

# Animal Wrongs

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## Difference and Similarity

Peter Singer's arguments for animal liberation and Tom Regan's arguments for animal rights are, in some significant sense, worlds apart. As a utilitarian, Singer's basic argument aims to demonstrate that animal pleasures and pains ought to factor into our moral calculus on equal par with humans.<sup>1</sup> As a deontologist, Regan claims that sufficiently conscious creatures possess an equal inherent value worthy of respect from others.<sup>2</sup> These divergent foundations generate substantially different practical recommendations. While Singer is clearly opposed to our current methods of animal farming and medical testing, he is not opposed to such in principle.<sup>3</sup> In contrast, Regan seeks to abolish all human use of animals as "resources," regardless of how comfortable we might be able to make them.<sup>4</sup> Unsurprisingly, both have strongly criticized the others' methods of justifying legal protections for animals. Singer argues that Regan's rights-based approach suffers from the standard problem of "inflexibly prohibit[ing] all aggregations or trade-offs of rights, no matter what the circumstances."<sup>5</sup> Regan claims that Singer treats conscious organisms as mere "receptacles" for feelings which we ought to abuse if the consequences align properly.<sup>6</sup> Such disputes are the natural outgrowth of the differences between these two philosophers' basic moral theories.

Yet the arguments advanced by Singer and Regan in favor of legal protection for animals are far more similar than they might initially seem, as both are common variations of upon the theme of zoocentric egalitarianism. As egalitarians, both assert a principle of equality as a fundamental moral ideal—on the basis of biological fact, justified by moral reasoning, and necessary to explain intuitive evils such as racism and sexism. As zoocentrists, both argue that their respective principles of equality cannot be justly limited to humans, in part due to the problem of marginal humans (e.g. babies, coma patients, and the severely retarded). These similarities in the arguments of Singer and Regan are not insignificant accidents, but rather core elements of their respective defenses of sweeping legal protections for animals. As we shall see, they contain the fundamental errors of Singer and Regan's zoocentric egalitarianism—and thus provide us with sufficient reason to reject both animal liberation and animal rights.

## Animal Liberation and Animal Rights

In his writings on the moral imperative of animal liberation, Peter Singer claims that humans widely suffer from a "latent" and "unjustifiable" prejudice in our "attitudes and practices" towards non-human animals.<sup>7</sup> We torture and kill pigs so that their meat might grace our plates at small expense without a second thought, yet harshly condemn the neglectful caretaker of a severely retarded child whose mental life is eclipsed by one of those pigs. We perform painful medical experiments on innocent rabbits, yet agitate for better prison conditions for rapists and murderers. In justifying such actions, we commonly appeal to the fact that pigs and rabbits are mere beasts, while even imbeciles and criminals are human. For Singer, such appeals to species as a significant moral criterion are no better than appeals to race or sex.<sup>8</sup> They reflect a longstanding legacy of "speciesism" that ought to be overturned by an animal liberation movement.<sup>9</sup>

In essence, Singer argues that we must “extend to other species the basic principle of equality that most of us recognize should be extended to all members of our own species.”<sup>10</sup> Consistent with his utilitarianism, the focus is on equality in the consideration of interests, meaning 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.”<sup>11</sup> Without this principle of equality to govern human actions, Singer claims that we cannot genuinely oppose intuitive evils like racism and sexism. Yet once we have accepted it, we cannot rationally restrict its application to all and only humans. Singer’s reason is simple: “there seems to be no relevant characteristic [such as discriminative capacity, self-direction, and sensitivity to pain] that human infants possess that adult mammals do not have to the same or a higher degree.”<sup>12</sup> According to Singer, the only logical course of action is extend equality of consideration of interests to all animals with interests, i.e. those with “the capacity for suffering and enjoying things.”<sup>13</sup> We ought to include the beasts in our moral calculus, counting their interests as on par with our own human ones. Yet Singer denies that equal consideration of interests necessitates equality in either day-to-day treatment or rights due to “important differences between humans and other animals.”<sup>14</sup>

In contrast to Singer, Tom Regan’s fundamental concern regarding our treatment of animals lies in the fact that we generally regard animals as resources to be used, abused, and destroyed for the sake of our needs and wants.<sup>15</sup> By hunting deer, trapping fox, milking cows, experimenting on rabbits, and training circus elephants, we treat animals as mere means to our ends and violate their “equal right to be treated with respect.”<sup>16</sup> Simply “giving farm animals more space, more natural environments, more companions does not right the fundamental wrong” but merely whitewashes some of the more obvious symptoms.<sup>17</sup> Morality demands “the total dissolution of commercial animal agriculture” and more, i.e. a genuinely abolitionist movement.<sup>18</sup>

In his writings on animal rights, Regan’s standard strategy is to critically examine various proposed foundations for morality, such as contractarianism, the cruelty-kindness view, and utilitarianism.<sup>19</sup> After rejecting each in turn, he then opts for a deontological “rights view” of equal inherent value on the grounds that it best “illuminates and explains the foundations of our duties to one another.”<sup>20</sup> According to this argument, all sufficiently conscious creatures are “the experiencing subjects of a life”—in the sense that each subject is “a conscious creature having an individual welfare that has importance to [it] whatever [its] usefulness to others.”<sup>21</sup> Such creatures possess inherent value—and all possess it equally.<sup>22</sup> Notably, to claim that only humans have inherent value or that humans have more inherent value is “blatant speciesism” because marginal humans will fail any and all proposed distinguishing criteria.<sup>23</sup> More generally, Regan steadfastly denies that inherent value can admit of degrees on the grounds that equality in inherent value is the only way “to insure that we do not pave the way for such evils as slavery or sexual discrimination.”<sup>24</sup> The inherent value of subjects-of-a-life is a fact that demands our respect: “reason compels us to recognize the equal inherent value of [conscious] animals... and with this, their equal right to be treated with respect.”<sup>25</sup>

As those brief summaries indicate, Peter Singer’s arguments for animal liberation and Tom Regan’s arguments for animal rights differ from one another in countless ways—some major, some minor. Yet the similarities between them, as sketched in the chart below, are both striking and significant.

	<b>Biological Claim</b>	<b>Moral Claim</b>	<b>Moral Obligation</b>	<b>Appeal to Discrimination</b>	<b>Extension to Animals</b>
<b>Peter Singer</b>	Entities which feel pleasure and pain have interests.	All interests are morally equal.	All interests should be granted equal consideration in the moral calculus.	Explaining the evils of racism and sexism requires equal consideration of interests.	Equal consideration of interests cannot be justly limited to humans, particularly not given marginal humans.
<b>Tom Regan</b>	Entities which possess sufficient consciousness are subjects-of-a-life.	All subjects-of-a-life possess equal inherent value.	Entities with inherent value possess an equal right to be treated with respect.	Respect for equal inherent value in principle denies the moral tolerability of discrimination.	Equal respect for inherent value cannot be justly limited to humans, particularly not given marginal humans.

These similarities in both structure and substance are the key to understanding the insurmountable defects of zoocentric egalitarianism, whether of Singer or Regan. In this paper, I will focus upon the first three elements—the biological claims, the moral claims, and the resulting moral obligations—as those form the core of Singer’s case for animal liberation and Regan’s case for animal rights.

### **Biological Claims**

At first glance, the biological claims of Singer and Regan might seem too obviously true to warrant much attention, let alone to generate controversy. Yet as the factual foundation of their respective moral principles of equality limiting their application to only certain creatures, the moral relevance and fundamentality of these claims warrants some scrutiny.

In developing his principle of equal consideration of interests, Singer examines and rejects various factual arguments for equality, then concludes that “we should make it quite clear that the claim to equality does not depend on intelligence, moral capacity, physical strength, or similar matters of fact.”<sup>26</sup> Equality is “a moral ideal, not a simple matter of fact.”<sup>27</sup> As Singer later explains, however, the basic point is that no factual feature of a creature is morally significant—over and above the mere possession of subjective interests. From the moral point of view, all that matters is that a creature is sentient, that it possesses a capacity for suffering and/or enjoyment, that its life can go subjectively better or worse for it. After quoting a lengthy passage from Bentham concerning whose interests ought to be included in the moral calculus, Singer explains the moral fundamentality of subjective interests as follows:

The capacity for suffering—or more strictly, for suffering and/or enjoyment or happiness—is not just another characteristic like the capacity for language, or for higher mathematics. Bentham is not saying that those who try to mark the ‘insuperable line’ that determines whether the interests of a being should be considered happen to have selected the wrong characteristic. The capacity for suffering and enjoying things is a pre-requisite for having interests at all, a condition that must be satisfied before we can speak of interests in any meaningful way. It would be nonsense to say that it was not in the interests of a stone to be kicked along the road by a schoolboy. A stone does not have interests because it cannot suffer. Nothing that we can do to it could possibly make any difference to its welfare. A mouse, on the other hand, does have an interest in not being tormented, because it will suffer if it is.<sup>28</sup>

So for Singer, the possession of subjective interests is necessary for any moral standing at all: a creature must have interests for those interests to be included in the moral calculus. Moreover, as he argues separately, no other qualities of a creature are relevant, meaning that the possession of subjective interests is alone sufficient for full moral standing.

Like Singer, Regan often stresses the moral dimension of his claim that certain creatures share an equal inherent value, writing that “what is being designated [by inherent value] is not some merely factual feature shared by [some] individuals but is instead their equal moral status”<sup>29</sup> Nonetheless, he clearly appeals to the biological capacities of those creatures as the best explanation for that equal inherent value. In particular, he appeals to the set of psychological capacities common to all experiencing subjects-of-a-life as a source of inherent value. As Regan explains,

...to be the subject-of-a-life is to... have beliefs and desires; perceptions, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preference- and welfare-interests; the ability to initiate action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them.<sup>30</sup>

So for an organism to be a subject-of-a-life “involves more than merely being alive and more than merely being conscious”; it must also have well-developed subjective experience of its own life.<sup>31</sup> Because such creatures are “somebodies” rather than “somethings,” they are said to have “a distinctive kind of value—inherent value.”<sup>32</sup> So for Regan, the biological fact of complex awareness is a sufficient (but not necessary) condition for the moral demand of respect for equal inherent value.

Regan’s standard of the subject-of-a-life is clearly far more rich, complex, and demanding than Singer’s limited concern with the capacity of an organism to experience suffering and/or enjoyment. Also, as Regan points out, Singer focuses on “the interests individuals have” whereas Regan focuses on “the individuals who have interests.”<sup>33</sup> Despite such differences, both philosophers ultimately appeal to the capacity for conscious experience common to some creatures but not others to develop and support their respective moral claims of equality. Whether or not a creature experiences a subjective sense of its own welfare is the biological difference that makes a moral difference. Leaving aside potential quibbles with Singer’s or Regan’s formulations, the basic biological distinction between creatures with and without an experiential welfare is undoubtedly genuine—and likely even morally significant. Yet we must consider whether we have good reason to accept that biological distinction as fundamental to ethics, as both Singer and Regan argue.

Given his utilitarian commitments, Singer’s general reasons for focusing on subjective welfare, particularly on the capacity for suffering and/or enjoyment, are fairly straightforward. First, Singer thinks of interests solely in terms of an organism’s feelings of pleasure and pain.<sup>34</sup> So an organism with the capacity to experience pleasure and/or pain is just an organism with interests—and such an organism has no interests other than the pursuit of pleasure and the avoidance of pain. Second, Singer less plausibly claims that ethics is fundamentally concerned with the question of interests, to wit: whose interests ought to be satisfied.<sup>35</sup> Questions of virtues, duties, rights, and so on are all subordinate to questions of interests. Taken together, these two ideas imbue the pleasures and pains experienced by some organisms with great moral significance: all moral concerns are ultimately concerns for the pleasures and pains of organisms. Unfortunately, Singer fails to offer any arguments for either claim, but simply assumes them as true in identical passages repeated in book after book. In fact, we have reasonable grounds upon

which to doubt both claims. As to the first assumption, subjective welfare is neither the only nor even the primary measure of interests, since it depends upon the more fundamental notion of objective welfare—as we shall see. As for the second, understanding ethics in terms of the satisfaction of interests is a thoroughly utilitarian perspective rejected by both deontology or virtue ethics, so to presume it without argument, as Singer repeatedly does, is to beg the question in favor of utilitarianism.

Regan's reasons for appealing to the biological category of subjects-of-a-life as fundamental to ethics are somewhat more opaque, particularly since he explicitly admits that non-subjects-of-a-life, such as "trees, rivers, rocks, etc," might also possess inherent value.<sup>36</sup> However, the general structure of his argument indicates that the choice is driven by the convenient but sketchy mapping from that biological category to the creatures he views as worthy of moral and legal protection. In *The Case for Animal Rights*, Regan explicitly argues from the moral postulate that both moral agents and patients have equal inherent value to the subject-of-a-life criterion, rather than the other way around.<sup>37</sup> Equal inherent value correlates with subjects-of-a-life in that (1) both moral agents and patients are subjects-of-a-life, (2) like the postulated inherent value, the quality of subjects-of-a-life does not admit of degrees, and (3) the subjects-of-a-life criterion excludes living entities to which we do not seem to have direct duties.<sup>38</sup> Yet Regan's claim that this reverse mapping shows that "the subject-of-a-life criterion identifies... a relevant similarity, one that makes viewing [moral agents and patients] as inherently valuable intelligible and nonarbitrary" cannot withstand scrutiny.<sup>39</sup> The mere correlation of the fact of subjective experience with his intuition of inherent value does not demonstrate any substantive causal connection between them—and without such a connection, the latter does not render the former any more "intelligible" or "nonarbitrary." So even if Regan has identified a similarity between moral agents and patients, he has not shown that similarity to be relevant to our claimed duties to them. In the end, we have good reason to consider the whole enterprise to be more rationalization than reason in light of his admission that "if it were possible to show that only human beings are included within [the] scope [of the rights view], then a person like myself, who believes in animal rights, would be obliged to look elsewhere."<sup>40</sup>

Without an adequate defense of subjective welfare as fundamental to ethics, neither Singer's argument for animal liberation nor Regan's argument for animal rights stands on solid ground. Yet a further problem looms, in that the focus on subjective welfare seems deeply confused given dependence of subjective welfare upon the more fundamental fact of objective welfare common to all living organisms.<sup>41</sup> The objective welfare of an organism concerns its actual (rather than merely perceived) success or failure in the task of living. Unlike inanimate objects, living organisms face the ever-present possibility of death, i.e. of the termination of their existence qua living organism. No living organism will survive come what may; the maintenance of its life requires specific and continuous action, as determined by its nature and its environment. The survival of a gazelle, for example, depends upon a wide range of involuntary bodily processes like the hormonal regulation of the liver and the pumping of the heart, as well as voluntary actions like fleeing predators and consuming adequate plant matter. Given the continuous demands of sustaining life, all living organisms (whether conscious or not) may be aptly described as faring better or worse in their basic task of living, i.e. in terms of their objective welfare. A bacterium, peony, clam, spider, lobster, salmon, turtle, raccoon, hippopotamus, or human might be living a healthy, robust, and flourishing life—or clinging to its last threads before the obliteration of death. As Tara Smith notes, "only this conditional character of life... enables us to distinguish some things as valuable on the grounds that they

contribute to the sustenance of an organism's life."<sup>42</sup> Our common sense judgments of good and bad do reflect this idea that "life [is] the source of value judgments."<sup>43</sup> Smith writes:

When we assess certain events as beneficial or harmful for plants or animals, the barometer that we employ is the life of the organism. Some events further their lives—enhancing their hardiness and growth, minimizing their vulnerability to diseases, increasing their prospects for longevity—and others hinder it. What allows these evaluations is not the fact that one experiences varying feelings in reaction to such events. Rather, it is the fact that the organisms stand to gain from them; their lives can be strengthened or set back.<sup>44</sup>

In short, every living creature has its own objective good based upon the factual requirements of its survival as a living creature.

The biological fact that some living organisms experience a subjective welfare can only be properly understood within this general framework of the objective welfare common to all living organisms. Contra Regan, the rich experience of life is not the fundamental fact which makes that life valuable. Conscious experience allows an organism to be aware of certain aspects of its environment in relation to itself—and thus to perform the more complex, delicate, and nuanced actions required to sustain its mode of life. Yet neither the existence nor the complexity of consciousness alters the basic fact that the organism must pursue certain values by means of certain actions to remain alive. Consciousness, in whatever form, is a tool of survival, not a criterion of value. Contra Singer, the pleasures and pains experienced by some living organisms are not independent, unconditional, or ultimate goods and evils. Rather, they are the basic means by which conscious organisms are aware of and motivated to pursue their objective welfare. As Tara Smith explains:

Survival needs are the source of organisms' pleasure-pain mechanism. As most organisms normally function, we experience pain at things that are harmful for us and pleasure at things that are good for us. Babies enjoy milk, warmth, and play, all of which are good for them. Satisfying hunger (for adults as well as children) generally feels pleasurable. Eating too much or eating bad foods precipitates distinctly unpleasant indigestion. Toxic substances frequently carry noxious odors. Rancid food, which can cause serious illness, typically tastes bad. Exposure to extreme temperatures or fire is painful. Aches signal infections, inflammations, strains, and the like—abnormalities that threaten well-being.<sup>45</sup>

Although pleasure and pain motivate action, the pursuit of pleasure and avoidance of pain are not an organism's final end, i.e. the ultimate purpose of its life and actions. Rather, such subjective feeling is the clever evolutionary mechanism by which the complex, voluntary actions of some organisms are guided toward life and away from death. Such is why "an impaired capacity to feel pain is not a blessing but a hazard because it impairs the [organism's] ability to recognize and react to dangers."<sup>46</sup> Moreover, even particular pains are not unconditionally bad, in that they help a creature recover from bodily injury or illness by restricting its normal movements. For example, if I had given my dog medication to ease the substantial pain of her broken femur (which could not be cast but would heal with a few weeks of rest), I would have inhibited the natural motivation to quiet—and thus increased the likelihood of further serious injury. Such pains are not inherently bad, nor are pleasures inherently good. Rather, they are the means by which an organism's actions are guided in the furtherance of its life. As such, the ultimate end of a conscious organism is the same as that of a non-conscious one: its actual life and well-being, not merely the subjective experience thereof. So while the pleasures and pains experienced by

certain creatures are quite likely relevant to our moral choices, the fundamental dependence of subjective welfare upon objective welfare means that subjective welfare cannot be legitimately used as an ethical primary. To do so, like Singer and Regan, constitutes a serious philosophic error.

Notably, neither Singer's argument for animal liberation nor Regan's argument for animal rights could withstand the necessary shift in focus from subjective welfare to objective welfare. Within the framework of their moral arguments, such a substitution would entail equal moral standing between all living creatures, whether equality in the consideration of interests or respect for inherent value. The life of a single bacterium would be morally equal to that of any human; a dose of antibiotics would be mass murder. If taken seriously, human life would be forbidden on moral grounds, since almost all human activities, including basics like eating, drinking, building, healing, and washing, involve damage to or destruction of other living beings. Although animal rights/liberation would undoubtedly impair human flourishing if implemented, neither Singer nor Regan is likely to embrace mass human suicide as a moral imperative. As such, their common rejection of Albert Schweitzer's ethic of "reverence for life," which grants moral standing to any and all living creatures, is not surprising. Nonetheless, the inadequacy of their particular reasons for doing so are illuminating.

Singer first objects to Schweitzer's ethic on the grounds that "without conscious interests to guide us, we have no way of assessing the relative weights to be given to the flourishing of different forms of life."<sup>47</sup> Of course, as critics of utilitarian have long observed, we have "no way of assessing the relative weights" of the subjective feelings of sentient creatures either. By what method can I tell whether my cat will suffer greater hunger if I feed him in an hour or I will suffer greater annoyance in interrupting my work to feed him now? Singer's stronger objection, however, is that "if we cease talking in terms of sentience, the [moral] boundary between living and inanimate natural objects becomes more difficult to defend" in that "in the absence of consciousness, there is no good reason why we should have greater respect for the physical processes that govern the growth and decay of living things than we have for those that govern non-living things."<sup>48</sup> For Singer, unless an organism is sentient, it isn't significantly different from inanimate matter: both a plastic plant and a living plant are just physical entities subject to physical processes. For the reasons discussed earlier, such a view ignores the substantial and obvious differences between the types of physical processes possible to and characteristic of living organisms and non-living matter. Unlike inert matter, living organisms are not merely passive reactor; they respond to their environment with complex actions aimed at maintaining their lives; they have their own good—and pursue it. Ultimately, Singer does treat the subjective welfare experienced by some living organisms as a mysterious, free-floating good wholly unconnected to that organism's pursuit of life.

Regan also rejects the idea that "being-alive is a sufficient condition of an individual's having inherent value" in a discussion of Schweitzer's "reverence for life," but for substantially different reasons.<sup>49</sup> He writes:

It is not clear why we have, or how we could reasonably be said to have, direct duties to, say, individual blades of grass, potatoes, or cancer cells. Yet all are alive, and so all should be owed direct duties if all have inherent value. Nor is it clear why we have, or how we could reasonably be said to have, direct duties to collections of such individuals—to laws, potato fields, or cancerous tumors.<sup>50</sup>

Such is Regan's only objection: Life cannot be the criterion for inherent value, since it clashes with his prior intuitions about what duties are owed to which creatures. Although hopelessly

inadequate, it is perfectly consistent with his general strategy of rationalizing rather than grounding his moral intuitions, in that the complex consciousness of subjects-of-a-life correlates with but does not explain the claims of inherent value. Of course, if such simple appeals to intuition were legitimate, then Regan's whole defense of animal rights could be rejected on the grounds that it implies that we have direct duties to fish, chickens, and cows—and that's just absurd.

Given the function of the appeal to subjective welfare in Singer's animal liberation and in Regan's animal rights, neither theory could withstand acknowledgement of the biological fact that subjective welfare experienced by some living organisms rests upon the more fundamental fact of the objective welfare common to all. The focus upon subjective welfare must be an arbitrary starting point. Yet as we shall see, their unjustified appeals to subjective welfare as the criterion for moral standing create serious difficulties in their moral theories, albeit in rather different ways.

### **Moral Claims and Obligations**

In developing their respective cases for animal liberation and animal rights, both Peter Singer and Tom Regan assert radical principles of moral equality between all creatures with moral standing. Singer claims that all interests are morally equal (in the sense of worthy of satisfaction)—and thus ought to be considered and weighted equally in our moral deliberations. Regan claims that all subjects-of-a-life possess equal inherent value—and thus possess an equal right to be treated with respect. These egalitarian claims of Singer and Regan are perhaps the most controversial aspects of their arguments—and rightly so. A great many reasonable objections may be raised against them, but let us here consider only a few of the more forceful ones.

In his writings on animal rights, Peter Singer explicitly identifies his basic argumentative strategy as first examining “the basis on which our opposition to discrimination on the basis of race and sex ultimately rests” and then observing that “we would be on shaky ground if we were to demand equality for blacks, women, and other groups of oppressed humans while denying equal consideration to nonhumans.”<sup>51</sup> By this method, he hopes to eliminate alternative theories from consideration, as well as generate plausibility for his own principle of equal consideration of interests. Singer begins his inquiry by questioning the meaning of the claim that “all human beings, whatever their race, creed or sex, are equal.”<sup>52</sup> Actual equality, he quickly concludes, is impossible given that we “come in different shapes and sizes... with differing moral capacities, differing intellectual abilities, differing amounts of benevolent feeling and sensitivity to the needs of others, differing abilities to communicate effectively, and differing capacities to experience pleasure and pain.”<sup>53</sup> Singer then constructs a somewhat more plausible argument for factual equality between the races and the sexes, namely that “although humans differ as individuals in various ways, there are no differences between the races and sexes as such.” The fact that any and all “variations in capacities and abilities are spread evenly between races and sexes” would mean that “a person's [race or] sex is no guide to his or her abilities.”<sup>54</sup> Singer rejects this second argument on the grounds that it fails to preclude hierarchical societies (such as those based upon IQ) and depends upon the outcomes of unsettled and uncertain scientific inquiries into differences between racial and sexual groups.<sup>55</sup> Because neither of these two factual arguments can establish the equality of humanity, Singer argues:

...we should make it quite clear that the claim to equality not depend on intelligence, moral capacity, physical strength, or similar matters of fact. Equality is a moral ideal, not

a simple assertion of fact. There is no logically compelling reason for assuming that a factual difference in ability between two people justifies any difference in the amount of consideration we give to satisfying their needs and interests. The principle of equality of all human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat humans.<sup>56</sup>

By this method, Singer's utilitarianism excludes any and all facts about an organism as irrelevant to the consideration due its interests.<sup>57</sup> Unfortunately for Singer, the multitude of blatant logical fallacies in this line of argument renders it wholly inadequate as a justification for his principle of equal consideration of interests.

First, Singer begs the question in favor of some strong form of egalitarianism throughout his discussion. In his second sentence, he presents those who "wish to defend a hierarchical, inegalitarian society" as the opponents to be defeated, meaning that the only acceptable form of opposition to racism and sexism must be egalitarian in nature. A bit later, in the course of rejecting the second argument for factual equality, he claims that those "really concerned with equality" cannot rely upon claims about distributions of capacities within groups or differences being environmental rather than hereditary, since "taking this line could, in some circumstances, force one to accept a most inegalitarian society."<sup>58</sup> So any form of inegalitarianism is unacceptable, not just those that promote racism and sexism. Singer's egalitarianism is supposed to be the conclusion of his argument for equal consideration of interests, not a premise—yet it is presumed from the outset.

Second, the failure of the two arguments concocted by Singer for the factual equality of humans does not imply either that such an argument is impossible or that utilitarianism is only alternative. The perfect factual equality of individuals, the perfect factual equality of groups, and egalitarianism do not exhaust the logical space of plausible sources of opposition to racism and sexism. The moral irrelevance of the race and sex of humans is not terribly difficult to defend upon the limited grounds that (1) such qualities do not affect a person's most basic and uniquely human capacities to think rationally or act morally and (2) that people must be judged for the ways in which they choose to exercise those capacities, not for innate qualities beyond their power to change. Without due consideration of this standard, common sense line of argument against racism and sexism, Singer's attempt to justify utilitarianism by a process of elimination commits the fallacy of false alternative. The far more strange and puzzling aspect of this line of argument is the sharp line which Singer attempts draw between factual equality and moral equality, since such is inconsistent with his own theory. By repeatedly emphasizing equality as a moral ideal rather than a matter of fact, Singer seems to relegate it to the status of a fanciful wish unconstrained by the actual facts. However, as already noted, Singer's supposedly purely moral claim of equality is based upon the factual equality of interests between sentient creatures. Ultimately, Singer's dismissal of any and all concern for factual equality in the passage quoted above seems to be a convenient way of dismissing all concern for the major factual differences between humans and other sentient animals (particularly differences in capacities) without substantive or direct argument.

Third, Singer is guilty of a grand hasty generalization when he infers that any and all factual differences between persons (i.e. "intelligence, moral capacity, physical strength, or similar matters of fact") must be morally irrelevant because race and sex are.<sup>59</sup> Since he offers no argument for this inference (but instead only shifts the burden of proof onto his opponent), no substantive critique of it is possible.<sup>60</sup> However, counter-examples are easy to find, as Singer himself ought to be aware. Even from a common sense perspective, the factual differences

between people are often relevant the moral consideration others owe their interests, particularly when those factual differences concern a person's chosen sources of pleasure and pain. The pleasures and pains of a sadistic rapist, a violent anti-Semite, a unfaithful wife, and an abusive parent do not deserve any consideration, let alone consideration equal to those of the terrified rape victim, the hated Jew, the cuckolded husband, and the abused child. That teenage Emily might enjoy a late night snack of chocolate cake more than her brother John might sometimes be relevant to the allotment of cake, but not if Emily just returned home after vandalizing the local coffee shop while John just finished hours of grueling homework. Thus Singer's principle of equal consideration of interests is a bitter pill to swallow, in that it would bar any and all consideration of whether certain interests ought to be satisfied and whether certain people deserve to have their interests satisfied. In so hastily generalizing from the moral irrelevance of race and sex to the moral irrelevance of all factual features of a person, Singer fails to consider the basic issues of moral relevance raised by his inquiry into the evils of racism and sexism. He studiously avoids asking the obvious question: What facts about a person justly bear upon our moral judgments of him—and thus upon the treatment he deserves? As a result, it's hardly surprising that his ultimate answer of "nothing, other than his pleasures and pains" is absurdly implausible when subject to scrutiny.

Fourth, finally, and perhaps most comically, immediately after the argument explicated above, Singer attempts to shore up his inadequate argument for equal consideration of interests by appealing to the authority of other philosophers, all of whom just happen to be utilitarians. He favorably quotes Bentham and Sidwick, even though neither was able to prove maximal collective utility to be the ultimate moral standard.<sup>61</sup> He claims that equality of consideration is "a fundamental presupposition" of "the leading figures in contemporary moral philosophy"—a claim which is false at best and deceptive at worst.<sup>62</sup> A bit later, he summarizes with "many philosophers have proposed the principles of equal consideration of interests, in some form or other, as a basic moral principle."<sup>63</sup> Singer's appeal to the authority of other utilitarians is particularly pernicious given that many of his readers are not philosophers—and thus would be unfamiliar with the history of philosophy, contemporary debates about ethical theory, and longstanding objections to utilitarianism. It gives the impression of substantial agreement with utilitarianism where none exists. (If anything, moral philosophers seem to be fairly united in the view that utilitarianism is hopelessly flawed.)

All in all, Singer's standard justification of the utilitarian principle of equal consideration of interests found in his writings on animal liberation must be deemed a spectacular failure. Notably, the more abstract and formal argument in *Practical Ethics* does not fare much better, in that it largely rests upon his unjustified concern for subjective interests, as well as an equivocation in the key term "universal." In that work, he begins by appealing to the history of philosophy, claiming that "from ancient times, philosophers and moralists have expressed the idea that ethical conduct is acceptable from a point of view that is somehow universal."<sup>64</sup> Although the particular ethical theories espoused differ in countless ways, "they agree that an ethical principle cannot be justified in relation to any partial or sectional group."<sup>65</sup> Rather, ethics must adopt "a universal point of view."<sup>66</sup> That does not mean that we must be insensitive to particular circumstances, but rather that

..in making ethical judgments we go beyond our own likes and dislikes. From an ethical point of view, the fact that it is I who benefit from, say, a more equal distribution of income and you lose by it, is irrelevant. Ethics requires is to go beyond 'I' and 'you' to

the universal law, the universalizable judgment, the standpoint of the impartial spectator or ideal observer...”<sup>67</sup>

According to Singer, this requirement of universality in ethics offers “a persuasive, although not conclusive, reason for taking a broadly utilitarian perspective.”<sup>68</sup> He writes:

In accepting that ethical judgments must be made from a universal point of view, I am accepting that my own interests cannot, simply because they are my interests, count more than the interests of anyone else. Thus my very natural concern that my own interests be looked after must, when I think ethically, be extended to the interests of others... Suppose I then begin to think ethically, to the extent of recognizing that my own interests cannot count for me, simply because they are my own, than the interests of others. In place of my own interests, I now have to take into account of the interests of all those affected by my decision. This requires me to weigh up all these interests and adopt the course of action most likely to maximize the interests of those affected.”<sup>69</sup>

Such is, of course, basically just utilitarianism.

Perhaps most obviously, this more abstract and formal argument for the egalitarian principle of equal consideration of interests perfectly reflects Singer’s exclusive focus upon the subjective experience of pleasures and pains as the fundamental biological fact relevant to ethics, as discussed earlier. Without even the hint of an argument, he consistently presumes that the sole concern of ethics is whose interests are to be satisfied or frustrated, rather than (say) conformity to the commands of God or pure reason (as in deontology) or the cultivation of the virtues required for a flourishing life (as in virtue ethics). Within those pleasure-pain constraints, Singer can only choose between hedonism for the self, hedonism for a select group, or hedonism for all. The common thread of hedonism, of course, is never justified. Singer’s exclusive concern for subjective mental states means that his ethics never does actually “go beyond our own likes and dislikes” to a rational justification for action according to an established moral standard.<sup>70</sup> Instead, it merely declares the aggregate likes and dislikes of the group to be the moral standard to which the actions of individuals ought to conform. Contrary to utilitarian hopes, that’s just a transformation of an individual morality into collective one, not of a subjective morality into an objective one.

As its critics have long observed, the thoroughgoing subjectivism of utilitarianism all-too-easily leads to deeply disturbing demands for morally atrocious behavior. Since the moral course of action is fully determined by the aggregation of all pleasures and pains, the morality of an action simply reflects the beliefs and desires of the majority, whether rational or not. So if the pleasures and pains felt by the majority are rooted in sadism, domination, malice, dominance, envy, racism, and other forms of (intended or foreseen) harm to others, then such harms are not merely morally permissible, but morally obligatory. So by the utilitarian standards advocated by Singer and other utilitarians, a man ought to cheat on his beloved wife so long as she remains blissfully ignorant, a woman ought not to marry a man her whole family dislikes for his humble but honest profession, and a town of 100 white racists ought to lynch the lone black man who dared to look a white woman in the eye. Regan himself touches upon this issue in criticizing utilitarianism for its failure to offer “principled objections to the worst forms of moral prejudice—such as racism.”<sup>71</sup> He observes that “utilitarianism is not in principle inhospitable to racism” because it demands that “the racist’s pleasures, preferences, and so forth, count and must be counted equitably.”<sup>72</sup> Regan locates the source of this problem in utilitarianism’s concern for consequences, in that “the aggregate balance of goods over evils for all affected by the outcome” can and will justify harm to some.<sup>73</sup> Yet the real source of the problem is that subjective

pleasures and pains, no matter how widely shared, cannot justify a rational moral standard. The fact that a white racist might experience satisfaction while punching a Korean business owner new to the neighborhood is not a reason for thinking that such is moral behavior, yet utilitarianism regards it just that. While humans have an innate capacity for pleasure and pain, the actual sources of pleasure and pain for a given individual are shaped by his voluntary choices of ideas and values over a lifetime. So a student who doesn't clearly understand the material presented in class will feel horribly anxious at the announcement of a pop quiz, while a student who understand the material will be unfazed and perhaps even eager to demonstrate her knowledge. Of course, the ideas and values which determine a person's sources of pleasure and pain may be rational and moral—or not. A woman may enjoy a thrill with every successful deception of her trusting husband, a young bully may feel more powerful with every penny of lunch money he beats out of smaller children, a woman may be devastated by the death of a verbally abusive husband, an obese man might be enraged by the lack of ice cream in the freezer, and so on. Utilitarianism treats all pleasures as inherently good (and worthy of pursuit) and all pains as inherently bad (and worthy of avoidance). As a result, the happiness (or pleasures or preferences) of murderers, rapists, dictators, and other morally depraved individuals is regarded as “equally desirable” as the happiness of their victims and other moral innocents.<sup>74</sup> Yet such is clearly wrong: not all pleasures and pains are morally equal.

Unfortunately, Singer's writings fail to even address this substantial challenge to his moral theory squarely. So in *Practical Ethics*, he claims that equality of consideration of interests rules out “the most blatant forms of racism” and “the cruder forms of racism and sexism.”<sup>75</sup> But in fact, it only excludes one form of racism, namely that in which racists give “weight to the interests of members of their own race when there is a clash between their interests and those of another race.”<sup>76</sup> Control over “natural slaves” who are better off under the rational guidance of a master would be quite consistent with utilitarian principles, if any such natural slaves existed. Moreover, Singer completely ignores the far worse and well-known implication that utilitarianism could mandate the most horrific forms of racism and sexism if the moral calculus lined up properly.

The more interesting yet subtle error of Singer's argument in *Practical Ethics* for the equal consideration of interests based on the standard requirement that ethics be universal explicated above is that of equivocation, in that the argument fails to distinguish between two distinct meanings of “universal.” Ethics certainly must be universal in the sense of “abstract,” but it need not be universal in the sense of “impartial.” If ethical principles are to be grounded in fact and guiding in action, they must abstract away from the particulars of a given situation to identify the fundamental facts which justify acting in certain ways. So John shouldn't take this vase home *because it doesn't belong to him*, Emily shouldn't spend her time gossiping *because she's being paid to work*, Eric shouldn't break up with his girlfriend on his mother's say-so *because he needs to make his own choices in life*, and so on. Such claims justify particular actions in particular situations—by reference to their common features abstractly described. Consequently, the moral principles invoked do not merely sanction that those particular actions in those particular situations, but rather whole classes of relevantly similar actions in whole classes of relevantly similar situations. So if John shouldn't take this vase home because it doesn't belong to him, then neither should Mary or Lila, since it doesn't belong to them either. Nor should John take home the silverware of the chairs, since those don't belong to him either. Since the basic goal of ethics is to guide action, such abstract principles are unavoidable, for the only alternative is the impossible chore of a new and fresh moral rule for every moment of life.

Significantly, the fact that ethical principles must be abstract preclude special moral pleading. If I say “everyone living in Colorado ought to give me \$20 each,” then I am guilty of gross arbitrariness, since I have no wholly unique qualities that could justify such donations. However, the requirement of abstractness does not rule out egoism, since the claim “every person ought to act according to his/her own self-interest” is an abstract principle equally applicable to all persons. (An egoist who claimed “everyone ought to act so as to benefit me” would be guilty of special pleading, but such egoism seems to be the fanciful invention of egoism’s critics.) More generally, nothing about the abstractness requirement supports the claim that ethics must also be impartial. (Egoism is, after all, the ultimate in partialist ethics.) The development of abstract principles of ethics does not require adoption of a “universal point of view” or the “standpoint of the impartial spectator or ideal observer,” nor does it imply that any moral obligations to ourselves, to our spouse, to our children, to our friends, or to our parents must be reducible to our obligations to the rest of humanity.<sup>77</sup>

In his argument for consideration of interests, Singer fails to adequately distinguish between these two possible meanings of universal, i.e. between ethics as abstract and ethics as impartial. So in his appeal to universalism in the history of ethics, he mentions Kant’s principle of universalizeability, even though such demands abstractness, not impartiality. Similarly, neither Stoicism nor Existentialism could be accurately described as impartialist. The shift between the two senses of universal is particularly clear in Singer’s claim that “ethics requires [us] to go beyond ‘I’ and ‘you’ to the universal law, the universalizable judgment, the standpoint of the impartial spectator or ideal observer.”<sup>78</sup> To go beyond the particulars of you and me to universal law is a reasonable demand for abstractness, while to adopt the God’s eye view from nowhere is an unwarranted demand for impartialism. Singer equivocates by shifting from one meaning to the other. Ultimately, Singer’s various arguments for the equal consideration of interests—the critical moral foundation of his case for animal rights—must be rejected as inadequate.

Like Singer, Regan routinely develops his rights view through a process of elimination: alternative moral theories are ruled out as somehow hospitable to discrimination and other intuitive evils. Simple contractarianism, he observes, would allow certain persons to be excluded from the agreement, meaning that members of a racial minority could be “bought, sold, and forced to carry out slave labor.”<sup>79</sup> Utilitarianism would outright demand institutionalized racism and sexism if the collective utility were maximized thereby.<sup>80</sup> By way of contrast, one of the “rational virtues” claimed for Regan’s rights view is that it “in principle denies the moral tolerability of any and all forms of racial, sexual, or social discrimination.”<sup>81</sup> More generally, Regan declares that it “surpasses all other theories in the degree to which it illuminates and explains the foundation of our duties to one another.”<sup>82</sup> Regan’s rights view certainly does seem to generate strong moral duties that preclude racism, sexism, and certain other intuitive evils. However, he does so largely by arbitrary stipulation, in his appeals to the inherent value of subjects-of-a-life as the foundation of rights are vague, circular, and generally unjustified.

As already indicated, the basic rights theory developed by Regan asserts the equal rights of all subjects-of-a-life, as creatures with equal inherent value, to be treated with the appropriate respect for that value. Subjects-of-a-life each have their own individual, experiential welfare; thus they have a value that is “logically independent of their utility for, and the interests of, others”; and thus they ought to be “treated in ways that do not reduce them to the status of things, as if they exist as resources for others.”<sup>83</sup> The inherent value and right to respect of subjects-of-a-life, Regan claims, is equal; it does not admit of degrees. Consequently, “the genius and the

retarded child, the price and the pauper, the brain surgeon and the fruit vendor, Mother Theresa and the most unscrupulous used car salesman... all have inherent value, all possess it equally, and all have an equal right to be treated with respect.”<sup>84</sup> As subjects-of-a-life, animals like cats, dogs, cows, pigs, rats, and gorillas also have inherent value equal to that of humans.

At first glance, Regan’s demand for equal rights seems plausible. The respect demanded, after all, is a respect for a certain kind of fact, namely that certain sufficiently conscious creatures are inherently valuable in virtue of being experiencing subjects-of-a-life. Yet the waters quickly become muddied in any attempt to pin down the connection between subjects-of-a-life, inherent value, and rights. Mary Anne Warren observes that inherent value is “the bridge between the plausible claim that all normal, mature mammals—human or otherwise—are subjects-of-a-life and the more debatable claim that all have the basic moral rights of the same strength.”<sup>85</sup> Yet the “obscurity” of the concept “makes it ill-suited to plan this crucial role,” particularly because “inherent value is defined in almost entirely negative terms.”<sup>86</sup> She writes:

It is not dependent upon the value which either the inherently valuable individual or anyone else may place upon that individual’s life or experiences. It is not (necessarily) a function of sentience or any other mental capacity, because, Regan says, some entities which are not sentient (e.g., trees, rivers, rocks) may, nevertheless, have inherent value. It cannot attach to anything other than an individual; species, ecosystems, and the like cannot have inherent value.<sup>87</sup>

In addition, inherent value is not just “conceptually distinct from the intrinsic value that attaches to the experiences” of moral agents; these two kinds of value are so fundamentally different that one cannot be reduced to—or even compared with—the other.<sup>88</sup> So as Warren concludes: “These are some of the things which inherent value is not. But what is it? Unfortunately, we are not told.”<sup>89</sup> Consequently, inherent value seems to be little more than “a mysterious non-natural property which we must take on faith.”<sup>90</sup> Regan’s standard method of introducing inherent value by contrasting it to the utilitarian view of value as nothing but subjective experience suggest that his concept of “inherent value” is little more than a reaction against the well-known failures of utilitarianism.<sup>91</sup> Inherent value is not justified or even understood in terms of positive facts about the world; it just whatever utilitarian value is not. However, because the problems of utilitarianism do not wholly stem from its subjectivist understanding of value and because Regan’s inherent value isn’t the only alternative to that, Regan cannot make his claims of inherent value plausible (or even truly comprehensible) by appealing some kind of value would be all that utilitarianism’s inherent value of experiences is not.

Regan’s claim that inherent value is necessarily equal only further confuses matters, in that his three related reasons for the superiority of that view over the alternative of degrees of inherent value only highlight the arbitrariness of his original claim of inherent value. First, Regan briefly notes that “if moral agents are viewed as having inherent value to varying degrees, then there would have to be some basis for determining how much inherent value any given moral agent has.”<sup>92</sup> Yet obviously the fact that some property cannot be measured or even detected is no reason to assert that it always and only exists in equal quantities. Rather, such is a reason to remain agnostic on the issue—or better yet, reject the existence claim entirely. By analogy, if I claim that every home on Earth is inhabited by an invisible, inaudible, and tiny elephant, the fact that such creatures cannot be detected by any empirical method would be a good reason to reject the claim, not to say “Ah, well, each house must have only one!” Second, Regan worries that the grounds for attributing more or less inherent value “could be claimed to be anything—such as wealth or belonging to the ‘right’ race or sex.”<sup>93</sup> Regan is right to worry:

since the inherent value of an entity cannot be determined by any empirical method, the concept of inherent value could be just as easily hijacked for unsavory purposes as it was invented by Regan himself. The proper response to such a concern is to either ground inherent value in empirical fact or to discard it, not to simply declare that it must be equal. Third, even unequal inherent value based upon the “possession of certain virtues” would be abhorrent to Regan, since “those with less inherent value could be justly required to serve the needs of interests of those with more, even if it is not in the interests of those who serve to do so.”<sup>94</sup> To totally exclude the possibility, all inherent value must be equal. This mode of argument, also used by Singer with respect to a hierarchical society structured by IQ, is quite strange. The perfectly plausible idea that inherent value could exist in degrees must be rejected as false, but not due to any inadequacy on its part. Rather, it must be rejected because it would lead to pernicious consequences—if combined with the false moral claim that a person with more of a good quality like inherent value has the moral right to subjugate all those with less of it. On such grounds, we ought never dare acknowledge that some people are kinder to puppies than others, lest they enslave us all! In general, the mere fact that some Factual Claim A can be combined with False Moral Claim B to yield Pernicious Conclusion C is no reason to reject A itself as false, dangerous, implausible, or whatnot. Ultimately, Regan’s claim that equal inherent value is “rationally preferable” to the alternative of degrees of inherent value is simply false; the claim of equal inherent value is just as arbitrary as the concept of inherent value itself.<sup>95</sup>

In addition to such critical problems with Regan’s core concept of “inherent value,” the claimed connections between subjects-of-a-life and inherent value and between inherent value and moral rights are disturbingly murky. As to the first, Warren asks:

Why is it a postulate that *subjects-of-a-life* have inherent value? If the inherent value of a being is completely independent of the value that it or anyone else places upon its experiences, then why does the fact that it has certain sorts of experiences constitute evidence that it has inherent value? If the reason is that subjects-of-a-life have an existence which can go better or worse for them, then why isn’t the appropriate conclusion that all sentient beings have inherent value, since they would all seem to meet that condition? Sentient but mentally unsophisticated beings may have a less extensive range of possible satisfactions and frustrations, but why should it follow that they have—or may have—no inherent value at all?

As noted earlier, Regan offers no principled, independent grounds upon which to accept the complex consciousness of subjects-of-a-life as a sufficient criterion for inherent value or to reject plausible alternatives such as sentience or life. The line drawn by subjects of a life merely coheres well with his prior intuitions about the creatures worthy of protection. Yet Regan’s appeal to the subjective welfare experienced by subjects-of-a-life is stranger than that. Subjective welfare serves as the gatekeeper for moral standing; it determines whether an organism has inherent value or not. Yet once an organism has such moral standing, its objective welfare suddenly takes precedence. So in the chapter on “Animal Welfare” in *The Case for Animal Rights*, Regan carefully distinguishes between “preference interests” and “welfare interests.”<sup>96</sup> Preference-interests concern subjective welfare, i.e. “those things that an individual is interested in, those things he likes, desires, or, in a word, prefers having, or, contrariwise, those things he dislikes, wants to avoid, or, in a word, prefers not having.”<sup>97</sup> Welfare-interests concern objective welfare, meaning that “having or doing X would (or we think it would) benefit A, that having or doing X would make a contribution to A’s well-being.”<sup>98</sup> So a creature may be objectively harmed without being subjectively hurt or objectively benefited without being

subjectively satisfied. A painless death, for example, may not hurt the creature, but it does harm him by depriving it of its life.<sup>99</sup> Notably, Regan claims that respecting the rights of creatures with inherent value concerns their objective welfare-interests, not merely their subjective preference interests. So “we fail to display proper respect for those who have inherent value whenever we harm them so that we may bring about the best aggregate consequences for everyone affected by the outcome of such treatment.”<sup>100</sup> Moreover, we have “a prima facie duty to assist those who are the victims of injustice at the hands of others.”<sup>101</sup> Although Regan’s focus on the harms and benefits of objective welfare is sensible, it is inconsistent with his appeal to subjective mental states as the criterion for moral standing. Why, we must know, are objective harms and benefits to a living creature morally significant only if the creature is a subject-of-a-life? Unlike Singer, Regan is unwilling to wholeheartedly embrace subjective welfare as all that matters. So once subjective welfare has established moral standing for some creatures and not others, he smuggles a concern for the objective welfare of those and only those creatures, without proper justification.

Ultimately, the problems of Regan’s central moral concept of inherent value are nicely encapsulated by Mary Ann Warren. She writes:

...the concept of inherent value seems to create at least as many problems as it solves. If inherent value is based on some natural property, then why not try to identify that property and explain its moral significance, without appealing to inherent value? And if it is not based upon any natural property, then why should we believe in it? That it may enable us to avoid some of the problems faced by the utilitarian is not a sufficient reason, if it creates other problems which are just as serious.<sup>102</sup>

Regan’s moral theory might not share the problems faced by utilitarianism, but it has no shortage of them.

### Concluding Thoughts

Peter Singer’s case for animal liberation and Tom Regan’s case for animal rights largely depend upon their capacity to establish their respective egalitarian moral theories. If that can be done, then the zoocentric extension of the relevant principles to animals is fairly straightforward. As we have seen, however, neither Singer nor Regan is able to offer even a remotely plausible justification for their respective moral theories. Consequently, both animal liberation and animal rights may be justly dismissed as dangerous nonsense.

### Notes

<sup>1</sup> Peter Singer, “A Utilitarian Defense of Animal Liberation,” in *Environmental Ethics*, ed. Louis Pojman (Stamford, CT: Wadsworth, 2001), 35.

<sup>2</sup> Tom Regan, “The Radical Egalitarian Case for Animal Rights,” in *Environmental Ethics*, ed. Louis Pojman (Stamford, CT: Wadsworth, 2001), 45.

<sup>3</sup> Peter Singer, *Animal Liberation* (New York: Avon, 1975), 175.

<sup>4</sup> Regan, “The Radical Egalitarian Case for Animal Rights,” 40.

<sup>5</sup> Peter Singer, “Ten Years of Animal Liberation,” *The New York Review of Books*, January 17 1985.

<sup>6</sup> Regan, “The Radical Egalitarian Case for Animal Rights,” 43.

<sup>7</sup> Singer, “A Utilitarian Defense of Animal Liberation,” 33.

<sup>8</sup> *Ibid.*, 38-9.

<sup>9</sup> *Ibid.*, 33.

<sup>10</sup> *Ibid.*

<sup>11</sup> *Ibid.*, 35.

<sup>12</sup> *Ibid.*, 36.

- <sup>13</sup> Ibid., 35.
- <sup>14</sup> Ibid., 34.
- <sup>15</sup> Regan, "The Radical Egalitarian Case for Animal Rights," 40.
- <sup>16</sup> Ibid., 45.
- <sup>17</sup> Ibid.
- <sup>18</sup> Ibid.
- <sup>19</sup> Tom Regan, *The Case for Animal Rights* (Los Angeles: University of California Press, 1983), Tom Regan, "The Case for Animal Rights," in *The Animal Rights Debate* (New York: Rowman and Littlefield, 2001), Regan, "The Radical Egalitarian Case for Animal Rights."
- <sup>20</sup> Regan, "The Radical Egalitarian Case for Animal Rights," 44.
- <sup>21</sup> Ibid.
- <sup>22</sup> Ibid.
- <sup>23</sup> Ibid.
- <sup>24</sup> Ibid., 43.
- <sup>25</sup> Ibid., 44-5.
- <sup>26</sup> Singer, "A Utilitarian Defense of Animal Liberation," 35.
- <sup>27</sup> Ibid.
- <sup>28</sup> Ibid., 35-6.
- <sup>29</sup> Regan, "The Case for Animal Rights," 191.
- <sup>30</sup> Regan, *The Case for Animal Rights*, 243.
- <sup>31</sup> Ibid.
- <sup>32</sup> Regan, "The Case for Animal Rights," 201, 43.
- <sup>33</sup> Ibid., 191.
- <sup>34</sup> Singer, "A Utilitarian Defense of Animal Liberation," 35-6.
- <sup>35</sup> Peter Singer, *Practical Ethics*, 2nd Edition ed. (Cambridge: Cambridge University Press, 1993), 13., Singer, "A Utilitarian Defense of Animal Liberation," 34, 35.
- <sup>36</sup> Regan, *The Case for Animal Rights*, 245-6.
- <sup>37</sup> Ibid., 239-45.
- <sup>38</sup> Ibid., 244-5.
- <sup>39</sup> Ibid., 244.
- <sup>40</sup> Regan, "The Radical Egalitarian Case for Animal Rights," 44.
- <sup>41</sup> Tara Smith, *Viable Values: A Study of Life as the Root and Reward of Morality* (New York: Rowman and Littlefield, 2000), 84-97.; Ayn Rand, *The Virtue of Selfishness* (New York: Signet, 1964), 15-19.
- <sup>42</sup> Smith, *Viable Values*, 87.
- <sup>43</sup> Ibid.
- <sup>44</sup> Ibid.
- <sup>45</sup> Ibid., 89.
- <sup>46</sup> Ibid.
- <sup>47</sup> Singer, *Practical Ethics*, 277.
- <sup>48</sup> Ibid., 278-9.
- <sup>49</sup> Regan, "The Case for Animal Rights," 242.
- <sup>50</sup> Ibid.
- <sup>51</sup> Singer, "A Utilitarian Defense of Animal Liberation," 34.
- <sup>52</sup> Ibid.
- <sup>53</sup> Ibid.
- <sup>54</sup> Ibid.
- <sup>55</sup> Ibid.
- <sup>56</sup> Ibid., 35.
- <sup>57</sup> Ibid.
- <sup>58</sup> Ibid., 34.
- <sup>59</sup> Ibid., 35.
- <sup>60</sup> Ibid.
- <sup>61</sup> Ibid.

- <sup>62</sup> Ibid. Emphasis added.
- <sup>63</sup> Ibid.
- <sup>64</sup> Singer, *Practical Ethics*, 11.
- <sup>65</sup> Ibid.
- <sup>66</sup> Ibid.
- <sup>67</sup> Ibid., 11-2.
- <sup>68</sup> Ibid., 12.
- <sup>69</sup> Ibid., 12-3.
- <sup>70</sup> Ibid., 12.
- <sup>71</sup> Regan, *The Case for Animal Rights*, 313.
- <sup>72</sup> Ibid.
- <sup>73</sup> Ibid.
- <sup>74</sup> John Stuart Mill, "Utilitarianism," in *Utilitarianism and Other Essays*, ed. Alan Ryan (London: Penguin Books, 1987), 336f.
- <sup>75</sup> Singer, *Practical Ethics*, 22, 23.
- <sup>76</sup> Ibid., 58.
- <sup>77</sup> Ibid., 11-2.
- <sup>78</sup> Ibid.
- <sup>79</sup> Regan, "The Case for Animal Rights," 165.
- <sup>80</sup> Regan, *The Case for Animal Rights*, 227.
- <sup>81</sup> Regan, "The Radical Egalitarian Case for Animal Rights," 44.
- <sup>82</sup> Ibid.
- <sup>83</sup> Regan, *The Case for Animal Rights*, 243.; Regan, "The Radical Egalitarian Case for Animal Rights," 44.
- <sup>84</sup> Regan, "The Radical Egalitarian Case for Animal Rights," 43-4.
- <sup>85</sup> Mary Anne Warren, "A Critique of Regan's Animal Rights Theory," in *Environmental Ethics*, ed. Louis Pojman (Stamford, CT: Wadsworth, 2001), 47.
- <sup>86</sup> Ibid.
- <sup>87</sup> Ibid.
- <sup>88</sup> Regan, *The Case for Animal Rights*, 235-6.
- <sup>89</sup> Warren, "A Critique of Regan's Animal Rights Theory," 47.
- <sup>90</sup> Ibid.
- <sup>91</sup> Regan, "The Case for Animal Rights," 191.; Regan, *The Case for Animal Rights*, 235-6.; Regan, "The Radical Egalitarian Case for Animal Rights," 43.
- <sup>92</sup> Regan, *The Case for Animal Rights*, 236.
- <sup>93</sup> Ibid.
- <sup>94</sup> Ibid., 237.
- <sup>95</sup> Ibid., 236.
- <sup>96</sup> Ibid., 87-8.
- <sup>97</sup> Ibid., 87.
- <sup>98</sup> Ibid., 88.
- <sup>99</sup> Ibid., 100.
- <sup>100</sup> Ibid., 249.
- <sup>101</sup> Ibid.
- <sup>102</sup> Warren, "A Critique of Regan's Animal Rights Theory," 47.