

Naturalness: beyond animal welfare*

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To be a living bat is to be full of being; being fully a bat is like being fully human, which is also to be full of being. Bat-being in the first case, human-being in the second case, maybe; but those are secondary considerations. To be full of being is to live as a body-soul. One name for the experience of full being is *joy*.

Elisabeth Costello in J.M. Coetzee's *The Lives of Animals*¹

ABSTRACT

There is an ongoing debate in animal ethics on the meaning and scope of animal welfare. In certain broader views leading a natural life through the development of natural capabilities is also headed under the concept of animal welfare. I argue that a concern for the development of natural capabilities of an animal such as expressed when living freely should be distinguished from the preservation of the naturalness of its behaviour and appearance. However, it is not always clear where a plea for natural living changes over into a plea for the preservation of their naturalness or wildness. In the first part of this article I examine to which extent the concerns for natural living meet 'the experience requirement'. I conclude that some of these concerns go beyond welfare. In the second part of the article I ask whether we have *moral* reasons to respect concerns for the naturalness of an animal's living that transcend its welfare. I argue that the moral relevance of such considerations can be grasped when we see animals as entities bearing non-moral intrinsic values. In my view the 'natural' appearance and behaviour of an animal may embody intrinsic values. Caring for an animal's naturalness should then be understood as caring for such intrinsic values. Intrinsic values provide moral reasons for action iff they are seen as constitutive of the good life for humans. I conclude by reinterpreting, within the framework of a perfectionist ethical theory, the notion of *indirect* duties *regarding* animals, which go beyond and supplement the direct duties *towards* animals.

Welfare as a criterion for moral status

In our society there is nowadays a broad consensus that the fate of animals – at least of certain categories of animals – should not completely depend on the contingent and changing interests and preferences of men. The moral indignation about the abuse and

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¹The novelist J.M. Coetzee was invited to give the 1997-98 Tanner Lectures at Princeton University. His lectures were fictional in form. The main character in the lectures within the lectures is Elisabeth Costello, also a novelist who delivers two lectures on a topic of her own choice at Appleton College.

maltreatment of animals was led to developing the view that cruelty by humans against animals constituted an offence against their own humanity. This argument justified only *indirect* duties not to harm animals. The accepted position in animal ethics is now that many animals share morally relevant features with humans which justify assigning ‘moral status’ to them. If entities have moral status, humans may not treat them in just any way they like. They then are members of moral community, which implies that humans have direct duties to them.

Entities having moral status are equal members of the moral community. They deserve to be treated as equals, which does not imply getting equal treatment. Humans are morally obliged to give weight in their deliberations to the needs, interests, or well-being of all entities having moral status. These entities have, in other words, moral importance *in their own right*, and not merely because protecting them may benefit human interests or should prove, as with Kant, our humanity.

Many animal ethicists restrict moral status to entities that have a capacity for *subjective* welfare.² They have this capacity if they are sentient beings that is if they are capable of having positive experiences – pleasures – and negative experiences – pains. The capacity for suffering and enjoyment does not coincide with having consciousness, because there may be entities that have consciousness but do not experience pain or pleasure. Utilitarians such as Peter Singer hold the opinion that sentience is the necessary and sufficient condition, the sole valid criterion for ascribing moral status (Singer 1975).³

It is important to stress that the question what the appropriate criterion is for admission to the moral community should be distinguished from the issue what kind of duties humans have to the non-human members of the moral community.

Accepting sentience as criterion does not imply that the moral duties to sentient animals are exhausted by the concern for their subjective welfare. It does imply, as I

² I use the term ‘subjective welfare’ for referring to the presence of positive experiences and the absence of negative experiences, thus to inner, mental states. The term ‘objective welfare’ refers to an external state of affairs, such as flourishing. All natural entities that have a capacity for flourishing, are capable of having objective welfare. When speaking of welfare as such, I refer to both inner and external states.

³ In her *Moral Status: Obligations to Persons and Other Living Beings* (1997) Mary Anne Warren criticises the view that there is only one criterion which is the necessary and sufficient condition for assigning moral status. She argues for a multi-criterial account in which several criteria are a sufficient condition for assigning some moral status. She thinks that this account accords better with common-sense judgements about moral status than uni-criterial theories like the Sentience Only View of utilitarian authors such as Singer (Warren 1997, p. 181). I regard her approach as sound and plausible. In my view sentience – capacity for welfare – is a sufficient, but not a necessary criterion for assigning moral status.

shall argue below, that something can only be said to affect the welfare of a sentient being when it also affects its subjective experience. I call this ‘the experience requirement’.

A broader view on animal welfare

Some authors in animal ethics are dissatisfied with approaches in which animal welfare is limited to inner states such as freedom of pain, disease, absence of urges to self-mutilating and aggressive behaviour. They argue that no one will conclude from observing that hostages are well fed, healthy and quiet, that they are happy. The explanation given will be that they have temporarily resigned to their fate, hoping for a happy end. Analogously, one should not conclude from observing that e.g. battery chickens are well fed, healthy and non-aggressive, that they fare well, flourish. We all know that humans flourish when they have the opportunity to do what they like and find important, and have success in the projects they pursue. There is also every reason to assume that if an animal has the opportunity to do all the activities that are characteristic for its species, this contributes to its flourishing. Pigs should have the opportunity to root in the mud; chimpanzees to live in groups; chickens to pick in the sand for seeds, worms, and so on. In this view caring for the welfare of animals includes creating conditions in which they can have a life that accords with their species-specific capacities and adaptation patterns. Animals should not only *feel well* – be free from prolonged and intense fear, pains and other negative states – and *function well* – have a satisfactory health, normal growth and normal functioning of physiological and behavioural systems – but also *lead natural lives* through the development of their natural capabilities and adaptations (Fraser et al. 1997).

One of the notions developed to cover the concerns about animals that go beyond subjective welfare is ‘animal integrity’ – a notion similar to that of ‘the fullness of being’, used by Elisabeth Costello, the famous writer in John Coetzee’s novel. The Dutch animal ethicists Bart Rutgers & Robert Heeger define animal integrity as ‘the wholeness and completeness of the species-specific balance of the creature, as well as the animal’s capacity to maintain itself independently in an environment suitable to the species. They explicate this definition as being made up of three mutually linked and complementary elements: (1) wholeness and completeness, (2) the balance in species specificity, and (3) the capacity to independently maintain itself. An animal can only be said to be in a state of integrity if all three elements are present (Rutgers

& Heeger 1999, p. 43). Respect for the integrity of an animal demands from us not only to abstain from infringements on its physical wholeness and completeness, but also to create conditions in which they can show the behaviour characteristic for the species.

Rutgers & Heeger do not propose capacity for integrity as an alternative criterion for assigning moral status. They regard the concept of animal integrity as a *heuristic device*. It should help us to discover those actions and conditions that impede an animal in leading a life that accords with their species specific capacities. Rutgers & Heeger do not reject the experience requirement, but seem to assume that infringements on an animal's integrity also affect its subjective welfare negatively.

Normal functioning in a normal environment

The problem with concepts such as the integrity of animals is that they presuppose a reference point, an idea of what the animal's species-characteristic capacities, behaviour patterns and physical appearance are. Proponents of a broad concept of animal welfare look into the behaviour of animals living freely because they assume that domesticated animals preserved many of their wild ancestors' capacities and behaviour patterns. Evolution has equipped these animals with motives and desires to show certain behaviour patterns that are adaptive to living in a specific environment, which is then called their 'natural environment'. These motives and desires may still be present in domesticated animals, even when their adaptive function has disappeared.

Although these broad welfarists need not be essentialists, in answering the question which behaviour patterns are typical for a species, they meet similar epistemic problems as essentialists. If we want to argue that an animal species should be enabled to show a specific behaviour pattern also in a context of domestication, we must be able to distinguish between behaviour that is constitutive of that species's flourishing, and other behaviour. In such cases we cannot just state that that behaviour is on our list of things that make the lives of members of a species go well. This is what is done by what Philip Kitcher calls 'bare objectivists' (Kitcher 1999).

Essentialists have to explain why they put a specific behaviour on the list – why they think it is essential – and broad welfarists why they think it to be typical of a species's functioning. The essentialist argument could be that an allegedly valuable item is connected to a certain property of which we know that members of a species

exhibiting it, are flourishing. This property should identify the lives of species members going well. Only then an explanation meets what Kitcher calls 'the Reductivist Challenge' (Kitcher 1999, p. 60). This challenge is not met when value judgements are imported to identify an essential property, which then is represented as the criterion of a species's flourishing. If I value rationality highly in humans and consequently state that the level of intellectual capacity is the criterion for determining the extent of human flourishing, I do not meet the Reductivist Challenge. Broad welfarists do not have to justify the inclusion of an item by connecting it with an essential property which flourishing members of a species possess. They can suffice by showing that a behaviour is always present in the repertoire of those members of a species that apparently flourish. But who are members of a species? What property does an animal need to have to qualify for membership of a species? Kitcher discusses some candidates for properties that qualify entities for membership of the human species. Although he discusses human perfectionism, the statements he makes about the human species can easily be generalised (Kitcher 1999, p. 64 ff.). Obvious candidates are some genetic or chromosomal properties. Is the number of chromosomes a plausible candidate? Kitcher argues that in case of humans, most members of that species have 23 pairs of chromosomes, but not all. Should we conclude that the organisms with a different number do not belong to the human species? According to Kitcher not necessarily. We might reason that species have normal as well as abnormal members. But how do we determine what are normal members? A possible answer is: on the basis of statistical considerations. As to genes, there are some loci for which the human species is highly polymorphic, such as blood type. Should we equate normalcy with having the most common genotype? However, suppose that in a world in which the background levels of radiation are so high that most human zygotes have properties, which we would intuitively count as abnormal. When applying statistical techniques to the species in that world, we arrive at a different conception of normalcy and consequently a different species essence. However the members of this species are still able to interbreed with 'our' human species. Let us suppose that we were able to find a set of chromosomal or genetic properties, which was a plausible candidate for a species. We would not simply suggest that the good of that species consists of developing those properties. Insofar as properties constitutive of a species ground its perfection, it is through the phenotypic characteristics to which they give rise. However, phenotypic traits result

from an interaction between genes and environment. And most genes can be expressed in various ways, dependent on the nature of the environment. Thus, we cannot argue that the chromosomal and genetic properties making up the essence of a species determine a distinctive set of phenotypic traits whose development is particularly pertinent to the goodness of the life the members of that species. This problem can only be solved by introducing another notion of normalcy, that of 'normal environment'. The defining characteristic of a species could then be said to consist of a set of chromosomal and genetic properties as expressed into phenotypic traits in a 'normal' environment. However, how do we determine a species's normal environment? Statistical considerations will not work, since we select environments as normal in virtue of the fact that they permit genotypes to issue in the traits we value. Kitcher gives the example of children, which bear the PKU-genotype (1999, p. 68). We give them a diet so that the build up of amino acids does not interfere with cognitive development. We don't think that the development of cognitive skills is part of the human good because we have an independent notion of normal environment that permit people who have the chromosomal and genetic properties essential to our species to exhibit higher cognitive functions. We take environments to be normal for humans because we already perceive cognitive developments as something good for us. Using our species essence c.q. our conception of normal functioning to identify the human good fails, because ideas of the good have to be imported if we want to link the essential properties with the right phenotypes. This kind of a theory does not meet Kitcher's Reductivist Challenge. The conclusion must be that we cannot identify in a value-free way the properties characteristic of essential to a species. Consequently we cannot explain why we include an item on the list of a species's objective goods, by connecting it to those properties.

Broad welfarists cannot evade the problem of identifying properties specific to a species in a value-free way. They need a reference point for formulating presumptions or hypotheses about which capacities and adaptations might be essential for e.g. husbandry animals. This reference point is usually the way of life and behaviour of their freely living relatives.¹ However, the danger exists that by lack of knowledge of

¹ Stephen Clark says that there is no need to suppose that there is only one environment for an organism and only one successful phenotype of its kind. Evolutionary theory itself suggests that species divide, or are divided: but the new species do not step entirely outside the older ways of life (Clark 1997, p. 71).

other suitable living conditions one comes to regard a domesticated animal's wild relatives' way of life as a model that should be simulated as much as possible.

Natural living and naturalness

One of the reasons to plead for 'enrichment' of the environment of especially animals held in captivity was the growing insight into stereotypic behaviour.² Stereotypic behaviours prove that otherwise healthy and well-fed animals can suffer from living in a 'wrong' environment.

Extensive research has been done on the environmental enrichment of zoos. Many zoos, influenced by the back-to-nature approach, attempted to compensate the environmental deficits by simulating the 'natural' environment of animals. Trevor Poole argues that this approach is deficient for two reasons. The first one is that simulation only partly can work while natural features such as predators, disease, hunger, and other life-threatening challenges will also be absent in enriched environments. The second is that at least mammals readily substitute one form of action for another depending on the facilities which are available to them. He refers to studies showing that the absence of a forest full of interesting foods may be of little concern to a chimpanzee or mandrill when they have the opportunity to play computer games. Chimpanzees who enjoy working with computers have not been reared in forests, while those whose home is the forest are unlikely to show interest in computer games. The environment in which an animal has developed, is of great importance (Poole 1998, p. 83ff). Poole denies that natural selection has precisely shaped a mammal's behavioural needs to its habitat. If that were so, zoos would have to do everything possible to create a closure exactly like the wild, to satisfy the mammals' needs. However, their intelligence enables the mammals to modify their behaviour to suit a wide range of situations. Their behavioural capacities are flexible enough (p. 85). Technology can also enrich the lives of mammals by providing challenges and

² Some animals living in barren environments (zoos, cages, stables) develop forms of stereotypic behaviour, namely repetitive behaviour patterns that have no obvious goal. There are two categories of stereotypic behaviour: movement stereotypes, such as weaving (horses, polar bears), pacing (carnivores), and rocking (primates, men), and oral stereotypes, such as bar-chewing (cattle, pigs), crib-biting and wind sucking (horses), tongue-rolling and sucking (especially veal calves). Stereotypic behaviour can be a mechanism for coping with environmental deprivation (thereby avoiding suffering), an outward and visible sign of distress, or a relatively harmless way of passing time. The induction or performance of stereotypes may be related to the presence, or the absence of stimuli from the external environment but they are also regulated by states of mood. States of mood such as boredom or arousal, anxiety or excitement can be linked to the chemistry of the brains and modulated by drugs (Webster 1994, p. 56ff).

opportunities for achievement. He concludes by saying that, although enclosures that look natural to the human eye or more aesthetically pleasing, zoos must not be afraid to provide artificial features if these meet a mammal's psychological needs (p. 93).

Let's take for granted that computer games might indeed be a good alternative for the explorative behaviour which chimpanzees show when searching for food.

Chimpanzees playing with computers then can be said to lead a life in accordance with their natural capabilities. If we nevertheless think we ought to provide them with an environment in which they can show the original 'natural' behaviour patterns – the patterns they show when living freely – our reasons for that are clearly not reasons of welfare – neither of subjective nor of objective welfare. They can be said to flourish although they do not lead a natural life.

Another example might corroborate this assertion. In the Netherlands a discussion is started about the pros and cons of so-called 'agro-industrial parks' in which intensive breeding of e.g. pigs or chickens is combined with the production of food and the conversion of manure into useful products such as fertilisers. It is argued that such parks are desirable because of the efficient use of the scarce space and the reduction of the stress on the environment by animal excrements.³ One of the plans under discussion is that for a 'Deltapark' in which pigs will be held in apartment buildings. It is argued that such housing can be acceptable from the point of view of animal welfare, provided that the pigs have more living space than in the existing intensive farms. An additional pro-argument is that the pigs need not be transported over a long distance to a slaughter house which always causes a huge amount of stress to the animals.

Let's assume for the sake of argument that these apartment buildings will be acceptable from the point of view of animal welfare. The only objection that is left is that such housing is 'unnatural', doesn't accord with how people think that humans should live together with their animal husbandry. The authors of the report would probably qualify such an objection as 'romantic'.

A last example. In the Netherlands cows are obligatorily marked with rather big plastic yellow earmarks carrying a number. All the relevant data about a cow, its parents and different owners are filed into a central computer. These marks make it possible e.g. in case meat is contaminated, to track down the particular cow. A

³ See: *Agroproductieparken: Perspectieven en dilemma's*, The Hague, October 2000, <http://www.agro.nl/innovatienetwerk/>

number of farmers refuse to mark their cows. They are now offered the alternative identification of a DNA-test. Although the earmarks sometimes cause the ear to become inflamed, they don't constitute a serious welfare problem to the animal. I think it would do injustice to the objecting farmers to say that their objection is purely aesthetic. They regard it to be unnatural. It hooks with how they want to shape their relation with their animals.

My conclusion here is that many authors in animal ethics are interested in the 'natural life' of 'wild' animals, because they assume that the capabilities expressed in the behaviour of animals living freely, are still present in their domesticated relatives. They want domesticated animals to flourish, which is much more than not to suffer. However, Kitcher made clear that what are considered to be natural capabilities of a species, might just be the valued characteristics of 'normal' exemplars of a species living in a 'normal' environment. Poole's discussion of the 'enrichment' movement shows that lack of knowledge of a species's behavioural flexibility and of other environments suitable for living than that of their wild relatives, may lead to think that living conditions of animals held in captivity and of domesticated animals should simulate the conditions of living freely as much as possible. This tendency is strengthened by the clear appreciation among many of us of the naturalness of 'wild' animals' behaviour patterns and physical appearance. How tricky it may be to draw conclusions from the study of the behaviour of animals living in the wild about their species specific capabilities, this kind of research is necessary if one wants to develop a broader view on animal welfare. But I think that the interest in natural living driven by the desire to improve the welfare of e.g. husbandry animals should be distinguished from the interest flowing from an admiration of wild animals behaviour and appearance. Concerns for the welfare of animals and for the preservation of their naturalness are separate issues. What matters to the subjective welfare of animals is the presence of sufficient opportunities to employ their natural capabilities, not the naturalness of the environment that offers such opportunities.

In the next sections I will analyse the concern for naturalness in more detail. I will argue that they provide legitimate moral reasons for action in dealing with animals. Thus, some of the moral reasons we have to guide our interaction with animals, go beyond their welfare.

The limits of a narrow animal ethics

David DeGrazia who presents a sophisticated view on animal welfare, admits that the sentience requirement does not tidily account for all our ethical intuitions regarding animals and the rest of the non-human nature. He admits that 'we' think that there would be something wrong with gratuitously cutting down a magnificent oak tree, even if no sentient beings are negatively affected. He goes on saying that while some common ethical convictions seem to lean in the direction of attributing interests to non-sentient beings, the bulk of our ethical convictions are better accounted for if we require sentience. In his view many of the 'recalcitrant' beliefs may lose their intuitive grip when other alternative explanations are offered and we discover that no satisfying theoretical account supports them (DeGrazia 1996, p. 228). I think that his conclusion is too hasty. He seems to assume that such an account is only satisfying when it provides an alternative criterion for moral membership. In my view we should not look for a rival account of moral status. We should drop the idea that a seamless, monist ethical theory can justify all our moral intuitions regarding animals.

This insight is present in pluralist theories that work with the distinction between narrow and broad morality. I take the example of Thomas Scanlon's contractualist theory, which is a narrow theory of morality. In Scanlon's opinion only narrow morality can be justified within a contractualist perspective. But morality should not be reduced to narrow morality. In his theory humans have only duties to conscious beings, capable of feeling pain, and also capable of judging things as better or worse and, more generally, capable of holding judgement-sensitive attitudes (Scanlon, 1998, p. 179). He allows of a certain extension of the scope of this morality: it also covers principles forbidding bringing experiential harm such as pain and distress to non-rational animals. These are the principles, which trustees representing these creatures lacking themselves the capacity to assess reasons, could not reasonably reject. Only human beings and non-rational animals have moral standing. Extending the scope of morality to all objects having a good is according to him not plausible (p. 183).

However, Scanlon does not conclude that what happens to non-conscious entities has no moral importance at all. It is in a *broad sense* morally wrong to wantonly harm or destroy things as trees, plants, wetlands, and so on. But they are not *wronged* by such actions (Scanlon 1998, p. 179 ff.).

Although neither DeGrazia nor Scanlon help us by providing us with a theory that justifies welfare transcending concerns, Scanlon at least recognises that his theory

does not cover all legitimate intuitions. A theory that covers what DeGrazia calls the 'recalcitrant intuitions' requires, firstly, a change in value theory, and, secondly, a theory of obligation that knows of other duties than just duties to others. I start with the change in value theory.