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Peter Singer's Hegelianism: the Social Context of Equality

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But you, oh, cruel men! Who forces you to shed blood? Behold the wealth of good things about you, the fruits yielded by the earth, the wealth of field and vineyard; the animals gave their milk for your drink and their fleece for your clothing. What more do you ask? What madness compels you to commit such murders, when you have already more than you can eat or drink?

– Rousseau's translation of Plutarch¹

1 Introduction²

There is little doubt that the thought of Peter Singer has had a profound effect on both the status of moral thinking and its relation to issues in applied ethics, but the aim of this paper is to depart from considerations in the realm of practical thought in order to investigate a deeper theoretical tension which underpins the whole edifice. The argument shall concentrate on the convergence of his prescriptivist meta-ethics and his redefinition of equality as equal consideration of interests. On the one hand, Singer holds the meta-ethical position of prescriptivism: equality does not correspond to a state of affairs, it is an ideal which determines moral experience; whereas, on the other, he argues that equality has to be extended and granted to all those beings which have interests. This second assumption appears to ground equality in a state of affairs or empirical facts about the world which Singer's meta-ethical assertion denies. Supposedly, this is based in the procedural requirement of impartiality which Singer, like Hare before him, argues leads to a substantial utilitarian position.³

This article aims to demonstrate that there exists a recognition in Singer's thought of a second source of substantial obligations, that is the moral fabric of a particular society, and that his full ethical position draws upon a position similar to Hegelian absolute idealism. The main claims that will be made are that the procedural constraint of impartiality does not necessarily lead to, or even favours, a utilitarian ethics and that Singer is implicitly aware that social conditions

determine the nature of our moral obligations, especially the substantial content
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of those that fulfil the requirement of equality. And, most importantly, if abstract values such as equality cannot regulate behaviour without substantial constraints and if these substantial constraints are not universal but rely on a social context, then this will make a significant and perhaps revolutionary difference to Singer's own normative commitments.⁴

2 Singer's prescriptivism

The concern of much of Singer's thinking, and the guiding theme of *Practical Ethics*, is equality. Central to moral and political thought of the late twentieth century is the presupposition that all humans are equal and the principle itself has taken on the aspect of self-certainty; it has become a bedrock of moral thinking. Yet, it is not self-evident and it needs to be extrapolated in fuller terms. This extrapolation occurs with the posing of the simple question: what does the word equality refer to in the assertion that 'all humans are equal?' In what respect are humans equal?

Singer, in his response to this demand, is firstly at pains to demonstrate what equality is not. Equality is not a moral judgement which corresponds to a state of affairs. If all humans are equal consisted in a fact about the identity between humans then a moral principle would have to surmount very telling challenges. First, and most simply, humans are not identical, they are different shapes, sizes, possess different talents and abilities, *et cetera*. Since humans are not equal in

this respect, why are we not entitled to treat them differently corresponding to their differences?

One possible answer is that pluralities of individuals can only be used to infer facts about pluralities of individuals and not about particular individuals. So, although men are on average physically stronger than women, one is unable to say on the basis of this statistical fact that this particular man is stronger than that particular woman. And so any characteristic supposedly inferred from a group (such as a person's race, gender or religion) cannot supply any morally relevant information about a particular person. Therefore, in saying that all humans are equal, we grant them the same rights irrespective of their cultural and genetic origins. It would be unjust for an individual's opportunities to be either increased or limited simply due to a statistical fact about the race, gender or creed to which he or she belongs.

However, even though such a principle will seemingly rule out unequal and unfair treatment across the races and genders, it will not be able to criticise a society in which the populace is divided into those with an IQ above 100 and those with an IQ below 100, with greater rights and better opportunities being granted to those in the first class. Here, we are not inferring a fact about an individual from a plurality of individuals, but treating each person as an individual. The problem is that this defence of the principle of equality is still tied to the assumption that equality is based, in some sense, on a state of affairs which holds with regard to *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

individuals. Here it is obvious that intelligence is being used as that feature of the world which is morally relevant. Hence humans are more valuable than animals because they are more intelligent. However, if this is the basis of the principle of equality, then our fictional society above is consistent with it. If we lower the threshold of intelligence, not only are we being arbitrary, but the lowest common denominator which would include children, the least intellectually endowed adults, the intellectually disadvantaged and so on, will not be able to rule out the inclusion of, at least, the higher animals. Such a conclusion would be repeated if we were to replace intelligence with language-possession, consciousness, moral personality, *et cetera*. What motivates us to extend the principle to all humans and to simultaneously exclude all animals? So when we say that animals are inferior to us, we cannot say because they lack a certain relevant characteristic (language possession, reason, *et cetera*) or do not have a relevant characteristic to the required degree (intelligence) because this can never rule out a political community which embodies this fact into a social hierarchy and involves a high redefinition of the term human in 'all humans are equal.'

Singer's point here is simple: if the principle of equality is tied to some supposed actual equality amongst humans, that is some state of affairs which obtains in the world, then this does not rule out certain unequal societies, nor does it exclude some species of animals from equal consideration. These arguments have been hurriedly presented mainly because they are rather straightforward and thoroughly covered by Singer himself.⁵ Given the first of these problems, *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

Singer is not content to champion the rights of animals on such a basis; viz., the idea that 'human' cannot be defined in empirical terms when used in moral prescriptions that will not exclude the higher animals. Instead he believes the principle of equality cannot and should not be based on a judgement which supposedly corresponds to a state of affairs, if it were then the principle all humans are equal could become self-contradictory without a high redefinition of what a human is. Such a redefinition would be arbitrary, all true humans are x (where x can be replaced with: have an IQ over 100, and so on) is as arbitrary as, say, x is male, or x is of a certain race.

If equality is not tied to a state of affairs, then when one states the principle 'All humans are equal' what is one actually asserting according to Singer? The answer to this question is to be found in his meta-ethical position. He defines agents who live by ethical standards as those who '*believe, for any reason, that it is right to do as they are doing...*' The notion of living according to ethical standards is tied up with the notion of defending the way one is living, of giving a reason for it, of justifying it.⁶ The commitment to, at least, a minimal ethical code reveals that Singer wishes to hold on to the rational nature of moral discourse: moral judgements can be defended, debated and rejected and also be logically connected because they are ruled by reason-giving. More importantly, such reasons have to justify my action in such a way that you too recognise the motivating power of such a reason. Self-regarding motives can explain an act but cannot justify an act ethically: an ethical reason is one which is as acceptable to

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you as it is to me. Therefore, for a reason to be ethical it cannot refer to the particularity of the agent or the situation, ethical reasons are reasons for whomever, wherever and whenever; they must – to put it simply – be universal.

Implicit to Singer's position is the requirement of impartiality: a reason to be a moral reason must be impartial in the sense of not treating one person or group (including oneself) differently from another unless there is a morally good reason to do so. This requirement is derived from the demand of universality. In order to be certain that one's reason is impartial, one ought to imaginatively take the position of all those who would be affected by one's action and ask whether one would accept the justification. This is what rules out egoism at the outset and also grounds equality in impartiality: when one asks whether this reason is as acceptable to an other as it is to oneself, one imagines oneself in a dialogue with a moral partner and a partner who demands one's respect.

Hence, Singer's own meta-ethical position clearly echoes Hare's principal task of reconciling the antinomy between the freedom to form one's own moral opinions and the aspiration that moral discourse be rational in nature.⁷ And their solution is also the same: equality is not a descriptive statement that corresponds to some reality but a prescriptive one. Prescriptivism is expressed in the assertion of three features of moral discourse: moral judgements are prescriptive; moral judgements differ from other prescriptive statements through being

universalisable; and, finally, there can exist logical relations between prescriptive judgements.

To make sense of equality, one has to give up the belief that in stating that all humans as equal one is representing some fact about the world. Singer sees this as crucial in order to avoid, on the one hand, a high redefinition of the meaning of human in order to exclude non-human animals, and, on the other, social orders which are consistent with the fact of equality but contradict our intuition of what equality should be:

We can reject this 'hierarchy of intelligence' and similar fantastic schemes only if we are clear that the claim to equality does not rest on the possession of intelligence, moral personality, rationality, or similar matters of fact. There is no logically compelling reason for assuming that a difference in ability between two people justifies any difference in the amount of consideration we give to their interests. Equality is a basic ethical principle, not an assertion of fact.⁸

So, equality for Singer is a 'basic ethical principle' which he will also describe as: 'Equality is a moral ideal, not a simple assertion of fact... The principle of equality of human beings is not a description of an alleged actual equality among humans: it is a prescription of how we should treat humans.'⁹ Equality is a prescription, in stating the principle 'all humans are equal' one does not describe a state of affairs but prescribes the way in which one's behaviour towards other humans has to be regulated. Equality is an axiomatic principle which makes *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

policies such as freedom of opportunity rational. As an axiomatic principle, it structures the way in which one makes moral judgements and it can be quite accurately characterised as a category of moral knowledge which makes moral judgements possible. In this way, no matter the actual differences between individuals, races, creeds and genders, the principle dictates equal treatment.

3 Singer's equation of equality with equal considerations of interests

So the statement 'all humans are equal' is not a description of a morally relevant fact somehow discoverable in the world, it is a prescription which determines and regulates the behaviour of agents. It is a cornerstone of moral thinking: there would be some comprehensible logical progression from this principle to substantial rights of individuals, such as employment laws. However, there is an obvious problem for any prescriptivist: if 'all humans are equal' is not tied in some way to a characteristic or ability, and it is a moral principle which is imposed upon the world by the thinking mind in order to have moral experience, then how can we decide between 'all humans are equal' and 'all white, males are equal' since the assertion is in no way ruled by input from the world? With a principle of equality tied to some feature of the world, one can see the injustice in excluding women from certain rights and opportunities because they lack reasoning skills, higher thought powers, the proper faculty of judgement, or are too stupid. It is unjust because it is flatly false. Ditto applied to any specific race. However, this simplicity is not available to a prescriptivist because prescriptions are not tied to facts about the world. Why is it that my experience

ruled by 'all white males are equal' is inconsistent or not logical in a way that any moral experience ruled by the principle 'all humans are equal' is not? The prescriptivist is able to show how moral statements are logically consistent with one another, but unlike a moral realist, there is no way to justify those bedrock axioms such as equality, liberty, *et cetera*. These are to be taken as self-evident, but why is it that 'all humans are equal' is granted this status whereas 'all white, males are equal' is not?

According to Singer, these axiomatic statements must be rationally justifiable, that is they must be capable of being either defended or rejected. His method involves a two-step process whereby the statement 'all humans are equal' is dependent on a rational reconstruction of its substantial content, and those moral intuitions which confirm or obstruct this reconstruction are refined using, for want of a better term, deconstruction. In other words, he attempts to derive rational constraints for the principle of equality from the requirement of impartiality, and then he wants to show that the counter-intuitive nature of the consequences of this reconstruction are due to irrational and arbitrary features of one's set of socially formed moral judgements and not due to the redefinition of the principle itself.

The rational reconstruction of the definition of x in the axiom 'all x are equal' begins from the rationally defensible considered moral judgement that all

humans are equal and the requirements of impartiality. The first step involves *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

imagining oneself as a member of a disadvantaged group and to see whether, as a member of that group, one will accept the reason given as justifying the action which affects one. Imagination requires recognition of the individual or group as a possible moral partner whether in actual discourse or by proxy. This way the universal nature of equality is respected and extended to children, the mentally disadvantaged, the mute, small countries in unfair bargaining positions in the global political sphere, *et cetera*. The only inclusive principle of equality is equal consideration of interests, but this does not, of course, rule out non-human beings with interests. For an action to be morally justifiable, then all those interests which are affected by it must be considered. Singer's point is simple: as a member of the group of males, I accept that the right of abortion need not be extended to me as such an extension has no effect on my interests, but as a woman I may feel that the right to vote is a right which equality demands on my behalf due to the satisfaction or frustration of my interests. As a member of another species, it is difficult to imagine that I would be prepared to suffer and die just so that a human mouth may have the pleasure of tasting my flesh. This is nothing but the demand that reasons, if they are to be regarded as ethical, must be universalisable, which is to say that they must be acceptable to whomever they will affect. Singer believes that the universal aspect of ethics provides a persuasive reason for a minimal utilitarianism: 'In accepting that ethical judgments must be made from a universal point of view, I am accepting that my own interests cannot, simply because they are my interests, count more than the interests of anyone else. Thus my very natural concern that my own

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interests be looked after must, when I think ethically, be extended to the interests of others.¹⁰ So, the rational reconstruction of the principle of equality given the requirements of impartiality leads to its redefinition as a principle of equal consideration of interests.

However, such a new principle seems counter-intuitive in that it jars against some of the central moral givens of our ethical tradition; most obviously, it levels off the claims made on one by humans and non-human animals. This is where Singer seeks to revise these moral judgements through the process of the deconstruction of our traditional distinction between species. He never tires of mentioning that the main reason one is loathe to extend the principle of equality to members of other species in the same way that it has been extended, through history and progress, to women and members of other races, is based on a putative assumption.

Given the stark presentation of the application of the principle of equality, why is it that thinkers are reluctant to extend it to members of other species? The reason, according to Singer, is that there exists a putative prejudice embodied in the ontological distinction between humans and animals. The word 'animal' carries linguistic baggage: it divides things off and places a privilege on humans. Language, in dividing the world into humans and animals, creates an ontological duality in which one is at home when one thinks that there is an insurmountable difference between the two things and it makes one think that there is also a

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difference in value. It is for this reason that Singer's method has been termed a form of deconstruction. Deconstruction identifies a conventional linguistic duality: human/animal; duty/charity; and speech/writing and seeks to demonstrate that philosophy is often guilty of privileging one of the terms over the other and arbitrarily assigning a value to it. Yet, interrogation would reveal that such a privilege is nothing but a linguistic echo that has been rhetorically and not rationally transformed, due to metaphysical error, into an ontological and evaluative distinction. No good reason can be offered for the privileging of one term over the other, instead the value distinction relies on a convention embodied in language that seems intuitive to the agent who utters the statement. The arbitrariness is often disclosed in the contradictory nature of these terms, such as "human" which means both "not animal", "better than animal" yet also a particular species of animal.¹¹ Humans are animals, the word means animals of the species *Homo sapiens*, but language – rhetoric – is doing the arguing rather than any reason. One assumes a human has more value than an animal because of a linguistic echo. The fact that the decision to choose one dominate meaning over another is not made on rational grounds, but that it is done on the basis of presupposition and prejudice, makes the decision arbitrary; even if one can genealogically explain how it came about, one cannot morally justify it. There exists a reason, but it is found to be not a good reason when interrogated.

The deconstructive method coupled with the reconstructive requirement of impartiality proceeds by demanding that the disclosure of this arbitrary linguistic

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opposition can no longer regulate the prescription of equality. The principle of equality can be stated that all x are equal where we have to offer a definition of x. In the past, one would have offered men, or white men, but such a choice is revealed by internal (civil rights and feminist movements) and external (the moral status of members of other races and countries) inconsistencies to be rationally unsupportable and merely an institutional prejudice. Hence, the most widely accepted form of the principle is all humans are equal, but it has been shown that even if there are differences between humans, it should not affect our principle of equality. Once one realises that there are differences between animals, but no essential ontological difference between humans and non-human animals, one needs to show where the principle of equality no longer applies. The arbitrary border between human animals and non-human animals – like that which existed in the past between the genders and races – is shown to have no justification except an institutional, traditional or, to put it another way, customary one. The demand is for a rational rather than a mere explanatory justification.

One cannot deny that there are important difference between humans and members of other species, but we need to ask whether such differences lead to different moral consideration. The differences may give rise to different rights, but this does not rule out equal consideration. Singer's aim is to redraw the boundaries of equality along a more rational line. His basic assumption, then, is that the only principle of equality which embraces all human beings with all their

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differences is the principle of equal consideration of interests. Thus, the division of the world into those things with which we are concerned with and those things which do not concern us – that is, the definition of the set of actual or proxy moral partners – cannot be rationally drawn along the line of species since this would be to embody a linguistic prejudice. For Singer, equality depends on interests: the world has to be divided into things with interests and things which have no interests and a moral agent has to be concerned with the former. Those things which have interests are those things which can suffer. However, this cannot be rationally limited to humans alone, it must be extended to include members of other species, most notably non-human animals.

Yet, it is here that a contradiction becomes apparent. The demand for equality is a prescription for Singer, it does not represent a state of affairs. However, if this is the case how is it that ‘all humans are equal’ is a better prescription than ‘all white, males are equal’? Singer’s answer is that the only relevant characteristic is not colour, gender, intelligence, or moral personality but whether a being has interests or not. Women and non-white humans have interests so they must be treated equally. As do animals. So the most rational principle, for Singer, is ‘all beings with interests are equal’. This begins to sound as though Singer is now offering some feature of the world which justifies the distinction between things we are concerned about and things we are not which is hard to balance with the assertion that equality is a prescription not a description. It is not clear how

descriptive statements make a difference to prescriptive ones and, for this reason, *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

one needs to return to and to flesh out Singer's meta-ethical position and the requirements of impartiality.

4 Squaring the circle: Hegelianism

The philosophical position of prescriptivism is purely formal and there is no formal reason why "all humans are equal" is a more rational prescription than "all white males are equal" without substantial constraints that determine its content. Singer attempts to derive substantial constraints on the content of prescriptions through the requirement of impartiality, which, for him, favours a minimal utilitarian stance, if not – as he admits – necessarily entailing it.¹²

However, the requirement of impartiality does not lead to utilitarianism but merely to the recognition that all interests affected by the action count equally. This is the traditional Benthamite *ad hoc* addition to utilitarian theory and not a consequence of adopting it. In asking who is to count as a moral partner and what one is to count as interests remains formal until utilitarianism is fed into the equation. In other words, for Singer, impartiality and its interpretation as equality is prior to utilitarianism. To fully understand the move from formal prescriptions to substantial obligations, it is necessary to defend a rather startling claim: Singer can be characterised in two important aspects as a Hegelian.

There are several points to be made in support of such a peculiar claim. First, Hegel himself characterises fully rational moral (and political) judgements in the

society of developed moral personality as ruled by the prescription of equality: 'Personality contains in general the capacity for right and constitutes the (itself abstract) basis of abstract and hence *formal* right. The commandment of right is therefore: *be a person and respect others as persons.*'¹³ However, this in itself may be nothing more than a seductive echo as many thinkers have based their moral systems on the principle of equality and Hegel is as aware as Burke of the emptiness of abstract right if it is not tied to cultural and social requirements of what rights actually demand.¹⁴ Furthermore, equality for Hegel is dependent on moral personality, or freedom, which he denies to animals, children and nations at a different point in 'history.' The point of coincidence here, though, concerns Singer's embodiment of two crucial aspects of a Hegelian ethic: (1) the idea of progress and (2) the dialectic of absolute (as opposed to normal) idealism.

(1) The first element which reflects a latent Hegelianism in Singer's meta-ethical position is the embodiment of progress in the moral sciences. Singer holds that having shown that there can be no rational justification for the continued existence of the meat industry, he assumes that the only thing which supports it is the conservatism of custom. In one quotation we are offered an interesting parallel between our own customs and the customs of the past:

The decision to cease giving it that support may be difficult, but it is no more difficult than it would have been for a white Southerner to go against the traditions of his society and free his slaves, if we do not

change our dietary habits, how can we censure those slave-holders who would not change their own way of living?¹⁵

Coupled with this he offers us the assertion that ‘Eskimos living in an environment where they must kill animals for food or starve might be justified in claiming that their interest in surviving overrides that of the animals they kill.’¹⁶ For Hegel, moral categories and concepts, axiomatic prescriptions such as equality and freedom, are necessary in order for the subject to have moral experience. However, as abstract concepts they are too formal to dictate substantial obligations and these can only arise from the content of a specific way of life. The formal requirement of universality can exclude only systems of thought that explicitly reject the central value of equality and those which are egoist in nature but it cannot determine the substantial content of obligations. This is possible only if a description of what is good (interests, welfare, respect) is offered. So, one can formally state equality for all, but substantially one must say what equality entails (opportunity, respect, resources, etc.) and to whom it is to be extended (members of my nation, human beings, rational agents). Hegel’s point is that this will be supplied by or be a product of my social context or moral fabric and not the workings of practical or pure reason.¹⁷

Yet, this is not relativism since these ways of life which supply one’s moral obligations may become inconsistent when new moral problems cannot be adequately articulated or comprehended by the existing moral structures of experience, as happened with Antigone who had to navigate the conflicting

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obligations brought about by her allegiance to the family when the state trumped these very duties.¹⁸ Inconsistencies between the moral categories and the substantial content of a way of life can arise internally (Antigone) or externally (the collision of cultures: the Aztecs and Cortés), but progress occurs due to these conflicts. Therefore, whereas for the Inuit, there is no real conflict between killing animals and equality, since to grant equality to the seals would involve substantial suffering for the tribe, for contemporary, western society, the principle becomes critical because there is no longer any necessary reason to cause the suffering induced by the meat industry. Re-definition of concepts occurs when made possible by the process of historical development and not out of joint with it.

(2) And this embodied idea of progress makes no sense without at least some minimal appropriation of Hegelian absolute idealism. Simple prescriptivism with its drive towards universalism alone cannot explain Singer's acceptance of the relationship between the world and moral prescriptions. The way to make sense of such a stance is in Hegel's enigmatic aphorism which somehow embodies the difference between normal idealism and absolute idealism: 'What is rational is actual;/ and what is actual is rational.'¹⁹ Prescriptivism, like idealism, holds that certain axiomatic principles prescribe the way in which moral judgements are to be made, they structure the subject's experience. Normal idealism holds that intuitions are the content of experience but that experience is structured by the subject. This corresponds to the second part of the aphorism, the actual has to

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be rational in order to be experienced. Hegelian absolute idealism differs in that not only does the content of experience have to have a rational structure, but the rational structure of the mind must correspond to the real structures of reality: what is rational has to be actual.²⁰ (Put flippantly, an agent can freely impose another theory of gravity on the world and this will allow him to have consistent experience, but it might hinder him when he wants to walk off a cliff or build an aeroplane.) The difference between what has been termed normal idealism and absolute idealism hinges upon the relationship between intuitions and knowing; with the former, intuitions are passive and knowing active, with the latter, intuitions and knowing are in a reciprocally active relationship.

A moral principle is not a simple assertion, but a prescription – it determines the way in which the knowing subject structures experience. For Hegel, this is a reciprocal process: our categories of understanding must be adequate for us to labour in the world, and reciprocally the world has to live up to our categories – especially the moral ones. His idealism is described as absolute because one day the subject's categories of knowing will adequately fit the world and the world will have been made rational, by labour, in order to correspond to such categories. This, in brief, is the end of history thesis. Human action, through the creation and refinement of social institutions and practices, moulds the world to fit the requirements of moral demands and values (a constitutional commitment to equality), whereas the interests of groups and individuals mould the rationality of these institutions to fit the demands of the world (the demands by civil rights

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movements for the extension of such a commitment to all those who are not excluded arbitrarily, viz. non-rationally). Singer is obviously involved in a similar project: he wants to demonstrate that the institutions and the practices of the contemporary world do not live up to the principle of equality and are, therefore, not rational.

Singer's meta-ethical position can, therefore, be characterised as a prescriptivist, but one who takes seriously the absolute idealist's postulation of a relationship between the rational structures of moral experience and the institutions and practices of the social world which embody and give content to these rational structures. For Singer, the crucial relationship is between the prescription of equality and the rational basis of this in the fact that it has to be based on the minimal condition that things are granted equality when we are concerned with them. Those things with which we can be rationally concerned are those that actually have interests and suffer when those interests are thwarted. Equal consideration of interests is consistent with prescriptivism only on the basis of a minimal Hegelianism which allows for a relationship between rationality and actuality.

5 The rationality of axiomatic prescriptions

Singer has to demonstrate that there is a choice between the principle of equality which extends across all species and the principle of equality applied only to humans and that to choose the latter is arbitrary and, although it can be

explained, such explication will give us no reasons why such a principle is justified. Instead of the distinction between humans and animals, another distinction which will fit the definition of the principle all x are equal needs to be offered. Singer will offer: equal considerations of interests as his moral prescription. Why though is this not yet another arbitrary choice?

The difference between arbitrariness and rationality is, for Singer, to be marked by impartiality: if equality is a moral ideal, a way in which we structure the world as moral beings, then it is irrational when it privileges the interests of a specific group for no good moral reason. Our concern for others, according to Singer, does not depend upon what they are like or what abilities they possess, even if that is moral personality, although these various characteristics will determine what our concern requires us to do; for example, abortion rights for women are based on a deeper principle of liberty which men share but the latter do not require the right. So, if our concern for others does not depend on any actual equality or any inherent characteristics, what allows us to divide things in the world into those with which we are concerned and those which do not concern us? Singer's answer is not unfamiliar: one should be concerned with those beings who suffer since to be able to suffer is the precondition to having interests at all.

Singer here offers his own relationship between the requirements of reason and the constraints of the world. There is the element of idealism in the demand that *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

the world be rational (the world should exhibit some feature which justifies the concept of equality), but the realism that tempers the actuality of the principle of equality is to be found in the minimal requirement of impartiality. For the principle to bite, it must somehow reflect an actual way of the world: in having interests, I wish to satisfy them. If you stop me from doing so, then you must give me a damn good reason why. Hence, this demand for impersonal universality is embodied in the interests of beings. The lowest common denominator which embodies the principle of equality is the demand that those who have interests be considered equal, no matter what the differences in those interests may be. Equal considerations of interests is more rational than 'All humans are equal' because the cost of excluding animals is to exclude the mentally disadvantaged, children, small countries, *et cetera*. Different beings have different rights because of their status, but once we recognise that a thing has interests then the onus is on us as moral beings to either satisfy or deny those interests. Therefore, instead of the ontological distinction between humans and animals, the world for the purposes of equal and non-equal things is to be divided into beings with interests and beings with no interests.

However, all talk of impartiality rests upon the recognition of beings as either to be considered or not to be considered and, thus, the ontological question is prior to the ethical one. Impartiality certainly does not entail utilitarianism and does not favour it unless one already assumes the recognition of those beings with

interests as the relevant ethical one.²¹ This can clearly be seen in Singer's own *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

extension of the principle of equality. Formally, all x are equal, and substantially all beings who have interests demand consideration. Yet, if he were consistent with the pure rational requirements of his account, then he could not make the claims that Inuit are justified (not just intelligible) in eating seals or that we ourselves are justified (not just intelligible) in eating plants.²² Both seals and plants have interests.²³ Oddly, Singer agrees with common sense morality and contradicts his own consistency in claiming that the Inuit ought to use the seals and we ought to use plants.

Material and social conditions need to be appropriate in order for recognition to be granted to other species. And where does recognition come from? Inuit see animals as tools due to economic necessity as we see plants as tools – a necessary means to survival. This trumps moral concerns and means that any extension of moral peirage – no matter what the denominator of equality is – would be rational, but not actual as Hegel would say.²⁴ Given our technological level and social structures, a rational extension of the principle to plants could not meet the constraints of actuality. This is analogous to the concerns of the Inuit. It is arguable that the use of animals as tools can, however, be superseded and animal rights is, perhaps, for good reason solely a bourgeois pursuit of the educated classes in the West (although I do not wish to undermine its rationality for *that* group).

In the opening quotation to this article, Plutarch rightly recognises that necessity can determine the scope of moral obligations and this is the same Hegelian demand that what is rational be actual. The Inuit have to eat seals, they have no plants. If we were to stop eating meat, plants would be our only option. The conditions of the agent's actual world – both social and material – play a large part in the determination of ethical constraints. For Singer, impartiality as the proper moral attitude leads to a minimal utilitarianism. However, impartiality already involves a recognition of that set of beings who are to be imaginative partners in the moral debate. Yet, with the seals and plants, the rationality of including them in consideration, that is consistency with the principle offered, is at too high a cost. Such groups cannot fit our conceptual scheme. If they were part of our conceptual scheme, then such a scheme would be out of joint with actuality. Impartiality is dependent on the prior recognition, whether actual or by proxy, of moral partners. Recognition is bound to a way of life: the content of moral principles is initially drawn from custom, tradition, social institutions and practices. One cannot substantiate moral principles which are too demanding for their own time, neither can one leap over Rhodes. Singer is as aware as Hegel of the fact that social and material conditions of existence determine the substantial content of formal moral values.

6 The social context of animal rights in the West

In resolving the apparent contradiction between Singer's prescriptivist position and his defence of the rationality of the axiomatic principle, equal considerations

of interests, his meta-ethical position has been characterised as a minimal absolute idealism. This is the only way in which the claims of the way the world is can have a bearing on the rationality of axiomatic prescriptions. Furthermore, he implicitly recognises that the social and material conditions of existence are not irrelevant to the demands of morality. If this is the case, though, a new problem arises which perhaps reveals another failing on his part as concerns equality. For no matter how compelling his arguments are, it may not historically be the time for man to extend the principle of equality to members of other species, not even non-human animals. To put it in the terminology of absolute idealism, the ideas may be rational but they might not yet be actual and they remain out of joint with time. Why might this be and why might Singer not acknowledge it? The answer to the latter is that, perhaps, he is a little too Hegelian when he should temper his thought with a little Marx. This comment does, of course, demand clarification and this will hopefully offer an answer the first question.

Although Singer's picture is compelling, his explanation of why the distinction between human and animals is still in place does not quite bite. The reason why is because he is, at times, too Hegelian. Singer supposes that the reason why we prescribe more value to humans than to members of other species is to be found in the ideology of the Great Chain of Being: it is this traditional way of thinking which enforces a hierarchical view of species. In short, consciousness (ideas)

determines beings. Yet, if this were the case, it would be hard to see how
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democratic, republican, sexual liberation and civil rights have not yet done substantial damage to this way of thinking.²⁵

An alternative reason why there is such resistance to rewriting the distinction between animals and humans may simply be Marxist rather than Hegelian. It is not consciousness which determines being, but being (the economic structure) which determines our ways of thinking. The food industry alone, if restructured along the lines of the new principle of equality, would demand huge economic and social restructuring. Add to this: by-products, connected industries, entertainment, differences in the needs of countries due to their environments, then the belief that, as long as we get our way of thinking in order, equality will pervade is flatly wrong.²⁶ With the Inuit it was necessity which justified the non-extension of the principle to animals, with us, the non-extension of the principle is not explained by the Great Chain of Being, as Singer supposes, but by the amount of money and the power of the social institutions involved in industries which can only survive if we continue to think of animals as in some way inferior to ourselves and tools for own use. To return once more to Plutarch's words, if there is no necessity, then the madness which directs human reasoning – that is, the irrationality at the heart of one's ontological distinction – is the economic system itself and not an outdated ideology. And if that is the case, and if Singer is consistent, then one needs to change the economic base of society through action. Theoretical, abstract ruminations of symptomatic ideology is immaterial and incidental.

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Being and consciousness are, as has been stated, in a reciprocal relationship, Singer believes that his principle is more rational and we can agree with him. The problem is that the actuality of the world will not fit into his rational scheme until the industries dependent on the supposed inferiority of animals are in some way made less central to our way of life. It seems that the only conclusion to be made here is a rather radical one. Singer wants to demonstrate the irrationality and arbitrariness of a prescription which determines all humans as equal whilst excluding the interests of other species. The explanation of why such a principle is still accepted he finds in the ideology of the Great Chain of Being. Yet, such an ideology would also obstruct the rights of women, non-monarchs, laymen as opposed to priests. These were swept aside in waves which began with the Reformation, continued with the Enlightenment and the civil and democratic movements of the twentieth century. Such an ideology is no longer in play but was overthrown through revolutionary action and not intellectual reflection. It seems that the ontological distinction between humans and animals is itself a symptom of deeper economic necessity: being determines consciousness and not *vice versa* as Singer believes. Revolutionary action aimed at institutions and practices which embody such a distinction may be the only way to make the world rational, that is make it fit with Singer's more rational prescription. This is not to endorse such action, but to say that it is the sole way for Singer's principle of equal considerations of interests to become both rational and actual. As it is,

the actuality of the world resists Singer's arguments, no matter how compelling they are to the mind.

¹ The quotation here comes from Rousseau, J J *Émile* trans. Foxley, B London: J M Dent, 1993, p. 142. A direct translation of Plutarch reads: 'But whence is it that a certain ravenousness and frenzy drives you in these happy days to pollute yourselves with blood, since you have such an abundance of things necessary for your subsistence? Why do you belie the earth as unable to maintain you? Why do you profane the lawgiver Ceres, and shame the mild and gentle Bacchus, as not furnishing you with sufficiency? Are you not ashamed to mix tame fruits with blood and slaughter?' in 'The Eating of Flesh' in *The Complete Works: Essays and Miscellanies* vol. 3 retrieved 16th February, 2005 from

<http://etext.library.adelaide.edu.au/plutarch/essays/complete.html>.

² I should like to thank...

³ See Singer, P *Practical Ethics* 2nd Edition Cambridge: Cambridge University Press, 1993, pp. 8-15 and see Hare's discussion of the relationship between first-order 'deontological' rules and second-order critical reflective welfarism in "Moral Conflict" in *The Tanner Lectures on Human Values* vol. 1, Cambridge: Cambridge University Press, 1980.

⁴ For the purpose of this paper I shall explicitly concentrate on equality and the problem of non-human animals. See Singer, P 'All Animals are Equal' most recently published in *Unsanctifying Human Life* ed. Kuhse, H Oxford: Blackwell, 2002, pp. 79-94; and *Practical Ethics* 1993, chs. 2 and 3.

⁵ See *Practical Ethics*, 1993 ch.2, pp. 16-26 and 'All Animals are Equal', 2002, pp. 80-83. See also Williams, B 'The Idea of Equality' in *Contemporary Political Philosophy* eds. Goodin, R & Pettit, P London: Blackwell, 1997 where he holds that if equality refers to an empirical fact in a strong sense (intelligence) then it is obviously false and if it refers to an empirical fact in a weaker sense

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(the possession of a characteristic such as common humanity), then it is platitudinous and does no real philosophical work. Similarly, Williams holds a similar dichotomy into strong and weak exists if equality is understood as a norm; an idea not dissimilar to the discussion of the formal and substantial aspects of prescriptions below in this article. A good discussion of these issues is to be found in Frey, R “Autonomy, diminished life, and the threshold for use” in *Personal Autonomy: New Essays on Personal Autonomy and its Role in Contemporary Moral Philosophy* Ed. Taylor, J S Cambridge: Cambridge University Press, 2005.

⁶ Singer, P *Practical Ethics*, 1993, p. 10.

⁷ See Hare, R M *Freedom and Reason* Oxford: Clarendon Press; 1963, part 1, ch. 1.

⁸ Singer, P *Practical Ethics*, 1993, pp. 20-21.

⁹ Singer, P ‘All Animals are Equal’, 2002, p. 83.

¹⁰ Singer, P *Practical Ethics*, 1993, pp. 12-13.

¹¹ I call this deconstruction because it reminds one of Derrida’s method in, for instance and most obviously, ‘Plato’s Pharmacy’ in *Dissemination* trans. Johnson, B London: Athlone; 1981. Singer often demonstrates that moral oppositions are due to nothing more than customary linguistic usage and that when interrogated, such oppositions need to be redrawn along new lines. He does not proceed as far as Derrida in holding that no oppositions can be justified, say equality over inequality and does not, therefore, commit himself to irrationalism. See, as a further example of Singer’s deconstructive method, his discussion of charity versus duty in ‘Famine, Affluence, and Morality’ republished in *Unsanctifying Human Life*, 2002, pp. 145-156.

¹² Singer exact words are: “The universal aspect of ethics, I suggest, does provide a persuasive, although not conclusive, reason for taking a broadly utilitarian position.” in *Practical Ethics*, 1993, p.12.

¹³ Hegel, G *Elements of the Philosophy of Right* trans. Nisbet, H B Cambridge: Cambridge University Press; 1991; §36.
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¹⁴ See Hegel, G *Phenomenology of Spirit* trans. Miller, A Oxford: Oxford University Press, 1977, §§582-595 and Burke, E *Reflections on the Revolution in France* Cambridge: Hackett Publishing Company, 1987 pp. 51-57.

¹⁵ Singer, P 'All Animals are Equal', 2002, p. 86.

¹⁶ Singer, P *Practical Ethics*, 1993, p. 62

¹⁷ Hegel, G *Hegel's Philosophy of Mind* trans. Wallace, W Oxford: Oxford University Press, 1971, §§507-516.

¹⁸ Hegel, G *Phenomenology of Spirit*, 1977, §470.

¹⁹ Hegel, G *Elements of the Philosophy of Right.*, 1991, preface, p. 20. Singer discusses this aphorism with Bryan Magee in 'Hegel and Marx: Dialogue with Peter Singer' in *Unsanctifying Human Life* 2002, pp. 341-357.

²⁰ This is because, for Hegel, knowledge and reality are ultimately the same thing. I do not defend this thesis here but take it as a given.

²¹ A similar point is made by Lessnoff, M "Justice, social contract, and universal prescriptivism" in *The Philosophical Quarterly* vol. 28, no. 110, Jan, 1978, pp. 65-73, who argues that Hare's requirement for impartiality and universality favours a non-utilitarian theory of justice.

²² This inconsistency has also been noticed by Fox, M "'Animal Liberation': a critique" in *Ethics* vol. 88, no. 2, Jan 1978, p.. 106-118.

²³ If an animal has an interest in feeding itself, then the plant has an interest in catching water on its leaves. My putting an umbrella over it frustrates this and "harms" its interests. I would need to give it a reason that, by proxy, would justify my behaviour.

²⁴ Such rationality becomes arbitrary for Hegel and is nothing but the assertion of power on the part of the will to negate what is actual. It is characteristic of the Terror whereby the demands of formal reason impose dictates because it can and it becomes destructive. The new for the new's sake. See Hegel, G *Elements of the Philosophy of Right.*, 1991, §§15-18. *Between the Species*, VIII, August 2008, cla.calpoly.edu/bts/

²⁵ Having discussed this idea informally with North American academics, I may have put this point too strongly. It seems that their students do assume a natural inequality between individuals and often refer such beliefs to religious doctrine. Having had no experience of this, I find it impossible to assess, but believe it worth a mention.

²⁶ Of course, for such an assertion to actually be proven true, one requires empirical figures and statistical projections. I have very lazily neglected such a task for a social scientist to carry out on my behalf. I am grateful to comments made to me by Dr Madhuri Yadlapati which seem to substantiate my theoretical claims about the meat industry.