

Now, unless I am mistaken, those partisans of anti-cruelty or pro-welfare who are gathered here *also* accept these same aspirations. Partisans of these philosophies, in other words, as well as those who prefer to speak in the language of compassion or human responsibility or animal protection, share *some* of the same goals as animal rightists. Granted, the *reasons* each gives in support of these goals differ; and granted, there are *some* goals on the respective agendas of the competing philosophies that are not shared by the others. What is not to be granted is the pessimistic conviction that points of agreement cannot be found.

I conclude, then, not with stirring words of praise for the philosophy of animal rights, or with caustic words of censure for the other philosophies I have mentioned. Rather, I conclude by inviting all of us whose activism is shaped by our concern for what is happening to the other animals to make a renewed, conscientious, patient and determined effort to come together and forge a common agenda, even as we work, both as individuals and organisations, on projects that are uniquely our own. I call upon everyone to begin to work to create such an agenda in the coming months, mindful that each of us may have to make some compromises along the way if we are to end with something in which we all can believe. For the present, what is needed most is more cooperative work, and less competitive philosophising.

A BRIEF EXTRACT FROM *The Case for Animal Rights*

How to Worry About Endangered Species

The rights view is a view about the moral rights of individuals. Species are not individuals, and the rights view does not recognize the moral rights of species to anything, including survival. What it recognizes is the prima facie right of individuals not to be harmed, and thus the prima facie right of individuals not to be killed. That an individual animal is among the last remaining members of a species confers no further right on that animal, and its right not to be harmed must be weighed equitably with the rights of any others who have this right. If, in a prevention situation, we had to choose between saving the last two members of

an endangered species or saving another individual who belonged to a species that was plentiful but whose death would be a greater prima facie harm to that individual than the harm that death would be to the two, then the rights view requires that we save that individual. Moreover, numbers make no difference in such a case. If the choice were between saving the last thousand or million members of the species to which the two belong, that would make no moral difference. The aggregate of their lesser harms does not harm any individual in a way that is prima facie comparable to the harm that would be done to this solitary individual. Nor would aggregating the losses of other interested parties (e.g., human aesthetic or scientific interests) make any difference. The sum of these losses harms no individual in a way that is prima facie comparable to the harm that would be done to the single individual if we chose to override his right.

The rights view is not opposed to efforts to save endangered species. It only insists that we be clear about the reasons for doing so. On the rights view, the reason we ought to save the members of endangered species of animals is not because the species is endangered but because the individual animals have valid claims and thus rights against those who would destroy their natural habitat, for example, or who would make a living off their dead carcasses through poaching and traffic in exotic animals, practices that unjustifiably override the rights of these animals. But though the rights view must look with favor on any attempt to protect the rights of any animal, and so supports efforts to protect the members of endangered species, these very efforts, aimed specifically at protecting the members of species that are endangered, can foster a mentality that is antagonistic to the implications of the rights view. If people are encouraged to believe that the harm done to animals matters morally *only when* these animals belong to endangered species, then these same people will be encouraged to regard the harm done to *other* animals as morally acceptable. In this way people may be encouraged to believe that, for example, the trapping of plentiful animals raises no serious moral question, whereas the trapping of rare animals does. This is not what the rights view implies. The mere size of the relative population of the species to which a given animal belongs makes no moral difference to the grounds for attributing rights to that individual animal or to the basis

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for determining when that animal's rights may be justifiably overridden or protected.

Though said before, it bears repeating: *the rights view is not indifferent to efforts to save endangered species. It supports these efforts.* It supports them, however, not because these animals are few in number; primarily it supports them because they are equal in value to all who have inherent value, ourselves included, sharing with us the fundamental right to be treated with respect. Since they are not mere receptacles or renewable resources placed here for our use, the harm done to them as individuals cannot be justified merely by aggregating the disparate benefits derived by commercial developers, poachers, and other interested third parties. That is what makes the commercial exploitation of endangered species wrong, not that the species are endangered. On the rights view, the same principles apply to the moral assessment of rare or endangered animals as apply to those that are plentiful, and the same principles apply whether the animals in question are wild or domesticated.

The rights view does not deny, nor is it antagonistic to recognizing, the importance of human aesthetic, scientific, sacramental, and other interests in rare and endangered species or in wild animals generally. What it denies is that (1) the value of these animals is reducible to, or is interchangeable with, the aggregate satisfaction of these human interests, and that (2) the determination of how these animals should be treated, including whether they should be saved in preference to more plentiful animals, is to be fixed by the yardstick of such human interests, either taken individually or aggregatively. Both points cut both ways, concerning, as they do, both how animals may and how they may not be treated. In particular, any and all harm done to rare or endangered animals, done in the name of aggregated human interests, is wrong, according to the rights view, because it violates the individual animal's right to respectful treatment. With regard to wild animals, the general policy recommended by the rights view is: *let them be!* Since this will require increased human intervention in human practices that threaten rare or endangered species (e.g., halting the destruction of natural habitat and closer surveillance of poaching, with much stiffer fines and longer prison sentences), the rights view sanctions this intervention, assuming that those humans involved are treated with the respect they are due. Too little is not enough.

Rights and Environmental Ethics: An Aside

The difficulties and implications of developing a rights-based environmental ethic, should be abundantly clear by now and deserve brief comment before moving on. The difficulties include reconciling the *individualistic* nature of moral rights with the more *holistic* view of nature emphasized by many of the leading environmental thinkers. Aldo Leopold is illustrative of this latter tendency. "A thing is right," he states, "when it tends to preserve the integrity, stability, and beauty of the biotic community. It is wrong when it tends otherwise."⁵ The implications of this view include the clear prospect that the individual may be sacrificed for the greater biotic good, in the name of "the integrity, stability, and beauty of the biotic community." It is difficult to see how the notion of the rights of the individual could find a home within a view that, emotive connotations to one side, might be fairly dubbed "environmental fascism." To use Leopold's telling phrase, man is "*only* a member of the biotic team,"⁶ and as such has the same moral standing as any other "member" of "the team." If, to take an extreme, fanciful but, it is hoped, not unfair example, the situation we faced was either to kill a rare wildflower or a (plentiful) human being, and if the wildflower, as a "team member," would contribute more to "the integrity, stability, and beauty of the biotic community" than the human, then presumably we would not be doing wrong if we killed the human and saved the wildflower. The rights view cannot abide this position, not because the rights view categorically denies that inanimate objects can have rights (more on this momentarily) but because it denies the propriety of deciding what should be done to individuals who have rights by appeal to aggregative considerations, including, therefore, computations about what will or will not maximally "contribute to the integrity, stability, and beauty of the biotic community." Individual rights are not to be outweighed by such considerations (which is not to say that they are never to be outweighed). Environmental fascism and the rights view are like oil and water: they don't mix.

The rights view does not deny the possibility that collections or systems of natural objects

Environmental Ethics: An

and implications of developing a environmental ethic, should be abundant and deserve brief comment. The difficulties include reconciling the instrumental nature of moral rights with the view of nature emphasized by environmental thinkers. Aldo Leopold's attitude of this latter tendency. "A state, when it tends to preserve, stability, and beauty of community. It is wrong when it tends to the opposite. The implications of this view include that the individual may be sacrificed for the greater biotic good, in the name of stability, and beauty of the biotic community. It is difficult to see how the notion of the individual could find a home in this view, that, emotive connotations to one fairly dubbed "environmental Leopold's telling phrase, man is not a member of the biotic team,"⁶ and as such has no moral standing as any other member of the team." If, to take an extreme, it is hoped, not unfair example, the case faced was either to kill a rare (plentiful) human being, and if it was a "team member," would compromise the integrity, stability, and beauty of the community than the human, then it would not be doing wrong if we killed and saved the wildflower. The case would abide this position, not because it categorically denies that inanimate objects have rights (more on this momentarily) but because it denies the propriety of deciding what is done to individuals who have no say in aggregative considerations, instead, computations about what will maximally "contribute to the integrity, stability, and beauty of the biotic community." These considerations are not to be outweighed by individual interests (which is not to say that they are not outweighed). Environmental fascists' rights view are like oil and water:

Environmentalism does not deny the possibility of the existence of systems of natural objects

might have inherent value – that is, might have a kind of value that is not the same as, is not reducible to, and is incommensurate with any one individual's pleasures, preference-satisfactions, and the like, or with the sum of such goods for any number of individuals. The beauty of an undisturbed, ecologically balanced forest, for example, might be conceived to have value of this kind. The point is certainly arguable. What is far from certain is how moral rights could be meaningfully attributed to the collection of trees or the ecosystem. Since neither is an individual, it is unclear how the notion of moral rights can be meaningfully applied. Perhaps this difficulty can be surmounted. It is fair to say, however, that no one writing in this important area of ethics has yet done so.

Because paradigmatic right-holders are individuals, and because the dominant thrust of contemporary environmental efforts (e.g., wilderness preservation) is to focus on the whole rather than on the part (i.e., the individual), there is an understandable reluctance on the part of environmentalists to "take rights seriously," or at least a reluctance to take them as seriously as the rights view contends we should. But this may be a case of environmentalists not seeing the forest for the trees – or, more accurately, of not seeing the trees for the forest. The implications of the successful development of a rights-based environmental ethic, one that made the case that individual inanimate natural objects (e.g., *this* redwood) have inherent value and a basic moral right to treatment respectful of that value,

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should be welcomed by environmentalists. If individual trees have inherent value, they have a kind of value that is not the same as, is not reducible to, and is incommensurate with the intrinsic values of the pleasures, preference-satisfactions, and the like, of others, and since the rights of the individual never are to be overridden merely on the grounds of aggregating such values for all those affected by the outcome, a rights-based environmental ethic would bar the door to those who would uproot wilderness in the name of "human progress," whether this progress be aggregated economic, educational, recreational, or other human interests. On the rights view, assuming this could be successfully extended to inanimate natural objects, our general policy regarding wilderness would be precisely what the preservationists want – namely, let it be! Before those who favor such preservation dismiss the rights view in favor of the holistic view more commonly voiced in environmental circles, they might think twice about the implications of the two. There is the danger that the baby will be thrown out with the bath water. A rights-based environmental ethic remains a live option, one that, though far from being established, merits continued exploration. It ought not to be dismissed out of hand by environmentalists as being in principle antagonistic to the goals for which they work. It isn't. Were we to show proper respect for the rights of the individuals who make up the biotic community, would not the *community* be preserved? And is not that what the more holistic, systems-minded environmentalists want?