

Against the View That We Are Normally Required to Assist Wild Animals

Clare Palmer

Professor of Philosophy, Texas A&M University

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c.palmer@tamu.edu

In this brief paper, I will defend the position that while sentient animals are morally considerable, we are not normally morally required to assist suffering wild animals, though this does not mean that it is ethically *impermissible* to do so. I will argue that this position can be defended without denying that we have obligations to assist distant suffering humans, and that it need not rely on the claim that there is something wrong with intervening in human-independent processes (“the wild”). For the purposes of this paper I will just assume that sentient animals are morally considerable. This view is widely accepted and not particularly controversial (see Palmer 2010 for a more substantial defense of this view).

What is owed to wild animals in terms of assistance has been relatively little discussed. Understandably, the first priority of those defending sentient animals’ moral importance has, historically, been the systematic harms undergone by agricultural and laboratory animals. But most such positions in animal ethics are extensions of approaches to human ethics on which we should, at least to some degree, assist *people* who are suffering, even distant people whom we have never met. For example: most forms of ethical consequentialism aim at reducing distant suffering as (normally) likely to bring about the best consequences (Singer 1972). And even though on most deontological ethical positions our strongest duties are not to harm, weak positive duties of benevolence are still generally accepted (O’Neill 1986; Pogge 2007). It seems consistent, then, that if distant *humans* should be assisted to reduce suffering, so too should distant *animals*. After all, if as Singer (1979) argued, we should extend the “basic principle of equality” to non-human animals; and as he also argued (1972) we should give until we reach the level of marginal utility in order to assist those people who are distant and suffering, then it seems to follow that we should also try to reduce the suffering of wild animals, at least where we can do so “without sacrificing anything of comparable moral importance” (Singer 1972). Cer-

tainly, many environmental ethicists have interpreted positions like Singer's in this way: Sagoff (1984), for instance, maintains: "The liberationist must morally require society to relieve animal suffering wherever it can at a lesser cost to itself, whether in the chicken coop or in the wild".

However, while some philosophical (and religious) positions are driven by the imperative to reduce suffering, including animal suffering, wherever possible, there is considerable unease – especially among environmental ethicists – about a moral requirement to intervene to reduce wild animal suffering. One reason for this – more formally defended in environmental ethics, but with considerable popular appeal – is the idea that "wildness" or "naturalness" should be preserved: "[...] human intentional processes need to be circumscribed in such a way that the human-independent processes are left intact" (Preston 2011). But even without defending the high value-significance of wildness, a requirement for human intervention in the wild for humane purposes can be seen as both over-demanding and over-reaching. Trying to reduce (non-anthropogenic) suffering in the non-human world is an enormous and demanding task; and, plausibly, another exercise of human (or perhaps, humane) power, intent on shaping the entire world to fit human preferences.

This prompts the question whether humane wild intervention is a *necessary* commitment of any consistent form of animal ethics that defends animals' moral importance. I will argue here that it is not – though not because there is something wrong with intervening in human independent processes, nor because intervention is over-demanding or over-reaching; but rather because we just do not have such obligations to assist wild animals.

First, though, the question needs to be stated more precisely. Rights theories (whether of humans and/or animals) that defend only *negative* rights do not generate requirements to assist others (except to protect negative rights from being violated). Regan's (1984) account of animal rights, for instance, focuses on the instrumentalization of animals, and on animals' negative rights, such as the right not to be killed; he does not defend positive rights (for instance, to food, medical care, or rescue); and he is clear that moral agents do not have duties to intervene in predation to prevent suffering. A negative rights view, then, can consistently defend animals' moral importance without any commitment to humane wild intervention. But such a view – in the human case at least – seems incomplete, suggesting that we have no obligations to assist anyone – for instance, to rescue a drowning child from a shallow pond in front of us. So the more precise question here is whether humane wild intervention is a necessary commitment of any consistent form of animal ethics that

defends animals' moral importance *and* accepts that we do have some obligations to assist others, but where these obligations don't extend to include wild animals.

What I will call "contingent consequentialist arguments" defend something like this position. Either because of our ecological ignorance (Singer 1973) or because of the long-term benefits of leaving evolutionary processes undisturbed (Everett 2001) we should not intervene in wild ecosystems to reduce suffering. This is not because there is something valuable about human-independent processes, but rather because such wild interventions, over time, risk causing more, rather than less, suffering, including wild animal suffering; so, from a consequentialist perspective, we should not intervene. It is perfectly consistent with this view that we should assist distant suffering *people*, if the expected consequences of doing so are to reduce overall suffering.

As presented here, this consequentialist argument is contingent on the expectation that wild intervention, over time, can be expected to cause more suffering than it relieves. But this is not obviously the case. We can certainly think of one-off interventions that are extremely unlikely to have this effect. And there are likely to be more systematic, repeatable interventions (for instance: the use of wildlife contraceptives for particular rapidly growing populations, vaccination against extremely painful diseases, or mercy-killing animals that will shortly die painfully anyway) that we can surely reasonably expect to cause less suffering than they relieve over time, even if we take into account alternative uses of the resources that would need to be employed to carry out such interventions. Ignorance of the consequences is not a resilient argument that management of the wild is ethically undesirable in principle; and given technological advances, such ignorance will apply to a diminishing number of cases in practice, at least where such actions are on a relatively small scale. So such contingent, consequentialist positions look as though they will, normally, actually require some assistance to wild animals.

It is possible, however, that some kind of rule-consequentialism, or Harean two-level utilitarianism (see Varner 2011) could propose a set of rules on which at least some interventions to relieve wild animal suffering would be impermissible, on the grounds that there is at least a good chance that their expected consequences would increase animal suffering. However, these rules would have to be multiple and specific, since a general rule that humane wild intervention should not be undertaken because it increases suffering is (I am arguing) empirically implausible.

These more complex consequentialist positions, though, look very different from my argument here.

The argument I will now develop is non-consequentialist, non-contingent and clearly distinct from the positions so far considered. It does not rest on the value of non-intervention into human-independent natural processes; it does not claim that human interventions in the wild are normally expected to increase animal suffering; and it does have a place for assistance to suffering distant humans – and domesticated animals, for that matter. I will call this the *contextual* view.

This contextual view I should immediately note, does not defend a non-interventionist view in the sense that intervention is *impermissible* (this was an implication both of a view based on the value of human-independent processes and contingent consequentialist arguments as I have described them). It defends, instead, a non-interventionist view in the sense that intervention in wild nature to relieve wild animal suffering, or otherwise to assist wild animals, is not *required*, although it may be *permissible*.

This contextual view has two significant features. One feature (shared with negative rights views) flows from its non-consequentialism: it does not primarily aim at best consequences, but rather concerns constraints on harmful actions (taking harms in something like Feinberg's [1992] sense to mean the wrongful setting back of significant interests). Harms, in this sense, are understood to impose on someone, depriving them of something they would have had, had we not acted as we did (Kamm 2007); harms make someone worse-off. On this part of the contextual view alone, other things being equal, we should not *harm* morally considerable beings including wild animals. However, that we should not harm does not, on this view, mean we have duties to assist. Assistance, as Kamm (2007) argues, makes someone better-off; to assist is an imposition on the agent, rather than on the individual being assisted (assuming that we are not wholly or partly responsible for their situation). When we harm, we change an individual's independent situation for the worse; when we do not assist, we merely fail to improve on what the individual would have independently of us. On this view, while we should not make individuals (whether humans or sentient animals) worse-off on account of their dealings with us, we have no general duties to make them better-off at our own expense. So, on this view, there is no general duty to impose on ourselves in order to intervene in the wild to make animals better-off.

But while, on this view, we do not have *general duties* to assist others, we may still have *special obligations* to help others, obligations that are not in principle owed to everyone, but that rather emerge from certain morally-relevant contexts, histories, relations and entanglements. Arguments that we have special obligations are commonplace in human ethics, though have been much less frequently defended in animal ethics. For instance, the idea

that we have special obligations to care for our own children that we do not have to other children is widely accepted, even though we normally consider all children to be morally considerable and to have similar morally-relevant capacities (for instance, see O'Neill 1979).

In the case of animals, the contextual argument maintains that animals' capacities, such as sentience, are not all that is relevant to determining what they are owed; certain relations can create special moral obligations. For instance, just as bringing a dependent and therefore vulnerable child into the world can be argued to create a special obligation to care for it, so too can breeding a dependent, and therefore vulnerable, animal. Although these arguments can take different forms (see Palmer 2010), their broad thrust is that where humans have deliberately created relations of dependent vulnerability with animals (especially where this involves prior harms, such as wild capture), special obligations to care for these animals, and to assist them, are also created. Related arguments can be made for requirements to assist those who are distant and suffering in the human case: the entanglements of human societies, in particular the social and structural connections between virtually all people, connections that benefit some while causing suffering to others, provide a basis for human obligations to assist other humans (see for instance, Pogge 2007). Certain kinds of human and animal entanglements, then, especially where they benefit some and lead to vulnerability and the potential for suffering to others, create special moral obligations to assist.

However, such special obligations to assist do not extend to truly wild animals – by which I mean animals that have not been selectively bred, trapped, confined or restrained, and are still living their lives relatively independent of human contact. Our lives are not entangled with theirs – in particular, we are not causally responsible for their suffering – so we are not required to free them from snowdrifts, slake their thirst in a drought, nor rescue them from predators. We can think of them as in some sense living in “sovereign” autonomous communities (Goodin et al. 1997). This does not mean that we are not *permitted* assist them (as, for instance, a view based on non-interference with human-independent processes would maintain). The claim is just that it is not wrong if we do not.

This contextual view has a number of implications, some useful, some more difficult or troubling. One implication is that – unlike on consequentialist views such as that proposed by McMahan (2010) – we have no reason to try to reduce overall suffering in nature by managing or shaping nature differently, trying to find ways to reduce predation, disease and the harshness of wild conditions, assuming we could do so successfully. This seems to me to be a helpful implication. However, there are two obvious and serious complications.

The first is that this contextual view draws on what Nozick (1974, 155) calls a “historical principle” where past circumstances or actions can be a direct justification for different entitlements. However, as with similar human cases, the story of entanglement may not be clear, and this may lead to doubts about who is responsible for assistance, and whether the argument depends on some kind of disputed account of collective responsibility (for instance, who is responsible to assist a diseased feral cat, several generations on from the individual who abandoned its ancestor?). This concern about who bears responsibility for what is particularly difficult in the case of some domesticated and feral animals. However, for the purposes of this paper, this problem is much less acute: in the context of wild animals, the argument is that *no-one* has a responsibility to assist, because there is no prior morally-relevant entanglement.

But this leads to the second, more troubling question. What counts, in a time of globally pervasive human influence, as a “truly wild” animal, and a “morally relevant entanglement”? Wildlife management, human development of animal habitat, anthropogenic fires, and so on, have affected many wild animal’s lives; and anthropogenic climate change is already impacting many wild animals’ habitats. Do more diffuse anthropogenic phenomena such as climate change create special obligations to assist wild animals? I do not have room to do justice to this important complication here (though I am planning future work on this). However, here are some considerations, in brief.

First: accepting that anthropogenic environmental change does create special obligations to animals does not undermine the contextual argument; it just means that now most sentient animals have been drawn into relations with humans that generate special obligations, just as human societies now have entanglements that draw in virtually all people. This makes the position more demanding; but then, its objection to a requirement for humane wild intervention was not based on the over-demandingness of the requirement.

Second, any special obligations flowing from climate change are likely to be weaker than those flowing from (say) deliberate selective breeding for dependence. The impacts of climate change on animals are harder to identify, less intentional and certainly less predictable than selective breeding (though this argument may weaken over time) (see Nolt 2011). Over time, (more vulnerable animals will shift geographical location (if they can) or else disappear; and animals from less vulnerable species will move in; such successful incomers would not need assistance. And finally there is no point offering assistance that is ineffective; given the degree of climate change to which we are now committed, there will be some cases where assistance would not constitute a benefit over time.

While these factors may require us to think very hard about what more diffuse negative impacts may cause us to owe to wild animals, they do not obviously undermine the basic argument that we may have special obligations to assist wild animals, if we are (even diffusely) responsible for putting them in situations that negatively impact on their welfare.

To conclude: the contextual argument presented here defends the position *that we are not normally required to assist wild animals*, resting on the claim that requirements to assist, unlike requirements not to harm, depend on the existence of some kind of morally-relevant context or relation. This is not a defense of the view that we are *never permitted* to assist wild animals, nor that we are *never required* to assist wild animals; we may be required to assist them when we have harmed them and it is possible for us to succeed in helping them. The contextual view allows that assistance to distant suffering humans is likely to be required, on the basis of global inter-human entanglements, even when it is not required for distant suffering animals. And finally, defending this contextual argument is not intended to imply that other arguments could not generate similar conclusions. Some kinds of consequentialism may in fact do so, but these arguments rest on contingent empirical facts, rather than on in-principle arguments.

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