

Avoiding Anthropomoralism

Abstract

The Montreal Declaration on Animal Exploitation, which has been endorsed by hundreds of influential academic ethicists, calls for establishing a vegan economy by banning what it refers to as all unnecessary animal suffering, including fishing. It does so by appeal to the moral principle of equal consideration of comparable interests. I argue that this principle is misapplied by discounting morally relevant cognitive capacities of self-conscious and volitional personhood as distinguished from merely sentient non-personhood. I describe it as a kind of anthropomorphizing moralism which I call anthropomoralism, defined as the tendency to project morally relevant characteristics of personhood onto merely sentient non-persons by discounting their existing differences with actual persons. I show that this attitude can lend support to the resurgent attempt to treat fetal pain as equally morally considerable to that of childbearing persons they gestate within. I explain that the only sound way to apply the principle of equal consideration of comparable interests is to compare experiences of actual persons. Therefore, while supporting a vegan economy may be morally praiseworthy, it should not be deemed morally obligatory.

Keywords: Personhood; Veganism; Utilitarianism; Sentience; Supererogation.

As a professional ethicist, I am reasonably concerned for the general welfare of all sentient beings. As a result, I received a confidential invitation last year to sign the [Montreal Declaration on Animal Exploitation](#), which was sent to all manner of philosophers such as myself who share these concerns. By the time it reached me, it had received hundreds of endorsements from many of the world's well-known ethicists working in animal rights. I reproduce only the key passages here, emphasizing what I consider to be the most controversial aspects:

"Insofar as it involves unnecessary violence and harm, we declare that animal exploitation is unjust and morally indefensible.

It is obviously possible to refrain from wearing leather, attending bullfights and rodeos, or showing children captive lions in zoos. Most of us can already do without animal foods and still be healthy, and *the future development of a vegan economy* will make things even easier.

Admittedly, some sophisticated cognitive abilities give rise to particular interests, which in turn may justify particular treatments. But *a subject's ability to compose symphonies, to make advanced mathematical calculations, or to project oneself into a distant future, however admirable, does not affect the consideration due to his or her interest to feel pleasure and not to suffer. The interests of the more intelligent among us matter no more than the equivalent interests of the less intelligent. To say otherwise would amount to ranking individuals according to faculties that have no moral relevance. Such an ableist attitude would be morally indefensible.*

It is therefore difficult to escape this conclusion: because it unnecessarily harms animals, animal exploitation is fundamentally unjust. *It is therefore essential to work towards its disappearance, especially by aiming at the closure of slaughterhouses, a ban on fishing, and the development of plant-based food systems."*

Before I continue, let me say that I sympathize with the overall thrust of what is being lamented here. Non-human animal welfare continues to be overlooked in myriad structural ways, many of which this letter highlights, and we should aim to curtail it as far as is reasonably possible. That said, I must demur from its militant call for establishing a vegan

economy by banning what it calls all unnecessary animal suffering including fishing. "Unnecessary" is an evaluative term, and there will presumably be many grey areas as to what may be considered necessary or unnecessary. The declaration's wording throughout betrays an important and specific intellectual bias, strikingly reminiscent of the religious pro-life movement, which leads the argument into sweeping meta-ethical generalizations that will ultimately undermine its more noble goals.

Setting aside the issue of what counts as unnecessary pain, the deeper conceptual problem here seems to hinge on the notion of what counts as equal consideration of comparable interests. This is a concept first articulated by utilitarian ethicist Jeremy Bentham. The moral principle states that similar pleasure and pain should be considered equally, regardless of which being happens to experience it. So naturally, race, intelligence, and even species membership should have no bearing on it. This principle has led many throughout history – though notably not Bentham himself – to become moral vegetarians if not vegans. Unfortunately, utilitarians often find it difficult to distinguish between what is our basic moral duty from what is merely morally praiseworthy, thereby running the risk of conflating the two. It may be praiseworthy on the broadest moral considerability grounds to become vegan, but it does not necessarily follow from this that it is a matter of basic moral duty, as the Montreal Declaration seems to claim. In my view, this distinction can be adequately drawn by leveraging the traditional meta-ethical categories of self-conscious personhood as opposed to mere sentience, which numerous scholars have already developed.

Unlike the merely sentient, *persons*, human and non-human, also enjoy varying degrees of capacities to conceive of their own existence into the future, a capacity often referred to as *self-consciousness*, which many have argued makes them non-replaceable. Here is a summation of the argument, originally attributed to Peter Singer:

"The replaceability argument permits killing animals (human or otherwise) that have no conception of themselves as existing in the future, provided such individuals lead a pleasant life beforehand, are killed painlessly, and are *replaced* by beings that will have equally pleasant lives" ([Kemmerer](#); my emphasis).

This view echoes [Bentham's own distinction](#) permitting the eating of non-human animals given that "they have none of those long-protracted anticipations of future misery which we have." The trouble with the Montreal Declaration is that it deliberately ignores any such distinction. Indeed, it dismisses the notion outright with the thinly-supported claim that such capacities merely demonstrate higher intelligence. It then concludes by calling for a ban on fishing altogether and for the closure of (presumably all) slaughterhouses. However, fishing can be defended on the replaceability grounds given above, as has been argued [here](#). Other types of game hunting including most fowl would then seem to potentially fall into the same permissible category, though perhaps not large game such as lions, wild boar, etc. Singer has suggested that we err on the side of generosity when unsure as to which category an animal might actually fit into. While this may not always be the best approach given competing claims, the difficulty of this problem should not lead us to simply obliterate the meta-ethical distinction altogether, which could lead to all manner of arguably unacceptable outcomes, such as for example, making it potentially immoral to efficiently eradicate rodent – or even insect – pests via painful means.

Setting aside for a moment the question concerning degrees of self-consciousness and where its lines should be drawn, there are clear capacities at the higher levels that do seem particularly morally relevant, for they constitute autonomous self-determination. They comprise the capacity for propositional language which dramatically increases one's capacity to deliberately make investments in one's own future. This is what is commonly referred to as intentional volition, as opposed to targeted desire. At this level, one is able to *entertain*

different reasons for acting – the main pre-requisite for intentional volition, i.e., will. It is thus only at this point that full agency may exist. It is largely made possible by the capacity for propositional and temporal reference. This is why a person can make and keep resolutions, be lucid, consistent or hypocritical. Such capacities are morally significant since they represent an entire order of volitional self-consciousness, namely, self-determination. They also include purely intellectual pleasures and pains, which mere sentience does not. Therefore, to rob them – and potentially others impacted by them – from the potential benefits which their deliberately invested futures may bring, does far greater damage. Beings that do not carry any capacities even approaching these abilities and yet may still feel physical pain are certainly worthy of moral consideration, but we should not overinflate our humane sympathies by projecting such full-blown characteristics onto them, thereby discounting meaningful differences altogether.

This leads us to the rather unavoidable and thorny issue of degrees of consciousness and self-consciousness, explored within the pages of this journal and by myself [here](#). Logically, the capacity of sentience includes the measure of consciousness required for perceiving that experience. Thus, even the merely sentient must possess some minimal measure of consciousness. Higher up the chain of experience, others have limited capacity for anticipation as Bernie Rollins [points out](#), or even self-reflection as these capacities, which are constitutive of personhood, are arguably best understood as coming in degrees, as I argue in the above cited paper. While [dolphins](#) seem to possess propositional language and other species such as [apes and even parrots](#) have been able to acquire significant linguistic mastery, it will be evident that other animals including dogs, cats, pigs, cows, and pre-linguistic human infants might still arguably qualify as volitional if to a significantly lesser extent. This is demonstrated via intrinsically intentional expressive behavior or even limited conventionally associative symbolic representations such as calls signifying different pains,

threats or desires. Though they may lack full-blown propositional language, they may exhibit significant degrees of self-consciousness in these ways as well as via mirror self-recognition, or the ability to entertain different points of view through what behavioral scientists call [theory of mind](#), and other associated behaviors. In order to err on the side of generosity in borderline cases, such beings capable of limited self-conscious volition might still be comparable enough to persons with fully actualized intentional volition to deserve equal consideration.

Unfortunately, the Montreal Declaration is far more sweeping, reducing all higher cognitive functions to a mere matter of intelligence. While cognitive differences might not always seem as significant when comparing the partially self-conscious to the merely sentient, or the fully volitional to the partially self-conscious, these differences are thrown into high relief when attempting to compare the experience of beings at opposite ends of the spectrum, namely, the fully volitional and the merely sentient. Otherwise, to treat them as comparable by banning fishing as the declaration calls for, is akin to equating spring-loaded mouse trapping with human hanging. Both will sever their victims' spines, causing them to writhe in a few instants of extreme suffering before death. Still, we should not derive a moral equivalence from these observed behavioral similarities. To do so amounts to a kind of anthropomorphizing moralism that may be referred to as anthropomoralism. It can be defined as the tendency to project morally relevant characteristics of personhood onto merely sentient non-persons, by discounting their existing differences with actual persons. Conversely, when consumers and animal rights groups lobbied in the 1990's for banning non-dolphin-safe tuna, they implicitly acknowledged that dolphin pain is not sufficiently comparable to tuna pain to justify a ban on tuna fishing. Thus, they properly applied the principle of equal consideration of comparable interests to dolphins but not tuna, which are merely sentient non-persons. That said, "sufficiently comparable" does not mean "not comparable at all". Surely, even a tuna

possesses some minimal degree of self-consciousness required to distinguish itself from others, and Andy Lamey [has shown](#) that chickens possess a primitive self-consciousness that includes minimal awareness of their continued existence over time. However, these capacities are only comparable to those of self-conscious persons in the broadest sense of the term. For their interest in a future they can only glimpse is limited to this extent. This is why Bentham introduces the qualifier "*long-protracted* anticipations" and not merely "anticipations" generally construed, to call attention to this distinction. It is crucially this long-protracted aspect which constitutes self-conscious personhood and affords the interest of self-determination. As such, the merely sentient and even minimally self-conscious do not share any interest in self-determination, nor can they be said to have any such *equivalent interests*, to use the language of the Montreal Declaration. For there is no equivalent interest to self-determination, as it is the duty one keeps -or betrays to oneself. As Ronald Dworkin elegantly [puts it](#), this is the basis on which dignity rests, namely, taking objective importance of one's own life seriously (self-respect), and accepting personal responsibility for what counts in one's own life (authenticity). Fish and chicken cannot be properly said to have any such interests even in the broadest equivalent sense. That said, there may well be borderline cases further up the chain of experience with dolphins, apes, parrots etc.

The rising tendency to anthropomoralize all sentient life is strikingly reminiscent of the religious right's conviction that human rights begin in the womb – if not at conception – with the capacity for fetal pain. This is in fact Senator Lindsey Graham's aim in introducing the [Pain-Capable Unborn Children Protection Act](#), banning all abortions after the fifteenth week of pregnancy, when physical pain reception begins to develop – though without the existence of the brain's capacity to perceive it, which doesn't begin to appear until at least the twenty fourth week. At this point, it should be evident that these cannot be equivalent interests, if they can even be called interests at all. I say this incidentally as a person whose

biological mother gave him up for adoption five years before *Roe v. Wade*. After all, if she had gotten an abortion instead of carrying me to term, you wouldn't be reading these words now. Still, it was surely a tremendous sacrifice for her to carry and birth a child she would then give up, especially had it been the product of rape and/or incest. As such, we should not equate the interests she had as a person with those of a fetus, even one which may have developed to the point of sensing pleasure and pain. For the rights of child bearers should trump our humane concerns for the unborn and merely sentient. And this is not only because they are more intelligent, to echo the language of the declaration. It's because they normally have a complex set of investments, commitments, and aspirations that sentient – or pre-sentient – life simply lacks.

Taking the anti-abortion position a step further into potentiality, as often defended by the religious right and which might seem increasingly reasonable beyond viability, can also be pushed in the other direction all the way to conception itself. Justice Alito infamously reified this view in his [Dobbs](#) decision overturning *Roe v. Wade* in which he claims that states have a legitimate interest to protect pre-natal life *at all stages of development*. He followed this up recently by publicly dissenting, along with Justice Thomas, from an [unsigned majority ruling](#) preserving the right to abortion pill access. In so doing, Alito discounts the far greater interests of the sentient and self-conscious persons who make pre-sentient life possible. The Montreal Declaration, though it does not push the needle of moral considerability this far down, decidedly discounts the distinction between personhood and mere sentience, thereby seemingly binding its signatories to agree with banning abortions that might cause "unnecessary" fetal pain. If all unnecessary suffering must be banned as the Montreal Declaration states, there might only be few if any allowable abortions beyond the fifteenth week, depending firstly on where one draws the line at plausible pain capacity, and secondly, on what suffering may be considered necessary or unnecessary. The viability line

drawn by Roe v. Wade protecting abortion until the third trimester – eight weeks longer than Senator Graham's bill – might well be compatible with the Montreal Declaration since pain perception would seem impossible until this same period during which the brain and central nervous system take shape. Though I imagine many of the Declaration's signatories may prefer to err on the side of defending women's rights over their own bodies even into the third trimester, they may be hard pressed to avoid implicitly supporting the opposing position.

While it might be admirable to carry an unwanted fetus to term so as to place it in the grateful arms of adoptive parents, this should never be treated as a basic moral obligation, even once fetal pain capacity becomes possible. Similarly, though usually a far lesser sacrifice, it might be commendable to avoid causing any suffering via fishing, hunting, or eating animal products of any kind. Such persons may lead by example to inspire others to become more morally considerate to any and all sentient beings their actions may come to impact. Still, when extended to the merely sentient, such noble actions must remain in the supererogatory realm and should not be banned as violations of basic moral duty, potentially enforceable by law.

That said, we can also cruelly fish, hunt fowl, and factory-farm chickens for consumption and such levels of needless suffering might reasonably be banned. But we should not go so far as to deem it unjust to harm, hunt or kill any animals whatsoever, when carried out in a reasonably humane fashion. For a strict moral vegan lifestyle would amount to a significant sacrifice for many if not the majority of people, especially those living subsistence lifestyles in less-developed countries. It would also rob the world of millions of replaceable sentient beings who could no longer be even humanely raised and slaughtered for consumption. To call a non-vegan lifestyle unnecessary is to neglect the fundamental cognitive capacities of actual persons and thereby run the risk of discounting them when weighed against the interests of the merely sentient. This is also what happens when some of

us project our lived experience onto the captivating ultrasonic imagery of the fetus and its newly beating heart or to its developing capacity for pain across the second and third trimesters as reflected in the language of Senator Graham's bill. Such attitudes blind us to the incomparably greater interests of the actual person whose womb we're peering into.

Ultimately, the language of the Montreal Declaration invites us to equate our own lived experiences with those of the merely sentient who in reality have little or no capacity for self-conscious personhood though they may well appear, in the magnifying moment, as if they did. Nevertheless, our behavioral tendency to transpose our emotions into them is part of what makes us human. It is built upon our readiness to imagine another's perspective, of which perhaps even the merely sentient may catch a fleeting glimpse. It is surely one of the most edifying aspects of our nature, and at the essence of what makes us into persons to start with. At the more critically reflective level however, it should also make us capable of resisting the distorting lure of our own anthropomorphizing self-projections.

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