

Bioethics and Nonhuman Animals

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Introduction

This special issue of the *Journal of Bioethical Inquiry* focuses on animal ethics and various intersections amongst human and nonhuman animals. Interest in nonhuman animals and their moral status is well-established internationally, and human interdependence with nonhumans is now at the forefront of political, socioeconomic, and medical agendas in most countries around the world—where people and animals are increasingly regarded either as threats or sources of benefit in relation to one another. The nonhuman animal has become, therefore, the centre of inquiry and debate in the study of philosophy, literature, history, visual art, cultural studies, sociology, geography, environment, and religion.

Against this background, it is perhaps surprising that nonhuman animals remain on the fringe of bioethics. In an extended critique on the state of contemporary bioethics, Cary Wolfe (2010) contends that modern bioethics is riddled with prejudices and “pragmatic expediences” that have emptied bioethical discussion of nonhuman animals and why and how we should take them into account in our moral decisions:

Of these prejudices, none is more symptomatic of the current state of bioethics than prejudice based on species difference, and an incapacity to address the ethical issues raised by dramatic changes over the past thirty years in our knowledge about the lives, communication, emotions, and consciousness of a number of nonhuman species—a prejudice that bioethics shares with the very core of a centuries-old humanism (Wolfe 2010, 56).

One might conclude from Wolf’s discussion that the exclusion of nonhuman animals from bioethics discourse reflects a kind of fundamentalism that takes anthropocentrism as an order of nature in which human paradigms form the basis of a single point of orientation and the only reference point for moral consideration.

This is not to argue that concern with the moral status of nonhuman animals and our relationships with them have lost their vigour. While bioethics experienced an epistemological shift—becoming “reissued” as what could be described as biomedical bioethics—animal ethics has been pursued and developed under a separate heading. A Google search of the phrase “animal ethics” undertaken by the authors in July 2013 yielded 31,700,000 hits, while the term “bioethics” yielded 6,863,000. Indeed the examination of animal ethics has generated sophisticated philosophical discussion of the moral status of nonhuman animals and enhanced our understanding of animal capacities (Beauchamp and Frey 2011; Armstrong and Botzler 2008).

From both within the discipline (Gruen and Ruddick 2009; Pierce 2009; Potter 1996, 2001; Reich 1995; Whitehouse 2003) and without (Wolfe 2010; Ehrlich 2009), orthodox bioethics has been criticized for being too narrowly conceived and medically oriented. While we agree with the overall conclusion of these authors, we must be careful not to make sweeping

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generalizations that bioethics has been entirely oblivious to nonhuman animal lives as the final consequence of “the same old [medical] ethics” being applied to the “bio-realm” (Clouser cited in Reich 1995, 21). We should always be careful not to construct the scope and nature of bioethics as settled, for bioethics is a term that is always in question; a field of inquiry with widely divergent understandings of itself. Ever since the early 1970s, when the term entered the English language, the question of what legitimately constitutes—or, normatively speaking, what should constitute—the scope of “bioethics” has always been up for debate (Petersen 2011, 4; Reich 1995).

In the short history of bioethics, parochialism and reductionism have never gone unchallenged (Beauchamp et al. 1998; Ehrlich 2009; Fox 1994, 2001, 2006; Thomasma and Loey 1997; Whitehouse 1997). While nonhuman animals may not occupy a strategic place in bioethical thought and discussion, they have not been entirely out-of-bounds. That is, their exclusion from bioethical discourse is neither absolute nor complete. It can be substantially and accurately stated that bioethics initially embodied an emergent nonhuman animal focus. Some 43 years ago in his seminal book *Bioethics: A Bridge to the Future* (1971), Van Rensselaer Potter laid out the original blueprint for the new discipline. Potter advanced an ecologically dimensioned approach that incorporated a variety of bioethics including a “Wildlife Ethic” and a “Land Ethic” under the single standard of “Bioethics” (Potter 1971, vii). Potter tacitly conceded that other animal species are legitimate subjects of bioethical interest and moral concern. In later writings, he extended the scope of bioethics to include the protection of endangered species and the protection of species biodiversity (Potter 2001, 20).

Consolidated under the normative pressure of medicine and biotechnology, the moral energies of bioethics were soon drained from larger issues to do with nonhuman nature. As Potter, the intellectual pioneer of bioethics, later remarked: “[I]t is with some surprise that I have watched the meaning of the term [bioethics] migrate from its initial usage. Bioethics has been seized upon by the medical profession that has overlooked its original scope and breadth” (Potter 1996, 1). The processes of closure and containment lead to a certain amnesia or institutionalized forgetfulness about the more “holistic” definition of bioethics that had come before.

However, there is one important respect in which moral change in bioethics has occurred and will continue to occur: the scope of entities that are considered sufficiently morally significant to merit their inclusion within a bioethical frame of reference. Today, we are witnessing a shift in emphasis at the level of discourse from a human-oriented mode of description to something else. The study of nonhuman animals has emerged as a rapidly growing, multidisciplinary enterprise within bioethics programs. Transcending the division between human and nonhuman animals, new educational institutions have been created and older ones have been reshaped. The bioethics program at New York University, the interdisciplinary bioethics program at Yale University, the Centre for Applied Bioethics at the University of Nottingham, the BioEthics Education Project at Bristol University, the bioethics program at the University of Copenhagen, the Animal Welfare Science and Bioethics Centre at Massey University have taken up the nonhuman animal as a strategic bioethical issue. Under these programs, the link between animal issues and bioethics is established, creating space for transdisciplinary border flows, networks, and the movement of ideas and perspectives that transcend the formal division between human and nonhuman animals.

Within bioethics, subdisciplines such as animal bioethics (Fox 2001; Gordan 2012; Marie et al. 2005) and veterinary bioethics (Fox 2001) have emerged—taking up in a sustained and rigorous fashion moral issues to do with nonhuman animal life and the repercussions of human values and practice over the lived lives of nonhuman animals. And then there is the World Congress on Bioethics and Animal Rights, operating as a platform that brings together bioethicists and scholars whose work ranges across significant social, cultural, political, and ethological nonhuman animal issues.

However, animal bioethics continues, for the most part, to relegate nonhuman animals within the relatively narrow confines of moral issues to do with animals as objects in research, the welfare of laboratory animals, and animals in industrialized agricultural food production (Marie et al. 2005; Donnelley 1999)—areas of inquiry that we might expect bioethics to give a prominent role to animal experience and the human use of nonhuman animals in moral deliberations.

The aim of this special issue is to broaden the gaze of bioethics by directing bioethical inquiry beyond the human subject to include the nonhuman animal as an integral part of the discipline. The arc of the articles is

striking and reflects state-of-the-art thinking in a diverse range of fields, including philosophy, animal ethics, sociology, conservation biology, and science. Many of the writers who have contributed to the issue reconnect bioethics with its past, relinking bioethics with the nonhuman animal at the intersection of thought and practice. Others push the boundaries of bioethics outward, deepening bioethics' engagement with and awareness of current issues to do with rethinking the nature and status of the nonhuman animal, opening the field of bioethical inquiry. While they offer very different ways of thinking about the intimate interrelatedness of human and animal subjects, all of the authors who have contributed to this special issue call on bioethicists to pay closer attention to nonhuman animals and to the relationships between human and nonhuman in the light of their actual physical presence in human societies and cultures. We are invited to ask broader questions about moral life and seek broader connections beyond the human and to rethink our moral obligations to nonhuman animals beyond the traditional narrow scope of purely human interests. The papers generate sophisticated new understandings and synthetic constructions, complex interdisciplinary connections with science, policy, biology, and other relevant fields.

The Papers

The use of nonhuman animals for human benefit and to satisfy human interests arouses passionate emotions and animated social and political reactions. In debates over “the animal question,” groups holding opposing views about the moral status and proper treatment of nonhuman animals grant to morality a central role as the vehicle that moves animal-centred philosophical and ethical discourse into the public and political realms. Joel Marks' (2013) “Animal Abolitionism Meets Moral Abolitionism: Cutting the Gordian Knot of Applied Ethics” challenges the normative structures of mainstream moral philosophy and animal ethics that lock disparate sides of this contentious social issue into deep and intractable conflict. His central task is to outline the kind of contribution that amorality can make to the advancement of animal ethics and the development of (nonutilitarian) animal liberation. In doing this he has two main aims: first, is to critically examine the assumptions, concepts, and specific propositions of moral

theory and the use of moral language in debates about nonhuman animals to show that things could be different; second, is to articulate and develop an amoralist project that creates space for an emancipatory form of animal ethics. This formulation of ethics is characterized by a commitment to openness, a revitalization of the ontological and interpretive imagination, and a move in forms of discourse toward a dynamic conversational and dialogical enterprise.

It is often noted that scientists and philosophers struggle to agree as to what constitutes pain, suffering, and, thereby, claims as to the nature and importance of nonhuman sentience. However, in a philosophical parallel to the recent Cambridge Declaration on Consciousness (2012), Aaltola (2013) turns our attention to the central premise that underpins utilitarian and liberal democratic approaches to the moral status of nonhuman animals. In a careful reading of Wittgenstein and Husserl, she shows the intellectual poverty of relying on *objectivity*, rather than *immediacy*, in appreciating the internal experiences and mental states of others. By taking a phenomenological and empathetic approach to the problem of other minds, it becomes clear that scepticism toward the suffering of animals is “the idea that asks the wrong question,” as, a priori, it removes the minds of others from the realms of legitimate empirical inquiry. Any claims to know the suffering of others must rest on projections beyond evidence. Aatola argues that such claims must rest on empathy, the intersubjective appreciation and embodied representation of what others are feeling. Suffering should be presumed rather than doubted, unless we are willing to accept the epistemological paradoxes of scepticism toward animal interiority that alienate us from our everyday experience. Even as neuroscience, as a public discourse at least, now leads philosophy in formally recognizing the potential and scope of nonhuman mentation, Aatola defines new grounds through which we should question those who remain even moderately sceptical as to the moral importance of animal suffering.

Bioethics is a complex discursive formation inherently liable to rival interpretations of what counts as its proper range of subject matter and what its future direction ought to take. In “The Dying Animal,” Jessica Pierce (2013) directs the bioethical gaze from its usual site of practical and intellectual effort, which is clearly oriented toward the human animal, to explore the hidden lives nonhuman animals. Pierce nominates the study of death awareness and death-related behaviour in

nonhuman animals (animal thanatology) as suitable and important topics for bioethical inquiry. These are topics that might not otherwise be contemplated under the rubric of bioethics. In taking seriously the way nonhuman animals approach and respond to death, Pierce loosens the fetters that constrain what can be said and what can be written in bioethics discourse. Presenting different sorts of observations of nonhuman animal behaviour and animal death, she moves bioethics beyond its customary boundaries and brings the field into robust and sustained dialogue with cognitive ethology and animal ethics.

The nature of love—its meaning, justification, value, and impact on both the loved and beloved—has been a mainstay of philosophy since Plato's *Symposium*, traversing the philosophical subdisciplines of epistemology, metaphysics, aesthetics, politics, and, most particularly, ethics. From the Greeks—Plato, Aristotle, Epicurus, and Petrarch—to the continental philosophers—Spinoza, Nietzsche, Kierkegaard, and Schopenhauer—love has been a constant source of interest. Much of this examination has, unsurprisingly, been concerned with human love, be it sexual or spiritual, and very few scholars, with the notable exception of Rousseau, have been concerned with love between human and nonhuman animals, except insofar that it created a point of differentiation between species. In “Our Love for Animals,” Roger Scruton (2013) draws upon his experience living in rural England to critique the nature and impact of love shared between humans and animals. Scruton is careful to identify that there may be right and wrong ways to love a dog, or a horse, or any other object of affection, and that misapprehending the meaning of love may lead both to anthropomorphism of animal behaviour and to the sentimentalisation of animal life. Most importantly, Scruton does not deny the possibility that people may love animals or that animals may depend upon that love; rather, he asks that we recognize that such love may have terrible costs. Specifically, that by loving animals as individuals, our dogs and our cats, we threaten animals who cannot be loved in this way, most notably those without a name, a sought relationship, a domesticity—such as the birds and beasts of the field—and thereby imperil the survival of species and the maintenance of natural order.

Melanie Rock and Chris Degeling (2013), in “Public Health Ethics and a Status for Pets as Person-Things: Revising the Place of Animals in Urbanized Societies,” bring together controversial ethical and legal issues surrounding pet ownership in urban settings. The

keeping of animals as pets is a fundamental part of contemporary human life. According to the most recent figures provided by the Australian Bureau of Statistics, more Australian households have pets (63 percent) than children (43 percent). Rock and Degeling draw attention to the unique moral, social, and legal status of pets in society and law. Pets are at once “persons” to the humans with whom they share lasting, intimate, and emotionally involved relationships and “things” typified in urban policy, legislation, and common law as the private property of human owners. Drawing from social and cultural anthropology and political theory, the authors move the debate regarding the morality of pet ownership from pro-animal arguments presented within animal rights/liberation/advocacy to open up new topics for discussion in public health ethics. The authors examine the potential benefits to human and animal physical, psychological, and social health that accompany the pet's liminal status as a “person-thing.”

Philosophers attempting to make a case for or against extending moral consideration to nonhuman animals in research have frequently appealed to phenomena such as rationality, self-consciousness, communicative ability, and the capacity to suffer. Jane Johnson (2013) takes a road less travelled and instead appeals to a concept for human research ethics, namely vulnerability, to think through similarities in the experience of humans and animals in research. A taxonomy developed by Mackenzie et al. (forthcoming) is used to demonstrate the vulnerability of research animals and provide grounds for doubting the capacity of animal ethics committees to offer sufficient protection. Although the claim that animals in research can be cast as vulnerable is well supported, the question of whether establishing another point of similarity between human and nonhuman animals will gain any traction or has the capacity to effect change remains open.

The impact that the pharmaceutical industry has had on therapeutics, prescribing behaviour, biomedical research and the generation and translation of “evidence,” and the social construction of health and illness has been extensively described in the biomedical and bioethics literature. In recent years, this critique has matured—taking advantage of insights generated by political economists, by health social scientists, and by the emergence of a more “critical” bioethics informed by global, postcolonial, and feminist perspectives and methodologies. However, while bioethics has taken greater note of the political economy of health and

the moral world, in part as a response to external critiques from sociology and from feminist and political philosophy, it has generally continued to focus on human concerns and human constructions of social order. This is, in many ways, surprising, given the increasing recognition of One Health and the growing importance of the animal-industrial complex to global pharmaceutical companies. Richard Twine (2013) describes emerging concern regarding antibiotics use in farmed animals and the failure of many to predict the impact that this would have on human health as a product of both the denial of human/animal entanglement and the political and legal exclusion of animals more generally. His examination of this issue provides a reminder of the need for bioethics to enrich its analysis of inequalities, injustices, and social transformation, both through greater attention to politics and political economy and through greater attention to intersectional critiques that are inclusive of ecological and animal studies and concerns. We hope that this special issue on “Nonhuman Animal Ethics” goes some way to furthering that aim.

Conclusion

The nonhuman animal, both in bioethical discourse and, more importantly, in itself, is worthy of attention and respect. The authors of this collection do not take sanctuary in European humanism in the face of social, cultural, and political transformation. Rather, they seek to cut through the layers and hierarchies of human interests and values. Each of the authors challenges us to develop more rigorous understanding of the myriad ways in which nonhuman animals impact on human lives and to rationally reappraise our place as individuals, citizens, and species in the world and our responsibility for nonhuman animals. We hope that reading these articles will help forge an appreciation of the deep and sustained connections between bioethics and the nonhuman animal and the role of animals beyond simple figures of human thought.

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