

BETWEEN THE SPECIES

Recognizing Nonhuman Morality

ABSTRACT

Claims that some sorts of genuine moral behavior exist in nonhuman beings are increasingly common. Many people, however, remain unconvinced, despite growing acceptance of the remarkable behavioral complexity of animals and despite the admission that there may be significant differences between human and nonhuman moral behavior. This paper argues that the rejection of “moral animals” is misplaced. Yet at the same time, it attempts to show how the philosophical task of exhibiting the possibility of nonhuman moral behavior is often misguided, leaving claims about nonhuman morality unnecessarily exposed to philosophical rejection.

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Volume 17, Issue 1

Jun 2014

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I Introduction

The question of nonhuman morality is increasingly on the scientific and philosophical agenda. There are two general philosophical positions on the possibility of genuine nonhuman moral behavior that are considered in this essay. The first position, though not necessarily skeptical about the behavioral complexity of animals, nevertheless rejects this possibility or reduces it to a metaphorical or analogical one. This rejection or reduction is the result of conceptual criticism.

The second position embraces the possibility of nonhuman morality, typically offering certain empirical and conceptual grounds that are intended to underwrite it. The approach in this paper is to identify, and suggest the removal of, philosophical assumptions, shared by both these positions, which either (a) encourage for insufficient reasons the rejection of nonhuman moral behavior, or (b) allow too readily the repudiation of that possibility on the grounds of conceptual naiveté or confusion. The paper is about nonhuman animals. But the possibility might also be noted of applying its conclusions to very young children and the severely retarded.

II The Conceptual Terrain – Moby Dick

In a speech from Herman Melville's famous novel (1961), Captain Ahab apparently implies that the whale is capable of moral behavior, when he cries,

“it was Moby Dick that dismasted me; Moby Dick that brought me to this dead stump I stand on now. Aye, aye,” he shouted with a terrific, loud, animal sob, like that of a heart-stricken moose; “Aye, Aye! It was that accursed white whale that razed me; made a poor pegging lubber of me forever and a day!” (166).

Notwithstanding obvious metaphorical uses of the whale, Ishmael's telling of the tale challenges us to consider whether Ahab might be, on this point, partly sane. But contrast Ahab with his chief mate Starbuck:

"Vengeance on a dumb brute!" cried Starbuck, "that simply smote thee from blindest instinct! Madness! To be enraged with a dumb thing, Captain Ahab, seems blasphemous" (167).

Perhaps the novel affirms this thought. But look more closely at how Ishmael draws certain relations between man and beast. Third mate Flask harbors animosity toward all sperm whales, resembling the animosity some people have regarding cats, but in Flask's "poor opinion, the wondrous whale was but a species of magnified mouse" (125).

Flask's attitude clashes with Ahab's equally violent one, as when Ahab declaims:

"I will not say as schoolboys do to bullies, Take some one of your own size; don't pommel *me*! No, ye've knocked me down, and I am up again, but ye have run and hidden. Come forth from behind your cotton bags! I have no long gun to reach ye. Come, Ahab's compliments to ye; come and see if ye can swerve me" (171).

In contrast to Flask and Starbuck, Ahab credits the whale with highly complex behavior. For although it may be hard to believe that "such bulky masses of overgrowth can possibly [have] the same sort of life that lives in a dog or horse" (269), Ishmael's whale has at least the same sort of feeling and intelligence - intelligent feeling perhaps—as some familiar land animals.

Far from being a dumb brute, Moby Dick has an “intelligent malignity which, according to specific accounts, he had over and over again evinced in his assaults” (184). When he has the men at his mercy, the whaling rowboat between his jaws, he shakes “the slight cedar as a mildly cruel cat her mouse” (513). It is his unreasoning yet intelligent feeling that makes a powerful impression, first on Ahab, and then, via Ahab’s passionate example, on the rest of the crew:

“Commend the murderous chalices! Bestow them, ye who are now made parties to this indissoluble league... Drink ye harpooners! Drink and swear, ye men that man the deathful whaleboat’s bow—Death to Moby Dick! God hunt us all, if we do not hunt Moby dick to his death!

The long, barbed steel goblets were lifted; and to cries and maledictions against the white whale, the spirits were simultaneously quaffed down with a hiss” (170).

In mapping the conceptual terrain around our question, two opposing views of animals may be flagged. The first is that of Starbuck, the coolly dispassionate observer of a “dumb brute” quite incapable of moral action, but also that of those modern readers who, though in these modern times increasingly disposed to recognize complex, intelligent animal behavior, continue to deny that they can be moral.

The second view is of those who, like the passionate captain and crew of the *Pequod*, are engaged in various ways by nonhuman animals and regard them as beings capable of moral behavior. A central question to examine is whether claimants of bona fide nonhuman moral behavior *must be* naïve about moral

concepts applied to nonhumans or whether, contrariwise, their critics are the ones guilty of conceptual inadequacy.

III Rejection of Nonhuman Morality

Doubt exists even amongst animals' strong defenders. Tom Regan says that animals, children, and the mentally retarded not only are not "moral agents", they are merely "moral patients" (1985, 152). Alasdair MacIntyre says that while animals have a kind of practical rationality, only humans can develop the independent practical reason (1999, 83) that is a precondition of moral virtue. Animals, he claims, cannot reflect upon their histories and futures, their births and deaths, nor enter into discussions about these pivotal events.

Rosalind Hursthouse agrees that the absence of rational decision-making and choice means that animals, unlike humans, are biologically determined (1999, 220). For her, "concepts of 'a good member of the species *x*', and 'living well as *x*'... are completely constrained by what members and specialized members of the species in question actually do" (221). So "an exceptional [male] polar bear that hangs around its cubs offering food" rather than abandoning them is defective (220); but the nurturing wolf lives well and is good. Naturalism's language here of excellence and defect is biologically evaluative only. For Hursthouse, it eliminates moral descriptions of, for instance, the impressively caring male who bucks the polar bear norm.

According to these arguments, animals lack emotional and cognitive capacities necessary for moral behavior. My point will not be that there is no significant difference between human and animal behavior, but rather that significant dissimilarity does not imply that nonhuman morality is impossible.

IV Some Conceptual Obstacles

Sometimes it feels natural to describe animals in moral terms. Often, however, it is tempting to reject all such descriptions. Why? Recognition of morality in human beings is recognition of behavior that is tied to great cognitive and psychological sophistication. Furthermore, human morality, in all its complexity and depth, uniquely affects our imaginations and our lives. The behavior of animals can strike us as being *nowhere close* to genuine moral behavior. It is not merely that individual humans can be exceptional in their depravity and their goodness, but that we can in principle have exchanges and conversations with others on the meaning of all things morally serious.

Rejection of the conceptual possibility of nonhuman moral behavior is given further impetus by the way our concepts can become distorted and confused, both in philosophical, and in ordinary, discourse. In the following conceptual examination, attention will be paid to the uses of concepts in both areas of discourse, so that we might eventually determine whether talk of good and bad dogs, of rogue and trustworthy horses, is just naturalistic and metaphorical, or rather literally moral, and in what way.

Philosopher Alison Hills exhibits the naturalness of the skeptical attitude when she writes:

Of course, we can say that certain animals are acting like someone who is generous or benevolent, but we should not praise them for acting well unless we are also prepared to hold responsible animals that seem selfish and violent (2005, 77).

Hills thinks it obvious that animals can never be praised or blamed, and that it follows, equally obviously, that they are not moral beings. The obviousness of the assumption about a necessary conceptual connection between responsibility/holding to account and morality is worth dwelling on. I shall do so by means of stories about two Marys – one a child, the other an elephant.

Philosopher Raimond Gaita's (2004b) discussion of Mary Bell, the eleven year old British child-killer, concerns conceptual confusion in relation to *human* moral behavior. Gaita points out that, on the one hand, we may be appalled by the evil of Mary's assault on innocence, but that, on the other hand, we can find it hard to accept that the actions of a killer, who is also a child and is therefore similarly innocent, could be evil. Furthermore,

we hardly know how to attribute to child-killers concepts that they must possess if they are to have the intentions necessary for their actions to be evil. Mary Bell persistently pleaded that she did not understand that death is final (45).

I shall return to this, but will here note Gaita's suggestion that those who would call Mary's actions wrong or evil can nevertheless

withhold a certain kind of judgment, the kind we now call judgmentalism – judgment that would *blame* her (bearing in mind all the connotations of that word), that would encourage one to point a finger at her and to turn one's back on her. This strikes some people as incoherent: how can one both see (and in that sense judge) a

situation in a severe moral light while at the same time refusing to blame its agent? (220).

The warning about moralism speaks to the familiar human tendency to judge harshly and to hold responsible or to account, a temptation which, as Cora Diamond remarks, is as effective in non-theoretical contexts as it is in philosophical ones at “lead[ing] us away from any recognition of genuine variety within moral experience” (1997, 228). Thus, we may be held “hostage to a false sense of what the possibilities are” (Gaita 2004b, 47) both inside philosophy and in ordinary life. And so the possibility is overlooked that we can be shocked, mortified, and even angered, by Mary’s actions and character whilst refusing to blame her. In a Socratic spirit, we may even feel pity for her because she had become evil. These possibilities break the conceptual link which is mistakenly held to connect, by necessity, wrongdoing with blame.

American writer Charles Siebert (2009) tells the story of our second Mary, an elephant in a 1916 US traveling circus. Mary was said to have smashed the head of a young hotel janitor. The public’s bloodlust to kill “Murderous Mary” was appeased by Charlie Sparks, the circus owner. After entertaining the option of having Mary electrocuted by Thomas Edison, who was testing Westinghouse’s alternating current on animals “in hopes of discrediting it as being too dangerous, Sparks ultimately decided to have Mary hanged” (87-88), which he did from a crane—twice, since the first attempt failed—in front of an audience. The brutally comic absurdity of treating Mary’s actions as if they were on the very same plane as wicked, fully responsible human ones (something Ahab is perhaps prone to do) might encourage us to regard as altogether unintelligible a moral response to animal behavior.

Defenders of animal morality, including those I will shortly criticize, are not compelled to conclude that animals can be serial killers or rapists, saints or moral heroes, just as they are not compelled by an imaginary logic of moral consistency to say that “Murderous Mary”, though she may have acted morally badly, can be a murderer—even if Mary Bell can be that. By the same token, there is no conceptual moral guidebook prescribing that certain forms of “holding responsible”—such as gratitude and anger—must be withheld, on pain of confusion, from nonhuman animals in all instances. Perhaps such responses are intelligible even as we deny, because it misleadingly suggests that animals can morally reflect and deliberate, that they can be moral “agents.”

And yet it is true that our nonhuman Mary, unlike the human Mary, was not a child developing towards full moral maturity. For the maturing Mary Bell, it was an intelligible possibility that, as she began to reflect upon her past, the moral meaning of her actions and character could become known to her. In contrast, two conceptual deficiencies are seemingly present in Elephant Mary. The first is psychological/cognitive: fully knowing, for instance, that “dead is dead.” But as we saw, that conceptual deficiency did not have to stop us from recognizing Mary Bell’s behavior as morally appalling. The second deficiency is moral: “I simply must not hurt him;” “This is so terribly wrong;” “I am a bad and wicked girl;” “I deserve to go to hell”—these are thoughts containing moral concepts, concepts which we can easily imagine Mary Bell, but arguably not Mary the elephant, uttering, thinking, being prompted to articulate, and expanding upon.

It can further be observed in Mary Bell’s case, assuming a preparedness to grant that an eleven year old child is a bona

fide moral being, that the possibility of some sort of moral behavior is not dependent upon a highly abstract understanding of moral possibilities, let alone of philosophical, theoretical ones. But having done away with an overly intellectualized conception which rules over the whole range of possible moral action, there remains the problem of nonhuman animals lacking moral concepts, at all stages of their lives. I shall later suggest that this “problem” is soluble in the animals’ favor. But I shall first suggest that the size of the “problem” needs to be felt, before it is addressed.

V Problems with Standard Approaches

In this section, I will consider some representative modern attempts, which are often influenced by Charles Darwin and by new empirical evidence, to argue for the radical conclusion that animals are capable of moral behavior. These attempts are highly vulnerable to rejection by critics.

Philosopher Stephen Clark (1985) argues that animals are not always “moved solely by immediate desire and pain” (45), but can indeed act with intelligent social awareness (46). Jane Goodall once observed a group of chimpanzees who “ignored or bullied a companion who was partly paralyzed” (50). But one particular

[C]himpanzee, though disliking the smell (and one can reasonably assume) as much “turned off” by physical weakness and abnormality as his companions (and most humans), did none the less continue to treat the unfortunate and lonely ape as his old friend and companion. The impulse to friendship was stronger in him than the impulse to despise...He preferred one way of acting to another that he might have preferred (50).

In addition, Clark claims that certain dispositions, like the disposition to friendship which we normally think of as moral, are surprisingly widespread in the animal kingdom. It is only prejudice, much like the bigotry which once closed our eyes to the rich moral lives of “barbarians” and “savages” (42), that blinds us to the richness of animal behavior. Clark concludes that because it lacks the input of reason, animal virtues are not “moral virtues,” but are, nevertheless, commendable “natural virtues” (46).

Philosopher James Rachels, emphasizing more than Clark the importance of scientific rigor (1991, 170), discusses a famous 1964 experiment which concluded that most rhesus monkey strongly prefer to suffer hunger than to “secure food at the expense of electroshock to a conspecific” (150). Combining controlled experiments, Darwinian continuity, and the conceptual claim that altruism might be defined as “*the willingness to forgo some good for oneself* in order to help others” (149), Rachels concludes that Darwin was right in his “view of animals as (at least partially) moral beings” (152).

The conceptual component of this strategy is that animal and human behavior, such as altruistic action, is sometimes so similar that it becomes compellingly clear that certain animals have modest moral powers. However, this tactic is seriously open to skeptical misgivings. Here is an example of its vulnerability. Rachels claims there is sometimes a close correspondence between unthinking human moral behavior and the non-reflective behavior of animals. If the former is moral behavior, then so is the latter, even though we know that mature humans are capable of additional, more sophisticated forms of moral behavior, such as acting from a sense of duty, meaning, or moral rule. Rachels thinks that unreflective compassion is *paradigmatic*

moral behavior - the behavior of a person who willingly assists others without pausing to consider whether she has sufficient reason for it.

Spontaneous compassion is a plausible candidate for paradigmatic moral behavior. But Rachels does not question whether there is a telling conceptual difference between unreflective human and animal behavior. He knows, as virtually all mature adults know, that morally good but unreflective adult human beings are nevertheless potentially conversant with an extensive range of moral concepts. But Rachels does not ask whether this fact makes a fundamental difference to how we identify the nature of morality, and thus whether sheer compassion does the exemplary and persuasive work he asks of it in making his appeal to our powers of conceptual discernment.

In other words, the supposedly paradigmatic moral action to which Rachels draws our attention may indeed be an unreasoned response to another's need, while at the same time necessarily being a response which is *undertaken by a being that is intelligibly morally equipped in these other ways*. Indeed, the very fact that it is an unreasoned response may have its persuasive force and edifying potential precisely in the context of a being who might exercise moral thought in a full-blooded way. For it is only here that we can say things like (maybe in the context of teaching a child about goodness), "See how she helps those rough beggars without a second thought."

In the same vein, the critic may argue that for any example of remarkable behavioral similarity there are crucial divergences. Specifically, the difference is likely to be around the possession of moral concepts, even if they are only the limited ones that, say, an eleven year child may have. Thus, the critic will main-

tain that Rachels-like arguments are naïve or misguided, since merely presenting uncanny behavioral similarities overlooks an essential criterion of moral behavior; and that the only escape from this impasse is to claim either that (a) animals have human-like moral concepts (or equivalent non-conceptual moral thought), or that (b) moral concepts/thought are not necessary for human-like moral behavior. Later I shall suggest that it is not necessary to regard either option as plausible to identify a conceptual place for moral behavior in animals. Nor, importantly, is it necessary to deny that the behavioral features—the cognitive, social, and psychological features—of animals conceptually *underdetermine* the moral nature of their behavior.

However, perhaps more recent work in ethology will help show that emerging evidence of remarkable cognitive and psychological complexity of animals is, after all, sufficient. Take an example put together from Marc Beckoff and Jessica Pierce's book *Wild Justice: The Moral Lives of Animals* (2009) which draws on recent scientific work, including that of Beckoff himself and of primate scientist Frans de Waal. Some animals like chimps and capuchins, scientists claim, have the startling social ability to track the behavior and character of members of their group—who has received what rewards, who has contributed to the group, who is reliably helpful and unhelpful, who has given me food, etc. Apart from these impressive cognitive feats of memory and intelligence, these primates also possess the capacity for a range of psychological attitudes and responses, including angrily punishing or shunning “free-loaders” and under-contributors, pointedly refusing rewards when others observably get better ones, reciprocating helpful deeds, and being kinder toward more cooperative individuals. This behavior, Beckoff and Pierce argue, looks suspiciously like moral behavior, even more so perhaps than the impressive

examples of compassion and altruism. In fact, the authors argue that this complex social behavior amounts to a moral sense of justice or fairness.

Some remarks by philosopher Mark Rowlands can be used to buttress this case. Rowlands makes the proposal that a being qualifies as a moral subject if she, being sufficiently emotionally complex, is reliably sensitive to features designated as good or bad-making features by some correct normative theory (2013, 22), without necessarily being known as such. Now, if the socially sophisticated chimp or capuchin discerns and responds as Beckoff and Pierce describe, while being reliably normatively orientated, there seems to be a strong case for saying she has a moral sense of justice or fairness.

Unfortunately, if we adhere only to the grounds adduced, the case is not convincing. For although the discerning capuchin has undeniably a sense of who in the group has gotten what (and so on), plus remarkable affective responses to these circumstances, it is difficult to see that these capacities alone (notwithstanding Rowlands' supplementary suggestion) allow discrimination between a non-moral sense of "justice" and a genuinely moral sense of justice, however simple. In fact, the scientific term "inequity aversion"—or, better, "disproportion aversion" (and other morally neutral terms of this type) - may be thought to better capture the nature of such behavior. As long as we are looking only from the perspective of behavioral similarity with the human paradigm, ever-increasing behavioral sophistication in the absence of moral concepts or thought will achieve nothing, and the apparently simpler case of the compassionate animal will serve just as well, or as badly, as the case of the "inequity averse" one. In order to recognize moral

behavior in the lives of animals who have intelligent feeling, a major change in perspective is required.

VI A More Fruitful Approach?

When Stephen Clark says animals can be “ethical: that is, they respond to aspects of a situation and to features of their kindred, that a good man would also respect” (1982, 107), he suggests, like Rowlands, that we need to take a normative stance on nonhuman morality. But, I shall propose, the type of normative stance required must go much further. To develop this theme, recall Beckoff and Pierce’s (2009) inadequate claim that a certain level of social sophistication is both necessary and sufficient for moral intelligence. For them, morality is a species-specific concept concerning that which is both beneficial/harmful to, and rule-enforced by, the group to which an individual belongs. Partly in order to avoid the accusation of relativism, Beckoff and Pierce assert that their identification of moral behavior is descriptive and not normative.

But this approach will not work for nonhuman animals. Why? It may be true that we can rightly identify human behavior across vastly different cultural settings—which reveal, for example, quite dissimilar moral conceptions of compassion etc.—as moral behavior. But that is at least partly because, even when their moral norms simply baffle us, we can recognize these others as in possession of at least some intelligible moral concepts and thought. Yet if nonhuman animals are not so equipped, it does appear impossible to identify moral behavior in them without taking a normative stance (beyond the one suggested by Clark and Rowlands) on what counts as, say, a (morally) good dog action or chimpanzee character. Barring this, the sort of skeptic who requires that “moral animals” have

the kind of moral concepts and thought that (for example) an eleven year old human child has, will never be convinced.

Offering this kind of doubter increasingly sophisticated, comparative descriptions of animal behavior is therefore useless. If she is ever to be convinced, a new approach is needed—not because it is certain thereby to change her mind, but because there is no other way to change her mind. Beckoff and Pierce's stated stance, disengaged and purely descriptive, must be replaced with another stance, in which one can only legitimately recognize nonhuman moral behavior if, in certain ways, one is engaged by it in its particularity. And this claim can be accompanied with a reminder that moral behavior in human life and animal life may present very differently. It all depends upon the details of the stance taken. Indeed, many considerations may come into play, including our own understanding of the right and the good in human life, and the psychological and cognitive abilities of nonhuman individuals and of their groups and species. Again, we should not rush to place unwarranted limits on the possibilities. For instance: *pace* Hursthouse and Beckoff/Pierce, there is no conceptual necessity to refuse to recognize as morally good the caring male polar bear on account of the notion of a "species norm." In fact, the species norm in this example may add to the moral impressiveness of this particular polar bear.

The need for overt moral commitment and appraisal, and the right method of making that move, are both bound to be highly controversial issues. Nonetheless, I will present, albeit briefly, one candidate approach. Because this approach does not rely merely on (albeit sophisticated) comparisons of humans and animals, or on clearly inadequate characterizations of human

morality, it has greater potential to avoid the skeptical problems mentioned (though not, of course, all skepticism).

Consider first some words of David Hume:

[A]n action, sentiment, or character is virtuous or vicious; why? because its view causes a pleasure or uneasiness... To have the sense of a virtue, is nothing but to *feel* a satisfaction of a particular kind from the contemplation of a character. The very *feeling* constitutes our praise or admiration (2009, 471).

Hume asks why “incest in the human species is criminal, and why the very same action, and the same relations in animals have not the smallest moral turpitude and deformity?” (467), and answers that we do not *feel* that animal incest is immoral, just as we do not *feel* that the sapling commits parricide. (Hume is of course more complex on this issue, but that is not now relevant.)

The reduction of moral assessment to feeling and sentiment, however, does not follow from the recognition of a conceptual dependence on modes of responsive normative judgment. Take, for example, philosopher Peter Winch’s argument, in interpreting the second part of Wittgenstein’s *Philosophical Investigations* (2009), that certain non-moral concepts are characterized by a conceptual interdependency of object (individuals and their behavior) and response (1987, 140). Winch claimed that possession of a concept like pain and the recognition of its instances depends conceptually on the possibility of our having certain responses, like that of pity, towards the sufferer of pain.

Arguably, many moral concepts and our understanding of them have a related construction and relation to the understand-

ing. These “response-dependent” concepts may, in the present context, be better called “response-and-behavior-dependent” concepts, so as to stress the relevant conceptual interdependence. Recognition of the moral nature of animal behavior, on this view, occurs through aspects of their behavior as well as the details of their social relations and its circumstances. Applying moral concepts to animals means applying concepts which are constructed from, and recognized through, certain possible responses to certain forms of behavior. This view of moral concepts and understanding, of responses and their target, is significantly different from the view of the connection between human responses and moral understanding that may be read into the selected remarks of Hume.

Moby Dick’s “unreasoned malice,” dependent as it is upon his life of intelligent feeling and visibly written “in his whole aspect” (Melville 1961, 534), affects Ahab and his crew to the point where the murderous chalices are raised and quaffed. The novel invites us to adopt a different perspective, to see an animal’s behavior as morally inflected rather than purely natural or analogical. In Ishmael’s eyes, the animal undergoes a transformation. Should we experience this shift in perspective, I believe it will be work of the interdependence of nonhuman behavior and our complex responses to that behavior. We do not need to be persuaded by *Moby Dick* to mark this possibility. Of course, the thorough-going skeptic who, like Flask and Starbuck, remains disengaged from animals will remain unconvinced. Still, her criticism can no longer be that recognizing nonhuman morality is the demonstrable result of an obvious kind of philosophical naïveté or confusion.

VII Moral Behavior in Animals

Not so long ago, ethologists were stunned by the sight of chimpanzees intelligently collaborating in the organized hunting of smaller apes. Viewers of the monkey killing footage may have been struck by the evident relish with which the hunters frenziedly tore their victims apart. Chimps have also been observed determinedly hunting down other chimps in seemingly organized groups. Jane Goodall watched a lonely, half paralyzed chimp with polio seek in gentle desperation the companionship of two healthy chimpanzees, both of whom deliberately moved out of his reach and resumed their mutual grooming. Goodall expresses a moral response when she says that she then “came nearer to hating a chimpanzee than I have ever done before or since” (quoted in Midgley 1983, 121).

Simone Weil remarked that “Men have the same carnal natures as animals. If a hen is hurt, the others rush up and peck it” (quoted in Gaita 2004a, 193). Weil’s words tell of a terrible animality belonging to human beings. Her words also reveal how different humans and animals are, in particular because of what it can mean for a human being to join in the “festival of cruelty.” Weil brings out something in the concept of human wickedness by recalling our responses to human behavior in the light of the carnal natures of animals. But we are now in a position to reverse the comparison and consider the behavior of animals in the light of the sheer callousness and cruelty of human beings. In doing so we may recognize a terrible (though different and certainly diminished) callousness and cruelty belonging also to animals.

By calling this behavior terrible or shocking I am suggesting that it may be registered through our responses as morally colored. This range of responses helps to structure and identify

forms of morally bad behavior or character. Additionally, we may recognize morally good types of behavior and character, and in a way that is connected with the bad. For example, a sense of moral disappointment, even of being failed by an animal's behavior, may be the conceptual partner of the pleasure, wonder, and delight that may be taken in an animal's action or character.

This kind of moral response is glimpsed in the philosopher Rush Rhees' diary about a Rottweiler called Danny (1999). Out of his interaction with Danny there gradually emerged a nuanced relationship of mutual understanding and feeling. This relationship may be viewed in a non-moral sense so far as the dog is concerned. Yet it becomes plain that Rhees believed he knew Danny in more than naturalistic terms, despite being the first to admit that animals cannot grasp moral meaning. In the diary, Rhees reflects on his fateful decision to allow Danny to undergo a veterinary procedure which proved fatal for the dog:

Danny would never have allowed anyone to do to me what I allowed them to do to him [i.e. abandon him]. I speak from what I have seen him do (198).

I have felt put to shame by Danny...He never showed ingratitude, nor harbored resentment—(though God knows he had ground enough)—and this was not because he was placid and indifferent (199).

VIII Conclusion

Rush Rhees' own sense of animal moral behavior is dependent on his immersion in a life with a dog or dogs—the kind of immersion that Beckoff and Pierce, despite their avowed normative detachment, believe led to their conclusions about ani-

mal morality. For his part, Rhees was touched and even shamed by Danny's behavior and character.

Earlier we noted the distorting effects of moralism, which perhaps leads to the view that animals are not moral beings unless they can be intelligibly blamed or legally punished. Equally, there is absurdity in holding animals responsible as if they were human adults capable of evil and criminality. Some people find the idea that animal behavior can be described in moral terms absurd; others, as we saw, obviously do not.

The examples I have adduced—from fine writers like Herman Melville and Rush Rhees, and from scientific stories and reports—suggests we do sometimes speak of the behavior and the character of certain animals in moral terms. We might speak of a whale as malicious, an elephant as cruelly violent, a chimp as callous, a dog as trustworthy—and our language can have moral meaning. That real moral claims about animal behavior are possible, I have argued, is shown through a careful consideration of the conceptual nature of our descriptions of animal lives. Many attempts at demonstrating moral behavior in animals are insufficiently attentive to the full extent of our descriptive/evaluative language concerning both morality and animals.

If someone—a philosopher or a non-philosopher—were to press against us the charge that surely we can't really mean the things we say about animals—mean them, that is, in a bona fide moral sense—then we should reply that we literally *do and can* mean them in that sense. That can be insisted upon without implying that the animals involved have moral concepts or that they are to be praised or blamed in the way normal adult human beings often rightly (and wrongly) are. Some people reject the notion that very young children, the severely retarded, and

nonhuman animals can be moral. But on the contrary, there is no obvious or compelling reason to regard any of these three groups as incapable of moral behavior.

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