

Animal ethics

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Animal rights is an applied ethics dimension and UPSC has focused on applied ethical dimensions in the past in the case studies and questions. The transition from egocentric ethic to eco centric ethic is the new dimension of ethics which include concepts like non-human personhood and veganism. This article covers these dimensions.

In news: Several aspects of the Prevention of Cruelty to Animals (PCA) Act need reconsideration.

Placing it in syllabus: Ethics

Static dimensions

1. What is animal ethics?
2. Animal rights
3. Animal testing
4. Theoretical understanding of animal ethics

Current dimensions

1. Concept of non human personhood
2. Veganism
3. Provisions of PCA and need for reform

Content:

Concept of non human personhood:

- In **2013, India officially recognized dolphins as non-human persons**, whose rights to life and liberty must be respected.
- India's Ministry of Environment and Forests advised state governments to ban dolphinariums and other commercial entertainment that involves the capture and

confinement of cetacean species such as orcas and bottlenose dolphins.

- The government said that research had clearly established **cetaceans are highly intelligent and sensitive, and that dolphins “should be seen as ‘non-human persons’** and as such should have their own specific rights.
- In 2014, Supreme Court of India, in **Animal Welfare Board of India v. Nagaraja and Ors**, inter alia **extended to animals Article 21 (the Right to Life)**, conferring the right to live a life of intrinsic worth, honor, and dignity.
- In **2018, the High Court of Uttarkhand granted all animals within the state the status of legal personhood.**
- This status does not bestow upon animals the same democratic rights, duties and freedoms as humans.
- It however **provides a greater level of protection by conferring certain legal rights**, and allowing human representatives to commence legal action on their behalf.
- On **May 31st, 2019**, the High Court of Punjab and Haryana, in the case of **Karnail Singh and others v State of Haryana**, **recognized all animals in the animal kingdom, including avian and aquatic species, as legal entities.**
- The personhood classification has been supported both on philosophical grounds and as a means of improving protection from abuse and inhumane captivity.

Veganism:

- Veganism is the **practice of abstaining from the use of animal products, particularly in diet, and an associated philosophy that rejects the commodity status of animals.**
- An individual who follows the diet or philosophy is known as a **vegan**.
- Donald Watson coined the term “vegan” in 1944 when he co-founded the Vegan Society in the UK.

- Distinctions may be made between several categories of veganism.
- **Dietary vegans**, also known as “strict vegetarians”, refrain from consuming meat, eggs, dairy products, and any other animal-derived substances.
- An ethical vegan, also known as a “**moral vegetarian**“, is someone who not only follows a vegan diet but extends the philosophy into other areas of their lives, and opposes the use of animals for any purpose.
- “**Environmental veganism**“, which refers to the avoidance of animal products on the premise that the industrial farming of animals is environmentally damaging and unsustainable.

Veganism in India:

- India has long been touted as the vegetarian capital of the world.
- According to government surveys, **23 to 37 percent of Indians are estimated to be vegetarian.**
- There has been an exponential increase in fully vegan restaurants in cities like Mumbai, Pune, Hyderabad, Bangalore and Goa.
- There are establishments coming up who are labelling their food items “vegan” and “veganisable”, which means they can be altered to make them vegan.

Provisions of PCA and need for reforms:

The Prevention of Cruelty to Animals (PCA) Act, 1960, was **enacted to prevent the infliction of unnecessary pain or suffering on animals and to amend the laws relating to the prevention of cruelty to animals.**

Salient features:

- This act **defines animals and different forms of animals.**
- It provides for punishment for causing unnecessary cruelty and suffering to animals.

- It discusses different forms of cruelty, exceptions, and killing of a suffering animal in case any cruelty has been committed against it, so as to relieve it from further suffering.
- It provides the guidelines relating to experimentation on animals for scientific purposes.
- It enshrines the provisions relating to the exhibition of the performing animals, and offences committed against the performing animals.
- It provides for the **limitation period of 3 months** beyond which no prosecution shall lie for any offences under this Act.
- According to **Section 2(a)** of this Act animal refers to any living creature excluding a human being.
- **Animal Welfare Board of India** has been set up under the provisions of Section 4 to 10 of this Act.

Why reform in the Act needed?

- Though the law was enacted to “prevent the infliction of unnecessary pain or suffering on animals”, the phrase is not defined anywhere in the Act.
- Under the Act **severe offences are treated on a par with less severe ones.**
- At present, a **majority of the offences under the Act are non-cognisable**, which facilitates police inaction and ensures that most culprits of animal abuse go scot free.
- Though Section 11 criminalises several forms of animal cruelty, sub-section (3) carves out **exceptions for animal husbandry procedures** such as dehorning, castration, nose-roping, and branding and does not provide any guidelines for these procedures.

What is animal ethics?

Animal ethics is a branch of ethics which examines **human-animal relationships, the moral consideration of animals and how nonhuman animals ought to be treated.**

The subject matter includes animal rights, animal welfare, animal law, speciesism, animal cognition, wildlife conservation, wild animal suffering, the moral status of nonhuman animals, the concept of nonhuman personhood, human exceptionalism, the history of animal use, and theories of justice.

Animal rights:

- Animal rights means that animals deserve certain kinds of consideration, which is in their best interests, regardless of whether they are useful to humans or an endangered species and regardless of whether any human cares about them at all.
- In 1635, Ireland was the first country to pass animal protection legislation.
- Animal rights teach us that there are some things that it is morally wrong to do to animals.
- Accepting the doctrine of animal rights means:

No experiments on animals,

No breeding and killing animals for food or clothes or medicine,

No use of animals for hard labour,

No selective breeding for any reason other than the benefit of the animal,

No hunting,

No zoos or use of animals in entertainment.

Animal testing:

Animal testing for biomedical research dates to the writings of the ancient Greeks and since has evolved considerably. In 1938, the Food and Drug Administration (**FDA**) of US established the **Federal Food, Drug and Cosmetic Act** to ensure the testing

of drugs on animals before marketing of the product, to confirm that it would have no harmful implications on humans.

In 1959, a book called “**The Principles of Humane Experimental technique**” proposed **3 Rs – Replacement, Reduction, and Refinement** which should act as guiding principles for the ethical treatment of animals used for testing and experimentation.

Replacement: Avoiding using an animal for testing by switching out the animal for something non-living, such as a computer model.

Reduction: Devising a plan to use the fewest animals possible; a combination of using fewer animals to gain sufficient data.

Refinement: A decrease in any unnecessary pain inflicted on the animal and adapting experimental procedures to minimise suffering.

The Three Rs principles are now widely accepted by many countries and are used in any practises that involve the experimentation of animals.

Theoretical understanding of animal ethics:

There is a wide range of ethical assessments regarding animals used in research. There are general opinions that animals do have a moral status and how they are treated should be subjected to ethical consideration. Some of the positions include:

- Animals have intrinsic values that must be respected.
- Animals can feel pain and their interests must be taken into consideration.
- Our treatment of all animals/lab animals reflects on our attitudes and influences us on our moral beings.

The **ethical theories which deal with them** include:

Consequentialism:

- It is a collection of ethical theories which judge the rightness or wrongness of an action on its consequences; if the actions brings more benefit than harm, it is good, if it brings more harm than benefit, it is bad.
- The most well-known type of consequentialism theory is **utilitarianism** which is a highly regarded foundation for animal research.
- It states that “an action is right if and only if it produces a better balance of benefits and harms than available alternative actions”.
- But the limitations of applying utilitarianism to animal research is that one cannot measure the pain and benefit of the tests and compare them accurately.
- Therefore, it is estimated that they are being compared when deducing whether a test is morally right or wrong.

Deontology:

- It is a theory that **evaluates moral actions based only on doing one's duty**, not on the consequences of the actions.
- This means that if it is your duty to carry out a task, it is morally right regardless of the consequences, and if you fail to do your duty, you are morally wrong.
- According to the deontological theory one proposed by **Immanuel Kant**, a researcher may think it is their duty to make an animal suffer to find a cure for a disease that is affecting millions of humans, which is morally correct.
- On the other hand, an animal activist might think that saving these animals being tested on is their duty, creating a contradiction in this idea.
- This theory opposes utilitarianism in the sense that instead of concerning itself with the consequence, it focuses on the duty.

Virtue ethics:

- It does not pinpoint on either the consequences or duty of the action, but from the **act of behaving like a virtuous person.**
- If the action would stem from someone virtuous, it is said that it is morally right, and if from a vicious person, immoral behaviour.
- A virtuous person is said to hold qualities such as respect, tolerance, justice and equality.

One advantage that this theory has over the others, is that **it takes into account human emotions, affecting the moral decision, which was absent in the previous two.** However, a flaw is that people's opinions of a virtuous person are very subjective, and thus, can drastically affect the person's moral compass.

Mould your thought:

1. What do you understand by the term 'animal ethics'? Explain the ethical theories that deal with animal rights.