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The Priority of Human Interests

Lawrence C. Becker

My purpose here is to put forward an argument in defense of the moral priority, for humans, of human interests over comparable ones in animals.[1] In outline the argument is certainly not original. But I am not aware of any previous attempt to work it out in detail. For that reason, and also because the subject matter itself is somewhat fuzzy, the argument lacks the precision possible these days in discussions of utility functions, duties, rights, and obligations. But it is an important argument nonetheless—even if it turns out to be wrong—and its neglect has contributed a great deal to the suspicion that there is something fundamentally amiss in current discussions of the treatment of animals.

In outline, the argument is simply this: There are certain traits of character that people ought to have—traits constitutive of moral excellence or virtue. Some of these traits order preferences by "social distance"—that is, give priority to the interests of those "closer" to us in social relationships over the interests of those farther away. Animals are typically "farther away" from us than human beings. Thus, to hold that people ought to have the traits constitutive of virtue is to hold, as a consequence, that people ought (typically) to give priority to the interests of members of their own species.

That is the outline, and it will require a great deal of filling in to make it convincing. But I want to make it clear from the outset that no amount of filling in will turn this argument into a defense of the proposition that humans are morally superior to animals (whatever that might mean). Nor will the argument deny consideration to the interests of animals in the making of moral decisions, or deny that those interests can often override human ones. My argument is not a defense of the cruelty to animals found in factory farming and much scientific experimentation.

[1]I shall usually follow the convention of excluding humans from the class denoted by 'animals.'

(But as far as I can tell, the argument is indeterminate with regard to using some sorts of animals for food and for some experiments.)

Basically the argument presented here is about priorities in situations where animals' interests conflict with *comparable* human ones. It operates most directly as a refutation of a line of reasoning sometimes put forward as decisive evidence of the irrationality of our treatment of animals—a clincher, so to speak, designed to show that preference for human interests is at bottom a prejudice (called speciesism) comparable to racism and sexism.[2] The line of reasoning to which I refer goes something like this:

Animals (at least the "higher" ones) have some of the same interests that humans have: avoiding pain, for example, and seeking pleasure. Furthermore, some human beings—such as infants and the severely retarded—have interests only in the sense that the higher mammals do: they lack the self-consciousness, complexity of purpose, memory, imagination, reason, and anticipation characteristic of normal human adults. Yet we treat the animals very differently from the humans. It is customary to raise the animals for food, to subject them to lethal scientific experiments, to treat them as chattels, and so forth. What justifies such differential treatment? It must be some morally relevant difference in the characteristics of humans and animals per se, or in their circumstances vis-a-vis the world at large, or in their rights and our duties to them, or in the consequences (for social welfare) of differential treatment. But in *some* cases it is plain that there is no such morally relevant difference between humans and animals. Hence our preference for the interests of the humans in these cases is just a prejudice.[3]

My contention is that this line of reasoning is incorrect—not because it fails to find some patent and morally relevant distinguishing characteristic that it ought to have found, but because it assumes that such a characteristic must be found in order to justify preferential treatment for humans. On the contrary, I shall argue that some differences in treatment that favor our own species are justified because they are the product of moral virtue in human agents.

ASSUMPTIONS ABOUT VIRTUE

I begin with some assumptions about moral virtue. The assumptions are as uncontroversial as I can make them—which does not mean, of course, that I think they can always be used without analysis and justificatory argument. But for present purposes they seem to be unproblematic.

The first is that moral virtue is, at bottom, a matter of character traits. It is defined by a complex of propensities and dispositions to feel, to imagine, to deliberate, to choose, and to act. Being a good person is not just acting on principle, or doing the right thing, for the right reasons, most of the time. To be a good person is to be someone for whom right conduct is "in character." The good person is, in part, one whose responses, impulses, inclinations, and initiatives—*prior* to a reasoned assessment of the alternatives—are typically toward morally good feelings, deliberations, choices, and conduct.

[2] The term 'speciesism' was coined by Richard Ryder (1975, p. 16) and is used also by Peter Singer (1975). 'Humanism,' unfortunately, is already in use for other purposes.

[3] Such reasoning is implicit in many classic and current writings on our treatment of animals. For an explicit use of it, see Singer, 1975, pp. 17–18. Put more fully, and more formally, the argument goes like this:

(1) It is undeniable that many species other than our own have "interests"—at least in the minimal sense that they feel and try to avoid pain, and feel and seek various sorts of pleasure and satisfaction. (Many also appear to be purposive in a stronger sense as well, but that is a more complex issue.)

(2) It is equally undeniable that human infants and some of the profoundly retarded have interests in *only* the sense that members of these other species have them—and not in the sense that normal adult humans have them. That is, human infants and some of the profoundly retarded lack the normal human adult qualities of purposiveness, self-consciousness, memory, imagination and anticipation to the same extent that some other species of animals lack those qualities.

(3) Thus, in terms of the morally relevant characteristic of having interests, some humans must be equated with members of others species rather than with normal adult human beings.

(4) Yet predominent moral judgments about conduct toward these humans are dramatically different from judgments about conduct toward the comparable animals. It is customary to raise the animals for food, to subject them to lethal scientific experiments, to treat them as chattels, and so forth. It is not customary—indeed it is abhorrent to most people even to consider—the same practices for human infants and the retarded.

(5) But absent a finding of some morally relevant characteristic (other than having interests) that distinguishes these humans and animals, we must conclude that the predominant moral judgments about them are inconsistent. To be consistent, and to that extent rational, we must either treat the humans the same way we now treat the animals, or treat the animals the same way we now treat the humans.

(6) And there does not seem to be a morally relevant characteristic that distinguishes all humans from all other animals. Sentience, rationality, personhood, and so forth all fail. The relevant theological doctrines are correctly regarded as unverifiable (at least in this life) and hence unacceptable as a basis for a philosophical morality. The assertion that the difference lies in the *potential* to develop interests analogous to those of normal adult humans is also correctly dismissed. After all, it is easily shown that some humans—whom we nonetheless refuse to treat as animals—lack the relevant potential. In short, the standard candidates for a morally relevant differentiating characteristic can be rejected.

(7) The conclusion is, therefore, that we cannot give a reasoned justification for the differences in ordinary conduct toward some humans as against some animals.

(Further arguments are then given to show that the change required of us is the upgrading of the treatment of some animals rather than the downgrading of the treatment of comparable humans.)

The second assumption about moral virtue, or moral character, is that it sometimes produces spontaneous, uncalculated conduct. Utility theory itself requires that we develop habits of thought, expectations, rules of thumb, reflexive responses, and so on. The alternative is a ludicrous form of paralysis that is self-defeating on rigorously act-utilitarian principles alone. I take it that the other standard types of moral theory come to the same conclusion: that the good person is one who *sometimes* acts without weighing the consequences, or canvassing peoples' rights and duties, or in any other way deliberating about what to do. Sometimes, *as a necessary consequence of being morally virtuous*, a good person just has, and acts on, uncalculated feelings, beliefs, expectations, and preferences.

The third assumption I make about moral excellence is that the character traits that define it form a coherent system constrained both by welfare needs and by obligations. Coherence is assumed to avoid the problems raised by conflicts among traits: Unconditional truth-telling may conflict with tact; but I am assuming that as these things enter into the dispositions that define virtue, a rough balance is struck that in principle permits both tactful and truthful behavior. Constraints imposed by welfare needs and by obligations are assumed to avoid the problems raised by fanaticism. Loyalty may be an element of virtue, but not when it is blind to the consequences for welfare, or to the violation of rights and duties, or to the requirements of justice generally.

The fourth assumption is that the ability to develop and sustain friendships is a necessary part of moral excellence. (I mean to restrict this assumption to situations in which people can meet their survival needs without extreme difficulty, and in which they are dealing with people of good will. Further, as I use the term friendship, it includes intimate and intense love relationships as well as those characterized by mutual respect, admiration, and affection.)

Finally, I assume that the traits that define moral excellence produce "open" but stable and unambivalent feelings, beliefs, expectations, and preferences. The feelings, beliefs, and so on must be open to change in the sense that the moral person must be *persuadable*. Fixed attitudes, as opposed to stable ones, are not part of moral excellence. But the person who lives in an agony of uncertainty about every act, every feeling, every preference, or who is thrown into confusion by every *suggestion* of error, does not exemplify moral excellence either. That is why the traits that make up moral character must be stable and the beliefs, attitudes, and so forth that the traits produce must be unambivalent.

With these few assumptions about moral excellence in the background, then, I want to argue for some favoritism toward members of our own species.

SOCIAL DISTANCE AND PREFERENCES

When hard choices have to be made, I am ordinarily expected to rank the interests of my family above those of my friends, friends' above neighbors', neighbors' above acquaintances', acquaintances' above strangers', and so on. In general, the expected preference ordering follows typical differences in the intimacy, interdependency, and reciprocity in human relationships. Such differences are constitutive of what may be called "social distance"—an imprecise amalgam of relevant facts about tolerable spatial arrangements, the frequency and nature of permissible social interactions, and roles in social structures.[4]

There are exceptions to these expected preferences, of course, along several dimensions. One is obligations: I may have made agreements with strangers that override ordinary commitments to family. Another is proportionality: the trivial interests of a friend do not outweigh the survival needs of an acquaintance, for example. And still another dimension of exceptions has to do with deviations from the typical pattern of relationships: if my famililly has abused me and cast me out, whereas some friends have taken me in, I may be expected to reverse the usual preference order. (People sometimes explain this by saying: These friends are my *real* family.)

In addition to the exceptions, there are the well-known conceptual problems raised by any such ordering of preferences. Who is my neighbor? Is it mostly a matter of geography or of social organization? Is a family a biological unit or a sociological one? Where are the lines between friendship and mere acquaintance, and between acquaintance and lack of it?

[4]The concept of social distance is a slippery one. As it has been used in social psychology, it mostly has to do with tolerable levels of social "relatedness": Would you marry a ___? Would you accept a ___ as a close relative by marriage? As a roommate? As a neighbor? As a member of your club? The answers to such questions are thought to establish a social distance scale—particularly with respect to race, nationality, social class, and religion. See Sherif, 1976, for an overview of this material. Her references to the work of H. C. and L. M. Triandis are especially worth pursuing. The relation of spatial arrangements to social distance has also been explored. See the discussion and references in Shaver, 1977, pp. 108–111. But I have not been able to find—either in texts or in primary sources—a careful analysis of the *concept* of social distance. And the empirical work so far done in the area has ignored the feature that is of most concern to me here—namely, preferences in the distribution of scarce goods. Would you give the last available food to ___ over ___? is a sort of question that has not been asked in these studies. As a result, I shall have to proceed in terms of what seem to me to be plausible assumptions. Cultural anthropology seems to promise more, but it too (at least to the untrained eye) operates without a detailed analysis of the concept of social distance. See, for example, the interesting material in Bohaman and Bohaman, 1953, pp. 25–30 and Middleton, 1965, Ch. 4.

Finally, the operation of such preference ordering is constrained by principles of justice: Similar cases must still be treated similarly; decisions should be non-arbitrary; and in some highly regularized cases, we require that the decision process not be covert, or manipulative, or involve ex post facto legislation or self-interested adjudication.

I do not mean to minimize the importance of all these matters. But I am concerned here with two other issues: the moral justification, if there is one, that can be given for any preference ordering by social distance; and the consequences of that for our treatment of animals.

Utility, Rights, and Duties

The act-utilitarian justification of preference ordering by social distance is notoriously weak. It depends upon the highly contestable empirical contention that aggregate welfare is best maximized when individuals use such orderings. This is obviously false in many cases where our firmest moral intuitions (as the saying goes) still insist on preference for those closest to us. And more to the point is the wide range of cases in which utility would require reversing or at least ignoring matters of social distance. The interests of children who are statistically unlikely to lead socially productive lives would have to be subordinated to the interests of other children; the interests of the infirm, or the chronically unemployed, or the aged would likewise have to be subordinated. And as long as no countervailing disutility resulted, such subordination would have to occur in families and among friends as well as in public policy.[5] Such cases can easily be multiplied, and they are enough to cast doubt on any act-utilitarian justification for preference ordering by social distance.

Deontological accounts fare little better. It is easy enough to show, of course, that people typically have *more* duties toward those close to them than toward those far away. For one thing, as social distance decreases, the number of contacts—and hence duty-making agreements—between people increases. For another, the number of role relationships in which duties are constitutive parts (e.g., parent–child; teacher–student) varies inversely with social distance. But showing that the *number* of duties varies with social distance is not quite the same as showing that there is a comparable variance in *preference* ordering. Deontological theorists typically insist, after all, that there are human rights (and "natural" duties to all) as well as "special" ones. And it is hard to see, on the face of it, how a natural duty to protect human life, for example, by itself, would put any given human life ahead of any other. To hold that such preferences (say for family over friends) are built into the definition of role-related duties is just to beg the question. What *justifies* building them in?

Further, we do not always want to describe social distance preferences as matters of duty (or right). A preference for a hopelessly sick child over a healthy adult (e.g., in terms of distributing scarce food) may be something we approve of—even though we cannot give it a justification *either* in terms of duty or utility.

Virtue and Social Distance

What I want to explore is the notion that some traits of character that are constitutive of moral excellence entail social distance preferences. The traits I have in mind are reciprocity (i.e., the disposition to make a proportional return of good for good), and empathic identification with others. (There are no doubt other traits for which the same argument could be made. I do not propose my list as exhaustive.)

RECIPROCITY. Reciprocity is a pervasive social phenomenon—and one that appears not only as a mere practice, but as a norm for conduct in virtually every society of record.[6] Returning good in proportion to good received—at least in many common social exchanges—is prescribed, as well as predictable, human behavior.[7] It is evident, by inference, that the *disposition* to reciprocate (leaving aside the issue of proper motives) is quite generally regarded as an element of moral virtue.

Further, it seems clear that one can justify the inclusion of such a disposition in an account of moral virtue. It has obvious social utility that its absence or opposite would lack. It is, for example, necessary for sustaining conviviality, friendships, and certain sorts of cooperative endeavors. For those reasons, and perhaps others, it is also plausible to think that rational contractors would choose a world in which people had such dispositions over one that differed only in lacking them. Rights theory insists on the mutual respect, balanced exchanges, and so on that are characteristic of reciprocity. And reciprocity is obviously embedded in Aristotelian accounts of moral character. In short, if any traits of character can be given a reasoned justification as necessary parts of moral virtue, reciprocity is among them.

EMPATHIC IDENTIFICATION. A similar case can be made for the ability and the propensity to see situations from other points of view, to understand and indeed to share others' experience empathetically. (I include here also the ability to identify with characters in narrative art and

[5] As Jan Narveson has pointed out to me, act utilitarians would immediately reply that such cases are far-fetched. Parents do normally love their children more than any friend. Friends put each others' interests ahead of acquaintances', and so on. Consequently, as long as people have such feelings, there will always be disutility in rejecting social distance preference orderings. But that is not enough to satisfy anti-utilitarians. They want some ground for deciding whether such preference orderings are good independently of whether people just happen to have them.

[6] See, for example, Gouldner, 1960.

[7] The return of bad for bad is a much more complex matter.

to have vicarious experience through such identification.) Aside from its utility in settling conflicts, empathy is a prerequisite for applying the utility calculus. How else can we estimate utilities for others?

I assume that other standard moral theories would also list empathy as an element of virtue. Rational contractors would most likely prefer a world in which agents had this trait to one in which they did not. Deontological theory cannot work without the means for deciding what counts as a violation—an injury—to another. And that seems to require in moral agents the ability and propensity to understand the suffering of others. (I assume that right conduct, in deontological terms, is more than a mere mechanical performance of tasks—that it requires proper motives as well.)

RELATION TO SOCIAL DISTANCE. It is easily seen, I think, that both the disposition to reciprocate and the disposition to empathize ordinarily result in *distributions* ordered by social distance. Given limited resources with which to reciprocate, and limited energy, time, and imaginative ability for empathic identification, those closest to us will inevitably get a disproportionate share—both of the goods we distribute and the attention we pay to them. But do we prefer satisfying the interests of those closer to us? That is, supposing we have the dispositions to reciprocate and empathize, do we, as a consequence of that fact, order *preferences* (as well as actual distributions) by social distance? I think so, for the following reasons.

Take reciprocity first.

(1) The smaller the social distance between people, the more intricate and pervasive are the exchanges between them. Consequently, the difficulty of deciding who is in debt to whom, or when equilibrium has been achieved in a relationship, varies inversely with the distance. Such calculations are virtually impossible within a nuclear family, and extremely difficult even for close friends. In such relationships, it would nearly always be reasonable for everyone involved to feel either in debt or cheated no matter what choices were made—at least, that would be possible if people tried to keep a strict accounting of who owed what to whom. The potential for continuous ill-feeling—and the consequent breakdown of close relationships—is obvious. With good reason, therefore, we do not cultivate "reciprocity accounting" *at all* in close relationships—as long as the relationships remain stable and roughly balanced.

(2) This seems an eminently justifiable position to take with regard to moral excellence. If it is a part of moral excellence to be able to develop and sustain friendships, and if the parts of moral excellence must form a coherent whole (both of which I am assuming here), then the disposition to reciprocate must be compatible with the ability to develop and sustain friendships. Thus the disposition to avoid strict accounting—at least in close relationships—is required.

(3) The required disposition changes as social distance increases, however, partly because the potential for reasonable disagreement over credits and debits decreases. Many exchanges with strangers are discrete and of assessable value. And many of the benefits we receive from strangers are so indirect that reciprocity for these can be equally indirect (e.g., by our being law-abiding, productive citizens). So the stability of relatively distant relationships is not threatened by a more calculative approach.

(4) Finally, we are, typically, *always* more "in debt" to family than to friends, to friends than to acquaintances—if for no other reason than the sheer frequency of exchanges. The more transactions there are in a relationship, the more likely it is that there will be "loose ends." When all of this is put together—the fact that the closer the relationship, the more likely we are to be "in debt," and the fact that the closer the relationship, the less exact is our knowledge of debts—it follows that it is always reasonable for virtuous people to think that anything they have to give is more likely "owed" to those closer than those farther away. Distributional preferences, given the disposition to reciprocate, will therefore be ordered in terms of social distance.

Something similar may be said of empathy. We identify most fully with those closest to us. That is, their interests are "real" to us in a way that the interests of more distant people are not. Empathic identification with the suffering (or pleasure) of people whose very existence we know about only indirectly (through the descriptions of others) cannot help but have an imaginative, dilute, and dubitable quality. In contrast, the interests of those close to us—the interests communicated to us directly—have a vividness, immediacy, and *in*dubitability that imaginatively constructed empathy can never match. It is certainly plausible to suppose that, insofar as empathic identification produces conduct "for" the interests of others, it will produce preferences for those with whom our empathy is strong over those with whom our empathy is weak. The consequence is preferences ordered by social distance.

SOCIAL DISTANCE ACROSS SPECIES LINES

My argument so far has been that the virtuous person—as a consequence of certain traits constitutive of virtue—orders preferences by social distance. I want to argue now that, certain exceptions aside, the social distance from us to members of other species is greater than to members of our own species. The consequence—for virtuous people—is a systematic preference for the interests of humans over the interests of other animals. The argument is fairly straightforward.

First Step

Social distance decreases as the quantity and "immediacy" of social interaction increases. This is just definitional. When I interact *directly* with someone—without intermediaries—and when I do so frequently, the social distance between us (other things being equal) is less than it would be if the interactions were indirect and infrequent.[8] That is part of what is meant by "social distance." (I say "part" because there are other ways in which social distance can increase or decrease.)

Second Step

Dependence, when it is recognized as such by one or more of the parties, is a feature of relationships that typically reduces social distance—by increasing both the quantity and immediacy of interactions. The dependent one struggles to stay "close"; the one depended upon must continually deal with the demands of the other—even if only by rejecting them. Thus, the more dependent a being is on another, the smaller the social distance between the two tends to be.[9]

It is again definitional, at least when the notion of a "relationship" is suitably restricted. *Social* distance concerns interactions in which beings may be said to be acting *toward, with, for,* or *against* each other. It is only those sorts of interactions that I refer to as "relationships." Thus the causal relation (of interdependence) that we have with certain symbiotic microorganisms is not a relation*ship* in this sense. (Or, put another way, it is one in which the social distance between the parties is infinite.) Similarly, our dependence on oxygen is not to be analyzed in terms of social distance, nor are the causal relations between ourselves and vegetables. But we *can* have relationships in the requisite sense with many sorts of animals, and with virtually all human beings. In these relationships, our recognition of the truth about dependence is one of the factors that determines social distance. And the more the dependence, the less the social distance.

Third Step

Animals are typically much less dependent on us, in our relationships with them, than are those humans (infants and so on) to whom the animals are comparable (in terms of their interests, intelligence and so forth). Romulus and Remus aside, helpless humans are dependent on other humans for survival, health, and happiness to a degree that the comparable animals are not. *The social distance from human adults to human* infants is thus typically smaller than the distance to comparable animals.

[8] The "other things being equal" clause is crucial here. After all, the interactions in hand-to-hand combat are direct and immediate. And though there is sometimes a bond between enemies that could conceivably be described as "closeness," its relation to social distance as I am using the term is certainly not an easy one to explicate.

[9] It is worth noting that *affection* between the parties is not necessarily involved at all. Affection is one sort of "closeness" in relationships, but not the only sort. See, for example, Hacker, 1951.

Final Step

Consequently, given the ordering of preferences by social distance entailed by moral excellence, we will typically prefer the humans. (I say "typically" because in special cases—such as pets, wounded or crippled animals, and those who suffer directly from human actions—*the* same kind of dependence can exist.)

A much richer account of the increases in social distance across species lines can probably be constructed from social-psychological findings—for example, about the propensity for and limitations of empathic identification. But such complications are not necessary to the argument already made. Similarly, it would be possible to enrich the argument greatly by developing an account of the greater intricacy and potency of reciprocal relationships among normal adult humans compared to that between humans and animals. But that would take the argument well beyond its present purpose.

VARIETIES OF SPECIESISM

To review the argument so far, then, I have argued that certain elements of moral virtue order preferences by social distance, and that social distance typically increases across species lines. The result is the conclusion that moral character disposes us to prefer the interests of humans to those of animals. But to what extent? Here it is worthwhile distinguishing some possible varieties of speciesism to see which sort the argument supports.

Categorizing types or degrees of speciesism is a somewhat arbitrary process. I am not prepared to say that the spectrum from weak to strong versions is continuous, but neither are there indisputable "natural" breaks that justify a unique list of types. The four varieties distinguished below are thus offered more as illustrative of important differences than as definitive of fixed positions.[10]

Absolute Speciesism

To hold that *any human interest outweighs any (sum of) nonhuman interest(s)* is to hold what I shall call the absolute version of speciesism. The reason for the label should be clear. This version refuses to rank any ani-

[10] In an unpublished paper, Tom Regan has also argued for distinguishing several varieties of speciesism. I have profited from his discussion.

mal interest (no matter how serious) above any human interest (no matter how trivial). It also refuses to rank any *sum* of animal interests, no matter how large, above even one trivial human interest. An absolute speciesist would hold, for example, that it would be moral for a human being to cause the most extreme suffering imaginable to millions of animals in order to satisfy a whim (as long as doing so did not frustrate any comparable or greater human interest).

As a perfectly general principle, this is a straw man. No one seriously defends it. No defensible moral theory could support it, and my argument in this paper is no exception. The very character traits that entail preference ordering by social distance also entail the subordination of *some* human interests to animal interests. After all, the dispositions to reciprocate and empathize do not operate only with respect to members of our own species. They operate in any "relationship"—as that term was defined earlier. And the dispositions must order preferences by significance level[11] as well as social distance—else empathy would lose its usefulness in assessing priorities for conduct, and reciprocity (as a *proportionate* return of good for good) would be impossible. So the recognition of the need to reciprocate to animals, and the empathic identification with their interests as well as with those of humans, necessarily admits the *possibility* of subordinating human interests. Absolute speciesism is ruled out.

Resolute Speciesism

The absolute position may be weakened in a number of ways. To hold, for example, that any *significant* human interest outweighs any (*sum of*) nonhuman interests, is to hold what I shall call the "resolute" version of speciesism. Here the number of animal interests is not important, for even one "significant" human interest will outweigh any number (no matter how large) of nonhuman interests. (It also follows that a trivial human interest outweighs any sum of trivial animal interests.)

What counts as a significant interest is a central concern here, of course. But significance *level* is not. This resolute position asserts that *any* significant human interest outweighs any sum of nonhuman ones. Just as any number of animals may, on this view, be sacrificed for the survival of one human being, so too they may be sacrificed for health, or happiness, or psychological growth.

[11]By a significant interest I mean, roughly, one whose satisfaction is necessary for biological survival, physical health, physical security, physical comfort, pleasure (of a sort that comes from satisfying basic drives), and psychological growth, development, and health. It has been hypothesized (and partially confirmed in sociopsychological studies) that there is a rough hierarchy of significant interests common to all sentient beings we have studied. But finely drawn hierarchies—especially among interests that could be called trivial—are probably impossible.

I cannot find any support for such a position—either from the virtue argument advanced here or from standard moral theories. The dispositions to reciprocate and empathize *must* take account of significance level, as I noted earlier. And given that they operate in all of our relationships with other beings—and not just in our relationships with other humans—the idea that significant human interests can *never* be overwhelmed by significant animal interests is implausible. In fact animal interests do, often, outweigh nontrivial human ones for people we believe to be virtuous. If we have good reasons for accepting this (partial) account of virtue—and I think we do—then we must accept the consequence that virtuous people will reject the "resolute" speciesist position.

Weak Speciesism

The situation is different when the speciesist position is weakened still further, however. The minimal position—what might be called "weak" speciesism—simply holds that when human and animal interests are equivalent (in terms of both significance level and number) the human interests are to prevail. Since this is the minimal version of speciesism, if my arguments support speciesism at all (which I think they do), they must support at least this version.

I noted earlier, however, that there are exceptions—produced by the very traits of character that typically produce preferences for humans. Relationships between humans and animals often develop that reverse the typical preference ordering. (Just as friends can sometimes be closer than families.) But this is not indicative of an inconsistency in moral character, or of a problem that needs to be resolved. On the contrary, it is a perfectly consistent expression of the traits of reciprocity and empathy.

What is a problem, and a serious one, is defining equivalence in significance levels—especially for cases in which the humans are self-conscious and purposive while the animals are not. Is a threat to a human's "life" as used in the sentence "My life was over when I retired" equivalent to a threat to the biological existence of an animal that does not have such a "career"? That is, would a virtuous person necessarily regard it as such? I do not know. Are the pleasures of the table (for a human lifetime) equivalent to the lives of the animals used to supply pleasant eating? Until some answers can be given to such questions, it is hard to say just how much of a speciesist position is authorized by my arguments.

Moderate to Strong Speciesism

Similarly for a whole range of positions—in between the weak and resolute versions of speciesism—which attempt to give rough weights to the *number* of interests involved. How *many* animals may be sacrificed for a human life? Ten? Ten thousand? Here the quest for precision seems ludi-

crous and offensive. And indeed it is unnecessary *if we are prepared to accept, as morally right,* whatever virtuous people generally agree is right.[12]

VIRTUE RATHER THAN PRINCIPLE

And that is ultimately the recommendation I come to on this matter: that we should rely on the collective judgment of those among us who come closest to exemplifying (what we can defend as) moral excellence. I think that course commits us to some version of speciesism—not the absolute or resolute varieties, but conceivably something in the moderate to strong range.

My reason for advocating this course is simple. The speciesist tendencies I have described are consequences of (parts of) moral excellence. The fact that we can find no reason for speciesism when we consider the consequences, or the morally relevant characteristics of animals viv-a-vis some humans, is irrelevant. If we want people to *be* virtuous—not just to act on principle, but to have the traits characteristic of virtue—then we are going to get some version of speciesism in people's behavior. Since the problem of determining equivalent significance levels is so resistant to analysis (after all, the notorious problem of inter*personal* comparisons of utility is just part of it), it seems reasonable to accept, as moral, whatever behavior follows from the traits that constitute moral excellence. One reason that we cannot be very sure where that will lead us (e.g., with regard to vegetarianism) is that we do not have modern analyses of virtue that are comparable in subtlety and detail to those we have for utility, duty, obligation, and rights. We need such analyses, and I hope that if the argument I have presented here does nothing else it makes that need more apparent.

SOME PROBLEMS WITH THE ARGUMENT

There are a number of important objections that can be raised against the argument I have given. I shall try to answer some of the most pressing ones, at least in enough detail to indicate how an adequate response could be developed.

Preferences Do Not Justify Decisions[13]

Objection: Even if virtue disposes me to order my preferences by social distance, it does not follow that it permits me to act out those preferences

[12] An instructive attempt to work out the grounds for accepting, as *just,* whatever decisions are made by "competent moral judges" may be found in Rawls, 1951. Other relevant articles include Thomas, 1980; Wallace, 1974; and Becker, 1975.

[13] This objection, and the one that follows it, were raised by James Cargile in an excellent set of comments on an earlier version of this paper.

to the disadvantage of people (or animals) who happen to be "farther away" from me than family or friends. If a judge, for example, or the captain of a sinking ship, or a physician forced to distribute scarce life-saving resources, is faced with putting the welfare of a friend before that of an equally needy and deserving stranger, we would (?) expect the judge (or captain, or physician), if virtuous, to *prefer* the friend but to *act* impartially. Virtue is complex in this respect, sometimes forcing us to act in ways that go against our sentiments and preferences. So the argument for speciesism (from virtue) is not sound. It may establish that it is virtuous to *prefer* the interests of humans, but it has failed to show that it is virtuous to act out those preferences.

Reply: It is important to notice that the examples that make this objection plausible are all drawn from "public" morality. They are cases in which people, in their roles as "officials" or professionals, are required to be impartial—to suppress their social distance preferences. Such impartiality, when combined with an overriding concern for applying the calculus of utility, is what is typically called ruthlessness.[14]

Ruthlessness (or at least impartiality) may be a virtue in public life—that is, we may have good moral grounds for wanting officials and professionals to develop such dispositions. (Even that is a dangerous doctrine.) But in private life it is surely implausible to think that impartial conduct, contrary to feelings and preferences, is virtuous. The criminal law makes explicit exceptions for the family members of the accused[15]; tort law imposes duties of care on family and friends that it does not impose on strangers[16]; contract law applies different equitable standards depending on whether or not a transaction was at "arm's length." [17] And indeed, "friends" who never *act out* their friendship (i.e., preferences), or family members who never act out their special love for one another would fail to be what we mean by friends or family. In short, in private life at least, the dispositions to reciprocate and empathize—as parts of moral excellence—must produce not only preferences ordered by social distance, but conduct based on those preferences. To prohibit such conduct is to prohibit one aspect of (private) virtue.

Impartiality Is Compatible with Virtue

Objection: Perhaps, though, impartial attitudes and conduct are compatible with private virtue in the way asceticism is thought (by some) to be.

[14] See Nagel, 1978.

[15] I think here, for example, of the rules that give spouses immunity from having to testify against their marriage partners.

[16] See the discussion of the duty to rescue in Prosser, 1971, § 56.

[17] See, for example, the case of *Jackson* vs *Seymour* 71 S.E. 2nd 181 (1952) in which a man was penalized for making a large profit on a business deal with his sister—under conditions that would not have raised an eyebrow if he had had no "special relationship" to the "victim."

That is, it might be *saintly*—the sort of "perfect" virtue that we cannot expect of ordinary folk, but by which we identify the very best among us. If so, then we cannot say that virtue per se entails preferences and conduct ordered by social distance, but only that imperfect or ordinary virtue does so.

Reply: My inclination is to reject this—to argue that saintliness (of the sort under discussion) is not perfect virtue at all, but rather an awe-inspiring amplification of one or a few of the elements of virtue—to the detriment of the others. Ascetics, like the perfectly impartial saint, seem to me to stand in relation to the morally virtuous much as body-builders stand to athletes. It is hard to deny flatly that body-builders are athletes. But there is some question about it, and they are certainly not candidates for athletic perfection. But even if it were true that perfect impartiality were the perfection of virtue, it would not follow that we either could expect or would want that perfection in very many people. If not, then the argument I have given for the priority of human interests—at least for ordinary people—stands.

Racism, Sexism, and Social Distance

Objection: Is it not notorious that social-psychological studies of social distance invariably report that racism (and perhaps sexism) are in part *defined by* increases in social distance across racial (and perhaps sexual) lines? And do these studies not further report that racism and sexism so defined are pervasive in every society so far studied? If so, and if the facts about social distance warrant speciesism, then does the same line of reasoning not support racism and sexism as well?

Reply: The answer is no. The argument I have given is not based *only* on facts about social distance—as found in people's actual attitudes. If it were, the paper would have been very short indeed, for the facts about people's social distance attitudes toward animals are even more obvious and entrenched than their attitudes about race and gender differences. The argument I have given is based instead on the logic of various elements of moral character—namely the dispositions to reciprocate and to empathize. These necessarily yield preferences ordered by social distance that, when combined with some facts about actual differences between humans and animals, result in preferences that can be called speciesist. But surely it is generally agreed that racism and sexism are not entailed by the logic of virtue in a similar way. Quite the contrary, they result from a lack of moral excellence in (among other things) precisely the traits under discussion here: they come in part from a *culpable failure* to reciprocate and to empathize across racial or sexual lines. The failure is culpable in the case of racism and sexism because it is based on false beliefs—negligently or willfully held—about the inappropriateness of reciprocating and the futility of trying to empathize. (Similar analyses apply to other forms of dispositional discrimination that we find objectionable—such as the favoritism shown young and attractive patients in hospital emergency rooms.)

The case is very different with animals, even though much of our cruelty to animals *is* based on a culpable failure to exercise our empathic powers. The argument here condemns such cruelty. But there are also differences—in the powers of normal adults and the dependency (on us) of the others—that entail greater reciprocity and empathy for members of our own species than for others. The consequent "failures" to reciprocate or empathize as fully with animals as with humans are therefore not culpable in the way that the failures of the racist or sexist are. In short, the argument here, if sound, justifies some degree of speciesism, but not racism or sexism.

Virtue versus Principle

Objection: But does the whole argument not rest on simply *defining* elements of virtue in such a way that they yield speciesism? For example, if we can find good reasons for thinking that animals have rights comparable to those possessed by human infants, then is it not *irrelevant* that the social distance to the humans is smaller and that we typically give priority to the human interests? Or put another way, if we were to decide that animals had such rights, would we not then have to redefine the traits of character constitutive of virtue so that they would not yield speciesism? After all, the disposition to be just, e.g., to respect rights and to treat similar cases similarly—is also presumably a part of virtue. If animals have rights similar to human ones, then any trait of character that encouraged us to ignore the equality could not be a part of virtue—because it would not be consistent with the disposition to be just. So what we would need (for virtue) would be dispositions to reciprocate and to empathize that subordinated themselves to the demands of justice. And that seems correct in any case. Feelings of "closeness" should not control our conduct; principles should. And if our moral principles tell us that human interests should not be given priority over comparable animal interests (because there is no morally relevant difference between the two sorts of interests), then that is how we should act—whether this overrides our dispositions or not.

Reply: This is an important objection, and somewhat more difficult to handle than the third one. The general form of an adequate reply seems to me to be the following: The disposition to be just is certainly a part of virtue. And if it turned out that some animals had rights equal to those of some humans—and there were no other relevant differences—then the animals would fall under the similar cases rule. But that still leaves the question of how to decide conflicts. (After all, conflicts among humans who all have equal rights also have to be decided somehow.) The argu-

ment here would still support deciding the conflicts along species lines, I think.

The general point about the subordination of what our virtues incline us to do to what our moral principles tell us to do raises a much more fundamental and difficult issue. The only thing I can say about it here is, I am afraid, none too helpful. The conflict between virtue and principle is the stuff of which moral paradox and tragedy are made. We want people to develop traits of character that are stable and that yield immediate, wholehearted (unambivalent) conduct. Even if such traits are "open" to change, they cannot be both stable and at the same time sensitive to every small change in utilities; they cannot produce *immediate unambivalent* conduct and at the same time wait to feel the impact of applied moral reasoning. The occasional consequence—to take an extreme case—is a tragedy like Oedipus'. Oedipus had the traits that constituted excellence in a king (e.g., decisiveness, honor, the willingness to sacrifice self-interest, trust in those closest to him), and these traits brought him down. The result is tragic, even paradoxical, when it turns out that utility itself recommends the development of such traits. But I do not think that there is any straightforward way of concluding that it is the traits that ought to be abandoned.

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Comments on "The Priority of Human Interests"

James Cargile

There are, apparently, people who think that a dog's life is as valuable as a human's, who would hold that if it is a choice between saving a human being or saving a dog but not both, there is no prima facie basis for preferring the human. One can even imagine someone extending this attitude to insects or plants. And there is no *a priori* reason to assume that such people are unlikely to be converted by argument. It is logically possible that someone might be led reluctantly to such a position by the fallacy of affirming the consequent, and give it up with relief when his mistake is pointed out. But on *a posteriori* grounds I am pessimistic about the prospects for discussions with such thinkers.

Professor Becker argues that morally virtuous people will, and so people generally ought (typically), "to give priority to the interests of members of their own species." I strongly agree with this conclusion and I wholeheartedly endorse his suggestion that the concepts of virtue and excellence of character should not be neglected in favor of those such as utility, duty, obligation, and rights. Furthermore, I cannot confidently predict that having subtler and more detailed analyses of the concept of virtue is not going to help settle arguments over vegetarianism or other questions about animals. Who knows what considerations will lead people, or to what views? However, at our present level of understanding virtue, I do not think Professor Becker's argument for giving priority to human interests is adequate.

Professor Becker argues that morally virtuous people cannot reciprocate and empathize as well with animals as with people, which leads to there "typically" being what he calls a greater "social distance" between people and animals than between people. One objection he considers is that some people also are a greater social distance from blacks or women, so that his argument for discriminating against animals could also be used to justify discriminating against blacks or women. His reply