**Introduction**

Why is it wrong to refuse to sell someone alcohol because of their race, but not because of their age? Why is it wrong to make an adult go to bed, but not a child? Why is it wrong to kick a person but not a rock? The answers to these questions reveal the lines we draw concerning moral treatment - lines separating children from adults, lines separating humans from objects, the distinct *lack* (we hope) of lines separating race and sex. In the so-called "animal rights" movement, hereafter to be referred to as "animal welfare," the fundamental goal is to shift the line that divides humans from non-human animals. In the most extreme view this line divides the morally considerable (humans) from the morally insignificant (non-human animals, plants, and inanimate objects). As many of our authors have pointed out, rarely do we encounter people who actually hold this position. Yet, the line exists in much subtler ways. Clearly we do not give animals equal moral consideration - we do not hunt people, nor eat them, nor keep them in zoos. One of the questions often posed to animal welfare advocates is this: "Fine, so you want to extend the line of moral considerability past the species barrier. But how far do we go? *Where do we draw the line?*" In his aptly titled essay "Drawing Lines" James Rachels discusses this problem and attempts to provide us with a solution.

**Rachels' Arguments**

He begins by making a distinction between two types of moral barrier. First, we can ask what *types* of animals ought to be brought inside the line; second, we can ask how we ought to treat these animals. The first is a question about the positioning of the line, the second a question about what being inside the line actually means. Rachels says that both of these questions are far too simplistic. He goes on to review the various ways in which previous moral theories have tried to justify giving increased moral standing to animals. Philosophers have appealed to traits such as being a *homo sapiens*, being self-conscious and rational, being merely sentient, and being a moral agent. Yet none of these theories, according to Rachels, is complex enough to be viable.

…the theories have this in common: They all assume that the answer to the question of how an individual may be treated depends on whether the individual qualifies for a general sort of status, which in turn depends on whether the individual possesses a few general characteristics. But no answer of this form can be correct. (166-7)

Essentially Rachels is objecting to the idea that there are only two categories - those who have moral standing and those who do not. Either animals have whatever trait we choose as the gatekeeper to the morally considerable world, or they don't. Recalling our earlier point that almost no one treats animals as things completely lacking in moral standing, we can see that any theory which proposes such a false dichotomy is to be treated with suspicion.

Rachels begins developing his theory by examining the case of adult humans (a case in which, as he rightly asserts, "our intuitions are firmest"(167)). He points out that it is not wrong to refuse someone admittance to a choir because they can't sing, nor to congratulate someone because they've gotten engaged. However, it would be quite wrong to ban someone from a choir because they've gotten engaged, or to congratulate someone because they can't sing. His point is that different traits lead to different treatments, and that there must be a logical connection between the trait and the treatment. It is wrong to refuse someone admittance to a choir because they are black, for the reason that race has no relation to singing ability or any other factor relevant to choral success.

His discussion moves on to specific examples. The trait of autonomy makes it wrong to violate a being's self-determination - this is why it is wrong to impose a bedtime on an adult, but not on a child, who does not yet have full rational autonomy. Self-consciousness makes it wrong to humiliate or otherwise damage the self-image of being who can have such a self-conception. Moral agency allows us to attribute moral praise and blame to beings. Finally, and perhaps most importantly, the ability to feel pain makes it wrong for us to harm sentient beings. Beings that do not possess the relevant trait are not subject to the relevant treatment - as in our case of the child, or the case of a forcibly vaccinated animal (who is not intelligent enough to choose a course of action in this situation), or the case of a rock, which we may smash or otherwise damage with moral impunity. Rachels summarizes his positions as follows:

We may draw the following conclusions from all this: There is no characteristic, or reasonably small set of characteristics, that sets some creatures apart from others as meriting respectful treatment… Instead we have an array of characteristics and how he or she may be treated. (169)

**Strengths**

This position has immediate appeal. It acknowledges the complexity of our very real lives, in contrast to more abstract theories (like Kantianism or Utilitarianism), which may, at first blush, seem rarified and unhelpful. More than simply *feeling* right, Rachels' theory really does take into account a greater degree of complexity than many other theories of animal welfare. He is right to accuse other theorists of trying to find a single line where in fact there are many. His theory successfully undermines the complaint of the opposition: "But people really *are* different from animals! And we are *better*! Have you ever seen an elephant build a skyscraper?" Rachels' theory allows us to respond by pointing out that the reason it is wrong to hunt, slaughter, or otherwise unnecessarily harm other human beings is not because they are smart enough to build sky scrapers, or speak, but because they can feel pain. Animals may not be able to communicate on a human level or perform complex calculations, but it would be much harder to argue that they do not feel pain. At the same time, his theory avoids the pitfall of complete equality. When the opposition responds "So then if people aren't different then animals, are we supposed to let pigs vote?" we can counter by pointing out that people *are* different than animals, just not in a way that allows us to slaughter one for food but not the other. Humans are undoubtedly more intelligent than any animal, and it is *this* that justifies us in allowing people, but not animals, to vote.

Complete equality is also dangerous because it would rob us of the ability to choose human interests in situations where we must choose between apparently equivalent human and animal interests, all other things being equal. Suppose that a maniac has kidnapped you and is now holding you captive. He puts you in a room with a dog and a man, both of whom you have never met. He gives you a choice - shoot the man, or shoot the dog. If you don't choose, he will kill them both. Our intuition seems to strongly require that we choose to save the man. Rachels' theory does allow us to make this claim, though perhaps not as strongly as we would like. During his discussion of the ability to feel pain, Rachels says:

Of course, your interest as an autonomous agent may be affected by debilitating pain… But this only means that, in the case of autonomous beings, there is an additional reason why torture is wrong. The additional reason does not replace the original one, nor is one a mere shorthand for the other. (169)

This passage suggests that treatment can be justified by multiple traits, even if some of those traits are supplementary rather than essential - these supplementary traits would be the "additional reasons". We can then claim that it is wrong to shoot the human because to do so harms him not simply because he is sentient, but also because it violates his autonomy, and possibly other traits as well; whereas the dog is merely sentient, and is thus harmed less.

**Weaknesses**

Rachels' theory has the above strengths, and is certainly a worthwhile contribution to the conversation concerning animal welfare - but it is far from complete. First let us examine objections to our solution to the man vs. dog dilemma. The first objection is, as I said, the apparent weakness of the moral claim being made. It is merely because the man has a few supplementary qualities that we are required to save him. The second problem is that taking this line of reasoning might allow us to argue for the continued mistreatment of animals. If killing animals is harms them only in terms of their sentience, then we might find that preventing humans from killing and eating animals is wrong because to do so harms them in terms of a greater number of traits.

Perhaps the most significant weakness of Rachels' theory is that it fails utterly to deal with the case of defective humans and infants. These cases compound the man vs. dog dilemma. What if instead of an average stranger it is a severely retarded adult human whom the maniac is threatening? The dog and the man may very well be approximately equal in intelligence. We would then be harming them both equally, and even the weak requirement to save the human that Rachels theory had before is gone. What if instead of a dog it is an adult chimpanzee? What if instead of a mentally retarded man it is an extremely young human infant? There is little question that an adult chimpanzee is smarter than a human infant, with a greater degree of autonomy, self-consciousness, and likely any relevant trait you can name. Are we then required to save the chimpanzee?

One other major gap in his reasoning is that the kinds of 'treatment' he discusses do not adequately describe our common sense moral universe. They are all negative requirements - we must *not* harm sentient creatures, we must *not* violate the autonomy of autonomous creatures, we must *not* humiliate self-consciousness creatures. Yet we also have *positive* moral duties to other beings. Even to animals: it seems to me clear that if a dog is trapped under a fallen tree, and you are walking past, that unless you are on the way to the hospital to see a relative on their deathbed, you are bound to help the dog. At the absolute least, it is morally distasteful to walk past the dog without a second thought.

**Solutions**

Are there solutions to these difficulties, or is Rachels' theory to be discarded? The first objection to his theory is relatively easy to counter. This objection argues that if the intensity of a moral wrong is determined by the number of traits which justify the treatment that the wrong is transgressing (the principle we adopted to allow us to choose the human over the animal in cases of conflicting but equal interests), then perhaps raising animals for the slaughter is fine. Perhaps our requirement to allow people their own choices is greater than our requirement to not harm animals, because people have a greater number of traits that require us to respect their self-determination than animals have traits which require us not to kill them for food. To undermine this objection, imagine that Rachels' traits are arranged in a pyramid, with sentience on the bottom and traits which fewer creatures possess higher up. We need only specify that traits lower down on Rachel's pyramid of traits may never be violated in order to preserve *only* traits higher up on the pyramid. No matter how many higher traits like autonomy, rationality, or self-consciousness we violate by preventing humans from eating meat, these are not valid grounds for violating the basic trait of sentience. Note that this still allows us our original judgment in the man vs. dog dilemma, because in this case the dog's sentience would not be violated to preserve *only* traits higher up the pyramid - the man's sentience is also threatened, and his higher traits only *additionally*.

The third and final objection is also easily dispatched. In order to more accurately represent our moral universe, we must simply double up each layer of the pyramid. Not only is it wrong to harm sentient creatures, but it is also *right* to prevent harm to sentient creatures in situations in which it is reasonable to do so, and failing to do this is wrong. Likewise, it is right to protect the autonomy of autonomous individuals when it is reasonable to do so. The definition of reasonable is, of course, up for debate, but that is a somewhat different issue. It would be wise to reduce the strength of the positive requirement as we move up the pyramid, in order to avoid requiring us to compliment everyone we meet to boost their self-image.

The middle objection is the one which really undermines Rachels' theory. There does not appear to be any simple reformulation of his theory that will allow us to choose an infant over a chimpanzee, because his theory - just like the theories he disparages early on in his essay - is based upon traits that qualify or disqualify a being from certain considerations. The only defense here is to claim that it is, in fact, right to choose the chimpanzee over the baby (or the mentally retarded human, if you are concerned with the baby's potential to be smarter than the chimp). This is not technically incorrect, as assuming that we must choose the baby is, in fact, begging the question. However, it seems to me that anyone who says that it is right to save the chimp instead of the baby is either lying or not a very good person. Perhaps I am mistaken - perhaps my moral intuitions are abnormal. But I do not think I am alone in believing that we need a moral theory which allows us to choose humans in such dire circumstances.

**Conclusion**

Despite this final objection, Rachels' theory is still an important addition to the discussion of animal welfare. It would be well for us to keep in mind his alterations to our ideas of morally considerable qualities. We might be able to build from his theory into one more akin to Mary Midgley's "flower petal" model. A theory like this would include not only traits inherent to the beings in question, but also traits that involve the relationship between the being and the agent. Family members, friends, maybe even members of our own species, might gain a higher level of moral considerability than that which is justified solely by their inherent traits. I think that only a theory which takes into account such relationships can succeed. It is doubtful that the human race will ever discard its tendency to value those with whom we bond over those who we don't know. In some ways moral theories exist to overcome these inherent prejudices; but we must be cautious not to throw out the morally correct discriminations with the morally incorrect biases.