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Singer and the New *Animal Liberation*

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ABSTRACT

The new edition of Peter Singer's "Animal Liberation" gives the author the opportunity to take stock of the improvements in the conditions of non-human animals, particularly in the European Union, and to emphasize the importance of the dissemination of this volume for their achievement. In addition, the article returns to discuss Singer's theoretical approach to animal ethics, highlighting its various oscillations and some critical issues. The author, while distancing himself from utilitarianism (the moral theory advocated by Singer), points out that a good part of Singer's moral reflection about non-human animals is convincing, so his contribution contains more lights than shadows.

Keywords: animal ethics; animal exploitation; animals; deontology; equal consideration of interests; moral patients; moral status; Peter Singer; speciesism; utilitarianism.

1. INTRODUCTION

Peter Singer's *Animal Liberation* (1975) was the book that, along with Tom Regan's *The Case for the Animal Rights* (1983), more than any other marked a turning point in the ethical and philosophical studies on animals of the twentieth century. With these two volumes non-human animals have fully entered the community of *moral patients*, i.e. beings worthy of direct moral consideration, throwing established anthropocentric paradigms into crisis and forcing philosophical reflection to a profound rethinking of its ethical foundations. Republished several times, with additions, by its author over the decades, Singer's work now has a new (and perhaps final) version, with the title *Animal Liberation Now*, given in print in 2023, almost 50 years after the first edition. If there had already been a large revision with the 1990 edition, in this latest edition we can notice within each chapter important updates if not an almost complete rewriting.

Since I have already written about Singer and *Animal Liberation* (Allegri 2015, 101-136, and Allegri 2017), in this paper I will limit myself to a few remarks on some novelties that emerge in the new edition, in particular on the important changes that the publication of the volume has helped to determine.

2. THE IMPORTANCE OF “ANIMAL LIBERATION” FOR THE IMPROVEMENT OF NON-HUMAN ANIMALS’ CONDITIONS

In this book, from the first edition, Singer extends a principle of moral equality beyond the boundaries of our species. Just as within the human world differences of sex and race do not give rise to a different moral consideration, this also applies to the difference of species. Thinking otherwise means falling into an unacceptable discrimination such as racism and sexism, which Singer, borrowing a neologism coined by Richard Ryder, denotes with the term speciesism (Ryder 1975, 16). The Benthamian principle of equal consideration of interests, identified with the needs, wants and desires of individuals (there are no interests of someone that are worth more than the interests of someone else; as Bentham said, each must count for one and no one for more than one) must be extended beyond the boundaries of our species. This operation leads Singer to consider as morally unjustified many of our behaviors towards the animal world, between which emblematic are those emerged in the contemporary age, that he examines in detail on two fronts: the front of factory farming and the front of animal testing.

In 1975, with *Animal Liberation*, the world learns how animals are treated in laboratories and modern factory farms. Thus we learn that non-human animals are used for experiments on cosmetics, food dyes, bleach, ink, polish floors, etc., particularly for testing the toxicity of a product to be launched on the market. It is determined by ingesting or inhaling or introducing in the eye, forcibly, a certain amount of the test substance. And we learn that even many experiments of medical nature in reality are useless, as they produce already intuitable outcomes by an elementary common sense. Often they are dictated only by a general intellectual curiosity and cause great suffering. With regard to the second point, Singer highlights the negative effects for the animals of the transformation in the capitalist sense of the food industry, opening the doors of factory farms, whose logic is to breed more animals in the smallest space possible and as quickly as possible to minimize costs and maximize

profits. In factory farms sentient beings are treated as mere machines that convert fodder into flesh. This is, just to give an example, the condition of hens, animals that for being transformed in the shortest possible time and with the lowest possible costs in broilers pass their entire existence piled up in long sheds without windows, with a space for each which is about 450 squared centimeters, without being able to stretch their wings, not breathing air not impregnated with ammonia from their own dropping, and not ever seeing the light of day. Until when, after only seven weeks, that is to say the fiftieth part of their natural life (approximately seven years), are taken out to be killed. To which, since the stage of chicks, is cut the terminal part of the beak without any anesthesia.

The extraordinary dissemination of this volume in just a few decades has given rise to numerous movements and institutions in defense of animals and has contributed significantly to changing our way of thinking about sentient beings of other species. Thus giving origin to important variations precisely with regard to the two areas of animal exploitation that are the subject of Singer's denunciation.

The battles waged by the animal rights movement over the past 50 years also (and especially) thanks to this book have led to very significant improvements, above all in the European Union, which Singer reports on in the new edition of *Animal Liberation* (Singer 2023, 277-283). Among these, the most relevant are the following:

- fur farming has been banned in many countries such as Italy, Belgium, United Kingdom etc. Israel and California have gone further by banning the sale of fur;
- the production of *foie gras*, a gourmet dish for which geese and ducks are damaged to death, has been banned in several European countries;
- the European Union has banned the testing of cosmetics on animals and also the import of cosmetics tested on animals;
- glue traps, which inflict a slow, painful and agonizing death on mice, birds, squirrels etc., have been prohibited in Ireland, Iceland and New Zealand;
- harmful experiments on great apes have been banned or have ceased in the United Kingdom, New Zealand, Japan, the European Union, the United States.

Moreover,

In 2021 [...], after a campaign involving 170 animal welfare organizations, 140 scientists and professionals in relevant fields, and a petition signed by 1.4 million European citizens, the European Parliament voted overwhelmingly in favor of a ban on all cages for farmed animals. the European Com-

mission agreed to phase out cages for farmed animals across the entire European Union by 2027, a move that will affect more than 300 million animals, including not only calves, pigs, and laying hens, but also rabbits, ducks, geese, quail, and other farmed animals. To prevent the replacement of European products by animal products from countries with lower standards, the commission is planning to introduce equivalent standards for imported animal products. (Singer 2023, 281)

And one could go on. Obviously there is still much to be done, especially in countries outside Europe. While animal exploitation in our continent is subjected to ever-increasing restrictions, in non-European countries (the most striking and emblematic case, in terms of scale, is China), on the other hand, it is far from decreasing.

3. SOME INTERESTING POSITIVE NEWS ABOUT FOOD ETHICS

Among the many interesting ideas offered by *Animal Liberation Now* I would like to point out some positive news on one of the major ethical food problems posed by vegans.

As I pointed out in a recent paper on *Relations* (Allegri 2022), vegans emphasize how the production of milk and its derivatives (butter, cheeses etc.), and consequently their consumption, is inextricably linked not only to exploitation and suffering, but also to the *death* of animals. When we eat the Parmesan cheese we are not eating animals that have been killed, but something whose processing necessarily involves the killing of animals. With milk and dairy products, on the contrary that with the production of meat, the animals from which we derive these foods do not die, but other animals connected to them lose their lives: male children. Vegans assert that the separation of the male calf from the mother and his killing appear inseparably linked to the production of milk. In fact, for a cow to have milk, as with all mammals, it is necessary that she gives birth. Calves are born specifically so that the cow can have milk. But in case a male calf is born, not being able to become a cow, he is completely unproductive (indeed harmful, because he drinks milk) and it is not possible to maintain him for the 20-30 years of his natural life. From an economic point of view, if we want the production of milk – at least at current costs – we cannot but accept these killings. As even a critic of veganism like Scruton admits, “Calves are an unavoidable by-product of the milk industry. Male calves are useless to the industry and represent, in existing conditions, an unsustainable cost if they are not sold for slaughter”

(Scruton 2000, 103). We are so placed in front of a dilemma: if we want milk production, we must accept these killings; if, on the other hand, we refuse the killing of calves, we must give up the production of milk and embrace a vegan diet.

Faced with this gloomy picture, Singer in the new *Animal liberation* presents us with some important innovations related to the development of biotechnology, which can help us to escape the *aut-aut* just outlined, that is, allow us to have a respectful attitude towards animals without giving up milk:

During the first forty years after the first edition of this book, no one contradicted my statement that all commercial milk producers make their cows pregnant every year and then take the calf away so that the milk can be sold. Then I heard about How Now Dairy, started by Les Sandle, a third-generation Australian dairy farmer, and his partner, Cathy Palmer, who describes herself as "a passionate animal rights activist". Sandle has been complaining about the direction in which the Australian dairy industry was going – toward mega-dairies, as in the United States – and in 2012 he and Palmer decided to do something about it. Their goal was to create an ethical dairy farm based on the radical belief that ethics and compassion do not have to clash with economics. Their sixty-four-acre farm, about 200 kilometers north of Melbourne, has cows grazing in paddocks dotted with trees, but its most remarkable feature is that the calves are allowed to stay with her mothers and, at least until they are weaned at about four months of age, they can drink as much of their mothers' milk as they wish. According to How Now Dairy, the calves drink about four or five liters a day, and never more than eight liters, but as their mother produces about twenty liters a day, that still leaves plenty to sell. As commercial milk producers go How Now is tiny, but it has, at the time of writing, produced over 700,000 liters of milk without separating the calves from their mothers or killing a single calf.

When I first heard that How Now does not kill any calves, my reaction was: "That's impossible! They will be overrun with nonproductive male calves who will soon turn into bulls!" (Singer 2023, 157-158)

And instead there are no male calves, because Sandle and Palmer's dairy farm uses artificial insemination with sexed semen so that only female calves are born. In addition, there are not as many calves as is usually the case on dairy farms, because cows are calved only once every 18-24 months. Singer comments by asserting that

Sandler and Palmer aren't doing this just because it makes them feel good about the way they treat their cows. They set out to challenge the idea that if you are going to produce milk, you have to do bad things to cows and

their calves. How Now's milk is more expensive than milk produced by the standard methods, but their business has prospered, thanks to customers willing to pay a premium for milk from a dairy farm that is run on the cows' terms. (Singer 2023, 158)¹

The Australian philosopher informs us that similar dairy farms, that allow calves to remain with their mothers, also exist in other countries, for example the Ahimsa Dairy Foundation in Rutland, England, and Anja Hradetzky's farm in Germany².

Although, at least for now, one should not be under too many illusions. Farms of this kind are exceptions and Singer rightly points out that there is no sign that this approach has "any impact on milk production as a whole" (Singer 2023, 159). It is difficult for industrial production to move in this direction, which is not easily reconcilable with the reasons of economics.

In any case, the role of technology, especially biotechnology, seen at work in these animal-friendly farms, will be increasingly important in helping us to untie ethical knots, that is, to provide some solution to the moral problems that beset us. And so cultured meat – which Singer refers to in *Animal Liberation Now* (although less than we might have expected) – may perhaps allow us to eat animal products that do not involve the suffering and (it is important to emphasize) *death* of non-human animals. And perhaps the artificial womb will be able to appease the eternal dispute over abortion.

4. SINGER AND THE RIGHT TO LIFE OF NON-RATIONAL SENTIENT BEINGS: SOME AMBIGUITIES

Although in general the Australian philosopher's new arguments, like the old ones, are convincing, some ambiguities and a risk of contradiction remain here and there. For example, to justify the fact that it is permissible to crush a mosquito, Singer asserts that "the capacity to feel pain does not confer on a being the right to life" (Singer 2023, 199-200).

If that a sentient being does not possess the right to life means that it can be killed without moral problems (that killing it is a morally neutral

¹ Singer's source is Reading 2017.

² For Ahimsa, see www.ahimsamilk.org/. For Anja Hradetzky's farm, Singer's source is a 2021 documentary within the program *Wen dürfen wir essen* (directed by J. Funk and J. Schmidt).

act), then the thesis leaves me perplexed, because in addition to not being shareable, it does not seem to be in line with what Singer has asserted on other occasions (and more generally with his prevailing theoretical approach). For example, with the approach taken by Singer against moderate animal advocates like Scruton, who are as attentive to the suffering of non-human animals as they are uninterested in the length of their lives, because for them, according to Scruton, dying at thirty months is not intrinsically more tragic than dying at forty, fifty, or sixty (Scruton 2004, 88). Nothing changes, since they do not possess a sense of the future (I have explored this point in depth in Allegri 2020, 140-142). And in the face of such "conscientious" carnivores Singer reasonably replies that even beings who are only sentient, without self-awareness and rationality, killed prematurely have something to lose: they lose all those satisfactions conform to their own species which they would have enjoyed living longer: more food, more sex, etc. (Singer and Mason 2006, 253). Commenting on Singer's response, I added that they do not need to have a sense of the remote future and/or a desire to continue living to undergo harm. The fact that a lizard – assuming it is a being without complex mental skills – cannot have an interest (in the sense of desire) to live, having no sense of the future, does not mean that it is not in its interest to avoid a premature death. That it is not – cannot be – interested in continuing its life does not mean that it is not in its interest to continue it.

What seems to emerge from these as well as from other passages in Singer (see also Singer 2009) is a conception that appears broadly agreeable. Namely, the thesis that even sentient life, though devoid of mental complexity, possesses value. Which does not exclude that self-conscious and rational life is more valuable. Indeed, Singer seems convinced that mental complexity can be an element to attribute more value to the life of a sentient being, without this justifiably leading to the accusation of speciesism. This greater relevance of mental complexity can take two different forms (although different in a subtle and not so substantial way): either it can be expressed in the thesis according to which mentally more complex sentient beings possess a higher moral rank than mentally less complex sentient beings. Or, in the thesis according to which, although the moral rank of all sentient beings is the same (principle of equal consideration of interests), mentally more complex beings suffer greater harm from death, by virtue of their self-awareness and their greater sense of the future, which leads them to have a direct preference for survival and a set of preferences directed towards the future, even a remote one,

which would be frustrated by an early killing. If Shelley Kagan (2019) accepts the first option, Singer seems to accept the second option.

But if that is the case, his statement in *Animal Liberation Now* does not appear to be in line with this perspective. That killing a more mentally complex being may be more serious than killing a merely sentient being certainly does not mean that the latter act is permissible³. So this passage in *Animal Liberation Now* reproduces the old idea of moderate animal defenders that sentience alone gives the right not to be made to suffer, while the right to life requires rationality (usually identified with the capacities of the human mind alone).

In Singer we find these ambiguities because in reality the Australian philosopher over the years has moved between three different conceptions of the value of the life of a sentient being that is not self-conscious and rational (connected to three different theoretical positions). (1) The conception according to which the life of sentient beings that are not persons does not have a direct value, because only the life of persons has direct value: only beings with a sense of the future suffer harm from an early death. (2) The conception according to which the life of sentient beings that are not self-conscious and rational has a direct value, although less than that of persons (they suffer damage from a death that is early with respect to natural times, but less than the damage suffered by a person). (3) The conception according to which, even if the life of sentient beings who are not self-conscious and rational has direct value and they suffer harm from an early induced death, such harm can be compensated by the benefit received from another sentient being who is brought into the world (a very different thesis from maintaining that merely sentient beings do not suffer any harm from an early death, because they lack the idea of a future).

These three different conceptions arise from three different theoretical approaches between which Singer has oscillated from the Seventies to today: respectively, (a) preference utilitarianism; (b) a form of classical

³ By this I do not mean to say that it is not permissible to crush a mosquito. It may be, but not for the reason that Singer seems to give, namely the fact that sentience alone does not confer the right to life. But rather for the fact that we are not at all sure that the mosquito is sentient and if it is not, this might exclude it from the protection ascribable to sentient beings. And furthermore, even if it were sentient, the mosquito attacks us (even if with justified reasons, on its part), and this legitimizes our defense. Not only because getting bitten by all the mosquitoes would make our life impossible, but also because mosquito bites can cause us serious diseases such as dengue or malaria, and we certainly are not required to take on such a burden.

(i.e. hedonistic) or pluralistic utilitarianism connected to the point of view of the priority of existence ("the prior existence view"); (c) a form of classical (i.e. hedonistic) or pluralistic utilitarianism connected to the point of view of the total ("the total view")⁴.

In the passage about mosquitoes that I quoted, Singer seems to move within the framework of the former perspective, concerned only with the suffering of non-complex sentient beings and not with the value of their lives and connected to preference utilitarianism. This seems strange because the prevalent Singer in recent years (Singer 2011) actually no longer accepts preference utilitarianism and has tried to merge preference utilitarianism and hedonistic utilitarianism, to exploit the merits of both and reject their defects.

Preference utilitarianism calculates the positive consequences to be maximized in terms of satisfaction of the desires of all the individuals involved in a certain action and the negative consequences to be minimized in terms of frustration of the desires of all the individuals involved in a certain action. Hedonistic utilitarianism, on the other hand, measures the effects to be increased in terms of pleasure or happiness and the effects to be decreased in terms of pain or unhappiness (obviously always in relation to the set of individuals involved in a certain course of action). In truth, Singer has been oscillating between the two versions since the late 1970s. The reason for Singer's wavering is that with classical utilitarianism alone, if I can attribute value even to the lives of merely sentient beings, I cannot ascribe more value to the lives of mentally more complex beings. With preference utilitarianism alone, I can attribute value to the lives of mentally complex animals, but I cannot ascribe value to the lives of merely sentient beings. Merging the two theories, Singer tries to take their merits and avoid their defects. With classical utilitarianism, I can say that even merely sentient beings suffer harm from an early death. With preference utilitarianism, I can say that people's lives are worth more. By putting the two varieties together, Singer's landing place (for example in *Practical Ethics*) is a form of normative pluralism:

this combination of preference utilitarianism and an idea of intrinsic value that is not dependent on preferences sacrifices one of the great advantages of any form of utilitarianism that is based on just one value, which is that there is no need to explain how different values are to be traded off against one another. Instead, because this view suggests that there are two kinds of

⁴ I tried to account for these changes in Allegri 2015, 2016, 2017, to which I refer for further information.

values, one personal and based on preferences and the other impersonal, it isn't easy to see how we are to proceed when the two kinds of values clash. (Singer 2011, 119)

5. ON SINGER'S SIDE, DESPITE UTILITARIANISM

Regardless of the variations, however, Singer remains a utilitarian, namely he advocates a form of consequentialism, for which the deontic status of actions (i.e., their being permissible, obligatory, forbidden) depends entirely on the consequences. An approach that differs in the traditional classification of theories of moral obligation (those options of normative ethics that question the criterion of right action) from deontological theories, for which, in addition to the consequences, other factors also count, such as the nature of the action.

While I consider his pluralistic form of utilitarianism to be a progress, I believe that utilitarianism as an ethical theory is not the best perspective and elsewhere (Allegri 2005) I have tried to show this thesis. I have argued in favor of a version of moderate deontology (not dissimilar from the one that today I find, for example, in the model adopted by DeGrazia in bioethics: DeGrazia and Millum 2021). Here I limit myself to showing the inadequacy of utilitarianism with an example (a fairly well-known thought-experiment).

Suppose that a surgeon, specialized in organ transplants, is worried about five of his patients who risk dying very quickly if they do not undergo a transplant. The first has a very bad heart and needs a new heart; the second needs a kidney; the third a new liver; the fourth a new stomach; the fifth a new spleen. There is no immediate availability of any of these organs. Furthermore, all five patients have the same blood type, which is very rare. With his head turned to this thought, the surgeon comes across the medical records of another patient, in good health, who has exactly that blood type. Then the thought flashes through his mind that if he killed, in a painful manner (with a sweet death), that patient, he could save the lives of the five people who urgently need the transplant. Because he could take from him the five organs that are needed. Especially since the individual in question turns out to be an orphan, single and childless, so his death would not cause indirect suffering. Nor would it have any other negative repercussions, because the killing would take place in complete secrecy, without anyone outside the medical staff knowing about it (not even the benefited patients, kept in the dark

about the real origin of the organs). Well, the situation, approached from the utilitarian point of view, would seem to legitimize such an intervention by the surgeon. Because for only one life that is lost, five people are saved from certain death. But such a response is morally unacceptable. The outcome is highly counterintuitive and is embarrassing even for utilitarians, who are forced to seek strategies to avoid it. It is one thing to initiate a causal chain that will lead to the death of an individual and quite another to refrain from intervening in a process already underway, dependent on other causal factors, that will lead to the death of one or more individuals.

Notwithstanding the limits of his utilitarian theoretical view, a good part of Singer's moral reflection about animals reveals itself convincing and his contribution to animal ethics has been fundamental. More generally, his contribution to moral philosophy has been fundamental. He brought it back to confront concrete issues, after decades (the twentieth century up to the seventies) in which the reflection of academic ethical thought was almost exclusively addressed to theoretical or metatheoretical questions (the ontological, logical-semantic and epistemological problems of metaethics). Thus giving an essential contribution to the development of the so-called applied ethics or practical ethics. Lastly, Peter Singer has the merit, not insignificant in a complex field such as philosophy, of writing clearly, with a style that is understandable even to a non-philosopher audience. So, as I wrote some years ago, he is a philosopher who presents many more lights than shadows.

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