



## **Extending the Moral Standing: An Evaluation of Peter Singer's Position**

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### **ABSTRACT**

Moral standing is acknowledging the moral significance that an entity possesses so that its interests and welfare are considered when we discuss ethics. The history of ethics is often associated with discussions on extending moral standing. Recent literature in ethics tries to extend moral standing beyond the human species. Concerns have been raised by moral thinkers like Peter Singer and others, who consider certain actions by human beings on animals as being unethical. Peter Singer in his work *Animal Liberation*, *In Defense of Animals*, *Practical Ethics* and in many other works as well argues that like human beings, animals also possess moral standing and some or most of our actions towards animals leads to an unequal treatment on those beings. He justifies extending ethical considerations to animals on the principle of sentience. Sentience is the capacity of the being to experience pain or suffering. The objective of this study is to see if Singer's principle of sentience does really extend moral standing. In this paper, we critically analyse the logical outcome of applying his principle to humans and animals. Based on the results of our study, we claim that instead of extending moral standing, Singer's principle limits the scope of moral consideration. Singer's theory may inevitably result in limiting moral standing only to living members of the human species and may set aside from moral consideration potential human beings such as the human fetus.

*Keywords:* Ethics, moral standing, Singer, suffering, animals, fetus

### **ARTICLE INFO**

#### *Article history:*

Received: 26 September 2012

Accepted: 11 October 2013

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### **INTRODUCTION**

Moral standing is acknowledging the moral significance that an entity possesses so that its interests and welfare are considered when we discuss ethics. As James Rachels says, "You have 'moral' standing if, from a moral point of view, you have claims that must be

heard – if your interests constitute morally good reasons why you may, or may not, be treated in certain ways” (Rachels, 1999). The discussion of moral standing therefore is concerned with a normative understanding of how beings ought to be treated. Moral standing thus implies an intrinsic value of a being. If a being has a moral standing, then, moral decisions “ought to take that individual’s welfare into account for the individual’s own sake and not merely for our benefit or someone else’s benefit” (Claire & Manuel, 1991).

Recent literature in ethics (Rowlands, 1998; Regan, 2001; Francione, 2008) tries to extend moral standing beyond the human species. Concerns have been raised by moral thinkers like Peter Singer and others, who consider certain actions by human beings on animals as being unethical. Peter Singer in his work *Animal Liberation*, *In Defense of Animals*, *Practical Ethics* and in many other works as well believes that like human beings, animals also possess moral standing, and therefore, he tries to extend moral worthiness to the animal species as well. He justifies extending ethical considerations to animals on the principle of sentience. Sentience is the capacity of the being to experience pain or suffering, and Singer uses this principle to extend moral standing to animals as well.

When we apply Singer’s principle in the context of human affairs, we see the implication that the human fetus need not be worthy of moral consideration at some of the stages of fetus development. Singer’s principle of suffering makes it difficult to

defend the unethical nature of killing a fetus because as long as a fetus is unable to feel the pain or suffering, it ceases to be sentient. Thus, instead of extending moral standing, Singer’s principle limits the scope of moral consideration only to living members of the human species and may set aside from moral consideration potential human beings such as the human fetus.

In the second part of our paper, we discuss Singer’s principle of suffering in the context of animal welfare, which forms the basis of Singer’s extension of the notion of moral standing to encompass animals. In the third part of our paper, we try to analyse his principle of suffering in the context of human life to show the logical outcome of his position. In the final part of our paper, we critically assess his principle. In the conclusion we show that Singer’s principle limits the scope of moral consideration by excluding potential human beings.

## THE PRINCIPLE OF SUFFERING IN THE CONTEXT OF ANIMAL LIFE

Speciesism in ethics discourse refers to privileging one species over and against other species, which is considered a mark of discrimination. Richard D. Ryder coined the term speciesism to look at those set of practices which favour a particular species over other species (Ryder, 2010). In the context of ethical actions, speciesism leads to favouring the human species over other species, including animals. The reason for privileging the human species over other species is that human beings possess the ability to reason, and this becomes the

criterion for privileging the human species over the animal species. Animals do not have moral standing as they do not have the ability to reason like humans. Rationality is a mark of dissimilarity between humans and animals, but there can also be a mark of similarity between humans and certain animals. That similarity is the capacity to experience pain or suffering. Both humans and animals can experience suffering.

Singer takes up the principle of sentience, that is, the capacity to feel pain or suffering as the fundamental similarity between animals and human beings and therefore, for him, on the basis of the capacity to feel suffering, animals also possess moral standing. Sentience is the ability to feel suffering or happiness. Singer writes "the meaning of sentience is the capacity to suffer or experience enjoyment or happiness" (Singer, Practical Ethics, 1993). Moral thinkers, particularly from the utilitarian traditions, including Jeremy Bentham, argue for the welfare of animals on the basis of the principle of suffering. Bentham's basis for moral equality is based on the formula, "Each to count for one and none for more than one" (Singer, All Animals are Equal, 1986, p.220). As Singer is a utilitarian, he is in agreement with Bentham's principle of equal consideration. Regarding Bentham's view, Singer writes, "In other words, 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." (Singer, All Animals are Equal, 1986, p.220). Singer often quotes Jeremy Bentham:

*The day may come when the rest of the animal creation may acquire those rights which never could have been withholden from them but by the hand of tyranny... a full grown horse or dog is beyond comparison a more rational, as well as a more conversable animal, than an infant of a day, or a week, or even a month, old... The question is not can they reason? Nor can they talk? But, can they suffer?*

(Singer, Practical Ethics, 1993, pp.56-57)

Singer, too, argues for the welfare of animals on the basis of the principle of suffering. Singer writes,

*If a being suffers, there can be no moral justification for refusing to take that suffering into consideration. No matter what the nature of the being, the principle of the equality requires that the suffering be counted equally with the like suffering--in so far as rough comparison can be made--of any other being. .... If a being is not capable of experiencing suffering or happiness then there is nothing to be taken into account.*

(Singer, Practical Ethics, 1993, pp.57-58)

The extinction of suffering is the centre point of Singer's ethics. In an interview, Singer says with regard to suffering,

*I think that if we follow that idea of 'doing unto others', then, even though people have different sorts of preferences and different wants, one thing is pretty general: people do not want to suffer. They do not want extreme physical pain; they do not want emotional deprivation and suffering. That's something we share with non human animals, broadly*

(Singer, Writings on an Ethical Life, 2000, pp.321-322)

He argues that if suffering is the central issue in determining which actions are right and which actions are wrong, then one should not distinguish between the suffering of humans and the suffering of animals.

As both the animal and human species can experience suffering, Singer extends moral standing to animals as well. If both the species had the capacity to experience suffering, then, both species should be considered. So, for Singer human beings are morally obligated to animals as well. Thus, for him, "If it is in our power to prevent something bad from happening, without thereby sacrificing anything of comparable moral importance, we ought, morally, to do it" (Schmidtz, 2009, p.430). Singer's ethical position is to reach beyond the notion of speciesism by extending the need for ethical considerations to include non-human species as well, namely, animals.

It is from this logic of suffering, which a sentient being experiences, that Singer goes beyond the confinements of speciesism.

Reason maybe an exclusive privilege of human beings, which makes them distinct in the context of ethical considerations. But, suffering is common among all sentient beings, irrespective of whether it is the human species or a non-human species. By following this logic of seeing the common element of suffering in both humans and animals, Singer tries to extend moral value to animals as well. By doing so, he broadens the notion of moral standing, thus avoiding the idea of speciesism, of privileging humans over animals, which Ryder remarks is one form of discrimination. Singer argues for moral consideration of animals based on this concept of sentience. Animals possess the capacity to suffer, according to Singer. For Singer, if a being is not sentient then there is no need to take it into consideration. Singer has given the example of the comparison between a mouse and a stone. A mouse should be taken into consideration but not a stone. A mouse can suffer but not a stone. Within the animal kingdom, if there is a being that does not have the capacity to suffer, then for Singer, it need not be included for moral consideration. But, how can one be sure whether a being has the capacity to suffer? While it is possible to gauge the intensity of pain of other humans based on one's own experience of pain, is it possible to gauge the intensity of pain of other species based on personal experience? The essential question is how one can know if another person is in pain; more specifically, what measure or gauge or pain scale is one referring to when talking about the pain of another species? The

epistemological problem arises because of the position that it may not be possible to compare human pain intensity with non-human or animal pain intensity. Gary L. Francione says,

*Singer's theory needs some notion of how we can measure (however imprecisely) inter-species experience.....It is difficult to compare pain intensity when we are concerned only with humans who can give detailed verbal reports of the sensation that they are experiencing-it becomes virtually impossible to make even imprecise assessments when animals are involved.*

(Francione, 2003, p.15)

Perhaps, one answer is that though pain-intensity measuring may not be possible, there are sufficient grounds to believe that animals undergo pain. There may be situations in which it may not be possible to gauge whether animals are in pain or not. Singer suggests that if it is easy for one to disengage in inflicting 'pain' on animals, however low the intensity, then disengaging could be considered a better action upon animals. Whenever there is an element of doubt, as to whether an animal feels pain, Singer argues in favour of releasing the animal from that pain. Singer says,

*While one cannot with any confidence say that these creatures do feel pain, so one can equally*

*have little confidence in saying that they do not feel pain. Moreover, if they do feel pain, a meal of oysters or mussels would inflict pain on a considerable number of creatures. Since it is so easy to avoid eating them, I now think it better to do so.*

(Singer, Animal Liberation:  
A New Ethics for Our Treatment  
of Animals, 1975)

Singer thus makes a distinction between entities based on sentience. He argues that entities that possess the capacity of sentience are to be considered as possessing moral standing as they can experience pain and pleasure. In the next part, we shall discuss this principle with respect to humans.

## **THE PRINCIPLE OF SUFFERING IN THE CONTEXT OF HUMAN LIFE**

Singer attempts to extend the scope of moral standing to animals based on the principle of suffering. But, the consequences of adopting a similar standard to humans results in an uncomfortable position from the traditional or religious viewpoint. If one has to think in line with Singer, then, it means that entities which are capable of feeling pain or suffering alone are worthy for moral consideration. That is the reason, according to Singer, inanimate objects and some lower forms of life that do not have the capacity to feel pain or suffering are not worthy of moral consideration. For him, a mouse can suffer, but not a stone. Hence, we should consider the mouse

when we discuss ethical obligations, but, we need not consider the stone. When we apply Singer's perspective to the context of human affairs, the implication is that a human fetus need not be considered worthy of moral consideration at some stages of fetus development.

Singer's principle of suffering finds nothing unethical in killing the early fetus. According to him, as long as the fetus is incapable of feeling pain or suffering, there is no moral issue involved in killing a fetus. For Singer, only sentient beings need to be considered, hence the fetus in its early stage (or the stage at which it does not experience pain or suffering) need not be considered. This suggests, according to Singer's position, that there is nothing wrong in killing an early fetus, for whatever reason. Even for trivial reasons, there is nothing unethical in killing the early fetus according to Singer. This goes against almost all religion-based ethics, which justifies fetus-killing only where the mother's life is at stake. Generally, all religions and religion-based ethics proscribe fetus-killing. John T. Noonan (Satyanarayana, 2010) has written the Catholic view of abortion which was expressed by Pope Pius XII:

*The unborn child is a human being in the same degree and by the same title as its mother. Moreover, every human being, even the child in its mother's womb, receives its right to life directly from God, not from its parents, not from any human society or authority...The*

*life of an innocent human being is inviolable, and any direct assault or aggression on it violates one of those fundamental laws without which it is impossible for human beings to live safely in society.*

(Satyanarayana, 2010, pp.148-149)

Singer opines that such proscription by religion-based ethics is to do with preference for the human species. Singer believes that it is because priority is given to the human species over other species, an argument for the preservation of the human fetus is heard whereas little or nothing is said against the killing of animals by humans. Traditionally, the central argument against abortion is:

*It is wrong to kill an innocent human being –premise (1)*

*A human fetus is an innocent human being –premise (2)*

Therefore it is wrong to kill a human fetus – conclusion (Singer, Practical Ethics, 1993).

Generally, the defenders of abortion deny the second premise of this argument. The second premise is concerned with the dispute as to whether the fetus is a human being or not. In other words, when a human life begins is the central issue here. Singer's argument for abortion is different from many other advocates of abortion. Rather than concentrating on the second premise Singer concentrates on the first premise of



the argument. Singer argues that there is nothing wrong in killing an innocent human being, in this context, the early fetus, since the early fetus is not a sentient entity. For the justification of abortion Singer says,

*Since no fetus is a person, no fetus has the same claim to life as a person. We have yet to consider at what point the fetus is likely to become capable of feeling pain. For now it will be enough to say that until that capacity exists, an abortion terminates an existence that is of no 'intrinsic' value at all.*

(Singer, Practical Ethics, 1993, p.151)

For Singer, a fetus then is as good as a stone, which is against the traditional moral standpoint. An argument can be put here against Singer's position that an early fetus may not be sentient, but has the capacity to be sentient in the future. A fetus can be treated as a potential sentient being and hence, it is wrong to kill the fetus. Singer tries to address this issue by the following argument. For Singer, from the statement 'A is a potential X', we cannot infer that 'A has the rights of an X'. Singer writes,

*It is of course true that the potential rationality, self-consciousness and so on of a fetal Homo sapiens surpasses that of a cow or pig; but it does not follow that the fetus has a stronger claim to life. There is no rule that says that a potential X has*

*the same value as an X, or has all the rights of an X.*

(Singer, Practical Ethics, 1993, p.153)

A similar line of argument based on potentiality of the fetus was given by Don Marquis. Marquis has given arguments against abortion on the basis of the future of value. He says,

*The future of value theory bases the wrongness of killing on some property an individual will have, or would have, not ultimately on a property she actually has now... The wrongness of killing fetuses resides in their potentiality because the wrongness of killing YOU resides in your potentiality.*

(Marquis, Singer on Abortion and Infanticide, 2009, p.147)

For Singer, one can abort a fetus for many a reason. Such an action may not deprive the world of a future rational and self-conscious being, but only postpones such an existence. In giving his view against the future of value theory, Singer points out that the claim that rational and self-conscious beings are intrinsically valuable does not entail that all abortions deprive the world of rational and self-conscious beings. Singer has given an example where abortion is not the deprivation of the world of a self-conscious and rational being. Singer asks if a woman who is two months pregnant, but

who has no children at present, should be considered immoral if she wants to abort her child by joining a mountain climbing expedition. The opponents of abortion may say it is morally a wrong decision because there is no case of the health of the mother being at risk; rather, the only concern is the enjoyment of the mother for mountain climbing. Singer differs with the opponents' view and argues that the decision need not be considered unethical. In this case the pregnancy is unwanted only because it is awkwardly timed. Singer says, "If abortion is wrong only because it deprives the world of a future person, this abortion is not wrong; it does no more than delay the entry of a person into the world" (Singer, Practical Ethics, 1993, p.154).

Going further in his argument against the future of value theory, Singer says that the future of value argument implies, "Not only that abortion is wrong, but that abstaining from sex that will probably result in conception is normally wrong, because both the abortion and the abstention from sex will cause one fewer valuable life to be lived" (Singer, Reply to Don Marquis, 2009, p.158). Continuing further, along the similar line, Singer argues with help from the scientific perspective as well. He argues that scientists have proven that it is possible to clone an animal. This indicates that cloning is possible of human beings as well. Singer argues that this fact indicates that billions of human cells have the potentiality to become an actual person. But no one has the obligation to save all the cells for becoming actual human beings (Singer, Abortion, The Dividing Line, 2007).

## CRITICAL ANALYSIS OF SINGER'S POSITION

We have seen in the above passages how Singer tries to use the principle of sentience to include animals under the ambit of moral consideration, allowing that animals have the capacity to feel pleasure and pain. The principle of sentience is taken into consideration in policy making for animal experimentation. Jonathan Wolff reports on the UK Animals Act 1986, wherein is stated that any experiment on vertebrates needs prior approval.

*Under this Act any scientific procedure carried out on any living vertebrate animal, or one species of octopus (Octopus Vulgaris), which is likely to cause that animal pain, suffering, distress or lasting harm is a regulated procedure requiring licence authority.*

(Wolff, 2011, p.12)

In the UK no licence has been given for doing experiments on animals like chimpanzees and gorillas. Moreover, experiments are divided into categories such as mild, moderate and severe based on the nature of inducing pain in animals (Wolff, 2011). The principle of suffering thus acts as an important criterion for experimenting on animals. Singer, by using this principle of suffering, could thus argue for extending moral standing to animals, which, it is true, has resulted in a changed perception of the way we should treat and use animals.



Singer is very particular about employing reason in the ethical sphere. An ethical decision for him is that which is consistent with one's position. Singer believes that an action in the domain of ethics can become an ethical action if such an action is properly justified. Singer believes that employing reason and following its path makes for a better ethical position against an irrational moral code of conduct. In a recent work, Singer in response to Harry J. Gensler, remarks,

*...as a philosopher I follow the argument where it leads. Should I, as a utilitarian, resist that urge, if the argument will lead me to say something counter-productive? That isn't so clear. Developing sound positions in ethics should, in the long run, have better consequences than doing bad philosophy, or refusing to discuss some issues for fear of losing influence on others.*

(Singer, Practical Ethics, 1993)

True to his concern for reason in ethics, Singer followed the argument where it took him on the principle of sentience. The principle of sentience has led him to include animals in the consideration of moral standing. On the other hand, the principle of suffering led him to exclude the early fetus from moral standing even though that may have gone against traditional moral norms. We can see that as an outcome of his ethics, a situation is created where animals

are worthy of moral standing, but not the early fetus.

Singer's consistency is questioned by Laing and others when he tries to address the ethical issue in the context of animals and humans. Moreover, Singer's theory was criticised for its attempt to level up animals human status or to level down humans to animal status. Does it really matter if we speak of levelling up animals to human beings or levelling down humans to animals? Yes, it does matter, although both acknowledge a sense of equality.

When we say that animals are levelled up to humans, we acknowledge equality by extending certain features of the human being such as suffering and being sentient to animals. In fact, some higher forms of animals, apart from being sentient, display characteristics similar to humans such as the ability to reason, and the manner in which they socialise such as living in groups and having a community life, apart from being sentient. "Some animals are capable of higher cognitive capacities, or will by instinct live in groups" (Wolff, 2011, p.21). When we claim equality between animals and human beings by this idea of levelling up, we acknowledge the common characteristics that are available in humans and in animals.

On the other hand, when we say that humans can be levelled down to animals, we also acknowledge another sense of equality. But here, the implication fails to consider the dignity and superiority of humans. When Singer takes a bio-centric viewpoint, he perceives a kind of equality where he levels

down humans to animals. This is evident particularly when he talks of the status of the fetus.

It is true that Singer's voice and that of thinkers who agree with him have paid dividends to a certain extent against the rampant use of animals in experiments, but the rights now accorded to animals may not be to the desired level of these thinkers. Gensler points out that there are two phases of animal liberation in Singer's works.

*Phase 1 was about reducing cruel experimentation on animals. This phase had much success, largely through the work of Singer and his follower Henry Spira (1927-1998)... Phase 2 of the animal liberation movement, which is about eating meat, has not had the same success. While there are more vegetarians and vegans than before, their numbers are small; the average consumption of meat has, if anything increased in the last thirty years.*

(Gensler, 2009, pp.164-65)

Although certain segments of people express concern towards animals, still, animal killing and non-vegetarianism prevail. So, as Gensler remarked, Singer's phase I was effective by curtailing cruel practices in animal experimentation, but his Phase II is still a long way to go. Singer, in that sense, cannot assure complete protection for sentient animals, either legally or morally.

From the utilitarian point of view, Singer may find a problem in protecting animal rights. Singer points out the principle of suffering as the reason to consider animal beings as possessing moral standing. R.G. Frey, however, argues that though pain is relevant in discussing animal rights, it cannot be the central focus. He writes, "Of course pain is relevant to animals and the morality of what is done to them. But it is not, I want to suggest, the central focus of such a discussion, in the way it is made to be in *Animal Liberation*" (Frey, 2009, p.107). He adds, "Suppose one undertakes some medical experiment upon an animal that is entirely painless: is it wrong to undertake that experiment? If so, the infliction of pain will not establish the point." (Frey, 2009, p.107). Frey argues that if the issue of animal rights is based only on the principle of suffering, then that alone will not add value to animal life. The argument for animal welfare from the perspective of pain gets resolved if animals are killed painlessly. Lori Gruen observes, "If the animals live happy, stress free, natural lives before they are painlessly killed, the utilitarian may not object to their use as food (Gruen, *Animals*, 1994, p.349). Therefore, in the context of animals, Singer's position does not propagate for absolute rights to animals.

In the context of humans, Singer's ethics has not been well received. One obvious reason is that Singer's ethics tries to challenge the traditional or religion-based ethics. He rejects the 'sanctity of life' principle. Apart from that, the outcome of his principle of sentience has set the rights

of the potential human being, that is, the early fetus, as being subservient to the rights of the living human being, however trivial those rights may be. Singer's position with respect to the early fetus maybe a logical outcome of his position, but ethical discussions in terms of public policy do not operate purely on logic alone. "Whatever the power of one's arguments in terms of intellectual terms, it has to be accepted that public policy is not a sphere of pure reason" (Wolff, 2011, p.4). Singer's arguments on ethics seldom consider this issue although he often says that he is ready to go wherever his logic takes him in ethics. While one discusses ethics in public policy issues, an important point to be considered is whether that issue is widely shared by people. In the case of abortion, a widely accepted view is that a mother can abort a fetus if the life of the mother is at stake. But, on the other hand, is it a widely accepted case that parents can abort their fetus for any trivial reasons, even if the fetus is at its early stage of development? Singer's position on this issue goes against the traditionally accepted view.

Moreover, this outcome of Singer's ethics takes us to the broader picture of the purpose of ethics. Ethical thought aims at extending moral standing. The history of ethics is often associated with discussions on extending moral worthiness and moral standing. If we study the history of ethics, we will note that it often voices concerns of some of the then practices that promoted inequality and try to go against them. Generally, moral standing is given to human beings, but, seen historically, human beings

have not always been allowed due moral standing. In the ancient Greek and Roman periods, there were men who were kept as slaves, who therefore did not possess equal rights and moral standing as did citizens of the state. Aristotle said in his book *Politics*, "And indeed the use made of slaves and of tame animals is not very different; for both with their bodies minister to the needs of life" (Philosophers Justifying Slavery, 2012). Similarly, the deprivation of rights was very clear in the ancient Roman legal system, where a distinction between persons and non-persons was made in order to preclude a set of human beings (non-persons) from enjoying the rights and privileges given to others (persons). In the Roman legal system, only persons were entitled to legal rights. Slaves were not regarded as persons and they were regarded as property as they were not citizens of the state. Similar unequal treatment and practices have been carried out throughout history based on gender, caste, colour and race. Any ethical concern stands tall if it is able to extend moral standing with suitable justifications. An ethical perspective that broadens our outlook should augur well for humanity as a whole. If we see Singer's ethics from this perspective, the effectiveness of his ethics in extending moral concerns fails. His concerns for animals did try to extend moral concern, but his ethical principles in the human context fail. As aptly remarked by Laing,

*The proposal that separates Singer from these other accounts is specifically that Singer is not merely*

*extending our ordinary concern for humans to animals. He is asking us to disregard our common humanity in any decision making about the vulnerable, the very young and the disabled.*

(Laing, 1997)

The purpose of ethics is not to limit the scope of moral standing but rather to extend it. As Lillie points out, "...the chief value of ethics is not in the guidance it gives in particular cases, but in the development of width of outlook and seriousness of purpose in dealing with moral matters generally" (Lillie, 1994, p.19). In this aspect, Singer's theory falls short, particularly when he adopts the principle of suffering to the early fetus in the context of humans.

## CONCLUSION

Singer tries to include animal beings under the ambit of moral consideration through the principle of suffering. This principle extends the scope of moral consideration to animals. At the same time, this principle excludes the early fetus, that is, the potential human being. Thus, it limits the scope of moral consideration to only living human beings. Singer's attempt to include moral standing to animals is yet to get legal protection, but he has opened up the issue of excluding some set of human beings for whom there may be legal protection. Singer's principle, perhaps, thus limits the scope of moral consideration instead of extending it.

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