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Ethics & the Environment, Volume 14, Number 1, Spring 2009,
pp. 15-27 (Article)

Published by Indiana University Press



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ANIMALS, PREDATORS, THE RIGHT TO LIFE, AND THE DUTY TO SAVE LIVES

AARON SIMMONS

One challenge to the idea that animals have a moral right to life claims that any such right would require us to intervene in the wild to prevent animals from being killed by predators. I argue that belief in an animal right to life does not commit us to supporting a program of predator-prey intervention. One common retort to the predator challenge contends that we are not required to save animals from predators because predators are not moral agents. I suggest that this retort fails to overcome the predator challenge. I seek to articulate a more satisfactory argument explaining why we are not required to save wild prey from predators and how this position is perfectly consistent with the idea that animals have a basic right to life.

Among the moral rights that some philosophers have wanted to attribute to nonhuman animals is the right to life. If animals have a right to life, then it must be asked, what specific moral duties do we have to them? Clearly, one duty we would have to them is a duty to refrain from killing them. But does an animal's right to life also entail that we have a duty to assist animals in preserving their lives when they are endangered? It is often thought that the human right to life entails not only a duty not to kill humans but also a duty to assist humans in preserving their lives.

It might seem, then, that if animals have a right to life, it follows that we also have a duty to assist animals in preserving their lives.

This provides the background for a unique objection to the view that animals have a right to life. It is a fact of nature that animals routinely die in the wild. They are killed by predators which depend upon killing prey for food in order to survive, or they suffer death from starvation or disease. Some philosophers have suggested that if animals truly have a right to life, then we morally ought to intervene in the wild to assist animals in preserving their lives, whether this means protecting animals from their predators or feeding them so that they do not starve to death. But the idea that we ought to save wild animals from their predators or from starvation likely seems absurd to most of us. Given the absurdity of this idea, it follows, according to the objection, that it is not reasonable to think that animals have a right to life.

I propose to address this question of whether we have a duty to assist wild animals in preserving their lives. I will focus in particular on whether we have a duty to save animals from their predators. I will argue that although we have a general duty to assist animals in preserving their lives, we should not try to intervene in the wild to save animals from predators, for this would have disastrous ecological consequences. My goal will be to show how this belief is entirely consistent with the view that animals have a right to life. Moreover, I will show why other attempts by animal rights theorists to overcome the predator objection have been inadequate, particularly those advanced by the most well known philosophical defender of animal rights, Tom Regan.

1. THE PREDATOR OBJECTION

In his article, "Animal Liberation and Environmental Ethics: Bad Marriage, Quick Divorce," Mark Sagoff describes the condition of animals in the wild. He states, "Nature ruthlessly limits animal populations by doing violence to virtually every individual before it reaches maturity; these conditions respect animal equality only in the darkest sense" (Sagoff 2000, 89). What is this violence that nature routinely does to animals? Sagoff explains, "The ways in which creatures in nature die are typically violent: predation, starvation, disease, parasitism, cold" (Sagoff 2000, 92).

Following this description of the conditions for animals in the wild, Sagoff suggests that if it is true that animals have basic rights (including

a right to life), then we ought to be committed to assisting animals in preserving their lives and relieving them of suffering. Sagoff makes the following argument:

If people have basic rights—and I have no doubt they do—then society has a positive obligation to satisfy those rights. It is not enough for society simply to refrain from violating them. This, surely, is true of the basic rights of animals as well, if we are to give the conception of “right” the same meaning for both people and animals. For example, to allow animals to be killed for food or to permit them to die of disease or starvation when it is within human power to prevent it, does not seem to balance fairly the interests of animals with those of human beings. To speak of the rights of animals, of treating them as equals, of liberating them, and at the same time to let nearly all of them perish unnecessarily in the most brutal and horrible ways is not to display humanity but hypocrisy in the extreme. (Sagoff 2000, 91)

In this argument, Sagoff suggests that insofar as humans have a right to life, we are required not only to refrain from killing humans but also to assist humans in preserving their lives. Therefore, if animals also have a right to life, then we are also required to assist in preserving their lives when it is within our power to do so, including the lives of wild animals. To hold that animals have a right to life while also allowing animals in the wild to routinely die is an extreme contradiction.

If we believe that animals have basic rights, what exactly does Sagoff think we should do to help preserve their lives and relieve them of suffering? First, he suggests, “It may not be beyond the reach of science to attempt a broad program of contraceptive care for animals in nature so that fewer will fall victim to an early and horrible death.” (Sagoff 2000, 92) But this is just the beginning of Sagoff’s recommendations. Additionally, he states,

One may modestly propose the conversion of national wilderness areas, especially national parks, into farms in order to replace violent wild areas with more humane and managed environments. Starving deer in the woods might be adopted as pets. They might be fed in kennels; animals that once wandered the wilds in misery might get fat in feedlots instead. Birds that now kill earthworms may repair instead to birdhouses stocked with food, including textured soybean protein that looks and smells like worms. And to protect the brutes from cold,

their dens could be heated, or shelters provided for the all too many who will otherwise freeze. (Sagoff 2000, 92–93)

Although Sagoff never explicitly states whether he believes that animals have basic rights or not, it starts to become clear that he probably thinks they do not, as his argument begins to look very much like a *reductio ad absurdum*. That is, the animal rights view is portrayed as one that, when followed consistently, leads to absurd recommendations, and therefore, it ought to be rejected. Regardless of Sagoff's view on animal rights though, his essential claim is that if we do believe that animals have rights, then we are committed to this consequence. On the other hand, if we are unwilling to accept Sagoff's proposals for assisting wild animals, then, on his view, we must reject the belief that animals have basic rights.

Carl Cohen is much more explicit in his rejection of the view that animals have rights, on grounds similar to those portrayed above by Sagoff. Cohen asks us to consider a thought experiment in which we witness a lioness hunting a baby zebra for food. (Cohen 2001) Should we intervene and attempt to protect the zebra from the lion? Cohen believes that most of us will agree that we have no duty to intervene to protect animals from their predators, even when it is in our power to do so. On the other hand, Cohen asks us to imagine that the lioness is about to attack a baby human instead. In this case, he believes that most of us will think that we do have a duty to intervene to protect the human, if it is within our power to do so.

Let us assume that our intuitions about these cases are correct. Cohen asks, what explains this difference in what we ought to do in these cases? His answer is that we ought to save the human because the human has a *right to life*, whereas we do not have a duty to save the baby zebra because animals do not have a right to life. Cohen remarks,

If that baby zebra had any rights at all, it certainly had the right to life; of all rights, that one is surely the most fundamental and the one presupposed by all others. So, if in that incident of natural predation, the prey has rights and the predator infringes those rights, we humans ought to intervene in defense of the zebra's rights, if doing so were within our power. (Cohen 2001, 30)

The view that animals have a right to life is faced with the following problem then. If animals truly have a right to life, then we ought to try to save wild animals from being killed by predators (or by starvation,

disease, etc.). But most of us will agree that it is absurd to think that we ought to intervene in the wild to save wild animals from being killed by predators. Therefore, animals do not have a right to life.

2. AN INADEQUATE RESPONSE TO THE PREDATOR OBJECTION

At first glance, it might seem that there is a fairly simple way to refute the predator objection: an animal right to life does not require us to stop predators from killing animals because, unlike most humans, predators are not moral agents. That is, predators are not capable of reasoning or acting according to moral principles, and therefore, they are not the type of creatures that it makes sense to hold morally responsible for their actions. Because predators are not moral agents, they are not doing anything morally wrong when they kill other animals for food, and therefore, we are not required to stop them from killing animals. On the other hand, if humans try to kill animals, we are required to stop them from doing so, because humans are moral agents, and they are doing wrong when they kill animals for food.

Tom Regan is one philosopher who has replied to the predator objection in this way. He argues, “Animals are not moral agents and so can have none of the same duties moral agents have, including the duty to respect the rights of other animals” (Regan 1983, 357). According to Regan, “the overarching goal of wildlife management...should be to protect wild animals from those who would violate their rights” (Regan 1983, 357). Although wild animals can certainly harm one another, they cannot violate one another’s rights since they are not moral agents. Expanding on his view, Regan states,

The total amount of suffering animals cause one another in the wild is not the concern of morally enlightened wildlife management. Being neither the accountants nor managers of felicity in nature, wildlife managers should be principally concerned with *letting animals be*, keeping human predators out of their affairs, allowing these “other nations” to carve out their own destiny. (Regan 1983, 357)

On the one hand, there is an important element of truth in what Regan says. It does not make sense to hold animals morally responsible for their actions because, unlike most humans, they are not capable of reasoning or acting according to moral principles. However, Regan’s response to the predator objection ultimately misses the point. The point of the objection

is captured best by Cohen when he asks whether we would be required to save the life of a *human* who is being attacked by a predator, if doing so was within our power. In this case, it hardly seems acceptable to respond that we are not required to stop the predator from killing the human because the predator is not a moral agent and, therefore, is doing nothing wrong. Whether the predator is morally responsible for her actions is irrelevant. If it is within our power to save the human's life, then most likely we ought to do so. However, why should we save the human life from the predator but not the animal's life when doing so would be equally within our power? According to Cohen, it is because humans have a right to life but animals do not. If animals had a right to life, then we would be required to save their lives from predators too.

In the preface to the second edition of *The Case for Animal Rights*, Regan attempts to address this challenge (Regan 1983, xxxvi–xxxviii). He asks us to imagine two cases: one in which a wild animal is threatened by a predator and another case in which the predator is threatening a human child. In Regan's view, we have a duty to protect the human child but in the case of wild prey, we ought to "let them be." He argues that there is a crucial difference between wild animals and human children in that wild animals possess a certain "competence" whereas human children do not. Wild animals are capable of "using their natural abilities" to survive on their own in the wild. On the other hand, human children cannot fend for themselves; they are dependent on us for their survival. According to Regan, we "honor the competence" of wild animals by not interfering in their business and, instead, just letting them be, even in cases in which their lives are threatened by predators. Since human children are not competent though, respect for them requires that we assist them in their survival.

Regan's argument is faulty though. Although it is true that human children lack a certain competence that wild animals generally possess, most human *adults* are competent. As adults, we generally are capable of caring for ourselves; we do not require others' help to survive in the ways that children do. Does this mean that if human adults are threatened by predators, we do not have a duty to save them; we ought to just "let them be"? No, even if competent humans are threatened by predators, we generally ought to try to save them. But if we ought to try to save competent humans from predators, then why shouldn't we try to save animals from

predators too, if animals have a right to life? In addition to this point, I must admit that it is difficult to see how it is “honoring” or “respecting” wild prey animals to “let them be” when “letting them be” essentially amounts to letting them suffer and die. I think that any “solution” to the predator objection must ultimately admit that it is *unfortunate* for animals that we must allow them to be killed in the wild.¹

3. HOW TO REPLY TO THE PREDATOR OBJECTION

There is a better reply to the predator objection. Contrary to Sagoff and Cohen, the fact that wild animals have a right to life does not require us to intervene in the wild to save animals from predators.² However, the reason for this is not because predators are not moral agents. To make sense of my reply, let me first make a distinction between our *negative* and *positive* duties to others. Our negative duties to others are essentially our duties to not cause harm to others, or to not interfere with others. This includes our duty not to kill others. On the other hand, our positive duties to others are our duties to assist others. Whereas our negative duties essentially require us to leave others alone, our positive duties require us to positively perform certain actions to benefit others. This would include our duty to assist others in preserving their lives, such as by saving them from a predator.

If animals have a right to life, it does not follow that we have a duty to save their lives whenever it is within our power to do so. It does not follow because when deciding what our positive duties are in a given situation, there are a number of different factors that must be taken into consideration, aside from a being’s rights or interests. For example, one factor that must be taken into account is a comparison of the net amount of good that can be achieved by different choices of action. If I walk by a lake and see a person drowning, and it is within my power to rescue the person without great risk to myself, then generally I have a duty to rescue the person. However, imagine that ten other people are drowning together in an adjacent lake, and I am forced to make a choice between rescuing either the ten drowning people or the one drowning person. In this case, it is reasonable to think that I ought to save the ten people, since the loss of ten lives is much greater than the loss of just one life. I do not, then, have a duty in this case to save the one person. Notice, however, that this does not mean that the one person does not have a right to life, particularly a

right not to be killed. It is still impermissible to kill the one person, even to save the lives of the ten other people.

Another factor that may be relevant to deciding our positive duties to others is our personal relationships with others. It seems reasonable that in some situations we have positive duties to loved ones that we do not have to strangers, or that a person's status as our loved one can give her some priority over strangers when determining our positive duties to others. For example, if faced with a situation in which I must choose between saving the life of a loved one or a stranger (or perhaps even ten strangers), it is reasonable to think I should save my loved one. In this case, I do not have a duty to save the stranger. Notice, however, that this does not mean that the stranger does not have a right to life, particularly a right not to be killed. It is still impermissible to kill the stranger, even to save the life of my loved one.

Similar to the above cases, questions regarding our duties to aid animals must take into consideration a number of factors. Among the factors they must take into consideration are the ecological consequences of our actions. If we were to stop predators from killing other wild animals for food, it would likely have disastrous ecological consequences. To begin with, we would in effect be starving predators to death, since they rely on killing other animals as a main source of food. Eventually this would result in the extinction of whole predator species. This, in turn, would cause prey species to overpopulate their ecosystems, resulting in a series of further, damaging ripple effects on other animal and plant species in those ecosystems. For instance, the overpopulation of a prey species might result in the destruction of a plant species that the animal species eats for food. This, then, could endanger other animal species that also depend on that plant for food.

The decimation of ecosystems should concern us at the very least because current and future humans and animals alike depend on the health of various ecosystems (e.g. forests, swamps, prairies) and the flourishing of biodiversity on this planet for their well being, in ways that we are just beginning to understand. Among the functions of ecosystems and biodiversity is the cleaning of air and water, pest control, temperature regulation, and the preservation of genetic diversity, which is the basis for all future evolution (i.e. adaptation to changing environments) (Meadows 2000). The decimation of ecosystems and biodiversity would then

result in the loss or diminishing of these services that are so vital to the earth's ecological functioning. Additionally, there are other ways in which ecosystems thrown into chaos could adversely affect human ways of life. For instance, human agriculture could be harmed from animals that have overpopulated and seek food and habitat, or from an increase in insect pests whose predators have died off. Overpopulated animal species could also cause greater disruptions to automobile traffic on roads.

It might be responded that there are additional measures we could take to avoid these bad ecological consequences. For one, instead of causing predators to starve to death, we could feed them with some sort of vegetarian meat-substitute that meets their nutritional needs. Additionally, we could feed contraceptives to wild animals in order to curb any overpopulation. As we saw, Sagoff recommended similar measures to those who believe that animals have basic rights. He also suggested that we could convert wilderness areas into nonviolent, human-managed farms.

However, I don't think that these proposals, if done on any large scale, would actually keep us from causing serious ecological problems. To the contrary, they would only compound those problems. The running theme behind all of these proposals is that humans ought to step in to "manage" the wild on a large scale, in order to limit the deaths or suffering of animals. However, it seems dangerously naïve to assume that humans are knowledgeable enough to be able to simply take over the job of nature in the wild without causing serious ecological problems. I highly doubt that any of these proposals to manage the wild on a large scale could be done without causing ecological disasters, and for that reason, we must refrain from stepping in and trying to stop the killing and suffering that is part of the wild.³

On the other hand, adopting a policy of protecting humans from predators would not result in ecological disaster, and for this reason, we do typically have a duty to protect human lives from predators. This policy would not result in ecological disaster because humans are not the usual prey for predators. That is, predators do not normally depend on killing humans for food for their survival. This is the case because humans have largely separated themselves from the wild, building their societies outside of the wild. In essence, human society and the wild constitute "different worlds," and humans are not a part of the world in which wild animals live and seek to survive. It is regrettable that animals must die in the wild

through predation. However, the killing of animals by other animals is frequent and normal in the wild, and the stability of ecosystems depends on this relationship. Because humans live apart from the wild, we are able to save humans from predators without jeopardizing the health of ecosystems. But wild animals live in that world, and we are unable to save them without harming predators or causing ecological disasters.

The distinction between the world of human society and world of the wild, and the difference it makes in our positive duties to others, is also apparent when it comes to the matter of our positive duties to domesticated animals. Whereas wild animals exist in the wild, domesticated animals, like humans, live apart from that world. Consequently, we generally ought to try to save domesticated animals, such as companion animals (e.g. cats, dogs) and farm animals, from being killed by other animals.⁴ This further shows that the reason we ought to save humans but not wild animals from predators is not because only humans have a right to life, but rather because, like domesticated animals, humans exist in a world apart from the wild and, therefore, it is possible to save them without disastrous ecological consequences.⁵

It is also noteworthy that humans, unlike animals, are capable of controlling their population level. As I argued, if we save wild animals from their predators, it would likely result in the severe overpopulation of many animal species that are normally controlled by their predators. I also suggested that efforts to control population levels of wild species through contraceptives probably would not fare any better ecologically. On the other hand, if we save humans from predators, we are not necessarily faced with the same problem of overpopulation, for humans can understand the ecological impacts of their species and choose to control their population levels. It might be responded that, so far, humans have not done a very good job of controlling their population level on this planet. While this may be true, it does not negate the fact that we are capable of doing so, whereas animals are not.

There may be another reason too why we are justified in privileging humans when deciding whose lives we ought to save from predators. I have argued that it would be disastrous ecologically if we tried to stop predators from killing altogether. Presumably though, it is possible to save a limited number of beings from predators without causing an ecological disaster. Which beings should we save? Earlier I suggested that one factor

we must take into account when deciding our positive duties to others is a comparison of the amount of good or bad that can be achieved by different courses of action. It seems reasonable to think that life has greater value for most humans than animals.⁶ This suggests that we ought to save human lives over saving animal lives because we would be preserving things of greater value.⁷ The exception to this is the case of certain “marginal” humans whose cognitive capacities are more equivalent to animals than humans, such as the severely mentally handicapped, the severely senile, and perhaps infants. It seems reasonable to think that the value of life for marginal humans is not greater than the value of life for many animals.⁸ Therefore, considerations about the value of life for marginal humans would not give us reason to save their lives over animals’ lives.

Because of ecological considerations, then, we do not have a duty to save wild animals from predators. But this does not mean that they do not have a right to life. As we saw, there will be some instances in which we do not have a duty to save the lives of some humans, even when it is within our power to do so. But this does not mean that those humans do not have a right to life, a right not to be killed. Although I may choose to save a loved one over a stranger, or to save many humans over just one, I am not allowed to kill a stranger to save a loved one, or to kill one person to save many. Similarly, although we do not have a duty to save wild animals from predators, wild animals can still have a right to life, a right not to be killed. That is, it may still be the case that we have a strong duty not to kill them.

In making my argument, two additional points should be emphasized. First, the conclusion that we do not have a duty to save wild animals from predators is conditional upon the belief that saving wild animals from predators on any large scale would result in ecological catastrophe. If Sagoff or others can show that there are ways to save wild animals from predators on a large scale without causing ecological catastrophe, then this would suggest that we do have a duty to save wild animals from predators.

Additionally, although I do not believe that we have a duty to save wild animals from predators, I do think that we have some duties to aid animals, both wild and domesticated. For example, if it is within our power to save animals from drowning or other natural accidents, without great risk to ourselves, then we ought to do so. Similarly, we ought to try

to save animals from human-caused accidents, such as when animals are struck by cars. We also have a duty to protect animals from intentional killing or harm at the hands of humans.⁹

4. CONCLUSION

In this paper, I have sought to address one particular objection to the view that animals have a right to life. According to this objection, the predator objection, if animals have a right to life, then we have a duty to save animals from being killed by predators in the wild. However, the objection continues, it is absurd to think we have a duty to stop predators from killing their prey, and therefore, it is absurd to think that animals have a right to life. In response to this objection, I have argued that even if we have no duty to save wild animals from their predators, it does not follow that animals do not have a right to life (i.e. a right not to be killed). For whether we have a duty to save another being's life in a given situation depends on a number of factors other than whether that being has a right to life. Inevitably, there will be cases in which we must allow some humans to die, even when it is within our power to save them, but this does not mean that those humans do not still have a right not to be killed. Similarly, in the case of predators, we must allow wild animals to be killed because saving them on any large scale would have disastrous ecological consequences, but this does not mean that animals do not still have a right not to be killed. I also suggested that we do have a number of duties to help preserve both domesticated and wild animals' lives, just not when doing so would result in ecological catastrophe.

NOTES

1. My point could also be made by focusing on the issue of starvation rather than predation. Do we have a duty to save others from starvation if doing so is within our power? Probably we ought to save other humans from starvation if we can, but it's doubtful we have a duty to save wild animals from starvation. Why is this? Sagoff and Cohen would suggest it is because only humans have a right to life.
2. By "predators," I am referring only to nonhuman animals, not to humans.
3. There may be some instances in which it is acceptable to try to save wild animals from death or suffering from wild elements. For instance, it may be okay to try to save a wild animal from drowning in a river.
4. It might be responded that domesticated animal populations are cause for ecological concern too. I agree with this point, but it seems to me that it

is more within our power to control domesticated animal populations than wild animal populations, without violating any negative rights (e.g. the right not to be killed) and without causing ecological problems.

5. Similarly, it seems to me that we ought to try to save domesticated animals (e.g. cats and dogs) from starvation, but that it's questionable whether we are required to do so in the case of wild animals, again for ecological reasons.
6. It is beyond the scope of this paper to defend this claim here. I have defended it in ongoing and currently unpublished other work.
7. In some cases, other considerations may suggest that we ought to save animal lives over human lives. For example, imagine a case in which we are forced to choose between saving the life of an animal with whom we have a strong personal relationship or a human who is a complete stranger to us. In this case, it may be justifiable to save the life of the animal loved one. I do not think it is obvious that we necessarily ought to save the life of the stranger
8. Again, it is beyond the scope of this paper to defend this claim here. I have defended it elsewhere.
9. As another challenge to my argument, it might be wondered why we should think that considerations such as personal relationships, the greater amount of good, and ecological consequences are relevant to deciding our positive duties (e.g. the duty to save lives) but not our negative duties (e.g. the duty not to kill). I believe that this amounts to a basic challenge to any rights view, not just an animal rights view. I will not seek to address this challenge here. However, I believe the solution has to do with the morally significant distinction between causing and allowing harm.

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