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SPECIAL ARTICLE

## Human Beings Have an Obligation to Expand Their Sphere of Serious Moral Concern

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I discuss here the issue of fair and consistent treatment of living creatures based upon the establishment of certain moral standards by those in a position to do so. My premise is that human beings do not have a *prima facie* right to use other animals, if they are unwilling to apply the same treatment to fellow human beings. That is, human animals, when acting as moral agents, do not have a moral right to use other animals in ways they would not permit themselves or, in particular, human moral patients to be used. This, I believe, is the crux of the argument. This also is the *serious moral concern* to which I refer in the title. Most arguments on this subject start with the premise, usually tacit, that human concerns tower above those of others. Such arguments, therefore, provide a biased theory or discussion of moral concern and fail to deal with the issue in a serious and fair manner.

It should be understood that what I write is based upon the ideal. When I refer to interactions between humans, I realize that not all people treat each other with respect, nor hold to the highest moral principles. It would be inappropriate, however, to consider a moral principle invalid simply because not all adhere to it.

I did not always hold the views I express now. I have been involved, either principally or as a spectator, in the following uses of nonhuman animals for part of my life: research, testing, education, food, fiber, entertainment, fishing, and "pest" control. In the area of vision research I received several large grants from the National Eye Institute, one of the branches of the National Institutes of Health and, as principal investigator, published numerous scientific papers. I believed that using nonhuman animals by human beings was permissible, albeit with the usual and trite caveat that they should be treated "humanely." I had not, however, carefully explored the ethical considerations of this value judgment.

Over the last couple of decades, I have slowly eliminated my overt and intentional involvement in the exploitation of nonhuman animals. Although it did not come about at once, I eventually came to realize that all arguments in support of harming, in its broadest sense, and killing nonhuman animals for human purposes (except in immediate life and death dilemmas) are fundamentally flawed, particularly from a moral perspective. The major defense put forth is that human

beings, or other animals, derive benefits from this use. Even a charitable interpretation of such arguments is that the end justifies the means.\* This notion, however, is something we have rejected when it comes to our interaction with each other and I see no compelling reason not to apply the same moral proscription to our interaction with other animals. There is no question that the primary issue is one of morality. If it was not, then we would be compelled, on a purely scientific basis, to use human beings for all research aimed at understanding human diseases or tests of drugs for toxicity, even if it meant harming or killing them. It is irrefutable that this would provide human beings as a whole with far greater benefits and safety, and far more quickly, because there are too many species differences to rely upon extrapolation from one to another. This would be immoral and I do not advocate such behavior. As I will later argue, it is for precisely the same reasons, however, that such treatment logically must be considered immoral if applied to nonhuman animals.

When it comes to human beings, we do not accept the notion of a master race or of an inferior race which could be used instead of others. Nor do we believe that having the strength or other ability to overcome someone gives us the right to exploit them. Nor do we allow the prospect of benefits to the human species as a whole, no matter how monumental they may be, to guide our conduct towards each other. We refrain from harming each other not just out of fear of retaliation. These proscriptions are part of our moral code.

In the case of nonhuman animals, most human beings disregard this moral code. In the name of science and other activities, we subject other animals to things we would consider highly unethical and immoral if done to each other. However, no one has ever put forth a rational, non-self-serving argument demonstrating that nonhuman animals are not

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\*I realize that there are legitimate situations in which the end does justify the means. For example, to expedite the healing process in the case of a fractured femur, you may have to subject the patient to restraint, anesthesia and medications. A human child or dog so injured may be terrified at such treatment, and the postoperative recovery phase may be very unpleasant. The intent in situations such as this, however, is to help the individual directly. No one is being used as a means to another's end.

deserving of the same degree of moral concern we have for members of our own species. Our sense of morality in dealing with each other stems from our highest capacity for benevolent action, transcending the largely amoral situation in nature. This is not limited to, nor simply the result of, the fact that we are dealing with human beings. If I labeled a chair a "human being" you could easily appreciate the difference in moral consequences to gratuitously cutting off a leg of the chair versus cutting off a leg of a person. Doing this to a chair has no moral significance; it simply does not matter to the chair that a leg has been removed. It *does* matter, however, and greatly so, to the human whose leg was removed regardless of anesthesia and analgesia.

The reason it is wrong to harm another human being, therefore, is not simply because he or she is a human being *per se*; it is because of certain qualities a human being possesses which are important to consider and protect. The person is an individual who has a life which fares better or worse depending on what happens to her or him; no such claim can be made for inanimate objects. The person has value which is independent of her or his utility to another; the value of an inanimate object generally is negotiable. The person has interests whose pursuit is a source of enjoyment and whose denial is a source of frustration; no such claim can be made for inanimate objects. In part, these are the bases for the so-called inalienable rights we give each other. Even people with no concept of what is right or wrong and who have no obligations to others (so-called moral patients) are granted these minimal rights. I refer to children, the "permanently" comatose, or the mentally enfeebled. Like human animals, other animals are *not* inanimate and *do* have lives which fare better or worse depending on what happens to those lives; their lives can be enriched or impoverished. Also like humans, other animals have interests, although they may be difficult to define and may be different from those of humans, just as those of one person may be substantially different from those of another. Nonhuman animals can experience painful and pleasurable stimuli and most can probably suffer in the general way in which humans do.<sup>†</sup> When you examine the issue without prejudice and with humility, there do not appear to be any morally relevant differences between human beings and other animals which justify denying other animals similar rights, consideration, or respect (whatever you would like to label it), based upon their interests or upon whether what we propose to do matters to the individual. There are no morally compelling differences between human beings and other animals which justify treating other animals so markedly different from the manner in which human beings are treated.

Physical or intellectual equality is not a mandatory criterion for proposing equal consideration. Inalienable rights are accorded not because all people are created equal. Quite the

opposite, they are a means of protecting disadvantaged individuals from tyranny at the hands of those superior in certain traits. These differences between various people, for example intelligence or physical strength, as well as differences in gender or race, are biological and are irrelevant from a moral perspective. In the case of nonhuman animals the major differences from humans also are biological, usually a difference in degree, not in kind. But, more to the point, essentially all characteristics stated to be important and uniquely human are actually shared to some degree with many other animals and do not even exist in some human beings. Language (in a broad sense, not just the artificially narrow human construct), thinking, intelligence and other things which people try to declare as separating humans from others (even though these are morally irrelevant) are present in many other animals.<sup>2-5</sup> For example, experiments have shown that nonhuman animals can seriate and that they use at least some of the important information management processes exploited by humans.<sup>6</sup> Other arguments put forth by some, that other animals do not have political systems or do not compose symphonies, are nonsensical, vacuous or irrelevant from a moral perspective and are rejected by those who view this issue in a rational and thoughtful manner.

On the basis that pain and suffering can occur in all mammals, arose the phrase, "...a rat is a pig is a dog is a boy."<sup>‡</sup> Those arguing against equal consideration for other animals frequently quote this phrase out of context, attempting to portray those who use it as not valuing human life. This is absurd for many reasons, not the least of which is that they leave out the critical first part of the phrase, the one which puts it in the context of pain and suffering. To equate human beings with other animals in this context is scientifically correct and in no way demeans human beings. Rather, it "raises" the status of other animals and emphasizes the biological, and moral, similarities between all mammalian species as a start. Even those who support vivisection believe at least the physical aspect of this analogy, do they not? After all, they argue that rats are "models" of boys when justifying experiments on the rats.

Those who defend the harming and killing of nonhuman animals in various disciplines state that the individuals are treated "humanely." This flies in the face of common sense. To be humane is to have sympathy for another, to have mercy, to be tender and kind. If you provide pain relief after you have broken the spine of a cat for an experimental study in what manner are you being humane? If it were not for you, there would have been no pain in the first place. Regardless of your beliefs about the propriety of using nonhuman animals, the use of the word humane in this context is inappropriate if the individual is harmed or killed, even painlessly. Those who argue otherwise should reflect on whether they would consider similar treatment of a human child "humane," even if the intent was to understand a disease so that

<sup>†</sup> Although most people do not consider this an important issue when it comes to invertebrates, there is evidence that this is a narrow and scientifically unsupported view. For an interesting discussion of the topic, see reference 1.

<sup>‡</sup> Newkirk IE. *People for the Ethical Treatment of Animals*, personal communication, 1994.

other human beings could be helped. Bear in mind that there only is one definition of the word humane; it is not one way for human beings and another way for other animals.

When the above argument is brought to light, many will point out that people, or other animals under the care of people, suffer daily from various diseases. There is no denying this and I share their concern for the misery those individuals endure. Appealing to the suffering of or potential harm to a human (or other) being of interest, simply is not adequate from a moral perspective. Why is one group of animals (human beings, in the usual case) more important than another?<sup>8</sup> Is it the fault of the other animals being used, harmed and killed in research that humans, too, are subject to disease and death? Why do we believe that because we suffer innocent others must pay a price? In that context, the harming and killing of other animals in the name of science appears to be an expression of unconscionable selfishness on our part, something which goes against all the best qualities of human nature. This is compounded further when the use of animals is for entertainment or other arguably trivial situations. When you critically and honestly evaluate the situation, it becomes clear that we do to other animals what we do, not out of some moral imperative or because it is right, rather because we believe we will benefit from such behavior, and because we have the power to dominate those animals. We tacitly act upon the morally repugnant principle that might makes right. The question which should be raised by those purporting to be acting morally in such instances, therefore, is not whether benefits are derived or whether there are adequate alternatives to various uses of nonhuman animals. The real question is whether our domineering behavior is appropriate for such a highly developed, intelligent, and potentially compassionate species such as ours. If we consider ourselves to be so much better than others, we behave in a most despicable and self-degrading manner by subjugating and destroying those "below" us. People often ask questions such as, "Who would you save in a situation where your mother and your dog were in mortal danger?" Such questions, although interesting, do not bear on the question of whether human or nonhuman life is more valuable. Rather, they speak to the question of which individual is more valuable to another individual. Suppose that the situation was a life or death scenario between 2 human beings, your daughter and someone else's daughter. I believe that most people would choose their own child over another. This does not mean they are callous or that they do not value human life. They simply have a closer, more familiar and more compelling relationship with their own child.

The question most often raised in discussions such as this is, What are we to do if we do not use nonhuman animals in endeavors such as research?<sup>9</sup> Such a question presumes

<sup>8</sup> Whereas you may balk at considering human beings and dogs as moral equals, you cannot rationally argue that there exist morally relevant differences between one dog and another. All the substantive ethical considerations which would apply in protecting a dog of one status, such as one who is a human companion, would apply equally to one in another situation. This would make any argument supporting the destruction of one group of dogs to "save" another morally bankrupt.

that no progress is possible without such use. Many even state that most or all advances in medicine have depended upon nonhuman animal use. This is pure speculation on their part. A good scientist would ask if there had been a controlled study comparing advances with and without the use of nonhuman animals. Such a study is virtually impossible retrospectively. Nevertheless, I believe that the issue of alternatives is primarily one of mind-set. We are an incredible species with respect to our capacity to change our environment, to develop means by which to overcome natural obstacles to understanding biological processes. We do ourselves a great disservice, and minimize our abilities, when we claim that we have no alternatives except to rely upon the subjugation of unconsenting beings.

The present level of sophistication for ethical human studies is considerable. For example, Kiyosawa and coworkers,<sup>7</sup> using human volunteers and positron emission tomography, demonstrated a regional reduction in cerebral glucose metabolism in patients with optic neuropathy. Uematsu and coworkers<sup>8</sup> have studied patients with refractory seizure disorders, and who were undergoing evaluation for therapeutic brain surgery. These patients had had subdural electrode grids implanted. Cortical mapping was done by electrical stimulation of the cerebral cortex in order to learn important neuroanatomical details of the human motor cortex, information virtually impossible to derive from other animals.

Others<sup>9-11</sup> have used positron emission tomography or magnetic resonance imaging to measure activity-related changes in regional cerebral blood flow to identify brain regions which are active in humans during reading or playing the piano. This combination of cognitive and neurobiological approaches has provided information about the functional anatomy of perception, attention, motor control, and language in the human being, again, something not likely to be possible with nonhuman subjects.

These types of studies provide us with information about human brain structure and function which will be invaluable in understanding and treating human disorders. They also demonstrate that claims that nonhuman animals are absolutely necessary are simply not true.<sup>†</sup> These and other methods can be used in numerous other disciplines. I cite these not just to point out specific examples of alternatives to nonhuman animals.<sup>\*\*</sup> More importantly, they emphasize what could be done if there was a change in mind-set, a change from one

<sup>†</sup> No one can effectively or rationally argue that uses of nonhuman animals such as for food or fiber, entertainment, transportation and so forth are absolutely necessary, at least in many societies of humans. Alternatives clearly exist, not only in the minds of those contemplating this, but also as a practical matter. The one situation which seems to be the most contentious is in the area of research.

<sup>‡</sup> There are even alternatives to such problematical situations as assessing the neurotoxicity of batches of polio vaccine.<sup>12</sup>

<sup>\*\*</sup> Some have argued that nonhuman animals probably were used in the development of some of these methods. As I mentioned earlier, even if this is true, it is unknown whether their use was pivotal. Further, what has happened in the past should be put in perspective. It seems unreasonable to discontinue using something if morally unacceptable behavior no longer is an integral part of it.

which views other animals as mere "tools" to one which considers them to be deserving of the same respect as human beings. If we changed our attitude in this regard, we could concentrate our efforts on improving available alternatives and developing new ones. Necessity would become the mother of invention. We could begin the journey out of the dark ages of violence and destruction perpetrated on unconsenting and, presumably, unwilling individuals in the name of science. When contemplating or discussing the issue of nonhuman animals use by human beings, the most important point to consider is that these individuals are not "things," they are living beings who share with us the drive to live freely. They are not here for us; they are simply part of the complex web of life on this planet. Their value does not depend upon their utility to us. Our own sense of morality demands that our treatment of them be fair and just.

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