

## Differential obligations towards others in need

Palmer, Clare. *Animal Ethics in Context*, New York: Columbia University Press, 2010.

### CRITICAL NOTE ON CLARE PALMER'S *ANIMAL ETHICS IN CONTEXT*

In human ethics, there is a common belief that our moral obligations towards other individuals are not restricted to abstaining from harming them. We should also prevent or relieve a harmful state of affairs for other human beings, whenever it is in our power to do something about it.

However, in the animal ethics debate, the idea that we may have reasons not only to refrain from harming animals but also to help them has not been particularly welcome. *Animal Ethics in Context* constitutes, regardless, a remarkable exception to this tendency by examining the hypothesis of positive obligations to assist animals in need.

The book opens by considering the case of 114 horses left starving to death by their owners, in Amersham, Buckinghamshire. If it was in our power to do something to alleviate their suffering, ought we to do it? Would it be wrong to let them to suffer and die if we could otherwise help them?

The immediate response to this case is that it failing to assist them would be wrong. But, if this is the case, does it imply that we should assist every animal in a situation of need? What about the animals that live in the wild? Wild animals experience systematic suffering during their lives and have premature deaths. For example, every year there is a massive drowning of wildebeest during their migration from Tanzania to Kenya. If it were feasible, should we then intervene in order to prevent them from doing so?

In both cases, animal suffering and death are at stake. And let us assume for the sake of the argument that human assistance, in both cases, would generate the same outcomes regarding the total amount of suffering relieved. Nevertheless, we tend to believe that while we may have an obligation to help the horses in the first case, we should not intervene on behalf of the wildebeest. What goes on in the wild, most people think, is not our moral business. But, is the difference in response to these cases morally justifiable?

In Palmer's view, this intuition of differential moral obligations towards animals in need, what she calls «*the laissez faire intuition*» (LFI), seems to be an adequate response to what we may positively owe to animals, though it requires further philosophical justification. And this is exactly what *Animal Ethics in Context* aims at providing.

The book's general argument is two-fold. Firstly, it endorses capacity-oriented approach to negative moral obligations towards nonhuman animals (following suit with the work of well-known animal ethicists). The argument that

Palmer puts forward is not new: because nonhuman animals have an experiential well-being (they exhibit mental states of pain, fear and frustration) they can be harmed in morally relevant ways. Therefore, moral agents have the obligation to abstain from causing harm to all sentient animals.

Secondly, and most importantly, according to Palmer, capacity-oriented approaches do not seem capable of accommodating the LFI, rather committing us with too much (assisting the wildebeest) or with too little (not assisting at all) regarding intervention on behalf of animals.

And this is the point where the most novel aspects of Palmer's view are displayed and a "new, relational approach" to animal ethics starts to be properly developed. Do we have a positive obligation to assist animals in need? Palmer's answer is that it depends on the context.

Her argument may be synthesized as follows: animal suffering and distress (not directly caused by human hand) is our moral business if and only if we are causally linked to the particular situation of vulnerability or dependence in which animals are (e.g., domestic animals), though no such obligation to assist or provide for those animals with whom we fail to maintain this sort of relationships (e.g. wild animals) is generated.

If Palmer is correct, then we have good reasons to prevent or alleviate the suffering experienced by the horses, whereas we are not obligated, even if we could, to assist the wildebeest. This is so because the horses (and all domestic animals) have been negatively affected by past human action: we have put them in a situation of dependence and vulnerability. This makes us, according to Palmer, causally responsible for the harms they experience and thus owing them the corresponding assistance. On the contrary, in what regards the wildebeest, they are not in a situation of vulnerability and /or dependence towards humans. They are in a "no-contact zone", thus maintaining no morally relevant relationships with us. Therefore, we have no obligation to help them.

However supportive of commonly shared intuitions (cherished in Moral Philosophy), Palmer's relational approach does not seem capable of escaping three major problems.

#### 1. UNACCEPTABLE CONSEQUENCES FOR THE HUMAN CASE

The first problem I identify in Palmer's argument regards its implications for the human case. That is, we are led to accept the very counterintuitive consequence that we have no moral obligations to assist or provide for unrelated human beings. This seems to be particularly the case regarding distant individuals in need due to natural causes such as those affected by starvation or other natural disasters (e.g. earthquakes, tsunamis) towards whom we fail to be engaged in any of the mentioned types of relations. However, this does not seem to be the case: we have the obligation to help these individuals, whenever it is in our power to do so. And surprisingly, Palmer agrees with it.

## 2. THE SPECIESIST WAY-OUT

In chapter 7 (*Some Problems and Questions*), Palmer anticipates the previous objection to her position. She asks: if there is no obligation to help animals out of the “contact zone”, does it mean there is no obligation to help people outside the “contact zone” either? And if there is such obligation, does it apply to the case of wild animals?

In what seems to be a careless attempt to reply, Palmer persists with the moral importance of relations: what generates duties to assist human beings threatened by natural causes are certain kinds of particular relationships we maintain with each other, by virtue of belonging to the human community. Some examples of these *morally relevant* relations are: «mutually recognized communication, the ability of humans to justify themselves to others, reciprocity in economic relations, mutual cooperation, the joint organization of political and other institutions, membership of political communities, the sense of a political “world order”, and membership in families» (Palmer, 2010, p.121).

In conclusion, our positive obligations towards distant animals differ from our obligations towards distant people (such that we should assist the latter but not the former), since we are engaged in morally relevant relations with human beings that do not apply in the case of wild animals.

However, these relations do not apply to all human beings either. That is, some individuals (by virtue of their functional diversity or other circumstances) do not engage into “mutual communication” nor do they reciprocate in any political, economic or familial relations. But if, as Palmer claims, these relations are what generates obligations of assistance among human beings, then those humans incapable of maintaining such relations would be, so to speak, outside the human community (in a morally relevant sense). Therefore, we would have no obligations to help them. Yet, this conclusion seems bizarre. And unacceptable, from a moral point of view.

Although Palmer does not consider this difficulty to her argument, we can foresee that she would not be willing to withdraw assistance to human beings who lack these kinds of relations. However, in order to justify helping unrelated humans while not helping nonhumans in equal circumstances (such as wild animals), Palmer would need a totally different argument. That argument would have to be one that could allow her to escape from this unwanted conclusion, different from the speciesist way-out she seems to take. Unfortunately, *Animal Ethics in Context* lack that argument.

## 3. THE MORAL RELEVANCE OF RELATIONS

I have claimed that Palmer would not accept excluding unrelated human beings from our duty of assistance. However, I might be wrong. And if I am wrong, the speciesist charge against Palmer does not follow. Is that all there is to say?

The first thing worth examining is why such an idea seems unacceptable to most of us. After all, if we agree with Palmer that positive moral obligations are

generated by special relations we maintain with certain individuals (human or nonhuman), what reasons may we have to help, say, a starving, distant, disabled human child? She is not our child, we have not brought her into existence. We are not causally linked to the situation of vulnerability and dependence in which she encounters herself. In addition, this child, given her disability, does not reciprocate to other human beings and never will. The harm she experiences is a natural accident.

If, regardless, we believe we ought to assist to this child, then relations must be here trumped by other values. And it is these values, rather than relations, what generates positive obligations to help other individuals.

What seems to be relevant at the moment of deciding whether we should help this child is her experiential well-being, that is, the fact that she can be affected by what happens to her in a positive (pleasure) or negative (suffering) way. This entails the possibility of being benefited or harmed by the actions may affect her. So, if we should be concerned about the interests of individuals at all, it seems that both ways of taking them into account (by refraining from acting in certain ways and by deciding to act in other ways) should be considered. Thus, the same actual interests that may justify that we refrain from harming her seem to entail that we have reasons to help her as well.

Certainly, experiential well-being is not restricted to human children, rather being exemplified by most nonhuman animals, including those living in the wild. Actually, according to Palmer, the experiential well-being of animals is what generates negative duties on us, such that we should abstain from causing harm to animals (domestic or wild).

At any rate, if experiential well-being imposes restrictions on what not to do to animals, then experiential well-being is also relevant to decide what we should do to actively promote the satisfaction of the interests of animals. If the fact that animals can suffer is what generates the obligation to abstain from causing them to suffer, then that suffering is morally relevant no matter who or what causes it. Therefore, we should act in order to relieve it, whenever it is in our power to do so.

*Animal Ethics in Context* highlights the urgent need to address the neglected question of positive intervention on behalf of animals. Apart from our duty not to harm animals, do we also have an obligation to assist them? Though Palmer promised a radical shift in the animal ethics debate, her “new relational approach” is a complex but ultimately flawed attempt to engage this novel question whilst wusgubg to maintain the *status quo* within the field –namely, that we should assist the animals we took into our homes, while we should just let “wild animals be”.

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