

*Do Animals Have Rights?* BY ALISON HILLS. (Cambridge: Icon Press, 2005. Pp. viii + 247. Price £7.99.)

Alison Hills' recent book on animal rights offers an excellent introduction to the growing list of concerns surrounding this controversial question. Despite this abecedarian orientation, the book purports to offer a conclusion in moral philosophy. What it really does, however, is carve a centre path between the so-called 'extreme' animal rights view and the view which sees no merit in the claim that animals have rights. It is ambitious in scope, comprehensive in coverage, sensitive to the central questions, and accessible to a wide audience. On the downside, it suffers at times from a lack of rigorous engagement with many of the common approaches to animals and the environment.

The book is divided into three parts, each covering with a broad brush three questions relevant to whether animals can be said to have rights. Part I investigates three standard questions on animal cognition. Part II enquires into the moral implications of views on animal cognition, addressing concerns related to status, the moral community, pain and pleasure, rights to life, and equality. Part III asks substantive questions regarding applied issues like factory farming, foxhunting, vivisection and animal companions. Hills concludes the discussion with what may seem to be a strong stance; but I think the careful reader will find it more conciliatory

than confrontational. What Hills seeks is an acknowledgement from the animal rights detractor that animals stand in a significant moral relationship with adult humans, and she seeks also to temper the view taken by animal rights advocates that all animals are equal.

Hills opens with a loose discussion of the history of animal treatment. Her coverage is so sweeping, however, that it hops in 20 pages from a discussion of the pre-Socratics through the Judaeo-Christian tradition, Darwinists, Lockians and Buddhists, to finish with Peter Singer. This broad approach is by design, though it is perhaps the weakest portion of the book. More importantly, it is a sign that the book is intended to be read by those without a strong philosophy background. It continues in this manner, jumping from sketch to sketch in search of a conclusion palatable to the lay reader.

Nevertheless, subsequent chapters dive deeper, asking more abstract questions related to animal minds. Following Bentham, the first question Hills investigates is whether animals can suffer. Instead of arguing for a convergence of theses, however, she spends most of her energy framing the question. What is it, for instance, even to *ask* whether animals can suffer? She approaches this question by way of the philosophy of mind. Where many professional philosophers might find such an approach natural, this is surely a perplexing point of departure for the uninitiated student of philosophy: 'Of course they can feel pain', the typical student might claim, thinking all the while that the question is not *whether* they can feel pain, but whether the pain *matters*. (Students of philosophy rarely suffer the peculiar pre-occupations of the professional philosopher, and many just assume as a matter of course that impaling a puppy on a pitchfork must *hurt* that puppy. It takes a special kind of training to argue otherwise.) In this section, Hills introduces a caricature of Descartes' mind-body dualism, a summary of Skinnerian behaviourism, an argument from analogy, reasoning that human evidence of pain is similar to animal evidence of pain, and an argument from natural selection, reasoning that natural selection leads us to believe that we are no different from non-human animals so far as pain is concerned, and so therefore that their evidence of pain indicates that they do experience pain, just as we do. She closes with a brief discussion of the degrees of pain, suggesting that simply knowing whether animals can experience pain is insufficient. We must also know the extent to which they can suffer.

Hills then turns to the question of whether animals can reason, a point often understood as marking the morally significant distinction between human and non-human animals. She approaches this question in the same manner as that of the first few chapters, running again through an assortment of views. She compares instinctive animal responses to stimuli *versus* actions taken according to beliefs about the world, and then ties this discussion of beliefs into a treatment of language use. Her discussion continues in ch. 5, where she covers tool use and toolmaking, animal culture, reflexivity (whether animals can think about themselves) and theories of other minds. She ends on the note which will take her into the next section, whether animals can be said to make autonomous decisions in the same way as fully fledged people can. Of course they cannot, Hills asserts. But she goes on to ask whether this is enough to disqualify animals for moral status.

This introduces her second section, in which she discusses the moral dimensions of animal cognition. In ch. 6 she explores briefly the distinction between legal rights and moral rights. This leads her to a discussion in ch. 7 of the moral community, where she investigates contractualist claims to moral status. According to her construction of contractualism, animals can only enjoy moral status if they can be said to be responsible for their actions (p. 94). But this is clearly not the only contractualist view. There is also the common contractualist position that the status of animals is derivative from the interests of other parties to the contract. She seeks to cover this alternative by suggesting that we have some reasons outside the contractualist view to grant status to animals – reasons of self-interest (that it makes us feel good to treat animals well), aesthetic reasons (that animals are beautiful, like works of art), and moral reasons (that we have indirect duties to animals); but it is not clear that she succeeds. She concludes this section with an answer to its distinguishing question, *viz* are animals equal? Throughout, she wonders aloud whether the view that proposes that animals have *no moral status* can actually be correct. If the first section of her book establishes that human and animal experiences of pain are really quite similar, she reasons that it should also be the case that animals have at least some moral status.

One of the more perplexing, and to my mind weak, features of the book emerges in the middle of this section. She characterizes ‘environmentalists’ as a single, unified voice, as people who believe that killing plants is morally wrong: ‘They claim that it is wrong to kill weeds just to make your lawn look nicer’ (p. 114). Despite the somewhat offensive reductionism of this claim, it is also factually inaccurate. There are widely varying theoretical positions among environmentalists – social ecologists, biocentric sentientists, deep ecologists, land ethicists, environmental pragmatists, and so on; many are not committed to the view that killing plants is categorically wrong. Perhaps Hills is playing up an old conflict between the animal rights view and the environmentalist view. If so, this is a major failing of her work. This oversimplification has been productively addressed by Mark Sagoff, J. Baird Callicott and Gary Varner, among others.

Nevertheless, she goes on ‘A moral theory that claimed that plants had moral status would be ridiculously demanding’. Ah, had she but taken the single most important lesson from Thomas Taylor’s ‘Vindication of the Rights of Brutes’: the ridiculousness of the demands of the moral theory are in part tempered by the extent to which the theory carves out a defensible position. Moreover, there are relatively common ways to avoid being committed to the claim that plants have moral status. To suggest that something has moral status does not entail that it has *full* moral status (to use the language of Mary Anne Warren, whom Hills cites at length). Some kinds of moral status, like some kinds of rights, may be defeasible. Ultimately, it is unclear why she takes on the environmentalist as her stalking horse. There is little serious engagement of the position, and this use of a straw man is likely to put off some of her most natural allies.

The remainder of the book is dedicated to four applications, the issues of factory food, foxhunting, science and suffering, and house pets. One glaring problem with this line-up is that American readers may have little understanding of her discussion

of foxhunting. In fact, the issue seems so tied up in the trappings of British society that many non-British students may just assume that maltreatment and hunting issues are not pertinent in the United States. But be not dismayed: in addition to the applied cases at the end of the book, Hills integrates true stories and anecdotes into virtually every chapter. I consider this to be a superb strength of her book. She spins the tale of Clever Hans, the horse who baffled psychologists in the nineteenth century with his seemingly infallible ability to count the objects in front of him. She regularly uses devices of literature (citing such works as *The Call of the Wild*, *The Merchant of Venice*, *Animal Farm* and *Black Beauty*) to draw the reader in. She covers the phenomenon of learning in macaques. To my mind, this device is used productively in this volume, and should make a stronger appearance in other introductory philosophy texts as well.

The book is a straightforward primer on animal rights and ethics. It is an easy read for non-philosophers, it is thorough, and it would make a fine addition to a lower-division course on animal ethics. In fact, as it is a slim volume with 13 substantive chapters, one can imagine a full course designed around it, so long as the chapters are reinforced with more rigorous articles by the usual crowd (Singer, Regan, Salt, Schweitzer, Midgley, Sagoff, Jamieson, Light, and so on). Its greatest problem is likely not to be any shortcoming of the book *per se*, but that there are few full undergraduate courses geared exclusively to animal ethics. Graduate students and professors with serious academic interests in animal rights or environmental ethics are unlikely to be satisfied with this monograph, as the material is rarely engaged with critically. However, should they find themselves frustrated after heated dinner-conversations with omnivorous relatives and friends, they may consider heading to their bookshelves and picking up this book, along with Peter Singer's much more famous *Animal Liberation*, to use as a nightcap.

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