

Cultural variation, animal welfare and telos

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Abstract

The effect of varied cultural traditions on concepts of animal welfare appears to be a novel issue, growing out of recent societal concerns with globalisation, multi-culturalism, and diversity. In more imperialistic times, Western culture cared little about such issues. Upon reflection, however, it is apparent that this is not a new issue, as even within our culture the concept of welfare has been variously defined, based on differences in values in general and ethics in particular, varying enormously with different views of the moral status of animals. A most dramatic example of this can be found in production agriculture's view that (to paraphrase) 'the animal is experiencing good welfare when it fulfils the human (production) purpose for which it is kept', as expressed in the Council for Agricultural Science and Technology (CAST) report of 1981. Clearly, an animal welfare advocate opposed to confinement agriculture would have expressed a very different view. If the concept of animal welfare is both intra- and cross-culturally varied, how then does one resolve differences? The answer may be found in what I have termed the 'new social ethic for animals' that is fairly uniform across Western societies, as I explain in this paper. In essence, the new ethic focusses on satisfying animals' needs dictated by their telos or biological nature. Insofar as Western democratic societies dictate to the rest of the world, which is economically dependent upon them, we will see this animal ethic achieve global hegemony, much as the notion of human rights has become globally ubiquitous as an ideal.

Keywords: animal happiness, animal quality of life, animal rights, animal telos, animal welfare, cultural variation

Introduction

In recent years, ethnocentrism has become a dirty word, and various factors have converged to create a bias against a bias in favour of Western culture. Post-modernism, feminism, atonement for past imperialistic sins, and political correctness have all converged in favour of a putative neo-relativistic tolerance for a 'multiculturalism' which we would have historically dismissed out of hand. (In fact, of course, we do not accept many principles from other cultures — clitorectomies, tribal butchery, oppression of women.) But multiculturalism has exacted some costs. Consider, for example, the extraordinary proliferation of many examples of evidentially baseless 'alternative medicine' purportedly borrowed from the traditions of 'other cultures', on which the US public spent an estimated forty billion dollars in 2005. Hence, too, our current concern: how do we arrive at a conception of animal welfare that does justice to the bewildering array of views of this concept across different cultures? In this paper, I will argue that a consensus ethic for animal treatment is emerging in the US, Britain, Northern Europe, Australia and New Zealand and, for economic reasons alone, will be highly influential across the world.

Part of the reason this that issue creates perturbations among scientists is their historical disavowal of ethics being integral to science — the mantra in science is 'value-free' in

general and 'ethics-free' in particular (Rollin 2006). Thus it is widely believed that animal welfare, too, can be explicated without reference to values, simply on the basis of objective biological fact, as I shall shortly show using reference to the report published by the US Council for Agricultural Science and Technology (CAST) in 1981 (see also Broom 1988).

In reality, the variation in views of animal welfare can be found historically intra-culturally — it is simply magnified by considerations of cultural variability. Consider the following: in 1981, in response to burgeoning societal concerns about animal welfare, the US agricultural community represented by CAST published *Scientific Aspects of the Welfare of Food Animals* (CAST 1981). Reflecting a ubiquitous view among producers, the CAST report spoke of welfare as follows:

"The principle (sic) criteria used thus far as indexes of the welfare of animals in production systems have been rate of growth or production, efficiency of feed use, efficiency of reproduction, mortality and morbidity."

In other words, the welfare of an animal was primarily defined and determined by how well it fulfils the human purposes to which it is put, with no reference at all to how it feels, whether or not it suffers pain, distress, anxiety, boredom, loneliness, frustration, inability to move or be with members of its own species (conspecifics), and so on.

Implicit in this view of welfare are a set of values and a set of moral obligations that are easily extracted: humans are morally obliged to provide animals only with a set of conditions that allows the animals to fulfil the purposes for which they are kept by humans. In Kant's terminology, then, animals are in no way ends in themselves, "they are strictly means to human ends" (Kant 1997), and animal welfare is based solely on these human ends: in metaphorical terms, welfare is to animals as sharpness is to a saw — what is needed for both to be functional tools.

At roughly the same historical moment, however, other definitions of welfare were promulgated. In the writings of Marian Dawkins (Dawkins 1980) and Ian Duncan (Duncan 1981), and in my writings (Rollin 1981), the essential feature of welfare was argued to rest in what the animal experienced — its subjective states. The moral position implicit in such views was that animals ought to be, at least in some measure, ends in themselves, because they were conscious (something about which much of the scientific community was agnostic; that is, something they either denied or claimed was unknowable, as I have elsewhere demonstrated) [Rollin 1989]) and therefore what we did to them and how we forced them to live mattered to them. In my view, they thus had intrinsic value rather than merely instrumental value (that is, value merely as tools), because they were capable of valuing, in their subjective life, what happened to them.

The point to note here is that, even within British and American culture, one could find at least two different and incompatible definitions of animal welfare based on radically differing views of the moral status of animals, separated irreconcilably, in short, by disparate ethical values underlying them, as just shown. Thus the existence of divergent views of animal welfare across differing cultures does not raise any new conceptual problems that were not already present by virtue of the intra-cultural value-based differences in views of what constitutes animal welfare.

The emergence of animal welfare as a major social concern

It is in no way surprising that animal welfare should have emerged in the US as a moral issue in the latter part of the twentieth century, because of the precipitous changes in the nature of animal use that transpired in the mid-twentieth century (Rollin 1995a). For the entire previous history of civilisation, the overwhelming use of animals in society was agriculture (food, fibre, locomotion, and power), and the key to success in agriculture was good husbandry. Husbandry meant putting the animal into the optimal conditions dictated by the animals' biological needs, and natures, and augmenting their native ability to survive and thrive by provision of food during famine, water during drought, help in birthing, medical attention, and protection from predation. This ancient contract was based on the insight that producers did well if, and only if, animals did well. Thus husbandry was in equal measure a moral and prudential imperative, sanctioned by the ultimate motivation — self-interest. Defining animal welfare and animal ethics was thus a non-issue. Only the anti-cruelty ethic and the laws articulating it

were needed to cover the small number of psychopaths and sadists unmoved by self-interest.

Defining animal ethics and animal welfare became an issue when the nature of agriculture changed from husbandry to industry. Whereas husbandry was about putting square pegs in square holes, round pegs in round holes, and creating as little friction as possible doing so, the industrial revolution provided us with technological 'sanders' that allowed us to force square pegs into round holes, round pegs into triangular holes while still keeping animals productive. What was lost was the isomorphism between animal well-being and productivity that characterised husbandry, and animal welfare and animal ethics became an issue instead of a presupposition of animal use. (It should be noted that, initially, putting hens in cages was seen as a way of monitoring health, but this benefit was soon eroded by putting many hens in the same cage.) The issue was potentiated by the advent at the same time (ie around the 1940s–1950s) of large amounts of animal research and testing, again representing significant animal use that violated the symbiosis inherent in husbandry. The research community in turn deflected this issue by being agnostic about both animal consciousness and the relevance of ethics to science, comprised in what I call 'scientific ideology' (Rollin 1989, 2006).

As public cognisance of these radical changes grew beginning in the 1960s and 1970s, stirrings in favour of restoring fairness to animal use began to pervade Western society, beginning in Britain in the 1960s (Harrison 1964) and resulting then in the view of farm animal welfare expressed in the Brambell Commission report (Brambell 1965). The Brambell report led to the development in Britain of the concept that animals were entitled to five basic freedoms denied in confinement. The ensuing years saw the emergence of what I have extensively described as the 'new social ethic for animals' (Rollin 1995a, 2004).

As anyone attending to cultural history can easily determine, the issue of animal treatment has assumed major social prominence roughly since 1970. This is evidenced by a variety of milestones. Whereas 30 years ago in the US, for example, one would have found no federal bills in the US Congress pertaining to animal welfare, the last few years have witnessed some 50 to 60 per year. 2004 saw fully 2100 bills proposed in state legislatures (Flemming D, personal communication 2005). Most Western countries have recently adopted laws protecting laboratory animals, and assuring control of their pain, often despite opposition from the research communities who much prefer *laissez faire* (see Visscher 1982). (Britain is a notable exception to *recent* adoption, given the Act of 1876, which was itself significantly augmented in 1986.) Much of northern Europe and the European Union have introduced major restrictions on confinement agriculture, the most dramatic example being the Swedish Law of 1988, essentially abolishing confinement agriculture as we know it in the US and creating what the *New York Times* called "a bill of rights for farm animals" (Anon 1988).

I could proliferate examples indefinitely, but enough has been placed in evidence to buttress my claim regarding social concern. How is this concern expressing itself ethically? Historically, both the laws protecting animals and the societal ethic informing them were extremely minimalist (especially in the US), in essence forbidding deliberate, willful, sadistic, deviant, extraordinary, unnecessary cruelty not essential for ‘ministering to the necessities of man’, or outrageous neglect. This ethic is found in the Bible, and in the Middle ages, when Saint Thomas Aquinas, although affirming that animals were not direct objects of moral concern, nevertheless presciently forbade cruelty to them, on the grounds that those who would be cruel to animals will inexorably ‘graduate’ to people, an insight buttressed by decades of research (Aquinas 1956; Ascione & Arkow 1999). Beginning in roughly 1800, the anti-cruelty laws mirroring the anti-cruelty ethic were codified in the legal systems of most Western societies.

The new ethic for animals

The key notion explaining the rise of the new ethic can be found in the fact that the old ethic of anti-cruelty is so restricted in scope as to fail to fit 99+% of animal suffering at human hands, most of which arises from putatively reasonable uses, particularly those enumerated earlier — industrialised agriculture and research uses, neither of which is, as it were, a nut that can be turned by the cruelty wrench (ie do not count as cruelty in US law). Thus the only historically extant ethic for animals does not cover most sources of animal suffering. It was this insight that led me to realise almost 30 years ago that society would require a new ethic to express its concern about animal suffering growing out of mainstream uses (Rollin 1981). Although research is nowhere near as consumptive of animals as agriculture, it is still seen by the public as a major — and problematic — use, particularly in the US, with its anti-intellectual ambiguity about science.

So society was faced with the need for new moral categories and laws that reflected those categories in order to deal with animal use in science and agriculture and to limit the animal suffering with which it was increasingly concerned. At the same time, recall that Western society has gone through almost 50 years of extending its moral categories for humans to people who were morally ignored or invisible — women, minorities, the handicapped, children, citizens of the third world. But, new and viable ethics do not emerge *ex nihilo*. So a plausible and obvious move was for society to continue in its ethical tendency and attempt to extend the moral machinery it has developed for dealing with people, appropriately modified, to animals. And this is precisely what has occurred. Society has taken elements of the moral categories it uses for assessing the treatment of people and is in the process of modifying these concepts to make them appropriate for dealing with new issues in the treatment of animals, especially their use in science and confinement agriculture (Rollin 2004).

What aspect of our ethic for people is being so extended? One that is applicable to animal use is the fundamental problem of weighing the interests of the individual against

those of the general public. Different societies have provided different answers to this problem. Totalitarian societies opt to devote little concern to the individual, favouring instead the state or whatever their version of the general welfare may be. At the other extreme, anarchical groups, such as communes, give primacy to the individual and very little concern to the group — hence they tend to enjoy only transient existence. In Western society, however, a balance is struck. Although most of our decisions are made to the benefit of the general welfare, fences are built around individuals to protect their fundamental interests from being sacrificed for the majority. Thus, we protect individuals from being silenced even if the majority disapproves of what they say; we protect individuals from having their property seized without recompense even if such seizure benefits the general welfare; we protect individuals from torture even if they have planted a bomb in an elementary school and refuse to divulge its location. We protect those interests of the individual that we consider essential to being human, to human nature, from being submerged, even by the common good. Those moral/legal fences that so protect the individual human are called *rights* and are based on plausible assumptions regarding what is essential to being human.

It is this notion to which society in general is looking in order to generate the new moral notions necessary to talk about the treatment of animals in today’s world, where cruelty is not the major problem but where such laudable, general human welfare goals as efficiency, productivity, knowledge, medical progress, and product safety are responsible for the vast majority of animal suffering. People in society are seeking to ‘build fences’ around animals to protect the animals and their interests and natures — what, following Aristotle, I call their *telos*, a concept I introduced in the 1970s — from being totally submerged for the sake of the general welfare, and are trying to accomplish this goal through legislation. In husbandry, respect for *telos* occurred automatically; in industrialised agriculture, where it is no longer automatic, and in animal testing, people wish to see it legislated. Clearly, then, the notion that animals ought to have legal protection for fundamental aspects of their natures, a notion actualised in the Swedish agricultural animal law of 1988 (Anon 1988) and implicit in the Brambell Commission recommendations, is a mainstream phenomenon. (Our account of what I have termed the ‘new ethic’ is buttressed by numerous surveys [Kane and Parsons 1989 for *Parents* magazine] but, more important, is evident in talking to people across the Western world.)

Direct rights for animals are of course legally impossible, given the legal status of animals as property in the US and elsewhere, the changing of which would require a constitutional amendment in the US. (Many legal scholars are in fact working to elevate the legal status of animals.) But the same functional goal can be accomplished by restricting the ways in which animal property can be used, which is exactly what the proliferation of laws described earlier attempts to do.

With this analysis in mind, I can begin to answer the question of cultural relativity of concepts of animal welfare. If my account is correct, there is not in fact great disparity

across at least different Western societies — all believe that animals should morally have their natures and interests protected, and that this should be accomplished by the legal system. Insofar as this notion seems to pervade Western democratic societies, which dominate the world economically and politically, it appears that this notion will dominate, much as Western democratic notions of human rights have dominated discourse regarding human ethics. The fact that I was asked to explain this ethic in 2005 to over 200 Southeast Asian agricultural animal producers who were greatly interested bespeaks support for this claim. Recent (2004) announcements by Chinese government officials (<http://losangeles.china-consulate.org/eng/news/topnews/t127829.htm>) explicitly state that pressure of globalisation is forcing China to consciously consider animal welfare and animal welfare legislation for the first time in its history.

Equally important, the ethic that I have outlined contains implicitly within it a clear account of animal welfare, growing out of the centrality of the concept of *telos* and its role in preserving the fairness of the ancient contract represented by husbandry.

As I argued earlier, the concept of animal welfare is deeply based in values, both in what we choose to consider ingredients in an animal's welfare, and to what extent we are willing to satisfy welfare concerns. This in turn led to producers saying that welfare is what the animals require to do the job we expect them to. I propose that what emerges from the new ethic is a turning of this approach upside down, and placing the locus of welfare in the animal, rather than in our 'generosity'. This is in part a function of the moral notion of rights, and in equal measure a function of giving pride of place to the notion of *telos*.

I have argued that the new ethic is intended to restore the fair contract inherent in husbandry, and to assure that animals lead decent lives. I have further argued that the source of our primary obligations to animals is derived from attending to the animals' natures, much as the rights of humans are based on respecting the essentials of human nature — believing what one wishes, speaking freely, not being tortured, holding onto one's property, and so on. The obvious question is how this notion transfers to animals.

In the US constitution and in the basic foundations of other democratic societies, the relevant concept of human nature was derived from people's reactions to oppression; having been deprived of freedom of religion or belief, for example, people demanded that such belief be protected from governmental intrusion. Similarly with seizure of property.

Philosophically, the notion of human nature has been considered problematic, with many theories of what, precisely, it means, and with some philosophers, notably existentialists and Marxists, affirming that there is no such thing outside of cultures or human choices. Interestingly enough, I would argue that the notion of animal nature is far less problematic than the notion of human nature. Animal life, as I have argued elsewhere (Rollin 1981), is far less plastic than human nature, and is far less influenced by culture (if at all) and thus is far easier to define. Common sense recognises that, as the song goes, "fish gotta swim, birds gotta fly". It is far more obvious, for example, that

lions are predators than that humans are. Determining what animals are evolved for is far simpler than is answering the same question about people.

So obvious is it that animals have a *telos* that Aristotle, the greatest philosopher of common sense in antiquity, made it the cornerstone of his biology, and correlatively made biology based on *telos* the root metaphor for explaining everything in the universe. Whereas for Cartesian and modern biology, biology is best expressed in terms of physics and chemistry; for Aristotle, physics and chemistry were to be explained using functional, biological categories. Physics is, as it were, the biology of dead matter. Biological categories — functional categories — are the most appropriate categories for explanation, especially when it comes to living things.

In his *De Anima*, Aristotle lays out a functional template for biology, which still serves as the framework for biology taught in secondary school. Any living thing, says Aristotle, is a constellation of functions constitutive of its nature, and all living things are to be described in terms of how they fulfil these functions — locomotion, reproduction, nutrition, excretion, sensation, and so on. We characterise living things in terms of how they fulfil these functions. These functions, then, constitute the essence or *telos* of any type of animal — the pigness of the pig, the cowness of the cow, the dogness of the dog. According to Aristotle, this *telos* is knowable by intelligent observation.

Respect for the animal's nature, as I have discussed, was essential to traditional agriculture. The greater that respect, the better the husbandry, the more productive the animal. The fact of agricultural success attested to knowledge of animal *telos*. Under extensive conditions, productivity betokened good welfare.

Modern agricultural use circumvents respect for *telos* and, using technological 'sanders', forces square pegs into round holes. Other animal uses also ignore *telos*, for example, research and zoos, where animals are housed under conditions convenient to us, but violative of the needs flowing from their natures, as when rodents, nocturnal burrowing creatures, are kept in laboratories in polycarbonate cages under bright illumination, or social animals are kept in cages and social isolation in zoos.

Probably the most egregious agricultural use of an animal is the sow stall (Rollin 1995a). Sows are highly intelligent social animals, built to forage on soft loam and to cover about a mile a day doing so. Gestating sows will build their nests on hillsides so urine and excrement will run off, sows with litters trade off care for the piglets with other sows with litters. These complex animals are, in today's production systems in the US and Canada, placed in 2' × 3' × 7' cages with slatted concrete floors. In response, they develop pressure sores, foot and leg problems (a clear consequence of animals built to move not being allowed to move), and display aberrant behaviours that are a response to extremely unnatural conditions. They are forced to lie in their own excrement, be unable to turn around or scratch, and are in some cases compelled to lie in a bowed position because the space is not large enough for them to lie flat.

That such conditions violate the animal's *telos* is obvious to anyone who knows the kind of animal in question. (Disgust at such earlier disregard of animal nature led the president of the Colorado Cattlemen's Association, a rancher still practicing extensive husbandry, opening a conference on confinement agriculture, to affirm that "If I had to raise animals like the pig or chicken people do, I would get the hell out of the business" [C Brown 1985].)

The emerging definition of welfare

I would thus argue that in today's world, animal welfare is being defined in terms of animal *telos*, ie meeting those needs and interests that matter to the animal and affect its feelings by virtue of its biological and psychological nature, which are the same across different cultures. According to my analysis, described fully elsewhere (Rollin 2005), complete satisfaction of the animal's *telos* would comprise what can be called complete *happiness* allowing for individual differences which may emphasise one aspect of *telos* or another. (Some dogs, for example, choose exercise over food, others the opposite.) Thus a happy lion would be a lion kept under extensive conditions with other lions allowing the full range of lion behaviour. A miserable lion would be one kept alone in a small cage. The relevant ethical judgement for lions in captivity would be to create a space that functionally approximates the ideal. Thus a pig in an indoor, straw-based pen system would be happier than a sow in a sow stall, but not as happy as a sow with free access to foraging and a shelter from inclement weather. The job of what is called 'animal welfare science' is understanding what is necessary to get as close to happiness as possible for the captive animal. Thus, in my view, large-scale African game ranching, where animals are culled as needed, comes as close as possible to full satisfaction of the animal's *telos*, particularly if the slaughter involves a well-placed shot and little stress. Animal 'quality of life', then, would be defined by reference to animal happiness, or the degree to which the animal's *telos* is satisfied.

I find talking of animal happiness unproblematic. Indeed, I would argue that animal happiness is far clearer than human happiness, given the curse of human reflective consciousness. A person may have every wish he or she ever had fulfilled, yet not be happy for a multitude of reasons — for example, neurotic worry about losing it, guilt over having it, discomfort over having everything while children starve, etc. We have no reason to believe that animals are capable of such non-productive navel-gazing. There are few human cases of happiness as paradigmatic as the horse let out of a small corral into a large green pasture after spending the winter fenced. The kicking up of the heels, the exuberance of the gallop, the whinny, express joy more clearly than any human affirmations.

It is possible that society could insist on raising pigs or chickens in severe confinement. If that were so, as I have argued elsewhere (Rollin 1995b), we should consider intervention to change the animal's *telos* to fit the oppressive system — surely genetically modified chickens bred to prefer confinement are happier or better off than normal chickens with their most basic needs and interests unfulfilled, although such a scenario is extremely unlikely, as

violative as it is of common decency (that is, our basic ethical intuitions). In any case, it is far more sensible to raise the bridge than to lower the river.

In sum, I have argued that emerging social ethics for animals in democratic societies will largely dictate the form animal welfare takes, since economic pressure will help to impose it on other societies. This emerging ethic emphasises the rights animals should have as based on their biological and psychological natures or *telos*. The extent to which *telos* can be accommodated will vary with circumstances, but the ideal remains clearly demarcated. This ideal is necessary to counter the twentieth-century tendency to see animal welfare as strictly determined by the human purposes to which the animals are put, as we saw illustrated in the CAST report.

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