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A Critique of the Sentience View of Personhood

Julian Morales

To anyone concerned with the field of ethics, the question of what deserves moral consideration is an important one. Without a sufficient basis to which moral consideration can be granted, how can anyone say for certain if something is wrong, or right? This question has, of course, been tackled before, and has been answered with three general views on what beings fall under moral consideration. Those being, The Humanist view, the Sentience view, and the Cognitive view. The Humanist view takes only human beings into moral consideration, the Sentience view takes any beings that can feel pain/pleasure into moral consideration, and the Cognitive view only takes beings who have capable intellectual faculties into moral consideration. The major moral systems out there, generally take one of these views. For example, Utilitarianism is most likely to take the Sentience view, after all, this view seems to make the most sense to them. Utilitarianism[1] is a view which calculates the moral value of actions based on the amount of *utility* (or happiness) the action produces. They are primarily concerned with the ability for beings to suffer and feel pleasure, not of their species (as Humanists do), or their cognitive faculties (such as with the Cognitive view). However, The Utilitarian (specifically Peter Singer) takes the Sentience view to its absolute logical conclusion and surmises that not only do sentient beings deserve moral consideration, but that they deserve equal consideration in relation to human beings (Singer 119). What is interesting, is that the Utilitarian does not have to come to this conclusion, nor must they take the sentience view of personhood. In fact, it is both fully logical, and intuitive to not factor other sentient beings into the Utilitarian equation; and adopt a view that falls more in line with a cognitive one.

Let's first examine the currently accepted Utilitarian view of moral personhood. This view was initially brought forth by Jeremy Bentham in his work: *An Introduction to Morals and Legislation:* "The question is not Can they reason? or Can they talk? but Can they suffer?" (Bentham 384). The view introduced by Bentham (and thus held by Singer) is the Sentience view,

[1] As described by Mill, Utilitarianism states that "actions are right in proportion as they tend to promote happiness, wrong as they tend to produce the reverse of happiness" (Mill 160).

which is concerned with whether beings are sentient (sentience, in this case, is the ability for beings to suffer, feel pleasure, and have preferences (Singer 50, 80)). Singer claims that "If a being suffers, there can be no moral justification for refusing to take that suffering into consideration." (50). He then goes on to conclude that the Sentience view "is the only defensible boundary of concern for the interests of others" (50). At first glance, he may seem correct, especially if one is a Utilitarian. However, this logic ultimately leads to the cessation of the consumption of animals or the use of animals in general. Granted, Singer is a Utilitarian and thus does not conclude that animal use should always be out of the question, he just makes it clear that typically the amount of suffering caused by animals to be used in food production and animal consumption is greater than the suffering that we gain from those fields. Singer uses the term 'Speciesism' a lot in his book. This term effectively means the valuing of our own species over another (Singer 49). Singer often likes to equate speciesism with that of racism, claiming that humans valuing other humans' interests over that of animals is effectively equivalent from a moral stance to valuing white people over blacks or valuing men over women. At first glance, this seems logical, but it is not intuitive.

Let us presume that speciesism is equivalent to racism and sexism. This would mean that it would be morally wrong for someone to save five people from a burning building over ten cats. It would be effectively the same as a white man saving five other white men in favour of ten black women. Of course, when actually comparing these two scenarios, one seems perfectly justifiable, whereas the other does not. Does this mean that human beings are intuitively speciesist? Yes, and that is perfectly okay. Bonnie Steinbock makes the claim "We do not subject animals to different moral treatment simply because they have fur and feathers, but because they are in fact different from human beings in ways that could be morally relevant." (247). An animal is indeed sentient, but it is different enough from a human being for its interests to be unequally weighed. Of course, people of other moral philosophies are already convinced of this. The Kantian would value humans over animals due to their rational autonomy. The Contractarian does not value animal interests because they are not moral agents. But how can the Utilitarian justify this? To the Utilitarian, the degree of difference would seem to be arbitrary. After all, the animal can seemingly suffer, and the animal seemingly has a preference not to suffer. So, what can the Utilitarian do?

John Stuart Mill has a potential solution to this problem. Mill claims firstly, that "Human beings have faculties more elevated than the animal appetites," (161). Mill believes that human beings possess a certain type of 'dignity', an ability exclusive to human beings, that allows us to

enjoy higher pleasures than that of animals. He claims that "Few human creatures would consent to be changed into any of the lower animals, for a promise of the fullest allowance of a beast's pleasures" (163). With this, he is effectively stating that human beings, because of their ability to enjoy 'higher' pleasures, will thus not willingly live a life that animals live. This relates to the argument at hand because according to Mill, animals are only able to experience these 'lower' pleasures (161). In a way, Mill's argument is reminiscent of Kant's views on humanity, it effectively is taking a cognitive view and applies it to Utilitarianism. With that in mind, how should animals thusly be treated under Mill's view? By implying that animals are not capable of experiencing any higher form of pleasure, their suffering is only to the extent of which they can experience pleasure. For example, an animal (presumably) cannot have any hopes and dreams, nor can they have any regrets, or knowledge of their impending death; therefore, they would ultimately be suffering less than if a human were suffering in the exact same way. Say we are to hit a horse, in a way that it would cause an equal amount of pain if we were to slap a human in the face. Even if that horse is experiencing an equivalent amount of pain from that action, it would not be suffering the same as a human who was hit in the exact same way. The horse may not question why it was hit, the human would. The man may seek revenge, or seek justice for what had been done to him, whereas the horse likely will not. There would be no reason behind its actions that are beyond that of pure instinct. This could then technically justify the use of animals as food, as the suffering they would endure by being killed would not be relevant, as we as humans still gain more from eating them. For example, eating may be a lower pleasure, but a refined palate, which entails an enjoyment of good food, may not be. Therefore, animals would be providing humans with both a lower and higher pleasure by being used as food. The same could apply to using animals in science experiments. The pain the animal goes through in the experiment is outweighed by the benefit it would grant society.

A potential objection to this, would be supplementing animals for infants, or perhaps people who have profound intellectual disabilities. These people can presumably not experience any sort of higher pleasure, at least in their current state. If this is true, then would that make it morally acceptable to use infants and/or people with profound intellectual disabilities in scientific experiments? Intuitively, it may seem like the answer is no, but logically it may seem that it may be the conclusion. However, there is a way that the Utilitarian can exit this troubling implication. It is easy to opt the infant out of this, one could simply say that the infant will be capable of

experiencing higher pleasures once they get older[2]. As for the person with severe intellectual disabilities, it could be argued that one could possibly end up in such a state later in life, so they could have a preference to not be experimented on if they end up in such a state. This would imply that someone who is born with a profound intellectual disability does not deserve equal moral consideration, to that of other humans. While yes, this is possibly true, there is but one final way the Utilitarian can justify not experimenting on them.

The way that this can be justified, is by appealing to collective utility. As utilitarianism is focused on an equation that takes both suffering and utility into consideration; an experiment involving someone who is born with a profound intellectual disability would not (in most circumstances) be experimented on because it would be seen as appalling or monstrous to most people. They (being the masses) would likely prefer that an animal be used for experimenting than a person with a profound intellectual disability, therefore meaning that performing an experiment on a person with a profound intellectual disability would not be the utility maximizing option.

These conclusions do not mean that animals should be treated with absolutely no regard. In fact, I would argue that animals do deserve some moral consideration, though not to the extent that Peter Singer has posed. Humans need not become vegans; however, we also need not become animal abusers. The production of animal products produces utility for human beings, as does animal experimentation. What utility does the pointless abuse of an animal produce? If someone were to walk up to a cat, and for no reason other than they felt like it, decided to kick it, did they do a good thing? Most would argue that they did not. On a surface level, kicking that cat gave whoever kicked it a small (or even great) amount of pleasure. Had anyone else seen it, their feeling of horror would probably outweigh the amount of utility produced by whoever kicked the cat. But provided that this act happened in a place where no one was around to see, aside from the cat, and the man kicking the cat, did he do anything wrong? Yes, but not because he hurt the cat[3]. The reason why he did something wrong is not in the action in itself, but in the potential for this action to be repeated towards actual persons. This is a Kantian argument, though I believe it can be

[2] This has potentially troubling implications regarding abortions, though it can be opted out of using the Utilitarian perspective. Utilitarians do not believe in inherent rights, so if the suffering the mother is going through outweighs the fetus' desire to not be killed (or the mother believes that the fetus will have a poor quality of life), then an abortion would be permissible under those circumstances.

[3] For the sake of this argument, I am presuming that animals do not count as moral 'persons' as they do not meet the required cognitive faculties. Therefore, the pain they experience does not need to be accounted for in a Utilitarian equation.

applied (with some stipulations) to a Utilitarian perspective. Kant famously claims that "he must practise kindness towards animals, for he who is cruel to animals becomes hard also in his dealings with men. We can judge the heart of a man by his treatment of animals." (240). If this argument were to be lifted from Kant at face value, then one would effectively have to adopt Kant's entire theory of reason and ethics and then would not be a Utilitarian. However, with some modifications, the core of this argument can fit within a Utilitarian viewpoint.

On its own, this view takes intentions into consideration over the outcome, which of course, is rooted in Deontology, not Consequentialism[4]. It presumes that if someone is cruel to animals, they intend to be cruel to people. However, though a Utilitarian could argue it would be morally permissible if someone is cruel to animals and never is cruel to people, it usually is not that way. If most people who are cruel to animals also tend to do cruel things to people, then it would benefit the greater good to persecute those who a cruel to animals as it could avoid potential suffering to humans in the future. Though this argument is rooted within Kantianism, it can make perfect sense to be applicable to Utilitarianism, as the consequences of letting people who are cruel to animals roam free far outweigh the consequences of persecuting them. This conclusion would also apply to human beings that do not have the cognitive faculties to experience true pleasure, such as infants or people with intellectual disabilities.

In conclusion, animals are not moral 'persons' as Singer suggests. Though Utilitarians have traditionally taken the Sentience view, it makes more sense to take the Cognitive view in regard to moral personhood. With this view, animals still have some protection based on how those who treat them could one day treat humans. Any sort of margins of the Cognitive view can be answered logically. Though fetuses and infants do not technically have the faculties to experience true pleasure, they are considered because they one day will gain those faculties. As for people who become intellectually disabled, they once did have those faculties, and while they did, would probably not wish that they were to be experimented on. Finally, as for people born that way, it is better off to favour animals in experimentation as it ends up upsetting fewer people. As a final remark, accepting this form of a Cognitive view is probably the only way that Utilitarianism cannot be seen as requiring too much of people when regarding the moral consideration of other beings.

[4] Deontological ethics determine an action to be morally good due to some aspect behind an action, rather than the outcome of an action (Britannica "deontological ethics"). Consequentialist ethics determine that an action is right or wrong based upon the outcomes (or consequences) of an action (Britannica "consequentialism").

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