason for withholding the ethic from our treatment of animals. In other words, there is no morally relevant difference between humans and animals that can rationally justify not assessing the treatment of animals by the machinery of our consensus ethic for humans. Not only are there no morally relevant differences, there are significant morally relevant similarities. Most important, most people believe that animals are conscious beings, that what we do to them matters to them, that they are capable of a wide range of morally relevant experiences--pain, fear, happiness, boredom, joy, sorrow, and grief. In short, they experience the full range of feelings that figure so prominently in our moral concern for humans.

Not only does ordinary common sense accept as axiomatic the existence of consciousness in animals, it also takes for granted that animals have natures (*telos*)--"fish gotta swim, birds gotta fly," as the song goes. Again it is not difficult to get ordinary people to admit that the central interests of animals' natures should be protected from intrusion; even if we use animals, animals should live lives that fit their natures. It is not an accident that a major confinement chicken producer in the U.S., Frank Perdue, did not, in his advertising, show the public how he really raises chickens; rather, he ran ads showing open barnyard conditions which affirmed that he raised "happy chickens." Ordinary people--even those who are not animal advocates--are appalled by veal calves in confinement, wild animals in tiny cages, or primates in austere and deprived environments. Polls indicate that 80% of the general public believe animals have rights--well over *90%* of the 7-10,000 ranchers I have addressed also believe this. Both groups, however, believe that it is legitimate to use animals for human benefit as long as they live happy lives. Indeed, the president of the Colorado Cattlemen's Association remarked some years ago at a closed seminar for agriculture leaders, "If I had to raise animals the way these veal people do, I would get the hell out of the business."

In summary, society has gone beyond the anticruelty ethic, and has expressed concern that animals used by humans not suffer at our hands, and indeed, that they live happy lives. The rights of animals, as determined by their natures, must constrain and check animal use. Whereas once this followed naturally from the nature of agricultural husbandry, this is no longer the case, as we have seen, so people are looking to law and regulation to restore the ancient contract. Thus the new ethic is *conservative,* not radical! Convenience, utility, efficiency, productivity, and expense are not sufficient grounds for overriding animals' rights. Numerous new laws based on this idea are regularly being proposed, and it is affecting animal husbandry without being legislated; the extensive efforts over the past decade to create zoos that respect animal natures give testimony to the spread of the new ethic. Furthermore, it appears that society is actually willing to give up certain animal uses and conveniences for the sake of the animals; the abandonment of the Canadian seal hunt, the massive social rejection of furs, and the rejection of cosmetic testing on animals by many companies, all without legislation, attest to the growing hold of the new ethic. More relevant to your industry, revulsion on the part of young people at highly industrialized agricultural systems has led many to vegetarianism. A brochure from an exclusive college in the eastern U.S. indicates that 60% of their students are vegetarian.

You must bear in mind that, in the past, although society condemned unnecessary suffering, it defined unnecessary suffering as that which was *inconvenient* or *not customary* to alleviate. Now, through the new ethic, that definition has changed radically, and when one says that unnecessary suffering is unacceptable, it is defined as suffering that is *impossible* (not inconvenient) to alleviate.

Further, society is worried not only about overt suffering of animals, but about positive happiness, as one can see in the demand for zoos that meet the animals' *telos*. We can see this in the 1985 U. S. law's demand for exercise for dogs and enriched environments for primates. As many people in the research community realize, this is a mandate for enriched environments for all lab animals. And the same thrust is affecting intensive agriculture--witness events in Europe, especially the 1988 Swedish law that essentially bans confinement agriculture in the name of animals' rights..

How, in my view, does all this apply to New Zealand animal production? You have little high confinement animal agriculture and are in fact perfectly situated for an ideal instantiation of husbandry agriculture exemplifying the ancient contract. Unfortunately, you have also moved away from husbandry; not in the direction of industrialized intensification, but rather towards highly extensive "survival of the fittest" agriculture, where animals again do not benefit from their relationship with man because they are left to sink or swim. Incompatibility of this approach with the ethic we have described has already led to European trade barriers against New Zealand agricultural products.

For the U.S. to return to husbandry agriculture would require major and cataclysmic social and economic displacement. But for you, given you pastoral blessings, all that is required is a change in attitude and philosophy. If my account of social ethics is correct, New Zealand could do no better--morally and economically--than to cultivate such an attitudinal revolution.

NOTES