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James V. Spickard
University of Redlands

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ANIMAL RIGHTS LANGUAGE AND THE PUBLIC POLITY

James V. Spickard
Cultural Development Institute
Aromas, California¹

I've been asked to add a third leg of a table on which we can place our concern for animals. (Tables need at least three legs to stand.) If we are concerned with animals and concerned with nature, we must also be concerned with human beings. In this society, not only are we inhumane to animals and to our environment; we are also inhumane to ourselves.

To add this leg, however, I shall have to chip away at the other two. Unfortunately, much of the language and argument used by the animal rights movement undercuts the possibility of nurturing human communities. This is not to say that concern for animals is incompatible with concern for humans; quite the contrary, I believe. But the language of "rights" limits our ability to develop a truly humane world. Demonstrating this is a tall order for a short talk, so I'll just outline my argument. Perhaps when I'm done, I can point out a more fruitful direction to go.

I should say at the outset that my remarks presuppose the distinction between animal "welfare" and animal "rights" – i.e., between seeking the kind use of animals and seeking an end to their exploitation. The goals of these two movements are different. The demand for rights is a far stronger demand. I am not recommending that this demand be abandoned. I merely wish to argue that the language in which that goal is phrased undercuts the possibility of its achievement.

A Humane Society

I am a sociologist, not a philosopher, so I begin with a social observation: most people don't take "animal rights" seriously. We all know this, by the way; just listen to any media interview with animal rights advocates, and you'll hear the suppressed laughter. (Animal welfare advocates don't receive the same treatment, but as I've indicated my quarrel is not with them.)

This is surprising, because talk of "rights" permeates our culture. Civil rights, women's rights, gay rights, victims' rights; our legal system is clogged with lawsuits placing right against right. As Robert Bellah and his co-authors pointed out in Habits of the Heart, our public language is steeped in utilitarian

¹ This essay was presented at a conference on "The Humane Community: Animal Liberation, the Protection of Nature, and the Renewal of Public Life" organized by the Schweitzer Center (Berkeley, California) in January 1987. It was subsequently published in Between the Species: A Journal of Ethics 3/2: 76-80, 1987.

individualism – the language that sets person against person, each defending her or his little bit of moral turf.²

Animal rights should fit in – but they do not. People agree that we should not mistreat animals, but not that they have "rights" equal to our own. Why not? Because in the popular mind animals are not "us"! The language of "rights" depends on our recognizing our kinship with one another. Philosophers and primatologists may acknowledge our communality with animals, but the public at large does not. And despite the wishes of philosophers, the public determines social policy – at least in the long run.

In the absence of a widespread recognition of our kinship with other species, talk of "rights" easily becomes talk of "wants". Animals and their advocates become one more special interest, which must compete with other interests – such as meat packers and oil companies – at the public trough. Animals don't vote or create jobs, so their interests lose out.

Peter Singer and Tom Regan have each tried to extend the language of rights to animals, by showing that any dividing line we draw between "them" and "us" must at least include a lot of "them" on our side. I don't denigrate their efforts, but socially speaking, I doubt they will catch on. The public isn't buying any more "rights" talk; we've got too many rights to consider right now.

Yet the problem with talk of "rights" is deeper than just inefficiency. Utilitarian individualism – the philosophical basis of rights language – parallels free-market economics in its reduction of values to individual costs and benefits. For that philosophy, the morality of every action depends on the pleasure and pain it brings: to individuals, not to families, towns, or nations. Much less to species or to the entire world. If something hurts an individual, it is bad if something helps an individual, it is good. What is good for me may be bad for you, or vice versa; as long as we recognize our equal status, we can negotiate a solution of relative benefit to each of us.

Missing from this language are such notions as "sacrifice", "service", and "duty". To put it more accurately, these alternate ethical notions are submerged. Where individual rights and utilities take first place, public life becomes a matter of balancing one individual (or group) against another. Social life becomes a matter of negotiation. Everyone must look out for her or his own interests.

When public life is reduced to such bargaining over the self-interests of society's members, argue Bellah and his colleagues, the sense of community evaporates. Commitment to the greater good vanishes in the face of the primacy of private life. In their research, Bellah *et al.* again and again find Americans incapable of articulating a vision of "the public good" that is greater than

² Robert N. Bellah, Richard Madsen, William M. Sullivan, Ann Swidler, and Steven M. Tipton, *Habits of the Heart: Individualism and Commitment in American Life* (Berkeley: University of California Press, 1985).

the sum of individual pleasures. The idiom of "getting and giving" prevents otherwise well-meaning people from participating in public life unless it rewards them. Those rewards may be tangible – money or power – or intangible – the joys of a job well done. But they must be present, or Americans cannot justify their toils to themselves.

"Duty" – the notion that one must act for others simply because one owes it to them – is empirically not a part of America's "first vocabulary". Listen, for example, to this therapist speak about "responsibility":

I do think it's important for you to take responsibility for yourself. I mean, nobody else is going to really do it. In the end, you're really alone and you really have to answer to yourself. . . I'm responsible for my acts. I'm not [responsible for my husband's]. He makes his own decisions . . . I have a legal responsibility for [my children], but in a sense I think they in turn are responsible for their acts.³

In this language every relationship is based on "rights" and "fairness". Life together depends on

not one person making all the sacrifices or one always giving – [it depends on] having a relative balance between what's the giving end and getting your own way.⁴

Politics is similar:

Everybody wants to be on top and get their own way. It's like in a relationship. When I think about government policies, I guess I don't want them to cut off all aid to research in psychology unless they do some other things too that should be done. I mean, I don't want to be the only one who suffers. I don't want to be the only sucker. I don't want to be the fall guy for people who are not doing their part.⁵

As Bellah *et al.* point out, for those who think in this idiom:

the hope of cooperative effort toward common ends is necessarily disappointed: the person who thinks in terms of the common good is a "sucker" in a situation where each individual is trying to pursue his or her own interests.⁶

The language of "rights" and "interests" cannot connect one individual's fulfillment to that of other people. Public life becomes "dirty work" – something to do only if you have to, usually while protecting oneself or others. Politicians – especially legislators – are only well-dressed criminals in the popular mind. How far we have come since Plato, for whom service to one's city was a sacred 'duty!

³ Ibid: 15-16.

⁴ Ibid: 16.

⁵ Ibid.

⁶ Ibid.

Or since the days of our Founders, for whom public service was the highest imaginable privilege!

I am not arguing that Americans are not generous or warm-hearted; the yearly count of charitable contributions in our country belies that. But as Bellah *et al.* have shown, in our culture, virtue is private: a matter for individual, not social concern. The language of utilitarian individualism – the language of "rights" – abets this and, I believe, contributes to the demise of the public domain.

Can we have a truly humane community, in which we truly care for each other, if the idiom of public discourse centers on rights and privileges? can we really act for others where people think first of themselves and only secondarily of the good of the community? I think not.

And lacking humaneness among our species, can we extend humaneness to others? Again, I have my doubts. Those who seek to defend the "rights" of animals should take heed of the larger implications of the language that they use. What they succeed in selling may – in the long run – undermine their success.

Alternate Languages

That said, what kinds of arguments might those concerned with animals make that would mobilize the public at large without destroying the basis of interspecies cooperation?

At first blush we might appropriate the other half of utilitarian individualism and argue for the utility of humaneness to animals for our own lives. We could argue that anti-animal behavior encourages anti-human behavior, even that vegetarians are less aggressive. (Many people believe our society could use considerably less aggression). This argument quickly becomes empirical, however, and one has to deal with famous counter-instances – along with the possibility of being wrong. But I can imagine worse strategies.

The result, however, is a human-centered utility vulnerable to the changing winds of fad and circumstance. What happens, for example, if some future development makes animals unnecessary for human life? Or threatening to it? Should we do away with them? I doubt that many here will advocate such a move.

A better strategy, in my opinion, is to change languages. If individualist language erodes our social life, as Bellah *et al.* have indicated, and furthermore does not mobilize public support for animals, then both we and the animals are better off changing tongues.

Bellah *et al.* identify two alternate languages in American life which would be worth exploring.

The first of these is what they call "the biblical tradition." Based in Genesis but to be found elsewhere as well, this tradition emphasizes the createdness

of all species, including ourselves. It emphasizes their common standing in the face of God: as worthy creatures whose harmonious interrelationship is "good". Though historically this tradition has justified the human domination of nature, it contains a lighter side emphasizing human "stewardship". This stewardship -- developed -- could be an ample source of social motivation for interspecies care.

(Other participants at this conference appear to be exploring this path. I am especially impressed by Tom Regan's new film, "We Are All Noah". Rather than duplicating their efforts here, I will merely urge them on.)

A second alternate language may be found in what Bellah *et al.* call the "republican tradition". (That's republican with a small "r"; the current Republican Party has a thoroughly individualistic orientation.) They identify this tradition as follows:

Republicanism originated in the cities of classical Greece and Rome, was expressed in the civic humanism of late medieval and early modern Europe, and contributed to the formation of modern Western democracies. It presupposes that the citizens of a republic are motivated by civic virtue as well as self-interest. It views public participation as a form of moral education and sees its purposes as the attainment of justice and the public good.⁷

This is the language of Washington and Madison, of Jefferson and Lincoln. It was also -- occasionally -- the language of John Kennedy, to whom we still respond.

That this language has much to contribute to the renewal of public life -- the third topic of this conference, upon which I have been asked to speak -- Bellah *et al.* leave no doubt. A society in which persons see social service as a duty would, in their analysis, be a better ordered, more coherent society than the one we are presently coming to be.

But would it help the animals? That is a harder question. It would not, certainly, if the notion of "public good" were limited to the good of our own species. Plato and Aristotle limited their republicanism to their city, with no regard to the barbarians beyond their gates. Washington and Madison limited theirs to white male property-owners. Given current international tensions, one may legitimately doubt our ability to think beyond political borders, much less biological ones.

Yet I am concerned with possible accomplishments, not just easy ones. It seems to me that if Americans can be taught to think of their duties to the wider community of which we are a part, and if our notion of community can be expanded to encompass our fragile planet's other inhabitants, basic and radical changes will take place. The task is two-fold: to restore our sense of responsibility for our common life, and to expand our notion of the commons to include our fellow travelers on this blue-green ball.

⁷ Ibid: 335.

The second step – expanding our notion of community – is a matter of education, and ultimately of empirical demonstration. Every finding of the science of ecology reinforces our common planetary destiny, and I have no doubt that someday it will be common knowledge that all species are 'in this together'. But it is a further step to get humans to act for the common good. I agree with Bellah *et al.* that to do so we must revive the submerged language of civic virtue – the republican tradition. Only with the restoration of the public polity can Americans create a humane community.