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## Enlarging the Ethical Imperative Contribution to GTI Forum [Solidarity with Animals](#)

J. Baird Callicott

Eileen Crist's eloquent [opening essay](#) is the best that I have ever had the pleasure to read on "animal ethics," if that is not too cramped a genre in which to locate it. That may have something to do with her academic background in sociology and science generally, rather than in academic philosophy.

Since the mid-1970s, animal ethics has been theorized mostly by applied philosophers, straightjacketed, unfortunately, by the hoary and threadbare ethical paradigms that they apply, off the shelf. The two trendsetters are Peter Singer, who straightforwardly applies utilitarianism to the animal question in ethics, and the late Tom Regan, who applies a modified version of Kantian deontology.<sup>1</sup> Although these two reigning paradigms are regarded as diametrically opposed and irreconcilable—the former based on consequences (the greatest happiness for the greatest number), the latter on principles (do the right thing, let the chips fall where they may)—they share two unacknowledged and largely unnoticed assumptions.

The first is an essence/accident schema going back to Aristotle. Thus, the central question becomes what essential property entitles a being to moral consideration, Singer asks, or moral rights, asks Regan. Their answers, respectively, are sentience and a robust subjectivity. All other properties—sex, race, religion, etc., AND species membership—are accidents. The second is that the wellspring of morality is reason: indeed, reason reduced to non-contradiction, the most basic law of logic. From the utilitarian point of view, one would be inconsistent to treat equal interests unequally. Thus, if all sentient beings have an interest in freedom from suffering, then we must give equal consideration to all such interests regardless of species, whether we find koala bears lovable or cane toads loathsome. Sympathy, compassion, affection—these have nothing to do with it. From a deontological point of view, if one wills such a maxim as Do No Harm to be

a universally binding moral principle, but makes an exception for oneself or for one's species—harming deer, let's say, for the sake of sport and meat—then one is caught in a contradiction of the will.

These two pillars of philosophical animal ethics thus only perpetuate what Eileen Crist, following John Rodman, calls the "differential imperative." For Aristotle (and, implicitly, for most Western philosophers thereafter), *Anthropos* is the rational animal. Reason is our essential differentia; all other properties are accidental. That sets humans apart as the only moral *agents*, but not as the only moral *patients*. As a corollary to this, all other animals, since (supposedly) lacking reason, are not moral agents, if they are agents at all.

What makes Crist's contribution unique is that she eschews the age-old Western philosophical and theological anthropocentrism hidden in the superficial non-anthropocentrism of conventional animal ethics. Instead, she offers a two-pronged science-based foundation for animal ethics: (1) physical, neurological, emotional, and cognitive "similarities," following upon evolutionary continuity; and (2) "diversity" of ways of being animal. The human way of being animal is but one way, nor should it be assumed that it is the superior way or even the most desirable way. Indeed, the more science reveals about non-human animal sensoria, cognition, and lifeways, the humbler we become.

I would add a third science-based foundation for animal ethics: contemporary evolutionary moral psychology. Following Darwin's account of "the moral sense" in *The Descent of Man*, evolutionary moral psychology locates the wellspring of human ethics not in reason but in "affect": feelings, such as love, sympathy, and benevolence. But this science-based foundation for animal ethics is implicit in Crist's opening essay, confirmed by her very first words "Violence and Love"—not, as a conventional animal ethicist might have written her subtitle, something on the order of "Violence and Reason." Darwin found these same sentiments manifest among many non-human animals and explained how they evolved by natural selection as facilitating social bonding, thus enabling cooperation in their collective struggles for existence.

Crist's discussion of the relationship of Indigenous peoples to other animals is confirmed by my own case study of American Indian environmental ethics using a set of remarkable narratives, collected, during the first decade of the twentieth century, by William Jones, the first American

Indian anthropologist.<sup>2</sup> In addition to the themes of such stories that Crist identifies are tales of human-animal marriages, among them “The Woman Who Married a Beaver” and “Clothed-in-Fur.” To the Western sensibility, such stories make no sense at all. But from the Indigenous perspective, they affirm ties of kinship between the human community and other-than-human animal communities, which establishes a basis for visiting one another and exchanging gifts. The beavers, the moose, and the other nonhuman in-laws of the Anishnaabeg willingly give what they have in abundance—their flesh and fur—and their human relatives, in return, give what they have in abundance—tobacco, knives, combs, and other cultivars and artifacts. Respect is paramount, and that respect need be both mutual and reciprocal, as the tale of “The Moose and His Offspring” reveals. Against the admonitions of his father, an adolescent moose contemns the hunters coming to visit the moose lodge and suffers an ignominious fate for his impertinence. His parents go home with the hunters and return with all sorts of wonderful things, while the young moose gets nothing.

Considering this precedent, Crist makes it clear that violence and love might be compatible after all. Those, however, were the Old Ways, and, for the vast majority of contemporary humans, their time is long past. So how now can love and violence be conjoined? In *Animals and Why They Matter*, the late British philosopher Mary Midgley points out that we human animals have lived in mixed-species communities since the advent of domestication.<sup>3</sup> Midgley argues that the formation of mixed communities was not a matter of humans capturing and enslaving members of other species, but of sensitivity by both parties to the social signals of the other. Mixed communities formed on the basis of mutual advantage, an implicit social contract. Dogs, cats, and several other kinds of small animal are regarded by many of their human intimates as family members and some live, as Crist notes, a life of luxury. Horses and burros have long associated with *Homo sapiens* as partners in labor, transportation, sport, and war. And although cross-species bonds between individuals are often deeply and complexly emotional, such mixed communities are not quasi-familial. Then there are the mixed communities that look at first like a bad bargain for the non-human members of them, who wind up being slaughtered and eaten. But one might easily imagine that protection from predation, starvation, and severe weather, followed by a sudden, swift, and painless death, might not be such a bad deal. Industrial-scale animal agriculture represents a betrayal, an abrogation of such an implicit social contract.

Eileen Crist hints ever so faintly at a practical way forward, which is also a way to uphold the human end of the mixed-community social contract with those animals, which was forged during the Neolithic: “embracing mostly plant-based eating”—which leaves room for a little non-plant eating. Necessarily so, if we are to honor our end of the bargain. The most powerful argument for a universal vegan diet is ecological and environmental, a point Crist implicitly makes and to which I need add nothing. But then what would happen to domestic cattle, pigs, chickens, etc.? Their populations would dwindle to the size of museum specimens. So, for our sakes as well as theirs, we need to “reduce the population of livestock,” as Crist proposes, but not effectively exterminate those populations. And the most practical way of doing so is to step away from the industrial animal economy of scale, which exists to make animal-based eating cheap. Thus, if one scrupulously purchases only animal foods raised locally, organically, and humanely, one can only eat such foods sparingly because, costing more to produce with care at a small scale, they are necessarily more expensive. Is that anything more than virtue signaling? It can be if it builds a movement strong enough to implement policies, regulations, and laws that mandate small-scale, organic, and humane animal agriculture.

Is that a pipe dream? Not if one European nation is any indicator: an incremental approach may one day reach that goal there and elsewhere. On top of already existing strict laws governing the treatment of farm animals, on September 25, 2022, the Swiss voted on a referendum that would prohibit *industrial-scale* animal agriculture in Switzerland and the products thereof imported from other countries. It failed. But that it got on the ballot at all is a step in the right direction and suggests that its chances of succeeding may increase with time.

## Endnotes

1. See, for instance, Peter Singer, *Animal Liberation: A New Ethic for Our Treatment of Animals* (San Francisco: HarperCollins, 1975); Tom Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1983).
2. William Jones, *Ojibwa Texts*, 2 vols. (Leiden: E. J. Brill, 1917–1919).
3. Mary Midgley, *Animals and Why They Matter* (Athens, GA: Athens University of Georgia Press, 1998).

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## About the Author



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