

Research Services
Melbourne Campus
115 Victoria Parade
Fitzroy, Victoria, 3065

Human and Animal Individuality

Simon James Coghlan
BVSc, Grad Dip (Philosophy), Masters Qualifying(Philosophy)

*Australian Catholic University
Melbourne Campus*

Doctorate of Philosophy
Date of Submission : 31st May 2011
Supervisor : Professor Raimond Gaita

Table of Contents

Acknowledgments	3
Statement of Authorship and Sources.....	4
Abstract.....	5
Introduction.....	7
Chapter 1 Realm of meaning Part 1.....	20
Chapter 2 Realm of meaning part 2.....	38
Chapter 3 Ethical Theory and Human Nature	58
Chapter 4 Imagination and Thought	83
Chapter 5 Difference and Differences.....	105
Chapter 6 Science and Conceptual Understanding	137
Chapter 7 Animals in the Realm of Meaning.....	169
Chapter 8 Individuality	221
Conclusion	266
Bibliography	273

Acknowledgements:

I am very grateful for the assistance of my supervisor Professor Raimond Gaita in the production of this thesis. I thank him very much for many discussions and much advice.

I would also like to acknowledge and thank Peter Coghlan for his assistance and proof reading and Jennifer Coghlan for her support.

Thank you to Sarah, Charlotte and William for their help and support.

Statement of Authorship and Sources:

This thesis contains no material published elsewhere or extracted in whole or in part from a thesis by which I have qualified for or been awarded another degree or diploma.

No parts of this thesis have been submitted towards the award of any other degree or diploma in any other tertiary institution.

No other person's work has been used without due acknowledgment in the main text of the thesis.

Signed:

Simon James Coghlan

Abstract:

Discussions of various connections between human beings and nonhuman animals in moral philosophy, for example in “animal ethics”, are dominated by a certain philosophical approach. This standard approach is characterized by philosophical assumptions about the nature of reason and argument on questions of morality and value. Assumptions like these tend to assimilate good thinking about value to a narrow interpretation of “reason” which stresses rational argument and justification. This interpretation of what discussions about the value and nature of human and animal life should look like naturally leads to the creation of theories, such as the various theories of animal ethics proposed in utilitarianism, rights theory, and virtue ethics. In the field of animal ethics, three well known philosophers who advocate one or other of these theories are Peter Singer, Tom Regan, and Rosalind Hursthouse. It has also been common in the standard debates about animals, from the 1970’s onwards, for philosophers to accept that an “objective” understanding of the mental lives of animals is most comprehensively provided by modern science, including ethology and evolutionary theory.

In philosophy, and in significant parts of society, views on the relations between humans and animals have changed over recent decades. There is a greater tendency to take animal life more seriously than in the past. Parts of science and mainstream philosophy have lately tended to the view that human beings and animals differ only in degree and not in kind. Even philosophers who wish to defend the idea that humans are different in kind, often occupy the same ground as their opponents by turning to ethical theory to justify their views about human importance.

In another part of philosophy, an alternative approach to these questions has emerged. Two prominent philosophers in the Wittgensteinian tradition - Cora Diamond and, more recently, Raimond Gaita – have written on the connection between human beings and animals. This approach seriously questions the presuppositions of the philosophers who stand on more mainstream ground. The general position worked out by Diamond and Gaita claims that there is indeed a difference in kind between human beings and animals; but it also offers a means of exploring the question that, far from accepting the assumptions that the mainstream view and many of its critics rely on, has yielded, and promises to continue to yield, new and creative insights.

At the same time, there has been a great deal of interest in the human-animal question from the domain of literature. In particular, the recent work of J.M. Coetzee has

stimulated both public and philosophical interest in animality. The sort of work that Coetzee has produced has both put some life back into the debate about animals, and has attracted the attention of philosophers from this alternative Wittgensteinian tradition, who are interested in the connection between philosophy, science, and literature. In fact, Coetzee's work on animals has also aroused the interest of philosophers in the more mainstream tradition. Such philosophers typically have a different view of the role of literature and science in philosophy than those who have been influenced by Wittgenstein.

This thesis examines the nature of the various elements of this topic as just outlined. In particular, it tries to lay out the general parameters of the mainstream assumptions and those of the alternative Wittgensteinian position, mostly as this has been developed by Cora Diamond and Raimond Gaita. The aim is to clarify what is philosophically at stake in basic ethical questions about humans and animals. As the thesis argues, attending to certain fundamental questions about human and animal life is a precondition of addressing more explicitly moral questions about them. The thesis concludes by arguing that Gaita's view, which focuses on issues of meaning and on a responsiveness to both human and animal life that is disciplined by a range of critical concepts, in the most fruitful way forward in addressing those moral questions.

Introduction

This thesis is about the sort of meaning or sense that, in the Western tradition of moral philosophy, can be made of animals, of human beings, and of animals and human beings together. Human life is often partly understood by a contrast with animal life, both when people attempt to show its special nature and significance, and when they try to stress its similar and continuous nature and significance as compared with other creatures. Here we see the project of seeking to find the ways in which we humans are, and are not, animals too. I will consider some of these endeavors in this thesis. In significant part, I also want to see how a detailed and particular sense of what it is for human beings to be (or to fail to be) a distinctive kind of animal affects – indeed crucially affects – a sense of the nature and significance of nonhuman animal life.

In recent times there has been a change in attitudes towards nature and our place in it, and towards animals and our relations with them. A variety of ethical perspectives on animals has emerged. Increasing momentum and complexity has gathered in these emerging perspectives from the 1970s onwards, in the wake of other “progressive”, and to various degrees successful, social movements and changes. Outside philosophy and other academic and intellectual circles, there have been a number of forces driving these new views on animals. One is concern over worsening environmental damage and the intensification and increasing scale of the use of animals. Another is a deepening wonder at the lives of animals, a wonder and an engagement that is often felt in an audience that no longer directly harms or uses them. There is also now a tendency to place greater importance on relationships with “companion animals” than has happened in the past – some animals are increasingly felt to be “members of the family”. The modern interest in animals is seen in television and literature, and in the work of scientists and naturalists like David Attenborough, whose programs for several decades have nurtured an appreciation of the marvels to be found in the natural world. The influence of these social changes on attitudes to animals is clearly of substantial importance.

In academia, and philosophy specifically, there have also been changes in the ways animals are perceived. These changes have no doubt been influenced by changes in our culture. But, interestingly, they have also fed into the wider society (Peter Singer says that on the question of the treatment of animals philosophy has instigated rather than followed change¹). Whereas in the 1950s it was preoccupied with conceptual analysis, philosophy is now much more involved in questions of “practical ethics”. Furthermore, not only does philosophy continue to a significant extent to look to science as a model of thought or reason, it has also come to be more open to the deliverances of science. It is now common to see philosophical arguments in ethics, and other areas like philosophy of mind, making use of scientific findings. In general, the subject of philosophy has become more receptive to forms of naturalism. And this has affected moral philosophy. For example, some moral philosophers think that more attention should be paid in ethics to the fact that human beings are animals and must live and flourish according to their animal natures.

The nature of reason and its application in ethics is debated. Some hold that reason itself is independent of feeling. Others hold that ethical thinking not only is associated with, and influenced by, our affectively constructed selves but is partly and necessarily constituted by them. Many philosophers, including some of those who are sympathetic to the second view, tend to say that rational argument can help determine how we should behave towards animals and humans and, furthermore, that it can help show which ethical or moral “theory” we should accept and live by. The conflict in normative ethics between utilitarianism, rights theory, Kantianism, contract theory, virtue theory and so on, is well known. Those engaged in this “Battleground of the Theories”, as it has sometimes been called, believe that reason can, more or less (depending on the understanding of reason offered), demonstrate the soundness of one or other theory against the others.

¹ In the preface to M. Calarco and P. Atterton (eds), *Animal Philosophy: Essential Readings in Continental Thought*, (Cornwall: Continuum, 2004).

The rejection of this battleground, however, can go with the view that it badly misrepresents the nature of the ethical. This can occur for different reasons. For example, some philosophers in the post-modernist tradition question the standards of argument and objectivity in much “analytic” philosophy, and lately have devoted some attention to the comparison of human and animal life.² These alternative approaches will not be considered in any detail in this thesis.

In the analytic tradition, Bernard Williams has argued in *Ethics and the Limits of Philosophy* that a concentration on theory-making moralistically limits our conception of value by reducing it to value of one single variety. Williams is referring to the preoccupation philosophers have with actions, obligations, and duties – with what we “ought to do”. For this reason he prefers to speak more broadly of the “ethical” rather than of “morality”; and he speaks disparagingly of the “morality system”³. I shall largely follow his nomenclature in this thesis.

Another reason for rejecting theoretical argument is that thought about morality and value generally bears little resemblance to how it is portrayed. Dale Jamieson divides the standard philosophical methods of theorizing into two types. “Foundationalism” declares that our ethical beliefs can be justified or rejected by displaying their “logical relations” with “other beliefs that themselves are in no need of justification”⁴. “Coherentism” says roughly that ethical beliefs “can be justified only by their relation to other beliefs”⁵ which people, as ethical beings making ethical judgments, actually have. For these methodologies, and indeed for any attempt to find a “defensible set of moral beliefs, convictions, dispositions, and purposes”, the search “must begin midstream”⁶, according to Jamieson. We “must begin as well as end”, Jamieson says, “with moral intuitions”⁷ that is, with ethical beliefs, convictions, dispositions, and so on. Even foundationalists, he

² See, for example, Cary Wolfe, *Zoontologies: The Question of the Animal* (Minneapolis: University of Minnesota Press, 2003); M. Calarco & P. Atterton (eds.), *Animal Philosophy: Essential Readings in Continental Thought* (London: Fourth Estate, 1993).

³ B. Williams, *Ethics and the Limits of Philosophy* (London: Fontana, 1986)

⁴ P. Singer (ed.), *A Companion to Ethics* (Oxford: Blackwell, 2000), p.480.

⁵ *A Companion to Ethics*, p.482.

⁶ *A Companion to Ethics*, p.483.

⁷ *A Companion to Ethics*, p.483.

is saying, cannot simply ignore the nature of our ethical practice and our ways of discussing matters of value. Theorists have to work with ethical language and behavior as they find it, even when their conclusions and methods depart substantially from ordinary life. What they may say, of course, is that our pre-theoretical intuitions and beliefs have not been properly argued for. We therefore need to step back and subject them to reasoned or rational argument. And theory, say the theorizers, may be what we need for that.

The premise of any theoretical enterprise must be that ethical thought is obedient to cognitive standards which do not fatally misrepresent the nature of what is to be justified. For example, a theory cannot import logical attributes into ethical beliefs and arguments which in reality have no role there; or it does so at the cost of introducing a fantasy of our life with questions of value. Furthermore, it cannot simply overlook forms of thinking which do in fact play a major role in life. Were it to do so, it would unreasonably generalize one or other ostensible form of thinking across the whole range. Moreover, it might miss those forms of thought which are more compelling and serious. Indeed, it might pass over modes of thinking which, while they are conditioned in ways that make them appear to some people far too contingent and limiting, are really the only ones that will allow us to see things the way they are.

In opposing ethical theorizing of the sort that is supposed to lead to objectively justified theories, some philosophers claim that there has been that precise problem: certain genuine cognitive standards have been overlooked or rejected. Of course we must, they think, step back and subject judgments made in the midst of living to serious critical scrutiny. And we must be open to other descriptions of ethical life. But there are, in their view, methods of doing that that do not rest on blinkered assumptions, or resort to theories that stand on the same battleground of rational conflict.

Those who are drawn to the construction and defense of moral theory tend at some level to aspire to a model of reason that is very different from the ideals of thinking preferred by philosophers who are skeptical about the place of theory in ethical reflection. The

point of view of the universe, the view from nowhere, the impartial observer – these phrases represent the first kind of model or image of sound thinking about value. Those who reject this ideal may express their preferences for alternative models in various ways. Some, for example, speak of an educated and discerning imagination, or of a developing and mature ethical sensibility; others speak of intelligent emotions. Still others talk about the critical concepts involved in thinking about significance and meaning. In this thesis, I shall be interested in following out the implications of thinking that goes on in a realm not only of theory-making, but, in contrast with that, in a certain realm of meaning

In the course of pursuing these implications, I will often return to the views of a leading figure in modern moral philosophy, especially as it is concerned with animals. Peter Singer's lifetime work has been instrumental in bringing the question of animal life to serious philosophical and social attention. In doing so, Singer has sought to live up to his basic belief that the "chief task" of philosophy is "to question the basic assumptions of the age" and to think through, "critically and carefully, what most of us take for granted"⁸ - not the least of which is the "complacent, unargued assumptions of the moral insignificance of nonhuman animals"⁹. The example of Peter Singer and his work allows us to see clearly one view about the nature of reason and about the place it should have in working out our proper relations with other human beings and animals.

Singer is squarely of the tradition that holds that reasoning about ethics is best modeled on the point of view of the universe as opposed to "our own point of view"¹⁰. For Singer, reason has a particular character. "Brain power", he writes, is "our specialty"; a "peculiar ability" that is "like an escalator, leading upward and out of sight"¹¹. It might *begin* in ordinary life, but it possesses a logic that can take us far beyond it, even to a place where it "creates tension with other aspects of our nature"¹². Importantly, it can do so because,

⁸ P. Singer, *Animal Liberation* (London: Pimlico, 1995), p.236.

⁹ *Animal Liberation*, p.241.

¹⁰ P. Singer, *Writings on an Ethical Life* (Salisbury South: Griffin Press), p.267.

¹¹ *Writings on an Ethical Life*, p.264.

¹² *Writings on an Ethical Life*, p.265.

while it may, and indeed must, be pressed into operation by the engine of our affective and social nature, reason *itself* operates independently of that nature.

Singer believes “that the case for Animal Liberation is logically cogent, and cannot be refuted”¹³. That belief underpins his confession in the preface to the 1990 edition of *Animal Liberation* that he expected more people who read the book to convert to vegetarianism. Of course, as he points out, there were always going to be too many social and psychological obstacles for this dream to become a reality:

It is characteristic of an ideology that it resists refutation. If the foundations of an ideology are knocked out from under it, new foundations will be found, or else the ideological position will just hang there, defying the logical equivalent of the laws of gravity. In the case of attitudes to animals, the latter seems to have happened...The moral attitudes of the past are too deeply embedded in our thought and our practices to be upset by a mere change in our knowledge of ourselves and of other animals.¹⁴

Yet Singer’s disappointment is informed by his firm belief that the escalator of reason can triumph over human weakness, carrying us above the narrow perspective forced relentlessly upon us by our subjective interests. And he believes it can do so by *refuting* our prejudices and the inevitable bad arguments they encourage. So his arguments about animals appeal to

reason rather than to emotion or sentiment. I have chosen this path, not because I am unaware of the importance of kind feelings and sentiments of respect towards other creatures, but because reason is more universal and more compelling in its appeal. Greatly as I admire those who have eliminated speciesism from their lives purely because their sympathetic concern for others reaches to all sentient creatures, I do not think that an

¹³ *Animal Liberation*, p.244.

¹⁴ *Animal Liberation*, pp.211-12.

appeal to sympathy and good-heartedness alone will convince most people of the wrongness of speciesism.¹⁵

Without at this stage going into the details of his philosophy, it is worth taking a brief look at a belief that helps explain Singer's confidence in his position, and his sense that many of the arguments put up over the decades against it either betray desperation or can in any case be refuted¹⁶. In the Afterword to *A Companion to Ethics*¹⁷, Singer (as the volume's editor) sets out the reasons for his optimistic belief that there can be a genuine convergence in ethical judgment. It seems fair to say that he thinks the sort of convergence that is on the horizon is not a contingent convergence in opinion, but rather a kind of objective or rational agreement in belief.

According to Singer, human nature "has its constants and there are only a limited number of ways in which human beings can live together and flourish; indeed...some of the features common to the nature of human beings in different societies are common to the nature of any long-lived, intelligent social mammals, and are reflected in our behavior as they are reflected in that of other primates"¹⁸. But more important for the possibility of non-accidental convergence is his assessment, and that of many of his contributors, concerning the features of ethical argument that go beyond "reasoning about matters of taste"¹⁹.

Singer says that "a better understanding of the nature of ethics would at least make it easier for us to see what kind of answer that question [of how we ought to live] might need to have"²⁰. And centuries of thought about the nature of ethics, he judges, is leading to a convergence in understanding of the nature of good and bad argument and reason in that realm. He considers how the meta-ethical views of many of his contributors - on such topics as realism, intuitionism, universal prescriptivism, and subjectivism - start from

¹⁵ *Animal Liberation*, p.243.

¹⁶ *Animal Liberation*, p.238.

¹⁷ P. Singer (ed.), *A Companion to Ethics* (Oxford: Blackwell, 2000), pp.543-545.

¹⁸ *A Companion to Ethics*, pp.543-544.

¹⁹ *A Companion to Ethics*, p.544.

²⁰ *A Companion to Ethics*, p.544.

“quite different places”, yet they all seem “to be heading in the same direction”²¹. The direction is towards a common view about the nature of “reasoning under certain idealized conditions”²² in ethics. Those ideal conditions are essentially the ones that limit “subjective” interference and permit the untrammelled operation of “rationality” in this domain.

The major meta-ethical question for Singer is whether this general conception he has of reason has specific application to ethics. On this question, the apparent convergence at the meta-ethical level fortifies Singer in his feeling that a convergence at the normative level is possible. “The objectivity of morality”, he suggests, “comes down to the possibility that if we were all reasoning under such conditions, we would reach the same conclusions”²³. So he thinks that careful and critical thinkers, under ideal conditions, can converge upon a view that his own arguments about humans and animals have been either refuted or vindicated. And indeed, the majority of the arguments that have either favored or attacked Singer’s position have stood on the same ground as a matter of fact as his own. Singer’s position is notable in the way it carefully tries to keep any assumptions down to a minimum – especially those that smuggle in “subjective” feelings and emotion. Consequently, his methodology has been consistent and his some of his arguments apparently hard to refute.

The ground occupied by Singer and others can be spelled out here very briefly; later, we can dwell on “speciesism” and other topics. Singer thinks that the notion of equality between human beings and nonhuman animals is not based on factual or actual equality²⁴. Nonetheless, his basic ethical principle, the principle of the equal consideration of interests, entails that a being’s actual or factual characteristics fundamentally govern its moral status. Cora Diamond long ago pointed out that, in regard to Singer’s arguments about the ethical treatment of humans and animals, “the only tool used in them to explain

²¹ *A Companion to Ethics*, p.544.

²² *A Companion to Ethics*, p.545.

²³ *A Companion to Ethics*, p.545.

²⁴ *Animal Liberation*, p.5.

what differences in treatment are justified is the appeal to the capacities of the beings in question”²⁵.

Diamond’s seminal essay “Eating Meat and Eating People” was published in the journal *Philosophy* in 1978, at the start of the modern animal rights movement. Her early warning that Singer and Tom Regan had chosen a wrong and ultimately self-defeating means of improving and revising our ethical understanding of human and animal life went largely unheeded. That their general approach to this question was the one that took root in philosophy is illustrated in the fact that David DeGrazia’s book, *Taking Animals Seriously*, praised by Singer for being a “fine study of the field”²⁶ (and also for suggesting the strength and longevity of his position), does not seriously address Diamond’s style of philosophy.

Two key points underpin Singer’s confidence in his anti-speciesist position. The first is that the ethical principle of equality is embedded in ethical language per se and in the principles we presently wield against other forms of discrimination like racism; the principle can anyway, he argues, be justified by spelling out a “rational basis” of ethics, which can perhaps be derived from a standpoint of universalized self-interest. The second key point is that human prejudice and ignorance has led to blindness regarding the actual capacities of other animals and the way the principle of equality engages with the features it has determined as morally relevant and non-arbitrary. Another area of facts that is often ignored is the way animals and humans are treated and especially the way they suffer. Consequently, Singer provides numerous detailed facts about the lives of unfortunate humans and animals in a good many of his books.

²⁵ C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind* (Cambridge Mass.: MIT Press, 1995), p.322.

²⁶ P. Singer, *Writings on an Ethical Life* (Salisbury South: Griffin Press 2000), p.xix.

These two points form the premises of Singer's and Cavalieri's *The Great Ape Project*. As this project's founders, they write in the preface that the "core of this book is an encounter between ethology and ethics".²⁷ To a large degree the book examines

how we humans have sought to emphasize the differences between us and them, and to play down the similarities. Ethics appears on the scene, putting the data about apes together with our own rhetoric about the basis of equality between humans. This points towards the goal of this entire enterprise: a reassessment of the moral status of chimpanzees, gorillas and orangutans and the acceptance of some nonhuman animals as persons.²⁸

Singer has argued at length against the misguided intrusion of science, in particular sociobiology, into ethics; in regard to the great ape project he insists that "ethics subsumes ethology"²⁹ and thus defeats the unjustified tendency to moral conservatism present in "evolutionary" ethics"³⁰. It is from philosophy going back at least to the Enlightenment³¹ that we discover "a rational ethic" that challenges "the moral significance of membership of our own species"³². However, despite his debt to Hare's conceptual analysis of moral language, Singer is friendly with modern science and with a kind of naturalism about the conclusions we can draw in ethics. For instance, he thinks that we "should not focus on the fact that we are human beings, but rather on the fact that we are intelligent beings with a rich and varied social and emotional life" that we "share not only with our fellow humans, but also with our fellow great apes"³³. Science has helped to demonstrate this.

²⁷ P. Cavalieri & P. Singer (eds.), *The Great Ape Project: Equality Beyond Humanity* (London: Fourth Estate, 1993), p.2.

²⁸ *The Great Ape Project*, p.2.

²⁹ *The Great Ape Project*, p.2.

³⁰ *The Great Ape Project*, p.2.

³¹ *The Great Ape Project*, p.308.

³² *The Great Ape Project*, p.5.

³³ *The Great Ape Project*, p.1.

Because of his attitude toward science, and his unprejudiced view about the nature of the animal world, Singer is generous in the capacities he is prepared to attribute to animals. In regard to *The Great Ape Project*, for example, he is sympathetic to a range of controversial claims about ape language, intelligence, intersubjectivity, and emotion. Many of the other philosophers whose views appear in this thesis are similarly sympathetic to such claims. At the present time, of course, the nature of animal life and animal capacities is controversial.

This brings us to a position which will be adopted in this thesis. In discussing questions of the sense we can make of the relation between human and animal life, I will be exploring a position which is critical of many of these philosophers. But, it is important to note, the nature of this criticism is usually not dependent upon skepticism about their factual descriptions of animal characteristics and their ways of living. In other words, the critical engagement with these philosophical views will not significantly turn on the suspicion that they are far too charitable in their attributions of capacities and properties to animals.

Furthermore, an alternative approach to the nature of animal and human capacities and properties will be outlined. That approach is not seriously at odds with what many of these philosophers are prepared to attribute to animals. It does, however, contain an epistemological approach to such questions that is most certainly at odds with theirs. This approach stems from Raimond Gaita's discussions in books like *The Philosopher's Dog*³⁴.

In that book, Gaita criticizes the almost universal philosophical view that our understanding of the kinds of lives that animals and humans have depends upon the spectator's point of view. The spectator, it is often said, must draw inferences or construct theories from the data which indirectly provides evidence for "mental states".

³⁴ R. Gaita, *The Philosopher's Dog* (New York: Random House, 2005). While I will explore this alternative approach, I will not directly be concerned with addressing seriously skeptical views, like those of Donald Davidson, about animal beliefs and desires. That endeavor is not necessary for an engagement with mainstream ethical views about animals and humans which are not seriously skeptical.

Moreover, *The Philosopher's Dog* is critical of the view that the nature of animal and human life – the human condition and the animal condition, perhaps – can be exhaustively understood in terms of “facts”. Gaita thinks that certain descriptions of animal and human life must have a particular sort of meaning if they are to be true to what they seek to describe. The sort of meaning they must have, in his view, is a meaning that is crucially different from the meaning of strictly factual descriptions. Gaita calls this area of thought and description “the realm of meaning”. This “realm of meaning”, and the critical concepts that characterize this form of understanding, will be discussed at some length in the opening chapters of this thesis.

It was *The Philosopher's Dog* that sparked my interest in an alternative way of understanding human and animal life. This involves standing on a different kind of ground to the ground occupied by philosophers who are attracted to ethical theory and to a narrower conception of ethical argument. Many of the philosophers who address the topic of animal and human life stand on this battleground of the theories. This thesis aims to examine what can be made of animal and human life when the approach of these philosophers to the question is rejected. In particular, it will study what can be made of the topic by taking seriously reflection about meaning. The opening exposition will prepare us for a different sort of discussion about the kinds of individuals which humans and animals are.

However, the position to be staked out does not rely on discarding the *general* forms of thought praised by Singer and others. On the contrary, it welcomes and requires them. Nor does it entail that certain facts about animals – e.g. their intelligence, mortality, and vulnerability - are irrelevant. Being clear about certain facts may be crucial for this other approach. I shall be looking, for example, at how sensitivity to the facts of animal life – such as the sorts of feeling and awareness they can have – might become part of the “surface-and-response dependent” concepts that can be used to describe their reality.

Clearly, the methodologies of philosophers like Diamond, Gaita, and Stephen Mulhall have been influenced by the later work of Wittgenstein. Wittgenstein's influence is

evident in what these thinkers have to say about our understanding of humans and animals. This applies both to what we ordinarily think of as straightforwardly factual understanding, and even more importantly, to the type of understanding that concerns ethics and meaning.

Wittgenstein's legacy lies behind Cora Diamond's claim that philosophy "characteristically misrepresents both our own reality and that of others, in particular those 'others' who are animals"³⁵. Part of the task of this thesis is to review and compare the style of modern philosophy that, according to Diamond, misrepresents these realities, and the style of philosophy that, in the opinion of thinkers like Gaita, may take us beyond the misrepresentations - misrepresentations which, of course, presently dominate the field of "animal ethics". One step, then, in exploring this field's philosophical possibilities, is to review and compare the dominant perspective with this other less well known and accepted one.

³⁵ C. Diamond, 'The Difficulty of Reality and the Difficulty of Philosophy' in S. Cavell et al, *Philosophy and Animal Life* (New York: Columbia University Press, 2008), p.57.

PART I

Chapter 1 : The Realm of Meaning

Most contemporary philosophers believe that there are forms of critical reflection upon ethical matters which are exercises in reason, in thinking well, and, even if only in a weak sense, in arriving at truth. Of course, words like objectivity, reality, and truth can be used in different ways. Peter Singer, for example, does not think that ethical reflection is about what is true or objective for all thinking creatures. But he wants to say that ethical judgments can be objective and true in another sense that goes beyond the mere “outpouring of our emotions”¹.

The contemporary philosophers appearing in this thesis share the position that the process of forming ethical views can be a cognitive activity, aimed at distinguishing appearance and reality, and seeing things as they are. Bernard Williams says that such thinking is aimed at “*getting it right*”². “Philosophy”, Williams also says, “is the extension of our ordinary concerns by other means”³. One of philosophy’s aims is to reflect upon what it is to think well or badly about the concerns we have in the ethical dimension of our lives. In this chapter and the next I will give an exposition of Raimond Gaita’s understanding of what such thinking comes to. Such understanding is explicated by Gaita in terms of what he calls the “realm of meaning”.

We may start the exposition with something obvious. It is a fact about our lives as human beings that we are often moved by things we read, hear, discuss, or witness. When we are affected or touched, by art or by someone’s words or example, we sometimes say that we now see matters more clearly and with greater depth. We may be moved in different ways - the ethical ideas we encounter may fill us with wonder or joy or a sense of imaginative

¹ P. Singer, *The Expanding Circle* (Oxford: Clarendon, 1981), p.85.

² B. Williams, *Philosophy as a Humanistic Discipline*, A.W. Moore (ed.) (Princeton: Princeton University Press), p.202.

³ *Philosophy as a Humanistic Discipline*, p.206.

adventure⁴. Or they may horrify and shake us. And so on. Regardless of the way in which we are affected, such experiences and responses may, we often think, lead to greater insight and understanding and help us make sense of things. In other words, the events, people, and cultural products that so excite and engage us can prompt us to make cognitive claims. That is a recognizable phenomenon of human life and is not generally in dispute. But there is, of course, much disagreement about the nature of these claims and whether they are, or can be rendered, truly cognitive. “Since the time of Socrates”, Gaita writes, “the West has been preoccupied with the distinction between legitimate and illegitimate persuasion”⁵. The question of how we should step back from what moves us to critically examine our most intimate “ordinary concerns”, and to separate proper conviction or understanding from mere persuasion, is a controversial question in philosophy.

Many philosophers share an assumption about critical reflection upon our ethical experiences. The mainstream assumption is that reason consists, to put it briskly, in rational argument. Cora Diamond describes this sort of thinking as essentially involving “because” arguments or in “*therefore*-arguments”⁶. These are arguments that aim to provide a rational basis or grounding for a position that at first may only have moved us. What makes something a rational argument on this understanding is that it can be understood by rational thinkers independently of the particular affective aspects that go into being moved, and with more or less independence, to use words of Singer, from the “relics of our cultural history”⁷. The assumption here says that reason, objectivity, or the truly cognitive involves and permits removing from the manner or form in which it was presented an argument or proposition which can then be assessed, as Rosalind Hursthouse puts it, under “a neutral specification”⁸. Such “propositional” arguments are those which are to be assessed independently of the precise way in which they first did,

⁴ C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind* (Cambridge, Mass.: MIT Press, 1995), p.309.

⁵ R. Gaita, *The Philosopher’s Dog* (New York: Random House, 2005), p.100.

⁶ S. Cavell et al, *Philosophy and Animal Life* (New York: Columbia University Press, 2008), p.80.

⁷ P. Singer, ‘Utilitarianism and Vegetarianism’, *Philosophy and Public Affairs* 9, no. 4, 1980, p.326.

⁸ R. Hursthouse, *On Virtue Ethics* (Oxford: Oxford University Press, 1999), p.229.

or in which they might, engage our attention. This is to regard a certain range of responsiveness to ethical claims as different and separate from cognitive appraisal.

Philosophers who share this view may import different details into their understanding of good thinking, but there is an underlying idea that is the same. Singer argues that in order to eradicate from our critical reflection partial attachments and anything else that can be described “merely as a subjective preference”⁹, we should aim for the model of the “impartial spectator or ideal observer”¹⁰. The impartial spectator’s thinking is undistorted by ordinary human concerns and interests. While the idea of the impartial spectator may be invoked as an anti-egoistic model of the basic ethical idea that all people or all interests - and not just my own interests or those of my kin - are of equal ethical importance, it also functions as a model of thinking unhampered by our “wonder, joy, sympathy, disgust, horror”¹¹ and by a range of other affective responses. Other familiar images of this ideal are the ‘Archimedean point’¹² and the ‘view from nowhere’. Amongst many philosophers there is an ideal of reflection which, wholly or in significant part, welcomes theorizing and encourages us to recast “our ordinary concerns” from “a humanly recognizable form”¹³ to a less humanly engaged form.

Raimond Gaita’s elucidation of a “realm of meaning” – a realm which includes morality, but like Williams’ notion of the “ethical” goes beyond it - identifies a very different conception of reason and discursive argument. Because in this thesis I will be exploring the distinctive contribution of Gaita’s ‘realm of meaning’ to philosophical perspectives on humans and animals, the idea needs to be spelled out in some detail.

Gaita’s way of putting the basic assumption he is challenging is that reason requires “extracting plain cognitive content”¹⁴ from the manner of presentation of ethical ideas to a “tone free zone” in order to rationally assess it. And unlike the cognitive understanding

⁹ *The Expanding Circle*, p.110.

¹⁰ P. Singer, *Practical Ethics* (2nd ed.) (New York: Cambridge University Press, 1993), p.12.

¹¹ *Philosophy as a Humanistic Discipline*, p.147.

¹² R. Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999), p.249.

¹³ *Philosophy as a Humanistic Discipline*, p.206.

¹⁴ *The Philosopher’s Dog*, p.101.

Gaita argues is possible in the realm of meaning, understanding according to this traditional version of reason is possible independently of what moves, affects, or engages us. That is why such ideas and arguments may, and, to minimize risk, perhaps should be, shifted to a zone in which there is no question of “tone” or “style” – or at least to a zone where tone or style is less salient and where the presentation is minimally poetic and eschews emotive expression and “fancy literary form”¹⁵. This is a tradition which holds that:

legitimate persuasion appeals to the head rather than the heart, to logic and reason rather than emotion. Suspicion of storytelling and of poetry, as forms of powerful but illegitimate persuasion, often goes with that way of drawing the distinction. Art may delight us, but if it is to teach us, if it is to show us how the world is, then it must extract plain cognitive content from the form that often beguiles, dazzles, and seduces us.¹⁶

The traditional philosophical understanding of what we typically call *rational* activity has been criticized. Stephen Mulhall contends that philosophers cannot “call upon a universally accepted conception of rationality”¹⁷ because the nature of rationality is “essentially open to question”¹⁸. Alice Crary suggests we need a “wider conception of rationality”¹⁹ than philosophers, with their narrower idea of a rational “argument”²⁰, generally appreciate. According to such philosophers, Crary informs us, rational moral understanding must be independent of “any tendency to engage a person’s feelings”²¹. Crary’s conception would recognize the possibility of moral judgments which necessarily depend upon a propensity to “engage our sensibilities”²² and emotions being genuinely rational. She thinks it is a condition of that being the case that the wider conception of

¹⁵ *The Philosopher’s Dog*, p.100.

¹⁶ *The Philosopher’s Dog*, p.101.

¹⁷ S. Mulhall, *The Wounded Animal, J.M. Coetzee & the Difficulty of Reality in Literature and Philosophy* (Princeton: Princeton University Press, 2009), p.7.

¹⁸ *The Wounded Animal*, p.7.

¹⁹ A. Crary, ‘J.M. Coetzee, Moral Thinker’ in A. Leist & P. Singer (eds.), *J.M. Coetzee and Ethics: Philosophical Perspectives on Literature* (New York: Columbia University Press, 2010), p.252.

²⁰ *J.M. Coetzee and Ethics*, p.250.

²¹ *J.M. Coetzee and Ethics*, p.250.

²² *J.M. Coetzee and Ethics*, p.250.

rationality “necessarily presupposes that certain sensitivities or propensities are internal to all rational capacities”²³. If that were not so, she argues, then ethical discourse, and so the wider conception of rationality, could not count as “bona fide rationality”²⁴. Crary criticizes Bernard Williams for denying that ethical thought is “rational in a full-blooded sense”²⁵ and for arguing in favor of the “narrower” conception in his book *Ethics and the Limits of Philosophy*. For Williams, she says, ethical thought which involves a grasp of the “thick” ethical concepts requires certain sensitivities, but the necessary engagement of our sensitivities must result in “distortions that undermine its status as rational”²⁶. Unfortunately, we are told, Williams (willingly) “commits himself to the idea of a standpoint, free from any contribution from sensibility” from which bona fide rational claims can exclusively be made.²⁷

However, Williams has also acknowledged that his idea of an “absolute conception of the world”²⁸, to which scientific thinking may sometimes aspire, might not be “attainable” or even “coherent”²⁹. What his idea is meant to suggest is that there is a kind of understanding, exemplified in some parts of science, which is “to the largest possible extent independent of the local perspectives or idiosyncrasies of enquirers”³⁰. Such an enquiry may be “vindicatory” in the sense that enquirers from different times and places may agree that progress has been made or an argument has been won. For example, Newton could in principle agree that Einstein had refined and improved his laws of gravity and motion. That is because they agree on what should count as vindication and because vindication is in principle independent of variable local and personal conditions of appraisal. Williams’ idea reminds us that ethical understanding is more heavily dependent than some other domains of thought on “our own perspective, our peculiar and local ways of apprehending things”³¹.

²³ *J.M. Coetzee and Ethics*, p.252.

²⁴ *J.M. Coetzee and Ethics*, p.253.

²⁵ *J.M. Coetzee and Ethics*, p.252.

²⁶ *J.M. Coetzee and Ethics*, p.252.

²⁷ *J.M. Coetzee and Ethics*, p.252.

²⁸ *Philosophy as a Humanistic Discipline*, p.185.

²⁹ *Philosophy as a Humanistic Discipline*, p.185.

³⁰ *Philosophy as a Humanistic Discipline*, p.184.

³¹ *Philosophy as a Humanistic Discipline*, p.185.

Importantly, Williams warns us not to draw the rather natural conclusion that the absolute conception is “somehow better than the more perspectival representations”³². Ethical thought by its very nature requires “concepts and explanations that are rooted in our more local practices, our culture, and our history, and these cannot be replaced by concepts which we might share with very different investigators of the world”³³. Moreover, Williams believes that the narrower conception of reason, which picks out a very different form of understanding, is consistent with a wider and bona fide conception of reason or more simply of “getting it right”.

It is, perhaps, clearer to say that the concepts of reason and getting it right – trying to see things as they are - encompasses more than rationality. Mulhall’s reference to “questions of inferential validity in the context of assertion and argument”³⁴ is suggestive of the concept of rationality as we commonly take it, a concept that is also readily contrasted with irrationality. With that sense in mind, it is clearly possible to agree with Singer that the amoralist or Martian of the philosophical imagination need show no defect in rationality (and perhaps, given some of the unresolved and controversial aspects commonly admitted of any moral theory, even by its proponents, the fictitious egoist who keeps it simple might display a superior rationality).

Furthermore, Gaita’s position does not require acceptance of Crary’s contentious argument that our affective constitution is internal to (a conceptual part of) processes of rational thought per se. Like Williams, Gaita starts by noticing that there is a way of thinking about meaning that is conceptually dependent on the fact that people are sometimes moved by what they encounter. He also claims that we do not speak univocally of reason: we need not accept that reason is confined to the merely rational; nor need we argue that what we think of as strictly rational is much closer to other forms of cognitive activity than it seems. Instead, Gaita claims that there are different forms of the cognitive which change with the subject matter.

³² *Philosophy as a Humanistic Discipline*, p.186.

³³ *Philosophy as a Humanistic Discipline*, pp.186-187.

³⁴ *The Wounded Animal*, p.9.

Rationality - obedience to logic, conceptual clarity, consistency, and attention to the facts - is on Gaita's view not only essential to good thinking in the narrower sense, but indispensable to good thinking within the realm of meaning. Perhaps thinking of any sort could hardly be good thinking without them; or would not be thinking. For example, conceptions of meaning or morality may have as part of their conceptual structure certain kinds of generality which demand that consistency be observed and that similar cases be judged similarly. (That is true even when, say, prescriptivism is rejected.) But although rationality is a necessary condition of this alternative type of understanding, it is not a sufficient condition. This does not mean that we have here a form of irrationalism: ethical understanding is not a matter of mere faith, intuition, or romantic insight. Nor does it demand a new philosophical theory about the nature of being moved – say, a theory about the emotions and their hidden cognitive dimensions.

The realm of meaning does, however, require a certain range of responsiveness and forms of engagement. It would be possible for someone to hold, with Wittgenstein, that having possession of a range of concepts – perhaps particular concepts beyond the purely scientific - is conceptually possible only for creatures that respond and behave in various ways like human beings. But such a person might also hold that genuine understanding stops where the ways in which we are moved, as individuals with particular characters, enter into our concepts. Williams observes that while Wittgenstein largely pursued “philosophy which aspired to the utmost generality”³⁵, there is a different sort of philosophical enquiry that is more “perspectival” and engages with a “richer and more imaginative range of resources”³⁶.

A further clarification may be made. There are some philosophers who suggest that the understanding that comes through being moved by the way an idea is presented, by its tone or style, is something that relates purely or specially to art such as literature. For example, Jennifer Flynn is tempted to the “claim that some philosophically relevant ideas

³⁵ *Philosophy as a Humanistic Discipline*, p.210.

³⁶ *Philosophy as a Humanistic Discipline*, p.211.

can be articulated only in literary form”³⁷. Literature, she argues, allows us to emotionally engage with the characters in stories and so come to have an understanding of “life-morality”³⁸ - a kind of morality that goes beyond rules of conduct. But Gaita does not want to confine the distinctive means of grasping ethical notions or meaning that can occur when we are moved to any *particular* way in which ideas can come. What moves us and brings understanding can include arts other than fiction. But it can also include: science, individuals (adults or even children), actions, speeches, law, and conversation. It is the *way* we learn from such experiences and encounters that most distinguishes the realm of meaning. And Gaita is not suggesting that what most radically distinguishes the cognitive dimensions of this other form of reason from traditional philosophical argument is that the former is tailor-made for examining “life-morality” and “the involuntary” while the latter is naturally more at home with “conduct-morality”³⁹ (though that may also be true).

So Gaita holds that such cognitive activity in the realm of meaning proceeds very differently from rational activity as commonly construed. In particular, he calls attention to the fact that we make cognitive claims when we are moved or affected by the manner in which certain ideas are presented. He points out that the traditional conception of reason implies we may extract such ideas from particular forms of language and drop them into a minimally emotive and tone-free zone containing inexpressive forms. This is a place where we may no longer be moved, affected, or touched. But Gaita claims that these conditions are not compatible with this other mode of understanding which is also familiar to us. I now need to spell out why Gaita thinks, against the assumption of most philosophers, that this form of responsiveness to ideas can do cognitive work capable of “disclosing reality”⁴⁰.

We often think about, and argue over, which descriptive ethical concepts, including the ones Williams calls the “thick” concepts, to apply in different situations. Further, we

³⁷ *J.M. Coetzee and Ethics*, p.331.

³⁸ *J.M. Coetzee and Ethics*, p.332.

³⁹ *J.M. Coetzee and Ethics*, p.322.

⁴⁰ *The Philosopher’s Dog*, p.101.

assess ethical ideas and their bearers by means of critical concepts. Sometimes we are moved to say that someone or some view is horrible, unjust, disgusting, vile, and cowardly; or that it is just, compassionate, loving, beautiful, and so on. These are familiar parts of ethical reflection. Gaita, however, draws our attention to another range of *critical concepts* embedded in our language that is not so explicitly moral in tone, and yet which apparently identify what he calls forms of the false. Use of these concepts of criticism or appraisal seems to give rise to learning something or to seeing “sense where we had not before”⁴¹. In this range of critical terms we might find: sentimentality, a weakness for pathos, shallowness, banality, cliché, superficiality, and showing a tin ear for irony. That such talk is present in, or there is the background of, ordinary talk about value should not be particularly divisive. It is the suggestion that these are *genuine* critical concepts that is controversial.

Bernard Williams makes a similar observation about ethical practice when he distinguishes what is “unintelligible” from what is “phony, mechanical, unengaged, or kitsch”⁴². The way a view is couched may appear to be rigorous, well argued, and rational. But, he says, someone’s view may at the same time strike us as “stupid”⁴³ or perhaps childish. These writers have in mind ways of talking and criticizing, recognizable to us all as well as being a part of a discernable alternative philosophical tradition, which “a grown-up, concerned, intelligent person” might say or be interested in⁴⁴. We certainly have a notion that some people are typically sentimental and that others are “worth listening to”⁴⁵. But we tend to forget, downplay, or overlook the fact that these less explicitly moral terms are inseparable from ordinary ethical appraisals. People constantly respond in terms of what is cheap, shallow, profound, deep, fine, etc. But they also step back from their initial thoughts to see whether their first use of these concepts is itself (for example) sentimental.

⁴¹ *The Philosopher’s Dog*, p.97.

⁴² *Philosophy as a Humanistic Discipline*, p.210.

⁴³ *Philosophy as a Humanistic Discipline*, p.212.

⁴⁴ *Philosophy as a Humanistic Discipline*, p.206.

⁴⁵ *Philosophy as a Humanistic Discipline*, p.212.

Although there clearly is a common practice and tradition of the heart's understanding – or of head and heart “inseparably combined”⁴⁶ - most philosophers do not take seriously this range of critical concepts. These concepts are “more extensive than those to which factual thought is answerable”⁴⁷ but they are (conceptually) internal to an apparently genuine area of cognitive thought. An important part of Gaita's elucidation of the realm of meaning is his explanation of the failure of philosophers to take this critical vocabulary more seriously.

On Gaita's view, philosophers commonly make a key assumption about the relation to reason of this neglected set of critical concepts. Finding something sentimental (and so on) implies, as we said, being moved by the way something presents to us. There is a temptation to limit and misconstrue what this can mean. Here is a passage that makes clear two possible views of the relation between the critical concepts and reason, or the effort to see things as they are. Gaita distinguishes between

sentimentality when it is a *cause* of our failure to see things as they are and when it is a *form* of that failure. When it is a cause it functions as tiredness, drunkenness, haste, and fear do when they distort thought and understanding. When it is a form of a failing in thought and understanding, then it is a failing in the way that a factual mistake or an invalid inference is a failing.⁴⁸

Gaita acknowledges that what we call sentimentality, like virtually any form of feeling or passion, can sometimes function as a cause of cognitive failure. He would not argue at this level with Tom Regan's concern that strong emotion can throw ethical reflection off course. Instead, he can emphasize it. Emotional distortion may indeed be associated with the widespread prejudice against animals, as well as with indulgent arguments made in their defense. Importantly, Gaita would not deny that affective responses can interfere

⁴⁶ *The Philosopher's Dog*, p.85.

⁴⁷ *The Philosopher's Dog*, p.84.

⁴⁸ *The Philosopher's Dog*, p.103.

with types of understanding that occur beyond the narrowly rational. In both rational thought and beyond it, reason may demand a cool head.

When the domain is the narrowly rational, the cognitive error is not specified in terms of the emotional or physical states which causally distort it, because those kinds of faults are merely contingently related to what is false. That is clearly the case for states like tiredness and drunkenness. No one thinks that intoxication is itself a rational error. Some drugs may even, if not reliably, enhance understanding and rational creativity.

Similarly, a person might be thought to have a sentimental attitude towards animals. This may merely mean, in an older usage perhaps, that they have tender and warm feelings in respect of them. A passion for animals may, no doubt, sometimes contingently facilitate understanding, as when it leads to painstaking ethological observation and imaginative science. But a term like sentimentality is these days often used critically - where the soft feelings are thought to play a role in poor rational thinking (ethical or otherwise). Although a love for animals may not on its own be derided as sentimental, it is natural to say, when the rational reflection is muddled by affection for animals, that sentimentality is the cause of the error. Here the error is regarded as a sentimental one precisely and only because it was *caused* by an emotional tendency: warm feelings towards animals.

Gaita's argument is that this cannot always be said of accusations of sentimentality. Someone who simply could not see why we might sometimes call sentimentality an essential form of cognitive error, rather than merely pointing to a cause of error, would not have grasped the range of its natural critical use or meaning. Gaita wants to distinguish these cases where sentimentality is a cause of cognitive failure from cases where the apparent sentimentality, banality, or cliché is conceptually integral to the cognitive content.

Mawkishness and self-indulgence accompany many discussions about animals. We can transpose one of Gaita's animal illustrations onto a favorite example of those who are highly skeptical about animal capabilities. Philosopher, animal trainer, and poet Vicki

Hearne re-tells the story of Clever Hans because of what it reveals, in her opinion, about cynical attitudes towards animals and their lives. Here is a version of the story.

Convinced after working closely and intimately with Hans that this horse, and horses in general, are more intelligent than commonly thought, Herr von Osten taught Hans to tap out answers to questions with his hoof. Of course, careful observers were able to establish that the horse was not counting or comprehending questions but was rather picking up very subtle bodily changes in the unwitting human questioner. Hearne writes that this “led to von Osten being denounced as a fraud, and he seems to have died an unhappy man, not so much on his own account as on that of the horse in whom he so deeply believed”⁴⁹.

Suppose (in this adapted example) that von Osten continued to believe that Hans genuinely could understand human language even after being soundly discredited. One reason that might be given for this, other than his social humiliation, is that he was sentimental about his animals and that this was the cause of his gullibility. Hearne’s interest in this story is that it shows something similar about those who deploy with “an unhealthy air of triumph”⁵⁰ the Clever Hans fallacy against animal advocates like Peter Singer. She implies that it is sometimes their cynicism towards, or contempt for, animals which interferes with an ability to respond imaginatively to the expressiveness of animals and to those actual modes of life which are more interesting than the original, fraudulent claims about a human-cum-equine mathematical ability. Clever Hans, Hearne is arguing, has a life marked by an intersubjective understanding and awareness that can be missed, as well as exaggerated, under the influence of certain attitudes towards animals.

As we will see in later chapters, the thrust of one part (and only one part) of Hearne’s position is that a properly factual understanding of animal behavior and capacities is not a matter of inference or evidence, but of imaginative observation of, and interaction with, animals. But even though such understanding goes beyond the logical, metaphysical, or

⁴⁹ V. Hearne, *Adam’s Task: Calling Animals by Name* (New York: Akadine Press, 2000), p.4.

⁵⁰ *Adam’s Task*, p.5.

scientific sense of knowing what is true, it can still be regarded as understanding of what is neutrally (ethically non-evaluative) or ordinarily factual. And that sort of understanding is what is causally influenced, for better but maybe mostly for worse, by the affective dimension of a sentimental mood or disposition.

In the example so far, the forms of cognitive error involve mistakes or falsehoods that can be “specified without reference to...sentimentality”⁵¹, in a similar way to errors that can be specified without reference to pride, arrogance, tiredness, and so on. The second main sense of sentimentality (and so on) is, on Gaita’s view, crucially different. Following an example⁵² of Gaita’s, we can suppose that Herr von Osten treated the death of Hans as warranting some of the practices that apply to the human deceased – traditions such as erecting a tombstone, lighting candles on the anniversary, wearing the clothing of the bereaved, holding a funeral in a church, and so on. Let us imagine von Osten had relinquished at last his absurd beliefs in Hans’s intellectual powers. But many will still feel compelled to say that von Osten’s understanding of the horse and of the rituals warranted by animal death was ruined by his sentimentality. That perception need not be in any way dependent on believing that von Osten had mistaken his horse for a person or for a metaphysical being with an immortal soul. Gaita writes: “Sentimentality is, in the second case, a form of the false, a way that belief can be false, rather than the cause of it”.⁵³ Furthermore: “When sentimentality is a form of the false rather than a cause of error whose nature can be specified without reference to sentimentality (as factual or logical error can be), it need not be the cause of false beliefs, nor be grounded in them”.⁵⁴

That does not mean that sentimentality as a form (not merely cause) of the false may not be informed by rational or factual error, in the sense of the latter becoming a conceptual part of the attribution of sentimentality in any one instance. Imagine that von Osten looked favorably upon extending the above human rituals of death to Hans in part because he retained his false, or rather absurd, belief that the horse had a remarkable

⁵¹ *The Philosopher’s Dog*, p.105.

⁵² *A Common Humanity*, p.250.

⁵³ *A Common Humanity*, p.251.

⁵⁴ *The Philosopher’s Dog*, p.105.

intellect, just like a Houyhnhnm from *Gulliver's Travels*. If that was a component of his sentimentality, then the irrational belief is an essential part of his cognitive failure, not only because it is delusional in itself, but because it informs the nature of von Osten's sentimentality, and so gives rise to this second and distinct failure to see things as they are. We may sometimes feel that a person who exhibits great warmth towards animals, and who makes absurd statements about their superhuman mental powers, is sentimental in both the senses described.

People who have a factually or conceptually mistaken view of animal life might not be able to understand animals in the realm where the critical concepts like sentimentality or banality are forms of cognitive failure, because any judgments about meaning they are capable of finding there may be undermined by their misconceptions. Having possession of certain facts and basic conceptual understandings may then be internal to the correct deployment of the critical concepts for understanding meaning. Hearne might feel that certain people who lack a proper conceptual grasp of the behavior of animals are not able to appreciate the reality of animal life, because their perceptions, and not just in the extreme cases of Cartesians and modern behaviorists, are not just conceptually mistaken but also coarse.

It would be a misreading of the present position to try to retain the identified critical categories and to seek a rational grounding for them. Someone, for example, might say that the sentimentality of von Osten's grieving rituals can be demonstrated "objectively", outside those critical concepts themselves. But if that were so, then sentimentality, while it might still be thought in some sense objectionable, would not be a *form* of the false. Therefore, it would not be the essential form the *cognitive failure* takes, but would rather be a consequence of a more elementary cognitive mistake which turns on a different set of critical concepts.

Others, even some of those attracted to an understanding of heart, might take a less sympathetic view of the distinctive set of critical concepts, which, as we have noted, are not explicitly "moral". Our task, they may say, is indeed to distinguish appearance from

reality by endeavoring to make sense of the meaning of things. But the way to do that (they continue) is to decide upon the correct use of the explicitly ethical and moral vocabulary. There is debate, for example, over the extension or precise application of the concept of dishonor to animals. Someone who fails to apply it in the right way when they are moved to do so will not have really understood the meaning of dishonor or degradation. They may, for example, apply the concept too narrowly or too widely to animals.

Downplaying the role of the critical terms in ethical understanding, however, fails to notice how those concepts govern the application of the more explicitly ethical and moral vocabulary, and indeed fails to notice how concepts like sentimentality partly constitute our belief that something is cruel, unjust, loving, compassionate, and so on. There are many forms and expressions of, for example, compassion towards animals. Some of these may be true forms and some may be phony. But the way in which we are moved – the form of what we respond to in being moved – is critical in determining the correct application of the relevant concepts.

When thought occurs in the realm of meaning, form becomes indispensable to our judgments. Hardly anyone, Gaita observes, would fail to “care whether her grief at the death of a loved one – a parent, a child, a lover – was genuine rather than self-indulgent”⁵⁵. And that means they must be willing to describe or express their grief in ways that run a risk of being self-indulgent. What “shows that something is sentimental” is in the end, Gaita thinks, “only something that is not”⁵⁶. “Sentimentality needs to be shown up by example”⁵⁷ he says. He writes:

What it is to overcome sentimentality will therefore be different according to whether it occurs in the realm of meaning on the one hand, or in the realm of the factual, the logical, or the discursively metaphysical, on the other. The realm of meaning in which form cannot be separated from

⁵⁵ *A Common Humanity* p.237.

⁵⁶ *Good and Evil*, p.270.

⁵⁷ *Good and Evil*, p.270.

content is essentially, rather than accidentally, vulnerable to sentimentality. We can dream of overcoming sentimentality, pathos, and banality, but we cannot dream of – because it makes no sense to try to conceive of – a realm of meaning in which we are not vulnerable to these failings.⁵⁸

Because this variety of critical error is essentially connected with the detailed way concepts related to meaning are presented in literature, art, philosophy, in someone's life or words, and in our own personal beliefs, the content of those concepts, and the form in which they are expressed, are inextricably combined. It makes no sense, on this account, for a poet or novelist wanting to create works of significance to wish to be coldly unresponsive, emotionally unengaged, and tone-deaf. It makes no sense for them to be “free of the disturbances of practical and affective human living”⁵⁹. Nor would it make sense for them to hanker after an “especially constructed ideal language”⁶⁰ or a dead or dying language, or to resort (unless perhaps ironically) to formal scientific journal writing, to bureaucratic talk, or to the language used in the minutes of a boardroom meeting.

By contrast, the work of a mathematician or a scientist may shine in “an idiom in which style can be divorced from content”⁶¹ and in which propositions are not “intrinsically vulnerable to cliché or sentimentality”⁶² (which is not to say that all science writing is lacking in this sort of style or can do without it). Because our “critical concepts play little part in most of the natural sciences”, they tend to have the very different function of representing “external obstacles to thought” rather like those of “hastiness, the desire to protect a pet theory, tiredness or drunkenness”, as opposed to “ailments to which thought is intrinsically vulnerable”⁶³.

⁵⁸ *The Philosopher's Dog*, p.106.

⁵⁹ *The Philosopher's Dog*, p.140.

⁶⁰ *The Philosopher's Dog*, p.107.

⁶¹ *The Philosopher's Dog*, p.115.

⁶² *The Philosopher's Dog*, p.139.

⁶³ *A Common Humanity*, p.252.

About artists such as poets, Gaita says:

Even more fiercely than scientists, they may long to be free of sentimentality and similar vices, but for a poet to long *to be free of her vulnerability to them* is for her to long to be free of the only idiom in which she can write poetry. The life that poetry sustains in language is life that is always threatened by our disposition to sentimentality, to cliché, to pathos, and so on.⁶⁴

The cost of avoiding the very possibility of banal material, going instead for material that is unengaging or mechanical, is relinquishing altogether the opportunity of expressing forms of meaning that can be taken seriously. And it applies as much to anyone trying to appreciate or express meaning as it does to artists who wish to embody it in their art. When sentimentality is a form of cognitive failure, Gaita observes, we cannot intelligibly say, “I know it’s sentimental, but that doesn’t matter, I just want to know whether it’s true or false”⁶⁵.

Again, it might be thought that it is true that we learn when we are moved by finding some things compassionate or loving, but that the special critical concepts like sentimentality play only a peripheral role in many of our most important ethical responses. A Humean or virtue ethicist, for example, might ask: if we have the idea, say, that torturing children is wrong, does it help to know that it can be given “deep” and unsentimental formulations? Don’t we already have an adequate sense of its horror and its injustice? This thought may even go with the concession that we can turn to such critical concepts to make sense of some less obvious or private ethical matters.

Two points can be made in reply to this thought. One is that there are forms which describe even clearly horrific (or clearly wonderful) things in sentimental ways, and forms which describe them in justly powerful ways. In all such cases, they possess

⁶⁴ *The Philosopher’s Dog*, pp.107-108.

⁶⁵ *The Philosopher’s Dog*, p.106.

content inseparable from their forms (Gaita says that Eichmann was guilty not just of evil but of “grotesque sentimentality”⁶⁶). Because they are not merely rhetorical expressions or embellishments but rather possess intrinsic content, they may enrich, when they are powerful, our understanding even of notions we would never dream of denying. The other point is that understanding in the realm of meaning can depend upon many details, and upon the precise meaning of even plainly horrible or good subject matter. As will be seen, there is much of an ethical but not strictly moral sort that fills in the background of our thinking. Our understanding of what it is to be a “human being” may significantly inform our understanding of what it means to torture them. That understanding may, for example, depend upon love that has the right shape, which in turn depends upon “certain ways and tones of speaking of what we love”⁶⁷. An understanding even of plainly wicked or perfectly good things turns, at a deep level, on concepts such as sentimentality.

In this chapter I have outlined some of Gaita’s reasons for believing that thinking about meaning of the sort that depends upon how we are moved, is a genuine kind of cognitive activity capable of disclosing reality and distinguishing appearance from reality. Reasoning, arguing, and reflecting in this manner demands attention to a familiar but richer and more extensive critical vocabulary than we use when we are evaluating the logic or truth of an argument.

⁶⁶ *Good and Evil*, p.306.

⁶⁷ *A Common Humanity*, p.26.

Chapter 2 : Realm of Meaning Part 2.

Being properly moved, Gaita argues, “depends on the nature of what we attend to and on the quality of our attention”¹. The critical concepts and responses that make up our understanding when we are fittingly moved depend upon two things. One is that we are creatures of flesh and blood who are capable of “affective human living”² and of acquiring certain characters and life experience. The other is that we live in cultures which have natural languages and histories. It is important to our understanding that parts of these languages and histories – such as our art - can either be nourishing and appear “alive to us”³ or can become tired and “go dead on us”⁴.

The kind of understanding that is responsive to life relies upon “content which often cannot be separated from its form and whose form cannot be separated from the contingencies that have nourished particular cultures, particular forms of living and particular natural languages”⁵. Both our individual responses and the language available to us are “vulnerable to our laziness, our sentimentality, our banality and our weariness of spirit” and so are always at risk of “becoming weak and sometimes dying”⁶.

The sense we make of ourselves and the world is in crucial part determined by the art and culture of peoples – by art and culture which is steeped in, even when it is not expressed in, a natural language, rich in historical resonance, shaped by and shaping the life of a people.⁷

In this chapter, I will go further into the nature of understanding in Gaita’s “realm of meaning”.

¹ R. Gaita, *Good and Evil: An Absolute Conception* (2nd ed.) (London: Routledge, 2004), p.269.

² R. Gaita, *The Philosopher’s Dog* (New York: Random House, 2005), p.140.

³ *The Philosopher’s Dog*, p.97.

⁴ *Good and Evil*, p.281.

⁵ *Good and Evil*, p.285.

⁶ *Good and Evil*, p.281.

⁷ *Good and Evil*, p.285.

Philosophers are familiar with the kind of impersonal ethical thinking modeled on an Archimedean point, a view from nowhere, or an impartial observer. These metaphors imply an idealized thinker “stripped of any particular form of living”⁸. Such models of reflection purport to reveal reality, or the truth, or what is reasonable and justifiable, or the world as it is. But, Gaita thinks, “world” is a “word with many meanings”⁹; as are words like reality, truth, reason, and objectivity. Put simply, there are different legitimate ways of understanding and seeing things as they are. In the ethical realm, thought is “answerable to critical categories which are conditioned by the contingencies of particular ways of living and being”¹⁰. And this means, he says, that our thinking must be “inescapably *in media res*, in the thick of things”¹¹. Our thinking in this way is not just causally or contingently aided or distorted by our personal experiences of being moved. But this does not mean that grasping meaning is simply to “*feel* rightly about the facts”¹². Nor is reflecting on meaning

a neutral exercise in linguistic or conceptual analysis. It is a reflection on how we live our life with this part of language, by which I mean it depends on how the language we use to speak about this might become alive to us, in its creative use, in story or poetry, in theatre or film. Here we often learn, or see sense where we had not before, when we are moved.¹³

Some contemporary philosophers agree that ordinary ethical thought and understanding - and certainly ethical thought and understanding when it is at its cognitive best and deepest - has an essential personal character. For example, Bernard Williams believes ethical ideas “should sound right” and “should speak in a real voice”¹⁴. The truthful presentation of these ideas demands attention to the style of one’s own words. Williams

⁸ *The Philosopher’s Dog*, p.106.

⁹ *The Philosopher’s Dog*, p.134.

¹⁰ R. Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999), p.250.

¹¹ *A Common Humanity*, p.13.

¹² *The Philosopher’s Dog*, p.100.

¹³ *The Philosopher’s Dog*, p.97.

¹⁴ B. Williams, *Philosophy as a Humanistic Discipline*, A.W. Moore (ed.) (Princeton: Princeton University Press), pp.205-206.

is critical of a great deal of philosophy for being “one-eared” about the way philosophical writing and its ideas are expressed:

We encourage, rightly, a concern with whether it is true (and accurate, and so on), but less with whether it *rings* true. A good question, at least to start from, is whether what one has written is something that a grown-up, concerned, intelligent person might say to another about these subjects.¹⁵

Cora Diamond also thinks good ethical thought, and hence good moral philosophy, is tied to language that is truly expressive and resonant. Such language is not to be treated as merely “emotive” simply because it requires a developed human sensibility and responsiveness to life, as we find, for example, in reading literature well:

‘Mistrust of language’ is a reluctance to see all that is involved in using it well, responding well to it, meeting it well, reluctance to see what kind of failure it is to use it badly. How do our words, thoughts, descriptions, philosophical styles let us down or let others down? How do they, used at full stretch – and in what spirit or spirits – illuminate?¹⁶

According to these philosophers, the rejection of language used “at full stretch”, and of those (linguistic or perhaps non-linguistic) forms which have any chance of “ringing true”, necessarily undermines ethical understanding.

Some will say that judgments are not objective if they are substantially based in the human point of view rather than aiming for the point of view of the universe. The objection is often made by those decrying the arrogant placing of human concerns and responses at the centre of judgments about value. In this vicinity there is sometimes, as Bernard Williams identifies, the philosophical mistake of thinking that the idea of the point of view of the universe is intelligible:

¹⁵ *Philosophy as a Humanistic Discipline*, p.206.

¹⁶ C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind* (Cambridge Mass: MIT Press, 1995), p.380.

If there is no such thing as the cosmic point of view, if the idea of the absolute importance of things in the scheme of things is an illusion, a relic of a world not yet thoroughly disenchanted, then there is no other point of view except ours in which our activities can have or lack significance.¹⁷

Others, however, look to the occupation of the point of view of the universe as simply a model for good thinking rather than (unintelligibly) as a coherent if contingently out of reach metaphysical possibility. In each of these cases there is a suspicion of some aspect of the human standpoint. But the problem here is to determine whether that standpoint is not, after all, essential to the attempt to make sense of things. Gaita, for example, thinks that when we are encouraged to detach from aspects of our human engagement and to take seriously the

standpoint of the universe, from where we seem like ‘specks of dust’, it is impossible to hear voices that are locally inflected as any voice must be if it is to reveal to our compassion the meaning of what we do and suffer. The conclusion should not be that therefore nothing matters objectively. It should be that the concept of something mattering, of something having meaning, can have no application from the point of view of the universe. From there, neither the assertion nor the denial that anything matters makes sense.¹⁸

For Williams, human values “are not just values that we have, but values that express our humanity, and to study them is to study what we value inasmuch as we are what we are, that is to say, human beings”¹⁹.

The philosophers we have been talking about are committed to a *kind* of anthropocentrism in ethical thinking, in the sense that such thinking needs to occur *in*

¹⁷ *Philosophy as a Humanistic Discipline*, p.137.

¹⁸ *The Philosopher’s Dog*, p.167.

¹⁹ *Philosophy as a Humanistic Discipline*, p.138.

media res, with the richer resources of full human engagement at its disposal. Hence there is no point in mitigating our best efforts at thinking well “with an empty ‘from our, human, point of view’”²⁰, for there is no other position from which we can think well about this subject matter. It must, then, be stressed that this kind of anthropocentrism is not a gross failure of objectivity or of clear-headed reflection. On the contrary, the view these philosophers have is that it is the only way to honor our own and philosophy’s interest in perceiving truly. Furthermore, this position does not *a priori* commit anyone to holding particular values which might be thought to express human arrogance.

Yet although it is true that the humanly-engaged model of good thinking does not have strictly logical consequences for the values “we” have, Williams observes that it is “unsurprising that this ‘we’ often shows up within the *content* of our values”²¹. His general position is reflected in Gaita’s question, “Are we therefore at the centre of the universe?”, and his given answer that while there is “no flat answer to that”, we human beings are yet “precious as nothing else we know in nature”²².

Moreover, and just as controversially, the contention that we need a fully human model of good thinking in the realm of meaning is naturally allied to values which are in a peculiar manner also anthropomorphic. That suggestion will also cause alarm in those who reject what Williams calls “the human prejudice”. The special sense in which our language, used at full stretch and licensed to ring true, has an anthropomorphic element – even sometimes when extended to animal life – will be explored in later chapters.

Should we say that thinking with the extended vocabulary of critical concepts is an essentially personal or essentially impersonal form of thought? Gaita recommends we “resist saying flatly that thought about value is personal or impersonal”²³. It has elements of both, and they are not always separate but internally related. Together they show how

²⁰ *The Philosopher’s Dog*, p.206.

²¹ *Philosophy as a Humanistic Discipline*, p.138.

²² *The Philosopher’s Dog*, p.206

²³ *A Common Humanity*, p.258.

this kind of thought, and the way it is “rightly related to what makes it true”²⁴, differs from thought that is characterized by its impersonal distance from what affects us as the creatures we are.

We have already distinguished between the distinctive ways we can be (rightly or wrongly) moved and states or emotions which can hinder thought and reflection. In the latter category are such states as drunkenness and tiredness. But even more importantly, on Gaita’s account, good thinking is disciplined and impersonal precisely because it is inseparable from the proper use of the critical concepts that go into the various ways human beings can be engaged and moved. He insists that the critical concepts can be further deployed when we step back to examine whether we were rightly moved in judging something to be sentimental or banal. Disciplined reflection requires an ability to step back and reappraise what moves us by the lights of the critical concepts.

Strangely enough, the manner in which this form of thought is impersonal is thus thoroughly informed by its equally personal nature. That is why Gaita says we “learn from what moves us because its epistemic authority is inseparable from the fact it moves us”²⁵. In an early paper called “Moral Experts”, Peter Singer claims there is such a thing as expertise in moral reflection, and that philosophers are “in general, better suited to arrive at the right, or soundly based, moral conclusions than non-philosophers”²⁶. Moral expertise in these terms entails a kind of impersonality regarded by Gaita as eminently suitable for certain investigations but not for moral reflection. In the domain of moral reflection, Gaita says, there can be “no experts in it, no whizz kids and no Nobel Laureates”²⁷ - even though the discursive methods of philosophy as a discipline contain elements of the more impersonal forms of understanding which may sometimes be classified as “expertise”. According to Singer’s claim, moral understanding could in

²⁴ *A Common Humanity*, p.210.

²⁵ *A Common Humanity*, p.279.

²⁶ *Writings of an Ethical Life*, p.6.

²⁷ *Good and Evil*, p287.

principle reduce to a “depository of propositions in our heads which God could have put there ‘in a flash’”²⁸. Gaita notes how odd it is to believe we can

delegate thought about it to an expert, asking her to deliver a conclusion, or even the main options, no later than Monday morning. We can no more do this than we can delegate thought about our moral dilemmas to an expert ethicist, with the same request, that she have a range of options, no later than first thing Monday morning. These scenarios are a parody of what it is to think seriously about such matters.²⁹

Singer might reply that one cannot understand a mathematical problem without knowing the steps in the solution, and that ethical problems are practical problems which at the end of the day require a personal decision – but that, nevertheless, a range of options can be provided in principle by Monday morning, enclosed with a step by step account of ethical arguments, which may then be assessed by the decision maker and rejected or accepted on rational grounds. But this reply is still inadequate because it ignores the element of ethical thought that is characterized by our capacity to be critically moved and to reflect on the way we are moved. In this way, it is divorced from our thinking as *individual* thinkers who bring to bear on our reflection our experiences, histories, cultural learning, and affective powers. That is why we sometimes feel that ethical thought is “essentially personal”³⁰ and requires, not delegation to experts, but a unique form of responsibility.

Because of the interdependent impersonal and personal nature of thought about meaning, Gaita prefers to call the development in the individual of such understanding *lucidity*. Lucidity requires that we let an encounter or experience speak to us. It is related to the concepts of wisdom, depth in understanding, and “disciplined sobriety”³¹. This terminology, he believes, more naturally characterizes the sort of understanding at issue, and distinguishes it from “knowledge of the kind that can make one knowledgeable and

²⁸ *Good and Evil*, p.267.

²⁹ *A Common Humanity*, p.278.

³⁰ *A Common Humanity*, p.258.

³¹ *Good and Evil*, p.273.

possibly an expert”³². It does not distance itself from the need for individual response, but at the same time it brings with it “metaphors of submission and obedience which have been so fundamental to our characterization of a concern for truth”³³. It implies answerability to the critical concepts in a region where style cannot be divorced from content³⁴ and where there is an effort to see things as they are.

Lucidity and sobriety, Gaita continues, imply being able to respond to a call to seriousness³⁵, and that implies being able to stand personally behind our words and so seriously to mean them³⁶. Gaita explains this thought by imagining someone addressing us “in a genuine human interchange”³⁷ and with words and in a spirit like the following: “‘Come now, are you serious? Stop thinking in clichés. Speak for yourself. Can I take you seriously? Think about what you are saying!’ and so on”³⁸. This is not simply an address to a person as a rational agent³⁹, or an address that philosophers like Singer would (officially) recognize as an essential part of serious ethical thinking and understanding. Instead, it involves the demand that in a certain sense we can be “present in our speech”⁴⁰ and be possessed of a “vital responsiveness”⁴¹ in reflecting upon and discussing meaning.

A further way of elucidating this type of understanding is Gaita’s distinction between truth and truthfulness. Lucid thought involves the avoidance of falsehood and (in a certain sense defined by its critical character) the pursuit of truth; but not all forms of truth are constituted by truthfulness. Only the latter concept – truth as it is constituted by truthfulness - is tied to the disciplined and vital responsiveness we have been examining. Gaita writes:

³² *The Philosopher’s Dog*, p.110.

³³ *A Common Humanity*, p.222.

³⁴ *The Philosopher’s Dog*, p.115.

³⁵ *A Common Humanity*, p.282.

³⁶ *The Philosopher’s Dog*, p.168.

³⁷ *The Philosopher’s Dog*, p.169.

³⁸ *A Common Humanity*, p.271.

³⁹ *Good and Evil*, p.273.

⁴⁰ *Good and Evil*, p.272.

⁴¹ *Good and Evil*, p.272.

Truth and truthfulness are inseparable in the conceptual structure of sentimentality, as they are in the structure of most of the critical concepts with which we assess our thought about the states of the inner life. This shows itself in the way authenticity and integrity are often invoked as concepts which partly characterize the forms of thinking well rather than the names of virtues which help us to think well. Clearly this is not so for all forms of thinking. It seems not to be in physics. Truthfulness is important there, of course, but as a means of securing and protecting truth. It is not intrinsic to the conception of truth that is sought and protected.⁴²

Lucidity and truthfulness are inseparable from the form or spirit of someone's speech and actions. That is because they are inseparable from a person's intimacy with the critical concepts. In Eichmann, Gaita argues, such thought was spectacularly absent. Eichmann was so enamored of "winged words" that he was "incapable of a lucid response to the meaning of his death"⁴³. The problem with his thought is not that he was inattentive to the facts⁴⁴. The problem was he was "not sufficiently present to be able seriously to say anything"⁴⁵, because he had no sense of the "metaphors of obedience, attunement, and correspondence to reality, which are so fundamental to any conception of serious inquiry"⁴⁶.

But was not Eichmann passionate about the way noble words and ideas about meaning moved him? And, furthermore, doesn't that show the dangers of not subjecting our responses to external rational critique? But the problem in Eichmann's case, Gaita is saying, is that he "was not interested in saying anything true"⁴⁷. He lacked the history, character, and discipline that would enable him to care about the worth of his words and to subject them to the only kind of impersonal scrutiny suitable for questions of this kind. So while Eichmann was in a sense humanly engaged, and was indeed moved in wonder

⁴² *A Common Humanity*, p.256.

⁴³ *Good and Evil*, p.303.

⁴⁴ *Good and Evil*, p.302.

⁴⁵ *Good and Evil*, p.303.

⁴⁶ *Good and Evil*, p.305.

⁴⁷ *Good and Evil*, p.303.

by his sense of the “depth” of the Nazi project, his pervasive “thoughtlessness”⁴⁸ meant he was simply unable to reflect critically in the realm of meaning. The process of critical reflection necessarily involves, Gaita thinks, a kind of “un-selfing”, and overcoming of those “egocentric fantasies”⁴⁹ which result from undisciplined submission to secondhand opinion and cliché⁵⁰. Other committed Nazis may not have possessed Eichmann’s profound thoughtlessness and lack of integrity. Their failure of lucidity is therefore both similar and different. For despite their personal integration and passion for sobriety, they could hardly achieve lucidity when they mistook the banality and hollowness of their horrific project for something deep and fine. Like Eichmann, they suffered from views which were false because “grotesquely sentimental”⁵¹.

Some may want to confine the notion of the inseparability of form and content to art, especially to literature. Gaita does not want to make any such restrictions upon the way ideas in the realm of meaning may present to us. Indeed, it is a fundamental part of his work that we do not think alone, even as solitary thinkers immersed in literature. Instead we “often learn by being moved by what others say and do”⁵². The example of others does not present us merely with arguments and energy but with a “spirit” in action⁵³ and a presence, demeanor, or even style of living, all of which that are not “separable from what they say”⁵⁴. In the following passage Gaita explains why and how he thinks the example of other human beings is so important to the achievement of a lucid ethical understanding:

Something speaks to us insofar as we hear in it the disciplined individuality of its speaker. But, of course, in rising to that, in responding to what moves me, I must acknowledge and submit to the same individualizing disciplines which made the other authoritatively present in her words or deeds and which gave her a distinctive voice...To put the

⁴⁸ *Good and Evil*, p.306.

⁴⁹ *The Philosopher’s Dog*, p.84.

⁵⁰ *The Philosopher’s Dog*, p.84.

⁵¹ *Good and Evil*, p.306.

⁵² *A Common Humanity*, p.279.

⁵³ *Good and Evil*, p.xvii

⁵⁴ *Good and Evil*, p.268

point in the idiom of Martin Buber, the philosopher who was one of the first to see this and who has been much misunderstood: in responding to what moves me, I must make myself I to someone's Thou.⁵⁵

So we learn in a public and dialogical situation from who others are, what they say, and how they say it, because we can respond to them in the same critical and personal manner. But even when we are simply reflecting upon what we have read or encountered as individuals, our thought may be shaped by our tradition and "by those we respect and admire"⁵⁶. The fact that we learn from individuals whose views we judge, from our own critical perspective, to carry weight and authority is a further and vital dimension of the way our thinking must be humanly involved. There is, in Gaita's opinion, a necessary "connection between the reality of the moral and its being made manifest in authoritative speech and disclosure"⁵⁷. If it were the case that we did not learn from real and living human examples, then our reflection upon value would lack the form and the seriousness it has. Even in limpid, solitary, hermetic reflection, then, we do not think entirely alone.

We do not only learn when we are moved by passive observation of the lives and words of other human beings. On the contrary, Gaita believes, we also learn from the sort of serious and authentic conversation touched on above, in which the conversational partners make themselves present to one another as "I to the other's Thou". Such conversation requires treating the other person not just as a rational agent or as a source of knowledge, but as someone capable of committed mutual exploration of what might ring true. This sort of conversation has a particular character and is registered in our responses to it, and in our "deep need of lucidity"⁵⁸:

Who would not be glad to be complimented as someone others could really talk to, not in the sense of being a sought-after confidant, but in the sense we express when we exclaim, 'At last! Someone to talk to!'...

⁵⁵ *A Common Humanity*, p.280.

⁵⁶ *Good and Evil*, p.140.

⁵⁷ *Good and Evil*, p.144.

⁵⁸ *The Philosopher's Dog*, p.83.

The joy of ‘finding someone to talk to’ is the joy of conversation in which its participants speak as individuals from their own experiences, having, as Kierkegaard put it, ‘lived their own lives and nobody else’s’. Each has something to say in a sense that implies that each has found the voice in which to say it. The pleasure of such conversation is not the pleasure we often find in novelty or in hearing something we had never heard before. It is especially wrong to think of scintillating personalities, bent on distinguishing themselves. One gets more of the hang of it if one thinks of the times when someone says that, though she had heard the words many times before, it was only when so-and-so spoke to her that she sat up and listened and for the first time understood what was meant. Such experiences can be transforming, but the concepts we need to explain why are quite different from those that articulate the pleasure of hearing new theories, or the charm and power of charismatic personalities.⁵⁹

The indispensable conversational aspect of our critical thinking about meaning has led Gaita to suggest a “dialogical metaphor” in place of Iris Murdoch’s metaphor of vision in moral philosophy. He says that rather than “saying that we see a (moral) situation I would prefer to say that we let it speak to us and are claimed in response”⁶⁰. Whereas we know we have achieved understanding and can often stop seeking it when we have seen something or have a sound rational argument for it – usually in “meaning-free zones”⁶¹ - ethical understanding seems to require on-going thought and active engagement:

F.R. Leavis said that the form of a critical judgment of a poem or novel is ‘It is so, isn’t it?’ and the form of response to it is ‘Yes, but...’ It’s a fine way of characterizing the essentially conversational nature of judgments in the realm of meaning, their objectivity as well as their necessary incompleteness. Always, it is assumed, the text would be before the conversationalists, and the never-ending ‘Yes, but...’ requires that one

⁵⁹ *The Philosopher’s Dog*, p.83.

⁶⁰ *Good and Evil*, p.139.

⁶¹ *The Philosopher’s Dog*, p.200.

remain open to it, in a responsiveness that is both vital and disciplined by the critical concepts constitutive of thought in the realm of meaning. That is why Leavis was right to resist philosophers who said it should be possible, a priori, to list the criteria that distinguish good from bad critical responses. It is no different in life. We cannot tell in advance what is possible in the realms of meaning, because we cannot say what vital responsiveness, disciplined by and disciplining a language ‘used at full stretch’, will reveal to us.⁶²

Our ethical understanding might be seen as “necessarily provisional”⁶³ because it always remains subject to critical reflection molded by our being in the “midst of life”⁶⁴. Our growing experience, our character, our conversational partners, and so on, may affect our sense of what is sentimental and what is not. Furthermore, our understanding can wax and wane⁶⁵ in a way that is quite distinctive, because of its dependency on our responsive engagement at a personal level, and also its dependency on the level of our access to rich forms of meaning in cultures which inform, nourish, and stimulate thought.

Our culture – its people, its natural languages, its art, its practices, its norms, its institutions, and so on – can present and embody ideas about meaning in many ways. These manifold cultural forms can be resounding or lifeless. Gaita thinks that without access to these vibrant and serious forms, along with a language to make them come alive, we will lack the resources that are needed to develop a rich inner life. This inner life

as we mean it when we say that some people have rich and others impoverished inner lives – is not a discovery which a sophisticated culture has made possible for us. Its very existence is a cultural achievement. It is

⁶² *The Philosopher’s Dog*, p.187.

⁶³ *Good and Evil*, p.270.

⁶⁴ *The Philosopher’s Dog*, p.108.

⁶⁵ *A Common Humanity*, p.235.

constituted by our culturally mediated, reflective responses to the defining facts of the human condition.⁶⁶

Gaita is here distinguishing between the way, say, a scientifically sophisticated culture gives us access to new discoveries and the way culture can embody ideas about meaning. In the case of scientific discoveries, the particular detailed form of the culture is immaterial to the nature of the new information it generates. The production of new knowledge of this kind could happen, in principle, in a decaying culture concerned mainly with power or technology or in a lively culture interested in scientific truth for its own sake. But as we have seen, discoveries or ideas in the realm of meaning depend crucially upon the way they are presented. For Gaita, our “thoughts must remain in a conceptual space which is conditioned by a natural language, rich in phrases and descriptions which come to us from, and which resonate against, that in our history – most notably our art – whose content cannot be separated from its style”⁶⁷.

If a culture was to lose interest in the meaning of the human condition, and in doing so lost a language - or “living speech”⁶⁸ - which could express that meaning, then even if an individual in that culture were to stumble across the literary classics (for example), it would be difficult or impossible for her to read into them the seriousness they can possess. For she would lack a language and a form of life in which that possible meaning can be discussed and can movingly resonate. Gaita’s view does not imply that there cannot be radical ethical (and artistic) thinkers – thinking about human life, and animals and nature too - in a culture which does not understand their views and might even mock them. Nor does it mean that individuals may not rediscover the vitality of culturally lost or fading meanings in older forms (like works of literature, past practices and communities, etc.).

⁶⁶ *A Common Humanity*, p.244.

⁶⁷ *A Common Humanity*, p.253.

⁶⁸ *The Philosopher’s Dog*, p.200.

Individuals are “dialogically rooted in a particular culture”⁶⁹. Their culture may gift⁷⁰ to them the living language with its “rich associations”⁷¹, and compelling examples, needed to make sense of life. But remaining lucid in our thought requires a special sort of responsibility and trust that is ours alone to meet. In a sense, the deepest values cannot be taught (as can mathematics), only shown – but they can be shown “only to those who have eyes to see”⁷². Although understanding is something we find in a culture and in common with others, taking responsibility depends on a degree of trust in our own responses, on a personal engagement, and on “the quality of our attention”⁷³:

Rising to the requirement to be lucid about one’s inner life is an effort to be objective whose success depends upon the realization of a distinctive individuality. It is the kind of individuality we refer to when we say that each human being is a unique perspective on the world. Though it might seem paradoxical at first, all efforts to see our inner lives ‘as they are’, rather than as we would wish them to be, or as they appear from a limited or distorted perspective, require thought to be disciplined by critical concepts that individualize the thinker. That lies behind our meaning when we say that someone has ‘something to say’ (and we don’t mean that they have a new theory to propound or new facts to report), that they have ‘found their voice’, that they speak from an authority that is inseparable from the fact that they have lived their own life and no one else’s.⁷⁴

Clearly, as Aristotle thought, this sort of understanding, or wisdom, is an ongoing task and requires life experience. It is achieved only in the mature or adult stage of a life and it requires the gradual development of an “inner life” which is “morally conditioned”⁷⁵ and more broadly characterized by reflection upon, as Gaita puts it, the real and the

⁶⁹ *Good and Evil*, p.266.

⁷⁰ *The Philosopher’s Dog*, p.190.

⁷¹ *The Philosopher’s Dog*, p.190.

⁷² *A Common Humanity*, p.231.

⁷³ *Good and Evil*, p.269.

⁷⁴ *A Common Humanity*, p.257.

⁷⁵ *A Common Humanity*, p.53.

counterfeit. He has called this process a “historically *achieved* individuality”⁷⁶ and an “individually achieved lucidity”⁷⁷. Such critical reflection transforms our understanding of the inner life of humans – including “certain virtues or affective responses – love, courage, grief, kindness, and so on”⁷⁸ - by showing how they are informed by the critical categories. This is so even in the so-called virtuous peasant. This peasant’s “thoughtfulness, wisdom and lucidity”, though not reflective or articulate, is still (as it was not in the case of Eichmann) answerable to the range of “critical concepts [which] demand the kind of individuality that a peasant in an unreflective, stable culture achieves in her lucidity”⁷⁹.

Indeed, Gaita thinks that such understanding appears to be capable of deepening without limit⁸⁰. But in what way, we might ask, is lucidity capable of “*ever deepening* responses”⁸¹ to meaning? One such way is that, as Gaita says, we may become convinced, by the different forms in which they arrive, that ideas or concepts which once meant little or nothing to us have power and reality. Or we may be presented with meaning-concepts which are new to us and even quite new in our culture.

Another way in which our understanding may deepen without limit is somewhat differently related to the inseparable connection between form and content. Take, for example, the suggestion that every human being without exception is “unique and irreplaceable”. Gaita writes that he became convinced of the equal humanity of severely retarded psychiatric patients by witnessing the uncondescending and pure love of a nun in a psychiatric hospital toward them. The encounter caused Gaita to embrace a conception of human life which he had hitherto believed more in his head than in his heart. This is one kind of deepening of the understanding. By coming to see human beings as unconditionally precious, Gaita possessed an utterly *transformed* understanding of human life. But as we have seen, there are potentially unlimited ways of embodying, say, the

⁷⁶ *Good and Evil*, p.267.

⁷⁷ *Good and Evil*, p.305.

⁷⁸ *The Philosopher’s Dog*, p.202.

⁷⁹ *A Common Humanity*, p.278.

⁸⁰ *Good and Evil*, p.241.

⁸¹ *The Philosopher’s Dog*, p175.

notion that human beings are unique and irreplaceable in literature, film, conversation, in the example of others, and so on. And although responding with assent to fine forms of this idea in the realm of meaning need not introduce to us a completely new concept, we still have in these various fine presentations a content which cannot be separated from the precise detail of the form in which it is expressed. This seems to be a way in which imaginative forms that are new to us – such as reading James Joyce’s *Ulysses* for the first time - can enrich and deepen our understanding, seemingly without limit, but (in a sense) without quite transforming our view that, in this case, human beings are unique and irreplaceable. That is not in the same way possible with the presentation in varied forms of ideas that exist in meaning-free zones. Once we have a full understanding of the *physics* of Einstein’s famous equation, our understanding of $E=mc^2$ is not advanced by engaging teachers and powerful texts. Our appreciation of the mystery and wonder of the universe as revealed by Einstein’s laws is a different matter.

In one sense, it does not seem to matter if, say, my belief in the uniqueness and irreplaceability of the severely retarded is informed by different (nonsentimental) examples of this conception compared to someone else’s. It does not appear to be the case that the meaning of such conceptions, though dependent on culture, can only be grasped through their presence in an exclusive set of forms or styles. If that were true, we could not be said to share an understanding about human life - the forms from which we learn are too many and various and do not always overlap. The point is that understanding is necessarily connected to the possibility of unsentimental forms. And even when we are moved directly in the face of a real life event, it matters to our reflection that we are not being sentimental or callow, and so it must be possible for that to be made clear to us in some authoritative form or other. The choices we make in selecting examples or words to explain our sense of things will determine whether or not that sense is sentimental. If our claim that “all human beings are unique and irreplaceable” is ultimately sentimental, then the content of that claim will not contain a genuine sense of human preciousness.

It also seems plausible to say that one person who shares with another a sense of the meaning of something may yet have a comparatively richer and even deeper understanding of it, in virtue of having been moved in critical response by a greater range and depth of examples - in art, in conversation, and so on. On the other hand, a shared understanding could not be realized if two people disagreed on all or most of the examples which they claimed gave depth to their sense of value. If they did disagree in that way, then, because of the inseparability of form and content, they would each necessarily believe something different.

Before we finish this chapter, it is important to note that, just as the “realm of meaning” is not isolated from other forms of thinking such as logic and empirical understanding, neither is it a new technical concept or philosophical theory about the nature of thinking in ethics. Instead, what Gaita calls the “realm of meaning” is a result of following Wittgenstein’s advice and looking at the relevant phenomenon (in this case ethical thought) to see what is there, rather than imposing preconceptions upon it or distorting it through theorizing. (Of course, this methodology does not guarantee that the outcome will be right.) Gaita’s position does not, for example, attempt to introduce theories or controversial premises about the nature of concepts like emotion, form, and tone.

It might be helpful in this context to contrast, briefly, Gaita’s approach with that of Martha Nussbaum who, like Gaita, is trying to find the right relation between thought and feeling in serious ethical thought. In *Upheavals of Thought: the Intelligence of the Emotions*, Nussbaum claims that, notwithstanding their “kinetic and affective aspect”⁸², emotions are essentially propositions or cognitions about what has genuine importance or salience. In experiencing love, grief, compassion, joy, wonder, and so on, we can value “things aright”⁸³ and in a way that is “bound by the world”⁸⁴. Emotions, she believes, do not in essence have constituent non-cognitive elements. For example, she thinks that the emotion of grief is in fact *not* partly constituted, even in a family-resemblance manner, by

⁸² M. C. Nussbaum, *Upheavals of Thought. The Intelligence of Emotions*, (New York: Cambridge University Press, 2001), p.44.

⁸³ *Upheavals of Thought*, p.47.

⁸⁴ *Upheavals of Thought*, p.48.

certain expressive features and bodily inflections (like weeping). That is because, she says, it is only inconstantly correlated with them. Rather, grief (etc.) is a peculiar kind of intelligent perception, with essentially propositional content, which is aimed at distinguishing appearance from reality.

One drawback of Nussbaum's theory about the intelligence of the emotions lies in its controversial, and quite possible mistaken, view of *conceptual* understanding of "subjective" states. (The topic of conceptual understanding regarding expressive behavior will be addressed in chapter 6.) Apart from that, a theory like hers is not necessary for describing the way feeling and emotion conceptually condition the cognitive dimension of the realm of meaning. For while the application of the critical concepts depends upon the possibility of our being moved, it does not depend upon a theory about the essential "propositional" content of emotions per se.

Nussbaum also addresses the issue of the inseparability of form and content in forms which are expressive. She is certain that Mahler's belief was right that in music, "content and form are indissolubly blended"⁸⁵; and she agrees with Helen Vendler that "nothing counts as literary criticism if the criticism would be just as true of paraphrase"⁸⁶. The cognitive content is lost or distorted when the form, say a musical form, is translated from a non-linguistic to a linguistic presentation. Thus, the emotion of devastating grief at the loss of a child present in Mahler's *Kindertotenlieder* (music set to words of Ruckert) has a cognitive content (the preciousness of children perhaps) that would be altered or lost if all we had of that work were the Ruckert poems on child mortality, or worse, a mere outline or summary of what they are about. The reason content cannot be extracted from form in this way, she argues, is that in artistic forms and elsewhere, emotions (with their true or false cognitive content) are embedded in the "symbolic structure"⁸⁷ of the medium.

⁸⁵ *Upheavals of Thought*, p.268.

⁸⁶ *Upheavals of Thought*, p.268.

⁸⁷ *Upheavals of Thought*, p.264.

Gaita would of course agree that the form and content in the Mahler songs are inseparably combined. He thinks that works such as this have a truthful (or false) tone and resonance partly in virtue of their form. But Gaita's observation is that what most importantly makes the cognitive content inseparable from the form in a work like Mahler's *Kindertotenlieder* is that we can be moved to regard it as profound rather than sentimental. The cognitive content may be partly determined by the fact that the emotion-content is embedded in a symbolic structure or musical medium. But more significantly, the cognitive content is determined by the critical concepts which are responses to the form of a work. These are critical responses that determine the nature of the work's tone.

The notion of "tone" is not the result of theory or postulation. Rather, the concept of the resonance or the tone which can belong to a form is mutually determined by the possibility of our responding to it as sentimental, banal, hollow, or phony, and by the kinds of forms which we typically respond to in these various ways. As we have seen, these forms include art and the moving behavior of other people. And it is these critical responses that tell us whether the tone of such things speaks to us rightly or whether it presents only a false semblance of reality, say, because it is mawkish.

That is the essential reason why, for example, the Mahler work cannot be re-packaged or stripped back without losing or altering its content and its truthfulness. Thus, we might well think that Mahler's song cycle deepens our understanding of the preciousness of children, and connected with that, the irreplaceability of human beings. And we might feel that the Ruckert poems, which give the music its setting and context, are, compared to the music, somewhat sentimental (or the reverse). Yet these various forms have the kind of cognitive content that they do only because we can assess them, not in a tone-free zone, but in a zone that exists only in virtue of a rich language, artistic tradition, and culture, a zone that invites the kind of responsiveness that is disciplined by critical concepts like sentimentality.

Chapter 3 Ethical Theory and Human Nature

The lucidity which depends on an ever-deepening and critical responsiveness to what is important characterizes a particular kind of ethical understanding. Obviously there are other kinds of lucid thinking, the nature of which varies with the subject matter. But lucid thinking in this particular sense is associated with a certain relation between the human condition, language, and culture.

Clearly, the character of the connection between human nature and ethical understanding is disputed. In this chapter I shall look at what some other prominent contemporary thinkers on animals and humans make of this connection, and at how they part company with Gaita's idea of a realm of meaning.

Tom Regan's major work on animals, *The Case for Animal Rights*, argues that all humans, and all nonhuman mammals, have equal "inherent value" and are equally rights-holders. Regan arrives at this position by employing a particular understanding of the nature of ethical argument. He thinks good ethical thinking requires the development of theories and principles which make use of our ordinary "intuitions". By "intuitions", Regan does not mean either gut reactions (pre-reflective intuitions) or a special cognitive faculty. He simply means our "reflective" or "considered beliefs"¹. The principles or theories we construct must be consistent with a broad range of reflective beliefs. But equally, Regan says, our reflective judgments are subject to alteration by the moral principles or theories we construct with the help of the criteria of an ideal moral judgment. A single reflective response or belief, no matter how strong, may not be enough to upset a well grounded theory or principle of action.

Regan advances a form of "reflective equilibrium"², or coherentism, for developing or critiquing ethical judgments. According to Regan, theories are to be assessed by how well

¹ T. Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1985), p.149.

² *The Case for Animal Rights*, p.135.

they “systematize our considered beliefs”³. Indeed, the model Regan looks to is the scientific method⁴ - except that in ethics, the data are our considered intuitions and beliefs. In the spirit of scientific theorizing, Regan says that we cannot always be certain that the principles we construct are true or valid⁵, not (apparently) because the methodology is suspect, but because we can make mistakes in the application of a principle and with the data we feed it. In another nod towards science, Regan’s method sometimes generates “postulates” – the “postulate” of “inherent value” is one; and the “subject-of-a-life”⁶ criterion of the equal inherent value of humans and (many) animals seems to be another.

It appears to be part of Regan’s position that our considered intuitions or beliefs, indispensable to ethical theorizing, are acquired through life experience. These beliefs must be made subject to the following criteria for an ideal moral judgment: conceptual clarity, relevant information, rationality (essentially the “need to observe the rules of logic”⁷), impartiality (treating like as like), coolness, and validity. He also reveals the criteria for evaluating moral principles, namely: consistency, adequacy of scope, precision, simplicity, and conformity with our intuitions.

While Regan believes that our experience generates the intuitions or judgments without which thinking well in ethics would be impossible, he is deeply wary of emotions, feeling, and sentiment. Our reflective beliefs and judgments, he cautions, must not be swayed and distorted by emotion. Since

all who work on behalf of the interests of animals are more than a little familiar with the tired charges of being “irrational”, “sentimental”, “emotional” or worse, we can give the lie to these accusations only by

³ *The Case for Animal Rights*, p.149.

⁴ *The Case for Animal Rights*, pp.146-147.

⁵ *The Case for Animal Rights*, p.139.

⁶ *The Case for Animal Rights*, p.243.

⁷ *The Case for Animal Rights*, p.128.

making a concerted effort not to indulge our emotions or parade our sentiments. And that requires a sustained commitment to rational inquiry.⁸

Because Regan dissociates his “reflective and well considered beliefs” from a vulnerability to sentimentality and so forth, his preferred method of understanding clearly lies outside the realm of meaning. Still, at some level Regan’s warning should be acknowledged by the proponent of that style of thought. Science, for example, has often rightly made much of the need to control ego and feeling, including fearful conservatism on the one hand and excessive zeal on the other. In the past, the counterintuitive insights of Copernicus, Galileo, and Darwin tested severely the dispassionate contemplation of scientists and laity alike. Today, cogent climate science imposes similar disinterested requirements on those who develop and receive it in a politically charged environment. The challenge of controlling distorting emotion, it can be admitted, is no less grave when the subject is ethics and value. Indeed, the challenge for unprejudiced reflection about value and meaning is often greater than it is for science, which explains why Regan and others are at pains to issue their salutary cautions.

“Rational” activity (like science) is liable to be distorted (or facilitated) by our affective make-up. But thinking in the realm of meaning is partly constituted by “rational” elements, and these elements are subject to disablement here as they are in other cognitive domains. That distinctive kind of cognitive activity is therefore also subject to deformation by irrationality and inattention to ordinary facts. Thinking critically about meaning can be distorted (or facilitated) by affective responses, even as such thinking is itself dependent on the critical responses. Herr von Osten will serve once again as an example.

On this occasion the now infamous von Osten, stung by public mockery of his disproved claims about Clever Hans’s mental powers, defiantly embraces increasingly sentimental ideas about how the dead horse should be honored. The defect in his thought is the sentimentality itself, but it has a cause. Van Osten’s view could go either way. Perhaps,

⁸ *The Case for Animal Rights*, p.xii

instead, his humiliation will compel him to abandon his mawkishness rather than leading him to embrace it. Thinking about meaning, then, is susceptible to emotion in a way comparable to other kinds of critical reflection. The realm of meaning is vulnerable to emotion and to ego in both a constitutive sense – insofar as it depends on ways of being moved - and the contingent one we have been discussing.

Regan's "coherentist" methodology has been heavily criticized. Peter Singer has an approach that Jamieson might regard as nearer to "foundationalism". A critic of Rawls' "reflective equilibrium", Singer writes:

Some philosophers think that the aim of moral theory is to systematize our common moral intuitions. As scientific theories must match the observed data, they say, so must ethical theories match the data of our settled moral convictions. I have elsewhere argued against the inbuilt conservatism of this approach to ethics, an approach which is liable to take the relics of our cultural history as the touchstone of morality...

Our moral convictions are not reliable data for testing ethical theories. We should work from sound theories to practical judgments, not from our judgments to our theories.⁹

From Singer's standpoint, Regan allows prejudices a central place in his theory. Regan's rejoinder is that it is part of the meaning of "prejudice" that critical reflection is wanting; but that is exactly not the case for a considered belief¹⁰. When we have reflected critically under the guidance of the criteria of good moral thinking, Regan contends, "we have done all we can reasonably be required to do to be in a position to justify our belief"¹¹.

Regan operates with some general criteria which apply to different types of good thinking. Singer would say the results of their application are likely to be convictions with a conservative bias. The results of a "reflective equilibrium" method like that of

⁹ P. Singer, 'Utilitarianism and Vegetarianism' in *Philosophy and Public Affairs* 9, no. 4, 1980, p.326.

¹⁰ *The Case for Animal Rights*, p.136.

¹¹ *The Case for Animal Rights*, p.139.

Rawls, he says, cannot challenge the “prevailing broad consensus of moral opinion in a community”¹². Where, he might ask, are the rational criteria for distinguishing one coolly made, factually accurate and logically consistent conviction from another which opposes it? He would therefore call into question whether, in forming our settled convictions, these general criteria are of any assistance.

In Singer’s assessment, our practical judgments themselves need grounding in reason to be called rational. Singer has consistently denied that even apparently awful or absurd implications of a sound theory carry much weight at the deepest level of critical reflection (the “intuitive level” of everyday living), even though our intuitions may “represent the accumulated experience of human beings about what to do”¹³. For Singer “an appeal to intuitions is always an *ad hominum* argument”¹⁴, and does no basic critical work. Consequently, his strong belief in reason and its ability to defeat *reductio ad absurdum* arguments designed to reveal the counterintuitive implications of his utilitarian position has remained quite steadfast.

I have outlined how Singer conceives the nature of ethical argument. However, it would be a mistake to conclude that Singer believes “cultural and biological factors”¹⁵ have no impact on the nature of ethics. He says he is “not a naturalist”¹⁶ about ethics. As a kind of prescriptivist, he has non-naturalistic meta-ethical views about moral judgments, facts and objectivity. Although he recognizes that “the fundamental nature of ethics” remains disputed after millennia¹⁷, Singer does think that our “empirical selves”¹⁸ have affected morality. Ethics is the “product of evolution among long-lived social animals with the capacity to reason”¹⁹, and evolution has given rise to “evolved patterns of conduct”²⁰ in human societies and cultures. In this regard, Singer endorses Mary Midgley’s words that

¹² D. Jamieson (ed.), *Singer and his Critics* (Oxford: Blackwell, 1999), fn p.334.

¹³ *Singer and his Critics*, p.315.

¹⁴ *Singer and his Critics*, p.315.

¹⁵ Peter Singer, *The Expanding Circle* (Oxford: Clarendon, 1981), p.52.

¹⁶ *Singer and his Critics*, p.291.

¹⁷ *The Expanding Circle*, p.ix.

¹⁸ *Singer and his Critics*, p.277.

¹⁹ *The Expanding Circle*, p.106.

²⁰ *The Expanding Circle*, p. 29.

we are “not just rather like animals; we *are* animals”²¹. To see the connections Singer makes between our empirical, primate selves and ethics, I shall go a little further into his elucidation.

Singer starts by reminding us that we share with other social animals not only a solid core of self-interested motivation but also altruistic motivations generated from ties of kinship and reciprocity. Like those animals, we are “motivated by the desire to benefit others”²². These desires are strongest by far with regards to those individuals who are close to us and they diminish with distance. Still, in some social animals they can involve other-motivated actions which can carry great risk and come at some personal cost. In this respect and in others - such as in the ability to “reason”²³ at some basic level - the difference between humans and animals is “one of degree and not kind”²⁴.

Nonetheless, there is one key difference in degree if not in kind. It is that we can reflect and “choose on the basis of our reflections”²⁵. We can also discuss, challenge, and defend our ethical judgments. Singer claims that the “readiness with which we can bring particular events under a general rule may be the most important difference between human and animal ethics”²⁶. The reason or rationality which results from our capacity for reflection and discussion has an autonomy of its own and is like an escalator that takes us to new and unexpected ideas.²⁷ That is true of ethics, Singer believes, as it is of mathematics. The “inherent logic of ethical thinking”²⁸ can take us to places that cannot be predicted purely on the basis of our social and sympathetic instincts.

What is this escalator-like logic built into ethical language and practice? Singer claims that ethical language by its very nature “requires us to go beyond ‘I’ and ‘You’ to the universal law, the universalizable judgment, the standpoint of the impartial spectator or

²¹ *The Expanding Circle*, p.3.

²² *The Expanding Circle*, p.43.

²³ *The Expanding Circle*, p.28.

²⁴ *The Expanding Circle*, p.28.

²⁵ *The Expanding Circle*, p.92.

²⁶ *The Expanding Circle*, p.95.

²⁷ *The Expanding Circle*, p.113.

²⁸ *The Expanding Circle*, p.90.

ideal observer, or whatever we choose to call it”²⁹. Furthermore, he claims that ethical language implies “universalizing self-interested decision making”³⁰ and that this leads us in the first instance to a “utilitarian position”³¹. Singer’s view of the rationality of ethics can be further brought out by turning from his claims about ethical language to his description of the nature of ethical argument and practice.

The “rational basis” of ethics, Singer argues, flows from the fact that in going beyond self interest and in arguing on ethical grounds, “I must address myself to a larger audience”³². That is simply a corollary of the fact that ethical practice necessarily involves argument, questioning, and justification. Singer writes:

In making ethical decisions I am trying to make decisions that can be defended to others. This requires me to take a perspective from which my own interests count no more, simply because they are my own, than the similar interests of others. Any preference for my own interests must be justified in terms of some broader impartial principle.³³

The reflective and rational beings (including those reasoning beings who are not my kin) to whom, as the nature of ethics dictates, my arguments must finally be addressed will not accept arguments put forward in terms of universal egoism, sectional interests, intuited moral truths “out there” in the universe. All these are mere preferences to be duly and impartially weighed along with all the others. “On the collective level”, Singer writes, “once we have begun to justify our conduct publicly, reason leads us to develop and expand our moral concerns, drawing us on toward an objective point of view”³⁴. From the objective point of view of the impartial spectator, Singer tells us, we arrive at the principle of the equal consideration of interests. This is ethical reasoning at its strongest, he believes, for once

²⁹ P. Singer, *Practical Ethics* (2nd ed.) (New York: Cambridge University Press), p.12.

³⁰ *Practical Ethics*, p.14.

³¹ *Practical Ethics*, p.14.

³² *Practical Ethics*, p.10.

³³ *The Expanding Circle*, p.109.

³⁴ *The Expanding Circle*, p.147.

there are beings with desires, there are values that are not only the subjective values of each individual being. The possibility of being led, by reasoning, to the point of view of the universe provides as much ‘objectivity’ as there can be. When my ability to reason shows me that the suffering of another being is very similar to my own suffering and (in the appropriate case) matters just as much to that other being as my own suffering matters to me, then my reason is showing me something undeniably *true*.³⁵

We know what reason provides and demands according to Singer. Even those who are not ethically inclined – Martians and amoralists – can supposedly see its inherent logic. Should we follow it? At this point in Singer’s picture of moral practice, the profile of our empirical selves - our cultural forms and especially our biologically given nature – is raised. There are four main zones of intersection between our reason and our human nature.

First, ethics is “part of the natural human condition”³⁶ and is “inescapable”³⁷. Very few people are, as it happens, genuine amoralists, even though the positions of the amoralist, psychopath, egoist, and hedonist can be perfectly rational ones. Second, he says that the “‘feeling of need for logical consistency within the hierarchy of moral evaluations’ may be a *feeling*, but it is a feeling that derives from our capacity to reason”³⁸. A feeling of cognitive dissonance may, in ethics as well as elsewhere, induce us to travel on the escalator of reason. Singer believes that only impartial reason can reliably take us beyond the circumscribed range of “non-rational instincts”³⁹, such as our sympathy for individuals who are not too distant from us. On a personal level, this “cognitive feeling” seems not to be a mere source of dissonance for Singer, but a partial explanation of his steadfast commitment to his ethical stance. That aspect of his commitment is most clearly

³⁵ P. Singer, *Writings on an Ethical Life* (Salisbury South: Griffin Press, 2000), p.269.

³⁶ *The Expanding Circle*, p.23.

³⁷ *The Expanding Circle*, p.ix.

³⁸ *The Expanding Circle*, p.142.

³⁹ *The Expanding Circle*, p.169.

put when he says: “To my embarrassment, I find myself not far from what I have long thought to be one of Kant’s most baffling ideas: that pure reason, in the form of the moral law, gives rise to a necessary feeling of respect or reverence”⁴⁰.

Third, Singer’s “two-level” utilitarianism is sensitive to the “existing tendencies in human nature”⁴¹ since it recognizes that ethics cannot be so “abstract and divorced from human nature as to be... ‘an ideal state for disembodied spirits’ but totally inapplicable to real human beings”⁴². For example, children require the partial love of their parents, a love which in any case is almost certainly and demonstrably a fixed part of human nature. Ethics for Singer is a human creation which exists in human cultures. It therefore cannot in practice hope to realize completely what it rationally demands: “an impersonal concern for all”⁴³. There are powerful nonrational and irrational parts of our lives as well as rational ones. Only an “ethic for saints” could entirely neglect “our feelings for others as individuals”⁴⁴:

Even Mother Teresa, whose work for the destitute of Calcutta seems to exemplify so universal a love for all, has described her love for others as love for each of a succession of individuals, rather than ‘love of mankind merely as such’.⁴⁵

In a sense then, the requirements of the escalator of reason are, like Kant’s pure will, a kind of (practically unattainable) absolute value in Singer’s (non-absolutist) ethic. Impartial or impersonal concern, not for this or that individual but for all individuals as a group - or more precisely, for the interests of the individuals of the group - is the standard against which all our acts can be measured. But it would be a misreading of human nature to think we can measure up to this standard, and an intellectual and ethical mistake to try to become the impartial spectator. As Bernard Williams said (in an attack on Singer’s

⁴⁰ *Singer and his Critics*, p.285.

⁴¹ *The Expanding Circle*, p.155.

⁴² *The Expanding Circle*, p.151.

⁴³ *The Expanding Circle*, p.159.

⁴⁴ *The Expanding Circle*, p.159.

⁴⁵ *The Expanding Circle*, p.157.

impartial spectator): occupying that position would be an “unendurable nightmare”⁴⁶ and may well, when its would-be occupant proves hopelessly inadequate in the role, issue in “self-hatred”⁴⁷. But we should rather, Singer recommends, use the wider perspective of pure impersonality as an ideal to keep our love and concern for specific individuals in check⁴⁸.

Fourth, Singer believes that normal and “reflective people, at some time or other, want their life to have some kind of meaning”⁴⁹. This, too, is part of human nature. Psychopaths, with their atypical “emotional poverty”⁵⁰, probably cannot find meaning because they “have no long-term commitments or life plans”⁵¹. And animals, we might add on behalf of Singer, cannot find meaning in life because they are unable to see their past and future lives as a whole. Nonhuman animals, even those who are “Lockean persons” capable of seeing themselves as the same creature existing over time, cannot take an attitude to their lives and cannot shape them. Furthermore, egoistic human pursuits are unlikely to bring lasting “joy and fulfillment”⁵²:

If we are to find meaning in our lives by working for a cause, that cause must be...a ‘transcendent cause’, that is, a cause that extends beyond the boundaries of self...The more we reflect on our commitment to a football club, a corporation, or any sectional interest, the less we are likely to see in it. In contrast, no amount of ethical reflection will show a commitment to an ethical life to be trivial or pointless.⁵³

Singer is arguing here that a life lived “to some larger purpose”⁵⁴ can involve “taking up the ethical point of view as a settled policy, a way of living”⁵⁵. Although the motive for

⁴⁶ B. Williams, *Philosophy as a Humanistic Discipline*, A.W. Moore (ed.), (Princeton: Princeton University Press), p.146.

⁴⁷ *Philosophy as a Humanistic Discipline*, p.152.

⁴⁸ *Writings on an Ethical Life*, p.270.

⁴⁹ *Practical Ethics*, p.330.

⁵⁰ *Practical Ethics*, p.330.

⁵¹ *Practical Ethics*, p.332.

⁵² *Writing on an Ethical Life*, p.272.

⁵³ *Singer and his Critics*, p.308.

⁵⁴ *Practical Ethics*, p.332.

taking up the ethical point of view is ultimately based on self-interest, he argues that it is conceptually compatible with an ethical life because it involves a whole of life commitment to the enactment of (rationally derived) impartial considerations. Singer admits that the superior potential of the ethical life to yield meaning is somewhat speculative. Furthermore, he acknowledges that it is not a failure of reason to refuse to take up the ethical point of view. Amoralists are “neither irrational nor in error”⁵⁶. Yet at the same time it may be rational to adopt it - or more typically to be fortified in one’s commitment to ethical living - in order to find meaning. Most people, as he says, almost inescapably desire some sort of ethical life. So grounding ethics in meaning is a “fall-back rationale” or a “rationale of last resort”⁵⁷.

Roger Crisp suggests that Singer’s invocation of meaning commits him to a “move towards objectivity”⁵⁸ and in particular to what is objectively worthwhile. He thinks there may be a tension here with Singer’s view that judgments and values connected with meaning are no more than preferences or “intuitions” that cannot be discussed or defended in the light of reason. But Singer is quick to remind Crisp of his understanding of the nature of reason, and, in disabusing him, to conclude that “there is no prospect of my taking up Crisp’s suggestion that I develop an account of welfare in terms of meaningfulness rather than preference satisfaction”⁵⁹. On Singer’s account, finding meaning is a “factual matter”⁶⁰, not a matter of thinking well or badly. The only way it can be a failure of rational thought is when a miscalculation is made about what is likely to be personally fulfilling and satisfying when a longer view of one’s life is taken. So when Singer views the 1934 film of the “shining eyes of the rank-and-file Nazi faithful”, he is sure that many of them could have said, “truthfully, that their membership of the Nazi party had given meaning and fulfillment to their lives”⁶¹. In one sense, it is hard to disagree with him. But Singer also thinks that if the Nazi faithful, certain of the rightness and justice of their beliefs, fail to see things objectively it is because they fail to think

⁵⁵ *Practical Ethics*, p.326.

⁵⁶ *Practical Ethics*, p.334.

⁵⁷ *Singer and his Critics*, p.306.

⁵⁸ *Singer and his Critics*, p.87.

⁵⁹ *Singer and his Critics*, p.288.

⁶⁰ *Singer and his Critics*, p.290.

⁶¹ *Singer and his Critics*, p.288.

rationally to the point of view of the impartial spectator. It is not because they fail to see things as they are in virtue of being, say, “grotesquely sentimental” – except as that is taken to be merely the accidental cause of their cognitive error.

It is worth emphasizing Singer’s belief that claims made in what Gaita calls the realm of meaning are mere subjective preferences – which take their place alongside other merely personal values in the utilitarian calculus - as opposed to *bona fide* attempts at thinking well. We must, he thinks, find a way past “deep moral subjectivism”, since if “ethical judgments were nothing but the outflow of our emotional control centers, it would be as inappropriate to criticize ethical judgments as it is to criticize gastronomic preferences” such as whether tea goes best with milk or lemon⁶². What Singer should say, if he is to be precise, is not that “subjective” ethical disagreement is inappropriate as it is with preferences about tea, but that ethical criticism and discussion would be no more a genuine cognitive activity than is everyday gastronomic disagreement or etiquette.⁶³ Specifically, it would not be rational, and would therefore not command the sort of reverence and regard he and others have for the exercise of reason. Talking about Socrates, Singer says that “as rational beings we are drawn to respect someone utterly committed to rational inquiry and a rational life”⁶⁴. He writes that our ethical beliefs and rules are

not moral absolutes or unchallengeable intuitions. Some of them are no more than relics from our evolutionary and cultural history and can be discarded without cost.⁶⁵

One of these relics is the Western principle which is “unique in the sharpness with which it separates the wrongness of taking the life of any human being, no matter how severely defective, from the wrongness of taking the life of any non-human animal, no matter how

⁶² *The Expanding Circle*, p.85.

⁶³ *Practical Ethics*, p.325.

⁶⁴ *The Expanding Circle*, p.97.

⁶⁵ *The Expanding Circle*, p.167.

intelligent”⁶⁶. These sorts of ethical claims – which as we will see are often claims made in the realm of meaning - have an air of mystery; whereas Singer thinks his utilitarianism, based as it is on a particular view of humans as “social, reasoning beings”⁶⁷, “takes a more concrete and less mysterious approach to ethics than its rivals”⁶⁸. Talk of the “intrinsic dignity of the human individual” or of their “distinctive” or “intrinsic worth”, and talk of humans as “ends in themselves”, is “waffle”⁶⁹.

The final chapter of *The Expanding Circle: Ethics and Sociobiology* speaks of “our new understanding of the nature of human ethics”⁷⁰. How does Singer’s placing of human nature and reason compare to understanding in the realm of meaning? One reason for Singer’s contention that he has found a “uniquely rational basis for ethical decision-making”⁷¹, and that we are “compelled by reason”⁷² to adopt something like his utilitarianism, is his assumption that claims which rely crucially upon other aspects of human nature and culture are merely subjective values or preferences. He does not distinguish, however, between Regan’s very general criteria (the non-theoretical criteria) of good ethical thinking and Gaita’s more detailed set of critical concepts.

Singer’s lack of attention to these concepts leads him to a different understanding of the way in which human nature, experience, and culture enter into the substance of critical ethical reflection. If we assume only the presence of something like Regan’s criteria of (pre-theoretical) critical thought, then Singer, it would appear, creates trouble for any view which speaks of our disciplined and critical responses. For it is indeed hard to see how Regan’s criteria – or any similarly meager set of conditions - could locate anything more than what might dismissively be called “feeling right” or “right feeling”. But if we now notice a more extensive set of critical concepts, there emerges a view of human thought *in media res* which goes beyond “right feeling” and which seems to capture the cognitive nature of ethical activity. Such activity is cognitive in that it involves thinking

⁶⁶ *The Expanding Circle*, pp.71-72.

⁶⁷ *The Expanding Circle*, p.149.

⁶⁸ *Singer and his Critics*, p.292.

⁶⁹ Peter Singer, *Animal Liberation* (London: Pimlico, 1995), p.238.

⁷⁰ *The Expanding Circle*, p.163.

⁷¹ *The Expanding Circle*, p.111.

⁷² *The Expanding Circle*, p.102.

well and badly in a sense which is substantial because it is a disciplined attempt to “see things as they are”. This possibility may become clearer in later chapters where examples are discussed. But for now, it can be noted that although Singer himself appeals to a concept of reflecting upon life’s meaning or at least meaning in life, he assumes that this activity must terminate in mere subjective preferences existing beyond any serious criteria of thinking. His assumption renders our life with concepts of meaning noncognitive.

Ethical activity, as Singer says, is bound up with the emergence in human “primates” of discussion and questioning. He writes: “Once beings can think and talk, once they can challenge each other, and ask, ‘Why did you do that?’ their growls and licks are evolving into ethical judgments”⁷³. They can subsequently proceed to the “rational basis” of justifying their ethical statements to other rational beings which, like us, have their own interests. Singer gives us one view of what it is to justify oneself to another reflective ethical being, but it is not the only view. If Gaita (and Martin Buber) are right, ethical activity is not so much an activity between “I and You” or “I and Them (the class of rational beings)” as it is between “I and Thou”. When we ask someone, “Why did you do that?” and they seriously respond, or when someone challenges us with, “Don’t you see what you are doing?” or, “What do you think it means to think or do that?”, there need be no question of a *rational* justification or settlement (unless of course one intends to widen the meaning of “rational” beyond its readily recognized meaning). Rather, these appeals and questions are made within a different arena of thought inseparable from the deployment of the critical concepts. These points allow a reconsideration of the claim that ethics by its very nature demands the adoption of the “standpoint of the impartial spectator”⁷⁴. And that reconsideration may be made, for reasons previously noted, without thinking that ethical judgments concerning meaning cannot in their personal character also be impersonal and in some sense impartial.

⁷³ *The Expanding Circle*, p.92.

⁷⁴ *Practical Ethics*, p.12.

Suppose that Gaita's realm of meaning accurately characterizes ethical thought or at least the kind of ethical thought which we all recognize and which is fundamental to our lives and our sense of morality's seriousness. It then becomes possible to look at some of the claims that Singer makes in a different way. For example, his claim that an ethical life can be ultimately founded on the pursuit of self-interest can now be viewed from the realm of meaning as a shallow one. There are also implications for the view that there can be moral experts. For on Gaita's account of ethical understanding, it is a kind of conceptual truth that understanding cannot be achieved "in a flash", as if God or a supercomputer could in principle implant it in an individual person.

The sense of "experience" which Gaita relies upon in making these points is different from the sense of experience which facilitates the accumulation of data for ethical theorizing (Regan) or the receipt of information for the crafting of moral rules at the intuitive level of a two-level ethical theory (Singer). In neither Regan's nor Singer's case does "experience" imply the kind of experience which is conceptually essential to the development of a historically achieved individuality. In fact, the conceptions both these philosophers have of the place of lived experience in ethical reflection exclude the possibility of lucidity as Gaita understands it.

The above two ideas – the proper link between human nature or wellbeing and value, and the fact that ethical understanding must grow slowly in individuals and depends non-contingently on being in the midst of life – are central ideas in the theory of virtue ethics. Roger Crisp contends that Singer's attempt to back up his stringent ethic with the 'transcendent' but self-interested motive of achieving a fulfilling human life is not promising. As Singer puts Crisp's objection, it is much more difficult to use enlightened self-interest to "justify an extremely demanding ethic such as act utilitarianism than to justify 'the more modest virtue ethics of ancient times'"⁷⁵. Singer's reply to the objection is a straightforward admission that what Crisp says "is true, and ultimately I have no fully adequate answer to it"⁷⁶. Virtue ethics, taken as a theory about ethical value, thinks it can

⁷⁵ *Singer and his Critics*, p.290.

⁷⁶ *Singer and his Critics*, p.290.

make the right connection (whatever that turns out to be) between human nature, well being, and ethical understanding of human and animal life.

Rosalind Hursthouse regards a person with moral understanding or wisdom as one with the right character traits, spirit in action, feelings, reasons, and history of behavior. Hers is a sophisticated virtue ethics approach to the constitutive role played by thought and feeling in the understanding of human and animal life. Hursthouse believes that the concepts of virtue and of a virtuous person, which are not exclusive concepts in virtue theory but are still its “focal” ethical concepts⁷⁷, shed light on the nature of ethical understanding. Arguing against theories with codifiable principles and theories that go in for the “fantasy” of a rule-governed decision procedure, she claims that the true nature of moral situations can be discerned only by exercising “the faculties of ‘moral sensitivity, perception [and] imagination’ – moral wisdom or *phronesis*, in short”⁷⁸. The general complaint Hursthouse has against theories which leave out this dimension of human life is that their reductive approach “misrepresents the texture of our moral experience”⁷⁹ and overlooks “what we find the world to be like”⁸⁰:

We do not think of moral or practical wisdom – of knowledge of what one should do – as easily come by, as something that an adolescent is likely to have, even if the adolescent is a genius at mathematics or science or the stock market and has been to lectures on normative ethics.⁸¹

At the same time, Hursthouse argues that although it is true that we rightly talk of emotions shared in humans and nonhumans,

⁷⁷ *On Virtue Ethics*, p.83.

⁷⁸ *On Virtue Ethics*, p.54.

⁷⁹ *On Virtue Ethics*, p.67.

⁸⁰ *On Virtue Ethics*, p.85.

⁸¹ *On Virtue Ethics*, p.60.

no emotion *in us* is just the same as it is in other animals. For, in virtue of our reason, we, unlike the other animals, draw the distinction between what appears to be so, and what is really so in language.⁸²

Thus she thinks that all adult human reasons and emotions are transformed by language and reflection. She says: “How very unlike the other animals human beings are when they endure agony, and risk their lives, for justice and truth, or are terrified at the prospect of university examinations; when they are ready to die for glory, but tremble at the prospect of humiliation”⁸³. In teaching children we transform “mere passion or desire” into “rational wanting or desire” and “acting from reason”⁸⁴. Hursthouse claims that some of our impulses and reactions “are partially constituted by judgments at least some of which are evaluative”⁸⁵ and that emotions can display a “cognitive”⁸⁶ element by containing judgments about the rightness and appropriateness of the response. She believes that ethical thought thoroughly alters the nature of the inner life in the morally educated, developed, and mature thinker.

In contrast to Singer, Hursthouse’s neo-Aristotelianism claims that ethical understanding “must take place from within an acquired ethical outlook, not from some external ‘neutral’ point of view”⁸⁷, for there is “no basing knowledge on an *independent* foundation”:

One’s detailed grasp of what is involved in acting virtuously, in acting for the *right* reasons, is not separable from one’s grasp of what each of the virtues involves, and one’s grasp of that is not separable from possession of the virtues themselves, at least to some degree.⁸⁸

⁸² *On Virtue Ethics*, p.113.

⁸³ *On Virtue Ethics*, p.111.

⁸⁴ *On Virtue Ethics*, p.14.

⁸⁵ *On Virtue Ethics*, p.109.

⁸⁶ *On Virtue Ethics*, p.109.

⁸⁷ *On Virtue Ethics*, p.165.

⁸⁸ *On Virtue Ethics*, p.130.

It is from within some ethical outlook that one considers whether, e.g. charity or temperance or impersonal benevolence is a virtue; those traits cannot be given a neutral, scientific, specification.⁸⁹

According to philosophers with a “foundationalist” leaning, Hursthouse explains,

what I must do is throw out every ethical belief I have, take what I am left with as certain knowledge (facts recognizable from the ‘neutral point of view’, science, logic) and try to reinstate my ethical beliefs on those foundations. In the course of this attempt I will discover what in my acquired ethical outlook was right (if anything) and what was wrong (if anything).⁹⁰

This, Hursthouse thinks, misrepresents what we aim to do in training our children “from infancy to feel joy and grief at the right things”⁹¹. It also misunderstands, she argues, the important concept of moral *maturity*. Maturity, uniquely possessed on our planet by human animals, is only reached in what she dubs the “major stage” in a developing human individual’s life:

Maturity is emotional or psychological as well as intellectual, and it is part of our concept of it that with maturity comes wisdom. The sort of wisdom it brings is not the sort that can be learnt entirely from books or lectures, but the sort that comes from experience of life, and it is wisdom *about* life. And this is precisely the wisdom which, according to neo-Aristotelianism, is fully possessed only by the fully virtuous human being.⁹²

Philosophers like Singer may agree with Hursthouse that emotional training is instrumentally vital for intellectual development and for promoting ethical activity and

⁸⁹ *On Virtue Ethics*, p.229.

⁹⁰ *On Virtue Ethics* p.166.

⁹¹ *On Virtue Ethics* p.186.

⁹² R. Hursthouse, *Beginning Lives* (Oxford: Blackwell, 1987), p.258.

success in human beings. But the virtue theory tradition claims that our cultural education and emotional constitution is internal to understanding. Indeed, Hursthouse stresses the importance to the virtues of responses like shame, love, disgust, remorse, regret, apology, and horror.

However, Hursthouse does not lay much stress on our reflective means of determining what Gaita calls the real forms of these responses and their false semblances. “Practical rationality”, as it is often portrayed in virtue theory, does not much attend to these more specific cognitive details of reflection in the realm of meaning. In that condition, virtue theory has fewer resources to defend itself against attempts at noncognitivist reduction by those like Peter Singer who are skeptical of its emphasis on the virtues.

Virtue theory, then, does not mark out as clearly as does Gaita a distinctive cognitive domain. Perhaps because of this, it sometimes feels the pressure from rival theories and from the conception of objectivity and justification promoted by foundationalism, to fortify itself, in part, by standing on the same ground as its opponents. An example of this pressure can be seen in the use to which Hursthouse puts ethical naturalism. Naturalism is meant to mark the “criterion for a particular character trait’s being a virtue”⁹³. Singer (as we saw) holds that even an amoralist can understand the cognitive foundations of ethical belief even though he does not have any. Hursthouse never withdraws from her claim that ethical understanding is available only to those who display in their lives a degree of virtuous ethical response. As she has it, the naturalistic project necessarily “proceeds from within our ethical outlook”⁹⁴. This approach contrasts somewhat with the approach in the book *Natural Goodness*, where Philippa Foot argues that the nature of the good can, against appearances, be discovered through a conceptual analysis concerning “quite general facts about human beings”⁹⁵.

⁹³ *On Virtue Ethics*, p.192.

⁹⁴ *On Virtue Ethics*, p.240.

⁹⁵ P. Foot, *Natural Goodness* (Oxford: Clarendon Press, 2001), p.45.

Yet Hursthouse's idea of "*radical* ethical reflection"⁹⁶ is that which avoids speaking entirely "from within an acquired ethical outlook – in which case we will not validate our ethical beliefs, but merely re-express them"⁹⁷. For evaluations that do "not depend in any way on my wants, interests, or values" are "'objective' in the most straightforward sense of the term"⁹⁸. Her tentative, but she thinks promising, proposal is that real scrutiny and objectivity – "not *a priori* or scientific objectivity – but a kind of objectivity appropriate to the subject matter"⁹⁹ – may proceed in a "Neurathian" manner, apparently simultaneously from "within our ethical outlook"¹⁰⁰ and by way of a version of ethical naturalism.

Hursthouse's naturalism says that

there is a structure...in the botanical and ethological evaluations of other living things as good or defective specimens of their kind, which supervenes on evaluations of their parts and behavior as good or defective in the light of certain ends, and this carries over (*mutatis mutandis*) into evaluations of ourselves as ethically good or bad as human beings in respect of our characters".¹⁰¹

Naturalism gives us two ways in which the "virtues make their possessor a good human being"¹⁰². The first is that the virtues are a kind of excellence for our kind. Whilst "amongst the social animals, both wolves and elephants have patterns of action that resemble our charitable or benevolent acts"¹⁰³, the notion of human excellence is significantly expanded by the fact that humans are characteristically reflective. Unlike animals, human beings can "contemplate alternatives and decide to change things, or

⁹⁶ *On Virtue Ethics*, p.165.

⁹⁷ *On Virtue Ethics*, p.193.

⁹⁸ *On Virtue Ethics*, p.229.

⁹⁹ *On Virtue Ethics*, p.240.

¹⁰⁰ *On Virtue Ethics*, p.240.

¹⁰¹ *On Virtue Ethics*, p.226.

¹⁰² *On Virtue Ethics*, p.167.

¹⁰³ *On Virtue Ethics*, p.209.

choose to try a new way”; whereas animals “are biologically determined, we are not”¹⁰⁴. Hursthouse argues that by and large “we can’t identify what is characteristic of human beings as a species...there is too much variety”¹⁰⁵. Human beings can excel through exercise of the virtues in numerous ways.

The second strand of Hursthouse’s naturalism is that the “virtues benefit their possessor”¹⁰⁶ and enable her to flourish by conferring joy, warmth, and happiness.¹⁰⁷ The “smile factor” is her shorthand term for the “zest and enthusiasm”¹⁰⁸ typically afforded an individual by the standard virtues. She is aware that there are exceptions to the rule, including happy sadists and the rare occasions when virtue requires tragic self-sacrifice. She simply claims for the standard virtues like courage and justice a general tendency to promote individual happiness.

Hursthouse contends that it is no accident the virtues are not typically disastrous for their possessors and she argues that consequently her naturalism poses no serious danger to her defense of the virtues. For if these character traits were often enough personally damaging, then

the whole history of our ethical thought would be unimaginably different, for amongst the natural facts that underlie our concept of virtue are the following: the fact that virtue is not unhealthy, nor vice healthy, [and] that the virtuous are no strangers to enjoyment.¹⁰⁹

She backs this up by saying virtuous people themselves identify the virtues in part because such virtues are generally productive of happiness as well as constitutive components of a good life. That naturalistic language partly characterizes our ethical

¹⁰⁴ *On Virtue Ethics*, p.220.

¹⁰⁵ *On Virtue Ethics*, p.222.

¹⁰⁶ *On Virtue Ethics*, p.167.

¹⁰⁷ *On Virtue Ethics*, p.185.

¹⁰⁸ *On Virtue Ethics*, p.185.

¹⁰⁹ *On Virtue Ethics*, p.187.

language is for Hursthouse a “grammatical idea”¹¹⁰. Her conclusion is that, despite the anti-foundationalist framework in which it operates, what ethical naturalism makes of the fact that we are social animals really does “constrain what will pass reflective scrutiny as a candidate virtue”¹¹¹.

As an example of the constraints of naturalism in operation, Hursthouse cautiously considers Singer’s ostensible virtue of “impersonal benevolence”¹¹². Someone who possesses such a character trait “does not think of ‘That’s a fellow human being’ or ‘She’s my child/parent/friend/partner’ as...[a] reason for seeking another’s good”¹¹³. This person’s emotions, “being in harmony with her reason, do not particularly engage with her fellow human beings”¹¹⁴. On the face of it, Hursthouse guesses, such a character trait would seem not to “foster” the “the continuance of the species and the good functioning of the social group”¹¹⁵. Moreover, we are social animals, strongly “‘partial’ to our own species and children”¹¹⁶. This ingrained partiality is, perhaps, more plausibly connected with the virtues and with flourishing than is the impartial consideration of interests. Singer himself, as we saw, admitted something like it.

Hursthouse hopes that this sort of rational or more objective justification will give any two moral disputants genuine reason to “think the other is in error, not merely digging in their toes about what they personally value or desire”¹¹⁷. That type of disagreement, of course, is what Singer would say is all you can reasonably hope to get, at the end of the day, from the ethical “arguments” bestowed by virtue theory, so long as they insist on a “subjective” element informed by feeling. But there is a separate tension too. Presumably, Hursthouse would feel that Singer’s fall-back suggestion grounding the ethical point of view in human nature – specifically in the unabashed and ultimate self-interest we have in personal fulfillment - is inimical to possession of the virtues. For this

¹¹⁰ *On Virtue Ethics*, p.259.

¹¹¹ *On Virtue Ethics*, p.226.

¹¹² *On Virtue Ethics*, p.224.

¹¹³ *On Virtue Ethics*, p.225.

¹¹⁴ *On Virtue Ethics*, p.225.

¹¹⁵ *On Virtue Ethics*, p.225.

¹¹⁶ *On Virtue Ethics*, p.225.

¹¹⁷ *On Virtue Ethics*, p.247.

undermines the virtues by contaminating the purity of their underlying motivation – an effect that occurs even when, as Singer requires, the motivation is kept at the requisite distance from action, making it possible to intelligibly call it “ethical”. Singer might then question how this problem, given Hursthouse’s understanding of virtue, is to be successfully skirted by her “validation” project, which appeals not only to “excellence”, but to the zesty enjoyment in her so-called “smile factor”.

As Hursthouse says, her naturalism imposes constraints on ethical thought, and on what passes as a virtue and thus as ethical understanding. One thing it rules out are ethical positions which, like extreme asceticism, are likely to be positively ruinous for the individual. But, as we saw, even Singer goes to some effort to show that the model spectator at the heart of his own brand of an “absolute” ethic is not to be studiously aped, as William Godwin thought he or she must, at the risk of losing our minds. Still, Hursthouse’s neo-Aristotelian claim also appears to rule out virtues and forms of understanding which are not strongly conditioned by the concepts of excellence, flourishing, and happiness.

There are two ways in which this naturalistic constraint might operate. The first is Hursthouse’s notion that this is an “objective” constraint that all rational people can appreciate, regardless of their life experience and individual point of view “within an acquired ethical outlook”. This is real or genuine justification (albeit modified by the Neurathian method), she thinks, not two people just digging in their toes. In the next chapter, we will look at philosophical attempts to lay down prescriptive rules on what genuine reason, or real attempts at seeing things as they are, should come to. For now, we might note the difficulty (detectable perhaps in the “speculative” aspect of Hursthouse’s project) of demonstrating that the naturalistic concepts of excellence and happiness – as reasonable as they may be in their own biologically evaluative way – also provide a rational and (quasi) objective grounding of ethics. Just as we might say to Singer that when we converse about ethical matters we are using a genuine form of thinking that cannot be reduced to arguments between rational primates, we might in a similar vein point out to Hursthouse that in serious ethical discussion, in the attempt to see things as

they are, the notions of attaining excellence and flourishing may be furthest from our minds, and do not in any case inform such thought. And if they do not at some level (as she tenders, “grammatically”) characterize our most serious ethical thought, what role can they have in rational justification?

The second form of the naturalistic constraint, as Hursthouse presents it, is that the connection between flourishing and wisdom is something that we can see from “within our ethical outlook”. And presumably, this will tend to favor the standard virtues that appear in virtue theory. However, if we accept Gaita’s elaboration of the fundamental role of the critical concepts in thinking well and badly, then we can notice that the naturalistic link between wise and perceptive thought and flourishing is itself subject to those terms of appraisal. We might find the notion that there is depth in virtues that promote the smile factor a compelling notion, or we might find it banal.

Furthermore, any virtues on the list, irrespective of their tendency to lead to eudaimonia, can be assessed in all sorts of ways in the realm of meaning. Consider, for instance, Hursthouse’s suggestion of a virtue of “animal concern”¹¹⁸. This seems to be a virtue that is connected to virtues or vices like callousness, compassion, and cruelty¹¹⁹. Hursthouse would be the first to say that applying a virtue like “animal concern” is very difficult in practice and requires delicate judgment, experience, and maturity. It might also require the input of cultural forms like film and literature¹²⁰ which help us to see more truly. Indeed, virtue ethicists like Hursthouse do not ignore the fact that we respond to others, including animals, in a variety of ways. For example, we may respond to the “wonder and beauty of the animal kingdom”, seeing how “touching and lovable, or strange and fascinating, instructive, inspiring, amusing, and so on animals are or can be”¹²¹.

But once again, we do have other critical means of taking these many different forms of response seriously or finding them frivolous. Indeed, it will shortly be argued that it is

¹¹⁸ R. Hursthouse, *Beginning Lives* (Oxford: Basil Blackwell, 1987), p.240.

¹¹⁹ R. Hursthouse, *Ethics, Humans and Other Animals: An Introduction with Readings (Philosophy and the Human Situation)*, (London: Routledge, 2000), p.155.

¹²⁰ *Ethics, Humans and Other Animals*, p.162.

¹²¹ *Beginning Lives*, p.240.

through certain critical responses to human beings and to animals that we build up a sense of what they are. There is no reason to assume, however, that what we find out about humans and animals in the realm of meaning will be powerfully influenced by notions like flourishing. We might discover that the most important thing about human beings and animals is that they are capable of excellences and flourishing. On the other hand, we may find that these are of lesser significance to a sense we might have of their individuality. In either case, to possess the resources we need to critically assess these questions, and to properly appreciate (as Hursthouse says) the rich moral texture of our lives, requires us to move beyond virtue theory.

Chapter 4 Imagination and Thought

Rosalind Hursthouse said that “sensitivity, perception, and imagination”¹ are necessary parts of ethical understanding. In this chapter, I shall look at how Gaita’s explication of thought about meaning compares with the thought of two other contemporary philosophers who have written on animals. In particular, the aim of this chapter is to examine the human imagination and its contribution to thinking seriously. I will first consider Cora Diamond’s views on the role of the imagination in ethical reflection and development and then go on to consider Stephen Mulhall’s commentary on some problems raised with the work of Diamond, influenced as it is by Wittgenstein.

It seems fair to say that for Diamond, “imagination” is a focal ethical concept. She is not claiming an exclusive usage for this word; can she can admit that there are very different activities that fall under the label of “imagination”, such as imagination in science, advertising, mathematics, or business. Her specific aim is to show us what place the imagination can have in ethical thought in particular, and in philosophy more generally. Literature figures prominently in her work: we may, Diamond says, “learn from our reading of such works, and from reflection on them, terms of criticism of thought applicable to discussions of practical issues and to moral philosophy itself”².

The sort of imagination Diamond concentrates on is clearly a prominent human activity. Individuals who lack a substantial imaginative capacity appear to be excluded from significant areas of human life, experience, and discussion; while others who lack certain kinds of imagination we may simply find, occasionally or pervasively, shallow and crude. One of Diamond’s examples of a lack of imagination comes from DH Lawrence’s description of an American sportsman in Africa who shot an “infant still clinging to the breast of its mother, a gorilla, whom he had just murdered; so he shot the infant without

¹ R. Hursthouse, *On Virtue Ethics*. (Oxford: Oxford University Press, 1999), p.159.

² C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, (Cambridge Mass.: MIT Press, 1995), p.377.

remorse, because he was acting scientifically”³. Diamond then quotes Lawrence’s expression of antipathy towards such sportsmen:

[It] is not mere pity on our part for the gorilla. It is an absolute detestation of the insentience of armed, bullying men, in the face of living, sentient things. Surely the most beastly offence against life is this degenerate insentience. It is not cruelty, exactly, which makes such a sportsman. It is crass insentience, a crass stupidity and deadness of fibre. Such overweening fellows, called men, are barren of the feeling for life. A gorilla is a live thing, with a strange unknown life of its own. Even to get a glimpse of its weird life, one little gleam of insight, makes our own life so much the wider, more vital.⁴

Diamond remarks that the “imaginative sense of strangeness of these creatures’ lives in Lawrence’s own prose”⁵. She thinks that seeing these things requires an “imaginative grasp”⁶ or the ability to be touched or pierced or shaken or troubled, to be “moved to wonder or deep confusion”⁷. She brings to our attention the fact that we often respond to an expression or occasion of significance with pain and horror, or with pleasure and laughter. Diamond also talks of us being awakened to things in life and of coming alive to something we see or hear.

Ethical understanding, she argues, depends upon the resources of our humanity and culture, resources that allow us to use ethical language “at full stretch” and with an active “responsiveness to life”. If our reasons are “heart-indifferent”⁸, our emotional life undeveloped and our thinking not “charged with appropriate feeling”⁹, or if, like

³ C. Diamond, “The Importance of Being Human” in D.Cockburn, (ed.) *Human Beings*, (Cambridge: Cambridge University Press, 1991), p.40.

⁴ *Human Beings*, p.40.

⁵ *Human Beings*, p.41.

⁶ C. Diamond, “How Many Legs” in R. Gaita, (ed.) *Value and Understanding: Essays for Peter Winch*, (London: Routledge, 1990), p.176.

⁷ *Value and Understanding*, p.177.

⁸ C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, (Cambridge Mass.: MIT Press, 1995), p.293.

⁹ *The Realistic Spirit*, p.298.

Dickens' character Gradgrind, we are "cold and even insolent"¹⁰ and invulnerable to the "force of the heart's responses"¹¹, then we have in the relevant sense "not learned to think"¹².

The imagination for Diamond is not exhausted by fairy tales and "inspirational rhetoric"¹³. And because it is not a mystical, metaphysical, or intuitive faculty, Diamond (like Gaita) eschews a theoretical account of her focal concepts. Thus, while various technical and psychological analyses may be possible, we do not need to "know more *about* imagination in order to give it its place in the philosophical treatment of human nature"¹⁴. Rather, we should be content to describe and give examples of various uses of the imagination.

A key aspect of the imagination in Diamond's view is the way it shapes our moral concepts¹⁵. Although in life we constantly encounter this "imaginative shaping of meaning"¹⁶, philosophy is typically uninterested in that phenomenon. Consequently, it "alienates people from what unreflectively belongs to their sense of their humanity"¹⁷. Such philosophy, she argues, looks at the world as if the objects in it have only descriptions existing independently of a more humanly imaginative point of view. Yet there is also "a world whose deepest difficulties include difficulties of description"¹⁸, going well beyond the factual and scientific.

These imaginative makings, descriptions, and elaborations, she argues, are a "characteristic human activity"¹⁹. Human beings and cultures create these notions multitudinously and not always deliberately. Indeed, we make and create them through a mass of ways of thinking about, and responding to, customs, practices, words, speeches,

¹⁰ *The Realistic Spirit*, p.300.

¹¹ *The Realistic Spirit*, p.298.

¹² *The Realistic Spirit*, p.298.

¹³ *Human Beings*, p.48.

¹⁴ *Human Beings*, p.47.

¹⁵ *Value and Understanding*, p.177.

¹⁶ *Human Beings*, p.48.

¹⁷ *Human Beings*, p.57.

¹⁸ *The Realistic Spirit*, p.378.

¹⁹ *Human Beings*, p.48.

literature, institutions, philosophy, and law. The description or redescription of a situation, act, thought, character, or object in imaginative terms, Diamond believes, may fundamentally change our understanding of these things, and with that the moral possibilities associated with them.

One of the ways in which philosophy has taken the “facts constituting the situations in which we act as straightforwardly describable”²⁰ is, as Iris Murdoch argued, in reducing the phenomena of interest in moral philosophy to action and choice²¹. But as Martha Nussbaum has suggested, literature holds the promise of widening the subject matter of ethics beyond action to (in Diamond’s words) “gestures, manners, habits, turns of speech, turns of thought” as these are “morally expressive – of an individual or a people”²². Such accounts are aspects of the intelligent and “sharp-eyed, description of life”²³.

However, Diamond is also critical of Nussbaum, on the grounds that her neo-Aristotelianism appears to confine the imaginative subject matter of ethics to “what *generally* belongs to the empirical and social conditions of human life”²⁴. What sense of things we may make is then pinned down, by prior conditions, to a particular view of life and flourishing, rather than allowing responsiveness to life to enter our thought in all its conceivable variety. As Diamond says: “Ethics comes from our thought about all the things that can strike us as revealing something significant about the kind of beings we are”²⁵.

A further example of the constraints philosophy can put on ethical phenomena comes from attempts to link an ethical concern with the outward extension of sympathy and empathy, sometimes through imaginative literature, to the “sufferings or the humiliation of a wider range of human beings”²⁶ and/or nonhuman animals. Diamond has argued that philosophies which argue for an expansion of sympathy and empathy can restrict their

²⁰ *The Realistic Spirit*, p.377.

²¹ *The Realistic Spirit*, p.376.

²² *The Realistic Spirit*, p.375.

²³ *The Realistic Spirit*, p.375.

²⁴ *The Realistic Spirit*, p.375.

²⁵ *Value and Understanding*, p.175.

²⁶ *The Realistic Spirit*, p.49.

possible subject matter when the objects of their concern are described in non-imaginative terms. What she means is illustrated in Lawrence's insistence that his concern for the gorilla is not *mere* pity. Another limiting move, to be addressed in chapter 6, is to think that objective descriptions of animals and human beings must be in factual terms, often biological ones, perhaps conjoined with principles of action describing their moral status.

Diamond does not suppose that literature is the only domain in which this imaginative thought is located. There are many nonliterary places where understanding requires combinations of "moral energy, discipline, imagination, creativity, wit, care, patience, tact, delicacy"²⁷. Nonetheless, literature's importance for Diamond is that we can learn from our reading of genuinely imaginative literary works, as we have noted, the "terms of criticism of thought applicable to discussions of practical issues and to moral philosophy itself"²⁸. Furthermore, literature is a source of nourishment for thought and is of the "greatest importance in developing and strengthening our moral capacities, and turning them in new directions"²⁹. Certainly in our culture (Diamond would say), literature is a fundamental source of a widened imaginative grasp of our moral concerns. We may look more closely at how Diamond thinks something like a "literary sensibility"³⁰ is related to ethical discernment.

There is, she thinks, a kind of learning to think which "plays a role in the education of the emotions and in the development of moral sensibility"³¹. She describes that learning in the following terms:

We develop the capacity to make such judgments through habits of awareness, reflection, and discrimination. That is, we come across all sorts of things which invite an emotional response, or invite the taking up of an attitude or mode of thought – including here such 'issues' of such

²⁷ *The Realistic Spirit*, p.377.

²⁸ *The Realistic Spirit*, p.377.

²⁹ *The Realistic Spirit*, p.307.

³⁰ *The Realistic Spirit*, p.372.

³¹ *The Realistic Spirit*, p.303.

invitations, works of literature and philosophy. At first such responses will not be *considered* ones at all: we respond (let us say) with delighted amazement and wonder at fairy tales, in a wholly unreflective way. But we can come to be aware of what makes for deeper understanding and enriching of our own thought and experience; we can come to have a sense of what is alive, and what is shallow, sentimental, cheap; as we make comparisons, we come to know what are the reasons for our interest in this, our feeling that that is important. We thus learn also to support our judgments with arguments, which in many cases depend on the kinds of comparison we are able to make: the shoddy thought can be shown up by being placed alongside the genuine.³²

Diamond distinguishes between the presentation of a work and its “extractible content”³³. She claims the style of a work may fail in a number of distinctive ways. A work of literature, and even philosophy, might fail because it is heavy-handed and sententious. She would agree that it may also fail because it is moralizing, pompous, ludicrous, arrogant, sentimental, or crude. On Diamond’s account, we need a developed and educated imaginative intelligence to see and discuss things in these terms, and so in this way to learn about ethics from literature, some philosophy, and from other sources.

Diamond’s conception of literature’s relation to philosophy may be usefully contrasted with Peter Singer’s. In *The Moral of the Story: an Anthology of Ethics through Literature*, he and Renata Singer claim that “ethics comes squarely within the field of literature, as well as within the field of philosophy” and that “each approach has its own strengths and weaknesses”³⁴. Philosophy is more rigorous and reduces confusion, but literature can also “throw light on some of the perennial questions of ethics”³⁵. The Singers remain agnostic on “whether great literature should have high moral values”³⁶,

³² *The Realistic Spirit*, p.303.

³³ *The Realistic Spirit*, p.300.

³⁴ P. Singer & R. Singer, (eds) *The Moral of the Story : An Anthology of Ethics Through Literature* (Wiley&Sons, 2004), x

³⁵ *The Moral of the Story*, xi

³⁶ *The Moral of the Storyy*, xi

but are sympathetic to the evaluation of “literature in strongly ethical terms”³⁷. Good imaginative writing “can help us to understand more about ourselves, and how we ought to live”³⁸.

Singer says that literary creations display a “depth” that creative philosophical examples, which are more like a “piece of equipment for a scientist”³⁹, can lack. Whereas philosophical thought-experiments and illustrations are usually schematic and unmoving, literary works can have a rich context, making an ethical idea more engaging, concrete, nuanced, and plausible. Hence, we can learn from literature more about some of the real-life implications for, and possibilities of, ethical views. This knowledge, no doubt, would be important for applied ethics, and for a two-level utilitarian view.

Singer has extended his appraisal of literature in the introduction (co-written with Anton Leist) to a more recent book. In *JM Coetzee and Ethics: Philosophical Perspectives on Literature*, he and Leist distinguish between traditional analytic philosophers, who follow Enlightenment ideas, and the motley crew of pragmatists and postmodernists, who are intent on “discarding truth”⁴⁰.

Singer and Leist identify Wittgenstein as a pragmatist who wished to “rid philosophy of its traditional burdens and get rid of philosophy itself, more or less directly, making room instead for other practices, especially art and politics”⁴¹. In contrast, traditional philosophers “give an objective meaning to central concepts of knowledge”⁴². Furthermore:

Philosophers who still favor the ideas of the Enlightenment see literature as a supplement to philosophy and sciences, something to be made use of educationally and politically for an improved way of life. Literature’s

³⁷ *The Moral of the Story*, xi.

³⁸ *The Moral of the Story*, xi.

³⁹ *The Moral of the Story*, x.

⁴⁰ A. Leist, & P. Singer, (eds.), *J. M. Coetzee and Ethics: Philosophical Perspectives on Literature*, (New York: Columbia University Press, 2010), p.4.

⁴¹ *J. M. Coetzee and Ethics*, p.3.

⁴² *J. M. Coetzee and Ethics*, p.4.

innovative power, its extension of the imagination, surely has an advantage within the nonrationalized (and nongeneralizable) parts of individual lives, within the nonrational pockets of the private...Philosophers in this tradition do not think that literature could pull the carpet from under their feet as philosophers because for them literature, even its most provocative creations, fails to penetrate the hard shell of rational concepts or serious argument. This goes for naturalist philosophers even more than for concept-bound ones, as their infatuation with the sciences fixes their interest more on the material basis of our existence than on the full experience of human life.⁴³

Singer says that literature is “frequently a more natural and more human way of expressing oneself. In the hands of great artists, it portrays our elementary experiences”⁴⁴. Literary imagination is especially useful for applied ethics and the “practical problems of the real world”⁴⁵. Its potential for innovation, however, is partly a result of not being tied down to the state of play of an academic subject like philosophy; it is relatively free to be more creative and, as Coetzee does, to make radical critiques of traditional philosophy. Thus it can “yield insights hard to come by in the usual academic style of philosophical work” and it could even make “philosophy more imaginative”⁴⁶. Literature is also particularly well placed to track philosophical trends, such as the recent interest in philosophical approaches in which the “aptness of rational argument itself is questioned”⁴⁷ by, say, new forms of skepticism and relativism.

Finally, it is consistent with Singer’s position here that the sensitive reading of good writing can help us to recognize styles of expression and “techniques like parody, playfulness, surrealism”⁴⁸. Diamond provides examples of the need for sensitivity when

⁴³ *J. M. Coetzee and Ethics*, p.5.

⁴⁴ *J. M. Coetzee and Ethics*, p.13.

⁴⁵ *J. M. Coetzee and Ethics*, p.13.

⁴⁶ *J. M. Coetzee and Ethics*, p.14.

⁴⁷ *J. M. Coetzee and Ethics*, p.11.

⁴⁸ *J. M. Coetzee and Ethics*, p.5.

she talks about David Hume's use of irony⁴⁹, and William Frankena's failure to see when Socrates was not making a rational argument but rather an "extraordinary improvisation"⁵⁰.

In summary, Singer acknowledges that the interpretation of philosophical ideas does sometimes, in part, depend upon a literary sensibility and its receptiveness to competing and even open-ended determinations of a work's point or meaning. Further, because of his belief that good literature can move and engage us, Singer would no doubt say that literature's form cannot be separated from its content without losing a good deal of literature's contribution to ethics, reason, and philosophy.

However, even with all these acknowledgments, the distance between Singer and Diamond on this question has hardly been shortened. In the following passage, Diamond characterizes the idea that, in essence, literature merely supplements rational philosophical argument:

Literary skill, if a philosopher has it, may then make his ideas strike us more forcefully (if we have the requisite sensibility as readers), but the important thing for a philosophical reading is the ideas themselves, and whatever considerations may rationally support them. Such a view of philosophy may go with a *narrow* conception of the kind of weakness we need literary sensibility to see: a narrowing of the notion to weaknesses of style in a fairly superficial sense, which might make philosophical ideas less striking, less immediately attractive, but not less cogent. Failure of style as *philosophical* failure has then no place.⁵¹

⁴⁹ *The Realistic Spirit*, p.302.

⁵⁰ *The Realistic Spirit*, p.312. Another example is Diamond's claim that Singer himself initially misread Elizabeth Costello's "arguments" about animals by taking them to be standard philosophical ones rather than an extended and nuanced expression of a sense of the horror of what we do to animals – an expression that also challenges philosophical preconceptions. In *J.M. Coetzee and Ethics*, Singer recognizes the possible radical nature of Coetzee's views.

⁵¹ *The Realistic Spirit*, p.372.

For Bernard Williams, style has some role to play in science, and so, indispensably, does the imagination. But the styles in science and moral philosophy are crucially different, because the scientific imagination “tends to be creative rather than expressive”⁵². In effect, this is another way of saying that Diamond’s criticism – that there is a distinctive and irreducible form of ethical thought which employs the imagination and must also transform philosophy - cannot be met by repeating Singer’s recent defense of the relevance of imaginative literature for serious ethical reflection. Sometimes, Williams argues, moral philosophy itself only succeeds if it is expressive and displays the right style, to some extent like literature. It may sometimes do this blatantly, as in Nietzsche, and as we will see, in the work of poetically inclined philosophers like Vicki Hearne. Even when it is not “literary”, moral philosophy must always pay attention to the right expressive forms, if it is not to lose some of its subject matter. This matter will be returned to.

The possibility of an “extraordinary improvisation” is another of Diamond’s reasons for invoking literary imagination. Diamond has drawn attention to the ethical possibilities of adventure in writing and in reading. She talks of the “magic worked by a vivid imagination”⁵³ and of the “genius for *appreciation*”⁵⁴, which she likens to the “improvisation of an actress”⁵⁵. We may now ask how Diamond’s making or creating “something entirely unexpected”⁵⁶ of facts and situations fits in with Gaita’s understanding of the realm of meaning.

Such understanding, Gaita argued, is available to the virtuous peasant, who is unreflective but still lucid. This person has moral understanding on Diamond’s account too, because she can respond imaginatively in the right way. But although they are capable of a kind of transforming perception”⁵⁷ of facts and things, virtuous peasants,

⁵² B. Williams, *Philosophy as a Humanistic Principle*, (Moore, A.W. ed.)(Princeton and Oxford: Princeton University Press, 2006), p.205.

⁵³ *The Realistic Spirit*, p.315.

⁵⁴ *The Realistic Spirit*, p.316.

⁵⁵ *The Realistic Spirit*, p.311.

⁵⁶ *The Realistic Spirit* p.312.

⁵⁷ *The Realistic Spirit*, p.313.

perhaps, are “*bad* readers”⁵⁸. Or at least, they are not as alert as the creative mind is to “alarming and unprecedented possibilities, inviting, demanding, improvisation”⁵⁹.

As we saw, the nature of the unreflective person’s understanding is determined by her lucid response to the conceptions of meaning bestowed on her by a culture that has depth. Her own insight is also reliant on her culture’s dependence on innovators, perhaps a Coetzee or a Lawrence. The sort of wisdom the virtuous peasant has, and the sort she lacks, may be acutely relevant in the case of animals, insofar as her society’s sense of them is highly variable and, quite probably, relatively unimaginative. But that, of course, was why Diamond suggested, as a new movement was getting underway, that leading innovators like Singer and Regan had got us off on the wrong foot. In her terms they, in contrast to Coetzee and Lawrence, had missed the adventure.

.....

The Wittgensteinian influence present in the writing of philosophers like Cora Diamond has come under attack from the Kantian philosopher Onora O’Neill. In *The Wounded Animal*, Stephen Mulhall discusses this disagreement against the background of the “ancient quarrel” between philosophy and literature stretching back to Plato’s “exclusionary gesture”⁶⁰ - his rejection of poetry as “essentially nonrational activity”⁶¹.

In “Anything But Argument”⁶², Diamond attempted to reveal O’Neill’s misunderstanding of one kind of ethical thought. O’Neill had argued⁶³ that Stephen Clark’s *The Moral Status of Animals* mostly failed to provide genuine “argument” which could bring about the conviction he sought to effect. Clark’s eclectic work of philosophy is radical in its suggestion of a peaceable animal kingdom. It also has a non-metaphysical approach. As

⁵⁸ *The Realistic Spirit*, p.314.

⁵⁹ *The Realistic Spirit*, p.315.

⁶⁰ S. Mulhall, *The Wounded Animal, J.M. Coetzee & the Difficulty of Reality in Literature & Philosophy*, (Princeton: Princeton University Press, 2009), p.10.

⁶¹ *The Wounded Animal*, p.1.

⁶² *The Realistic Spirit*, p.291-307.

⁶³ O’Neill, O. Review of Stephen Clark, *The Moral Status of Animals* in the *Journal of Philosophy* LXXVII, 7 (July 1980).

Mulhall puts it, Clark “envisages complete detachment from the heart as one way in which thinking can exhibit deficiency qua thinking (not: one way in which thinking can be caused to be deficient, but rather: one form that rational deficiency may take)”⁶⁴.

O’Neill’s objects that Clark’s methodology resorts to mere assertion or persuasion. Clark, she says, practices a kind of polemical emotivism which can only strike a chord with those whose hearts are similarly inclined. One of Diamond’s points is that this claim is just empirically untrue – enlarging the hearts affections is just what fine imaginative writing, such as Charles Dickens’ engaging fictional writing on children and social injustice, aims at and sometimes achieves.

Diamond also suggests that merely rational/metaphysical argumentation can be too unconvincing to change minds. Singer, as we saw in the Introduction, holds an opposing view that “reason is more universal and more compelling in its appeal”⁶⁵ than is relying on goodhearted-ness. There may be some truth in that – and indeed Singer has been a most influential thinker, not least in the way he has applied his philosophical position to animals. But his position does not support O’Neill’s blanket empirical claim against Clark. Who is to say that some readers were not moved and changed after reading Clark’s vision of a peaceable kingdom?

Mulhall’s response to O’Neill’s critique resembles some earlier points. Mulhall says that philosophy and literature are “autonomous but internally related”⁶⁶. The O’Neill point of view, he thinks, is too restrictive about the kind of ethical reflection that goes on in literature, and too restrictive also about the nature of reflection in philosophy, with its “preference for theoretical principle over the exercise of right judgment from case to case”⁶⁷.

⁶⁴ *The Wounded Animal*, p.6.

⁶⁵ P. Singer, *Animal Liberation* (London: Pimlico, 1995), p.243.

⁶⁶ *The Wounded Animal*, p.3.

⁶⁷ *The Wounded Animal*, p.18.

In “The Power of Example”⁶⁸, O’Neill extended her criticism of the idea of philosophy informed by literary style and the heart’s affections in a response, if an indirect one, to Diamond’s position. Effectively, O’Neill carelessly puts Diamond in an “abstract category of ‘Wittgensteinian moral philosophers’”⁶⁹, and then proceeds to characterize the category’s supposed view on the ethical relevance of examples. O’Neill claims that Wittgensteinian philosophers:

regard examples not as mere illustrations of theory and principles, or as models for action, or as vehicles of moral education, but the pivot of moral thought in themselves: attention to them is not a means of getting elsewhere, but an end in itself.⁷⁰

The examples must therefore be “detailed, elaborate, and fully worked out” rather than schematic or sketchy⁷¹. Mulhall identifies three problems O’Neill has with this ostensible Wittgensteinian deployment of examples.

First, the detailed and concrete examples that are chosen, often from the classics, are likely to substantially guarantee shared responses. For they must “presuppose sufficient community of moral views” if they are not to result in a “breakdown in communication, an impasse of incommensurable frameworks”⁷², and thereby defeat the appeal the examples are supposed to have. Such selection methodology, O’Neill thinks, “leaves little room for moral disagreement”⁷³. Second, the meaning and interpretation of the examples are constrained by their textual warrant. Third, the literary examples impose a spectator perspective by requiring us to “judge characters in their imaginary situation”⁷⁴ – characters whose actions may already have been completed. The examples thus leave us “with no responsibility to carry over such judgments into real situations”⁷⁵.

⁶⁸ O’Neill, O. ‘The Power of Example’, in *Philosophy*, **61**, 1986, pp.5-29.

⁶⁹ *The Wounded Animal*, p.11.

⁷⁰ *The Wounded Animal*, p.11.

⁷¹ *The Wounded Animal*, p.11.

⁷² *The Wounded Animal*, p.12.

⁷³ *The Wounded Animal*, p.11.

⁷⁴ *The Wounded Animal*, p.12.

⁷⁵ *The Wounded Animal*, p.12.

The upshot for O'Neill is that the method of appealing to and eliciting responses from richly textured examples collapses into "moral conservatism and moral relativism"⁷⁶. Or of not that, then it degenerates into "mere aestheticism" and irresponsible "moral connoisseurship"⁷⁷.

But for a start, says Mulhall, there is a presumption about the range of philosophy influenced by Wittgenstein. In particular, Diamond does precisely the opposite of assuming, as O'Neill thinks she must, that "all justification is relative to locally accepted practice"⁷⁸. Diamond explicitly talks about how literature can "enlarge the reader's moral and emotional sensibilities"⁷⁹, and she believes that it can "enlighten the understanding"⁸⁰ not just in relation to private aesthetics but in terms of broader questions in life. And there are of course traditions of literary criticism which involve open-ended disputes about the "content and significance of a literary text"⁸¹. These discussions, too, may have broad application to life.

Diamond's use of literary examples is neither emotivist, relativistic, nor merely aesthetic. The very act of choosing the precise examples and elaborating them is important, because it may manifest success or failure in showing us how to enlarge our perspective. This applies as much to philosophy as to ethical discussions outside that discipline.

Often our interest in literature (and other arts) is not just in the important task of literary interpretation, but in the example's truthfulness. Does it move us – and move us rightly? Answering that question also requires, as Leavis indicated, an open-ended discussion. When Diamond says we ought to "put our own pressure on the novel itself"⁸², she has in

⁷⁶ *The Wounded Animal*, p.12.

⁷⁷ *The Wounded Animal*, pp.12-13.

⁷⁸ *The Wounded Animal*, p.13.

⁷⁹ *The Realistic Spirit*, p.297.

⁸⁰ *The Realistic Spirit*, p.297.

⁸¹ *The Wounded Animal*, p.17.

⁸² *The Realistic Spirit*, p.316.

mind that we should look dispassionately at the hidden ethical significances and layers of meaning (value) which a text might powerfully and authoritatively reveal.

Putting pressure on the text is further to reflect, given any general interpretation we manage to find, on whether the content is not after all sentimental or pompous, and whether it is therefore trivial and untrue to life. Far from being constrained by the text, then, this critical process is liberated in response to it, since its very authority to shed light on questions in our lives can be brought into question, or affirmed. The use of the text would still require a community of people who can grasp and discuss it, but it would not imply a community of members who either happen to agree, or are always bound to agree, with one another.

O'Neill is not attentive to the fact that examples can be used as invitations to respond variously to them, but always in a critically modulated arena of meaning. This is why the examples, even in ethics, are often rightly textured and detailed (whether definite and "completed" or ambiguous and open-ended) rather than sketchy and schematic. They must not be colorless – they must have "tone", and the tone must be right, which is to say: genuinely convincing and truthful. Such invitations are appeals not to theory, nor to creative rational solutions, but to our disciplined use of the imagination.

Clearly, examples that illustrate or influence principles and theories differ from examples given in the hope they have a structure capable of affecting our sensibility in certain critical ways. Philosophers like Gaita who use examples of the latter kind know that those who receive them are responsible in a special way if they are to respond well. The responsibility they have is not merely to muster all their rational and logical powers, but to be thoughtfully engaged in the right critical fashion. And this requires that they allow themselves, to some degree, to trust in rather than dismiss their critical responses when they are moved. That trust may be a difficult thing, partly because of the fat, relentless ego and the strength of conventional pressures, and also because of the sense that the ways we are moved are poor or indulgent modes of thought and are simply not to be trusted. Of course, they are only to be trusted when they are disciplined. O'Neill

exemplifies the philosophical pressure which impels us to mistrust them, that is, almost *completely* mistrust them.

Critical responses also depend crucially on a culture which has the right examples, resources, and language to make them engaging – to give them color and life. However, there is no *a priori* reason to predict or insist, as O’Neill does, that this particular use of examples to inform arguments – that is, examples upon which we reflect independently of theory on what we want to say about them - cannot have unconventional and radical implications concerning what matters in life. That was Diamond’s point about Charles Dickens’ invitation to re-conceive our sense of the preciousness and irreplaceability of children, by producing (sometimes) unsentimental fiction that not only explores their misery, but also encourages wonder at their strange and vivid imaginations which are bound up with their developing perspectives on the world.

Mulhall makes a further point Diamond’s defense. He says that:

Diamond’s Wittgenstein is precisely someone who sees the original sin of philosophy as that of attempting to lay down requirements on the reality it aims to contemplate, and who accordingly sees its possibility for redemption as lying in the attempt simply to attend to what is there to be seen, in all its variety and complexity...Diamond is not even attempting to argue that it is a requirement on all competent moral beings that they acknowledge the reality of the convictions of the heart, or the relevance and importance of literature to philosophy; she is not trying to – she is in fact trying not to – lay down any requirements at all. Her aim is simply to remind us that it is perfectly intelligible to talk of convictions of the heart, and to regard literature as having moral force because of its ability to address them – that these ways of conceiving morality and rationality exist, and can be explained, and even rendered convincing (although not, of course, to everyone). But all that follows from such reminders is that philosophers can have no business laying down requirements on the nature

of moral thought such that these possibilities entirely disappear from sight. To argue against their cogency or plausibility is one thing; to write as if their very intelligibility is ruled out in advance, as if by the nature of the subject matter or the nature of human reason, is quite another.⁸³

This passage can be unpacked a little. It is a philosophical mistake, Mulhall says, for O’Neill or anyone else to attempt to restrict *a priori* the nature and range of intelligibly cogent ethical thought. The warning against being prescriptive about “what is there” applies generally: to metaphysics, pure rational argument, and theorizing, to a prior conception of the good or of flourishing for human beings, and to the “non-imaginative” extension of sympathy and empathy. In her attack on Clark and on the Wittgenstein-inspired use of examples, this is a Wittgensteinian point O’Neill does not address.

Diamond is aware that, philosophically speaking, one of her insights into the nature of ethical thought – namely, the nature of the imaginative intelligence and its role – is “highly disputable; and it is perfectly all right for philosophers to dispute it”⁸⁴. Here can be seen her careful refusal to be prescriptive and close-minded concerning the nature of thinking about value. It is part of philosophy’s task, she thinks, to argue over that nature. The basic philosophical mistake, in her opinion, is to “lay down exclusive ground rules” in “blithe unconsciousness” of other views of what “morality and its relation to human nature” can consist in⁸⁵. Such dogmatism constitutes “philosophical obtuseness”⁸⁶.

However, Diamond does not conceive of such philosophical blindness as a wholly impersonal matter⁸⁷. If it were that, then the most that philosophers like O’Neill and Singer would have to admit is that, in addition to its rational elements – however thickly or sparsely those elements are spread in ethical practice – much of the moral discussion that actually goes on is indeed emotivist waffle; that in making ethical judgments people

⁸³ *The Wounded Animal*, pp.14-15.

⁸⁴ *The Realistic Spirit*, p.307.

⁸⁵ *The Realistic Spirit*, p.307.

⁸⁶ *The Realistic Spirit*, p.316.

⁸⁷ *The Realistic Spirit*, p.307.

too often, perhaps more often than we have hoped and assumed, go in for mere cajoling and emoting.

Boiled down to its essence, of course, that is what these philosophers would say about Diamond's account of the nature of the imagination. So she would not necessarily get very far with opponents like Singer were she simply to say that there is more imaginative activity and language in ethical practice than people have thought. Nor, it seems, would her opponents thereby be forced to abandon their favored position on ethical reason.

Yet the assertion that there is a wholly impersonal way of adequately determining the range and nature of ethical thought – including the nature of its cognitive features assuming it has them - is itself an unwarranted assumption. As Mulhall puts it, there is “no evaluatively neutral way”⁸⁸ of properly appreciating the nature of intelligible and cogent modes of attention: “To think otherwise is to commit oneself to the all-too-familiar fantasy of an abyssal distinction between the domain of value-neutral facts and the evaluative systems we superimpose upon it”⁸⁹.

In other words, a thinker cannot properly grasp the nature and significance of thinking in the realm of meaning if she is not vulnerable to making sentimental judgments or to being moved by how some things are really hollow and vapid, rather than merely irrational. As Diamond says, this is akin to a live literary sensibility.

Nor can our thinker grasp the cognitive role of the critical concepts if, under philosophical pressure or for other reasons, she tries to distance herself from them in serious ethical reflection. If she is of a certain temperament, she may want to confine the deployment of those concepts to (as Singer said) the nonrational and “more human” pockets of life. But these pockets are large and deep. In so denying her critical responses, she will have entirely failed to understand how a major part of ethical language is used.

⁸⁸ *The Wounded Animal*, p.9.

⁸⁹ *The Wounded Animal*, p.9.

In practice, such a person might be called shallow. In philosophy, Diamond and Gaita would say it represents an unwillingness or incapacity to look fairly at ethical practice.

In the lengthy passage above, Mulhall attacks the prescriptive tendency in philosophy to rule out forms of reason or thought without paying close attention to them. Further, he thinks, to do that in a non-evaluative manner would be to misunderstand them. In that passage he also wrote: “Diamond is not even attempting to argue that it is a requirement on all competent moral beings that they acknowledge the reality of the convictions of the heart, or the relevance and importance of literature to philosophy”.

It is certainly not a requirement imposed by rationality or reason *per se* that we acknowledge these modes of response. We need to look at and see what the genuine “requirements” of critical thought in this realm are like. Singer retains, of course, a preference, indeed a reverence, for strictly rational thought – limiting his appeals, for instance, to the essentially non-imaginative and rational faculties of other reasoning beings. Even assuming his style of thought is not fallacious or conceptually mistaken – no doubt a big assumption – we can still raise the question whether Singer’s thinking is appropriate to its subject matter and lives up to our sense of its gravity.

We have observed the philosophical error involved in laying down any *a priori* requirements on ethical thought. What may we say after surveying the terrain as best we can? Diamond identifies another kind of obtuseness in ethics which occurs at a different level. Moreover, her body of work as a whole is strongly critical of certain normative forms of thinking about ethical issues. Thus, she claims that moral theories like utilitarianism have “nothing to do with moral thought”⁹⁰ and that they have, not only unjust or mistaken implications, but ludicrous ones. Mulhall notes that for Diamond it would be “sheer comedy”⁹¹, say, to try to justify Dickens’ sense of the preciousness of children by appealing to their properties. That applies even to the property of the child’s propensity for imaginative fancy.

⁹⁰ *Value and Understanding*, p.174.

⁹¹ *The Wounded Animal*, p.8.

Again, Diamond is not here responding “emotively”. On the contrary, her attunement to (unintentional) comic effect - a sensibility regarded as unimportant in this domain by many theorists - is related to the type of effect to which we must remain attuned and thus susceptible if we are to appreciate satisfactorily the nature of ethical thought. More precisely, what Diamond is responding to are some of the products of a form of thought that has no ear at all for comedy, or more generally, for “tone”. It has been Raimond Gaita’s contention that the critical terms of appraisal in subject matter of this type, unlike in mathematics and science, cannot afford to be tone-deaf.

Diamond’s claim is that thinking well about the meaning of human and animal life is only possible when, in addition to our rational commitments and understanding of the facts, we can be imaginatively moved; it is distorted or undermined by attempts at justification that go on quite independently of such imaginings. Diamond argues that:

a reflective appreciation and judgment of our mode of response is possible without that view of justification. We can reflect on the experience we have of life with a concept and can intelligently judge it to be better (say) than life without that concept, or with it but radically changed, would be.⁹²

One aspect of seeing our lives as better off with Gaita’s critical concepts is not just that our lives would be better or richer. It is rather that they are the right concepts; if our lives are better, it is because these categories help us to see things as they are. An imagination that is not “heart-indifferent” and which appeals to our sensibilities and even “affections” is not a mere aid or a mere encumbrance to ethical thought, as O’Neill believes. It may be those things, of course: daydreaming and creative flights of fancy, like the fat, relentless ego, can be bad (or good) for any effort to see truly. But it is also wrapped up inextricably with a distinct kind of understanding. A range of responses, such as horror, revulsion, joy, wonder, love, respect, and humor can conceptually build up our sense of other beings including animals (though such responses cannot be independent of a range of ordinary

⁹² *Human Beings*, p.61.

facts about them). Furthermore, as the Lawrence example indicated, the recognition of the reality of others, gorillas or people, cannot occur without a personal element of imaginative responsiveness.

We might agree with Diamond that there are some important conditions of educating a human being into a mature and critical “responsiveness to life”, as Henry James put it. Children must be taught certain imaginative ways of responding, even creatively and adventurously responding, if they are to develop the thoughtfulness and insight needed to see things the way they are. This, no doubt, will involve exposure to art and story, and to serious and gripping discussions about meaning. It will involve engaging children in the sort of conversation in which human beings and their lives – and other things, like animals and their ways of living – are spoken of in a particular manner, perhaps with imaginative tones of horror, confusion, joy, sadness, and wonder.

But it should not be forgotten that the reason Diamond’s sense of the imagination is inseparable from the grasp of certain meanings is that this imagination partakes in, and is subject to, the critical terms of review which identify a distinctive domain. This domain is not self-enclosed and isolated: it is conceptually related to all kinds of rational thought, factual understanding, creative endeavor, and imaginative response. Nonetheless, it is distinguished from them to the extent that its cognitive dimension has a particular character.

D.H. Lawrence’s prose, evoking the mysterious individual being of a gorilla, which for Lawrence is inseparably connected with the deeper respect that failed to impress itself upon the hunter’s deadened sensibility, was an exercise of the imagination that can be judged according to its capacity to ring true. Gaita would say that this is neither the kind of judgment that is merely aesthetic nor the kind that may be improved upon – say, by appeal to higher cognitive standards which might be accessible if only human beings were not so restricted by their primate heritage.

Yet the point is there *are* no other adequate standards and no higher courts of appeal. The right standards are those which, in a special fashion, combine heart and head, imagination and rationality. In particular, the critical concepts Gaita speaks of, which recognize cognitive content only when it exists in certain forms, and truthful content in even fewer of them, are not inferior or just-good-enough tools of understanding. Instead, our immersion in them allows us to appreciate that they are the only critical terms with which we can adequately make sense of the character of certain realities. And in doing that, this critical language gives rise to the sense that rival philosophical options (often “theories”) are inadequate, often ludicrously inadequate, to the common cognitive task of making sense of things.

Many people will most readily see that a mode of thought which must attend to “tone” applies to reflection on literature. But Gaita’s recognition that this general form of thought is as fully cognitive as ethical thought intelligibly can be, and that it also applies more generally to questions about value and meaning, bridges the gap that many philosophers believe separates the kind of thinking (or “thinking”) that is embodied in imaginative literature and other forms of art from genuinely ethical reflection.

So: in the light of the previous exposition, what in terms of our topic is the proper role of the imagination and of culturally resonant and creative activity? The next chapter discusses some so-called imaginative makings of human life; imaginative responsiveness to the lives of animals is discussed after that.

PART II

Chapter 5 – Difference and Differences

Part I of this thesis sought to develop a contrast between two broad ways of thinking about ethical matters and, in consequence of that, two different conceptions of doing moral philosophy. The first of these, encompassing a variety of traditional methodologies in the subject, relied upon a view of reason or cognitive activity as essentially “rational” activity. Different meta-ethical views, of course, spell out the nature of rationality in ethics differently. For example, Singer’s “foundationalism” considers Regan’s “coherentist” methodology, which is permissive towards ethical “intuitions” and beliefs, to be less than fully rational. Singer even seems to believe that over time and in principle (if not in practice) a convergence in ethical belief might emerge, because ethical reason, like the scientific method, has a “vindicatory” dimension (to use Bernard Williams’ word). Though lacking Singer’s strictness, many other philosophers who are critical of foundationalism often retain an assumption about the nature of objectivity in ethics and the importance of theory. Rosalind Hursthouse is one of these, despite her insistence that ethical belief and understanding is inseparable from slowly acquired experience and from a background pattern of behavior that gives our ethical life its rich texture and complexity. In different degrees, then, the dominant philosophical options tend to picture ideal and objective ethical reflection, and the ideal ethical agent, in a “rational” way. They also leave out some or much activity that is of an imaginative sort.

The alternative conception of reason considered in Part I was that genuine thinking in ethics could be understood through Gaita’s concept of the “realm of meaning”. Reflecting on meaning, it was argued, is a bona fide form of thinking which has its own critical vocabulary and which is equally an attempt to see things as they are. This conception views the ethical agent as an individual who can be critically moved in response to the way in which ethical ideas are presented. Moreover, while it is not opposed to more

strictly “rational” forms of thought, and indeed depends on them, reflecting and arguing in the realm of meaning is arguably the only means by which genuine and serious ethical understanding can be achieved. That itself is a view that can only be reached by individuals who can be critically moved. We can now extend this argument a little further.

Someone who could not be moved in regard to ethical matters would not be able to use the terms of appraisal in that field intelligently, any more than a person who was unresponsive to art could be in a position to intelligently assess it. By way of contrast, suppose a person who is indifferent to painting, film, and literature or who, while having a tendency to be moved, is dismissive of the usual patterns of aesthetic response. A person in that state of indifference or antipathy might assume that aesthetic judgment is merely subjective or emotive. And indeed, some people do deny that the realm of the aesthetic is genuinely cognitive. But it would be strange for anyone to think that there are strictly rational criteria which distinguish good art from bad, deep from shallow, and which determine the appropriate kinds of responses. We know that in art, form and (in some sense) “tone” are essential. Furthermore, anyone who is moved by some works of art, and is acting under no restrictive assumption about the nature of reason, can hardly believe that purely rational argument is a serious rival means of obtaining genuine understanding with this subject matter. That is because in this domain, serious understanding for such respondents is about understanding the artistic forms that have richness and depth, or which are trite, naïve, and so forth.

If a subject matter – including, perhaps, the most abstract forms of art - can be appraised through the previously identified critical terms which emerge from lived experience and response, then the subject matter belongs to the realm of meaning. But clearly, the realm of meaning is also concerned with questions of how we are to live and of what really matters in life - questions that appear in art as well as in other places. As was flagged in the Introduction, such general matters may be called, in line with Williams’ recommendation, “ethical”. The ethical includes, and (as we shall see) is conceptually connected to, “morality” but is not limited to it. It was also argued that if the view from the realm of meaning can be defended, the range of possible ethical positions cannot be

fixed *a priori*. That is, the content of the realm of thought in which ethical meaning is discovered cannot be predetermined or prescriptively ruled out by the requirements of naturalism, universal prescriptivism, reflective equilibrium, the “rational basis” of ethics, etc. To be sure, a person may claim to be moved by (say) only those ethical judgments determined by the criteria of natural excellence and flourishing, or (say) by the process of engaging hypothetically in argument with other rational and self-interested beings of any kind. But always it must be recognized that any such views are themselves subject to criticism as being shallow, inhuman, irrelevant, and so on. This can occur in an opened ended and ever deepening manner. Those approaches and requirements thus have no privileged status and must fend for themselves by reference to forms of appraisal of a very different sort.

What this means is that there can be no restrictions laid down in advance of entering that realm concerning the content of possible ethical views about humans and animals. There are of course rational constraints on what may, in an ethical sense, intelligibly be thought about animals and humans - what makes them valuable or constitutes their ‘individuality’ for example - but there are no rational and factual constraints upon the range of substantive and intelligible views about them in the realm of meaning. Further, if it were proposed that the content of that realm could or should be justified, grounded, or underwritten by purely rational argument independent of the special terminology of criticism previously identified, then it should be recognized that this proposal moves the assessment to a place outside the realm of meaning. The relocation, it must be said, necessarily undermines the possibility of wisdom or lucidity, because an insightful, estimable, or wise understanding cannot be achieved independently of lived experience, and independently of critical contact with cultural forms like art and story-telling, as well as with serious human conversations with people whose quality of lucid thinking we respect.

There is, it was stressed, no *a priori* restriction on content. Nonetheless, people like Singer are not wrong to say that we are animals, and that ethics developed naturally from the circumstances of one peculiar and intelligent animal. Part of the significance of this

for Singer is that it brings creatures (usually kin) that can feel and have preferences into the arena of otherwise selfish concern, forming a small circle of beings which can be greatly expanded with the help of reason's strict impartiality. When Bernard Williams deems Singer's radically "impartial" view of sentient life unintelligible, he does not primarily mean that it is logically incoherent; he means that it is inhuman or simply crazy¹. He thinks Singer's view is too far removed from the "peculiarities of the human enterprise" and from the responses of "wonder, joy, sympathy, disgust, horror"² that structure our ethical lives.

Williams uses the fact that ethics is a practice amongst human beings – in particular the fact that "we" are the ones who discuss ethics, not with animals or with nature but with each other - to suggest that it is

unsurprising that "this 'we' often shows up within the content of our values. Whether a creature is a human being or not makes a large difference, a lot of the time, to the ways in which we treat that creature or at least think that we should treat it."³

Williams thinks that our humanity and our peculiar human disposition lead naturally to a strong sense of our "ethical identity as a species"⁴. For him, the content of ethics is both anthropocentrically conditioned and centered on the primary significance of human life.

The question of what kind of animals we are is partly connected to how we see ourselves as importantly different from other animals; and what we make of our "animality" can have implications for ethics. It is usual in the animal ethics literature for authors to allude to the views on human nature of great philosophers like Descartes, Kant, and Aquinas. Mary Midgley regards Enlightenment thought in general as favoring the "exaltation of Reason", despite the presence of thinkers like Bentham, Montaigne, and Voltaire, who

¹ B. Williams, *Philosophy as a Humanistic Discipline* (Princeton: Princeton University Press, 2006), p.147.

² *Philosophy as a Humanistic Discipline*, p.147.

³ *Philosophy as a Humanistic Discipline* p.138.

⁴ *Philosophy as a Humanistic Discipline*, p.152.

had a more inclusive perspective on man's place in the universe⁵. Stephen Clark thinks the "rational hierarchy" is a "paranoid fantasy". JM Coetzee's character Elizabeth Costello characterizes the general idea with these words: "animals, lacking reason, cannot understand the universe but have simply to follow its rules blindly, proves that, unlike man, they are part of it but not part of its being: that man is godlike, animals thinglike"⁶. Costello sees in this view of "Reason" simply "one tendency of human thought", a limited "spectrum of human thinking"⁷, rather than the whole of serious human reflection.

Still, it has been emphasized that there is no telling in advance of thinking in a certain involved and critical manner what to make of being human and of being animal. Like Kant, Singer's Enlightenment reverence for "Reason" leads him into very different places to Williams. Williams has emphasized a broader conception of human thinking which he believes will result in "values that express our humanity"⁸ and will therefore leave human beings as central subjects of ethical thought and concern. In a somewhat different way, human beings are central to ethics in the work of Cora Diamond, not least in her essay 'Eating Meat and Eating People', an essay that was important to the subsequent work of Raimond Gaita.

Soon after the publication of *Animal Liberation*, Diamond responded to the style of argument, propounded especially by Singer and Regan, which says that the concept of a human being plays no significant role in ethical thought. Singer argued that it is not being human as such that is of moral importance, but rather the possession of sentience and preference-interests. Regan was to argue in *The Case for Animal Rights* that the thing that grounds equal moral status amongst creatures is being a "subject-of-a-life". Such a subject has "beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feeling of pleasure and pain; preference and welfare interests; the ability to initiate action in pursuit of their desires and goals; a

⁵ Mary Midgley, *Animals and Why They Matter* (Harmondsworth: Penguin, 1983), p.11.

⁶ J.M. Coetzee, *Elizabeth Costello: Eight Lessons* (2nd ed.), (Melbourne: Knopf, 2003), p.67.

⁷ *Elizabeth Costello*, p.67.

⁸ *Philosophy as a Humanistic Discipline*, p.138.

psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them, logically independently of their utility for others and logically independent of their being the object of anyone else's interests."⁹

So in the view of these two philosophers, it is having preferences, or meeting the conditions of a subject-of-a-life, that are the centrally significant facts or characteristics in ethics. These are, of course, only two well known examples; there is no shortage of candidate facts or properties which are thought to help establish the moral irrelevance of being human, or which are offered as examples of morally irrelevant characteristics, or which are used to help justify the significance of human life. For example, there are the biological facts – perhaps those that mark off species in terms of genetics, decent and breeding group, anatomy, physiology, function, and/or behavior. Naturalists like Phillipa Foot, and in a complex way Rosalind Hursthouse, make much of “biological” evaluations concerning excellence and flourishing, and the way these determine the good and the value of life. Or again, there are what James Rachels calls “biographical” features, which are those features that allow animals with “fairly sophisticated mental capacities”¹⁰ to “have a life”, a biography, rather than to merely “be alive”¹¹. Such biographical features include familiar items in this strain of moral thought: capacities, abilities, relationships, interests, and projects.

Yet again, some philosophers point to relational properties, such as those of belonging to the human kind. David McNaughton, for instance, regards it as a fact of basic moral importance that severely retarded humans, unlike chimpanzees who belong to a different kind, can be said to have missed out on typical “human” lives¹². These facts and circumstances gain their relevance, for these moral philosophers, in the first place from the principles and theories which pick them out. But often the arguments that are used simply appeal to our sense, independent of any philosophical or theoretical commitments,

⁹ T. Regan, *The Case for Animal Rights* (Berkeley: University of California Press, 1985), p.243.

¹⁰ J. Rachels, *Created from Animals: the Moral Implications of Darwinism* (Oxford: Oxford University Press, 1991), p.208.

¹¹ *Created from Animals*, p.199.

¹² In D. Cockburn (ed.), *Human Beings* (Cambridge: Cambridge University Press, 1991), p.79.

that certain capacities or features are morally relevant or irrelevant and arbitrary as the case may be.

Diamond notes that it is characteristic of philosophers such as Singer and Regan, in the prosecution of their arguments for forms of human-animal equality, to stress that we are animals too, and that other animals are less prejudicially described as “nonhuman animals”. According to scientists like Richard Dawkins and Jared Diamond, it would make more scientific sense to place chimps and humans in the same animal genus. This reclassification would make humans “the third chimpanzee”¹³, thereby overturning a misleading taxonomy that, as Singer says, springs from the “desire to separate us from other animals”¹⁴. It is also characteristic of this style of argument to point out that differences between human beings and animals are differences of degree and not of kind, and that science and increasingly careful attention to animals is closing the gap, showing us that the differences are not as sweeping and as sharp as we naturally thought.

However, it is part of Cora Diamond’s unusual response to this style of argument, and to related arguments which rather attack animal life, that she does not exactly dispute these allegations. Rather, she asks us to question its assumptions by isolating a certain distinction which is being ignored. This distinction she describes as being between “differences” and “difference”. Here is the key extract:

The difference between human beings and animals is not to be discovered by studies of Washoe or the activities of dolphins. It is not that sort of study or ethology or evolutionary theory that is going to tell us the difference between us and animals: the difference is, as I have suggested, a central concept for human life and is more an object of contemplation than observation (though that might be misunderstood; I am not suggesting it is a matter of intuition). One source of confusion here is that we fail to distinguish between ‘the difference between animals and people’ and ‘the differences between animals and people’; the same sort of confusion

¹³ P. Singer, *Writings on an Ethical Life* (Salisbury South: Griffin Press, 2000), p.81.

¹⁴ *Writings on an Ethical Life*, p.81.

occurs in discussion of the relationship of men and women. In both cases people appeal to scientific evidence to show that ‘the difference’ is not as deep as we think; but all such evidence can show, or show directly, is that the differences are less sharp than we think. In the case of the difference between people and animals, it is clear that we form the idea of this difference, create the concept of the difference, knowing perfectly well the overwhelmingly obvious similarities.¹⁵

To put this in the terms developed in Part I of the thesis, the difference between human beings (or people) and animals is one that is discovered in the realm of meaning. This means its nature and its reality would need to be revealed by a critical examination of the forms or styles in which the difference is presented. That is why Diamond speaks, not about what the facts are, but about what we have *made and can make* of human life compared to animal life, and of whether what we have made is of any value. The so-called “difference” emerges in our practices, institutions, literature, art, and language. Our sense of this “difference”, of course, is something that is set in train, as Hursthouse might say, from the way human children develop and are taught. Regan and Singer are right to point out how deep in human life this sense of difference goes, and how it is reinforced in our relationships and in our cultural products over and again.

It is one of Diamond’s contributions to this debate that this “difference” is something philosophers routinely overlook, or do not in any case address, often because they assume it is emotivist “waffle” and adornment. Usually, they attack suggestions of a divide between human beings and animals as irrelevant to the substance of the claims or prescriptions we actually make, and they think such talk is recognizable, once we have sifted through the outpourings of emotion, as ultimately based in some matter of natural (or supernatural) fact. It is often thought by these critics that talk of human preciousness or sacredness is essentially grounded in metaphysical religious beliefs or their vestiges,

¹⁵ C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind* (Cambridge Mass.: MIT Press, 1995), p.324.

and/or in its essence reduces to prejudiced claims about membership of the favored group.

This typical tendency to pass over Diamond's distinction leads to misconceptions about what people are doing when they appeal to the fact that someone is a human being, or "one of us", or ought to be treated in a certain way merely because they are human and not animal. Singer's suggestion is that "human being" can mean either member of *Homo sapiens* or "person" - that is, having the capacities of persons: being rational and self-conscious¹⁶. Since people do not usually mean "Lockean person" when they use the term "human being", Singer and some other philosophers tend to assume they can only mean a member of *Homo sapiens* - that is, a biological grouping determined by several or a cluster of the characteristics mentioned above. Hence their accusation of speciesism, which parallels the meaning they attach to racism - a meaning that is similarly based in a biological distinction. Given the complex ways we think and talk about ethical matters, this assumption about what people really mean by "human being" or "people", or by "men and women" or "fellow human", is obviously a big one to make.

Diamond suggests that it is a matter of central importance in ethics to know "what *kind* of beings" there are¹⁷ in our lives. The sort of "kind" she has in mind is, she stresses, "*not* a biological concept"¹⁸. If the imagination is one of her focal meta-ethical concepts, then her focal normative concept is that of "*merely being human*"¹⁹. Such an idea is for her central because it affects the nature of most of the other moral ideas, including ideas about duty, virtue, and justice. In fact, Diamond regards many of the constituents of her (culturally mediated) idea of the human, such as the names we give new-born children, not so much as moral notions but as elements which are the "source of moral life"²⁰. She means by this that they are the sorts of things that constitute our sense of the kind of animal we are dealing with and that give the moral notions their sense and character. Without them, our familiar, and to a significant degree shared, moral life would look

¹⁶ P. Singer, *Practical Ethics* (2nd ed.) (New York: Cambridge University Press, 1993), p.87.

¹⁷ *The Realistic Spirit*, p.323.

¹⁸ *The Realistic Spirit*, p.328.

¹⁹ D. Cockburn (ed.), *Human Beings* (Cambridge: Cambridge University Press, 1991), p.59.

²⁰ *The Realistic Spirit*, p.326.

totally different. As we will see, some of the constituents of a widely shared conception of human life are straightforwardly moral; but others are, following Williams, perhaps better called “ethical”. They could also be known as meanings or as basic values.

Certain conceptions of “human being”, Diamond argues, are formed from a background comprising a “mass of ways of thinking about and responding”²¹. Many of these are so commonplace and deep in human life that we do not notice them. Yet it is those background conditions which give rise to quite fundamental values and meanings, for they enter conceptually into their substance. When Diamond calls some of the common practices and ways of responding and relating, like giving babies names, the “source of moral life”, she does not simply mean the causal and developmental conditions of morality, as important to the nature of morality as those conditions are. Instead, she means that these pervasive and powerful background responses and interactions which are of an ethical nature, especially those that give rise to a sense of the “difference”, become the essential constituents of our more overtly moral beliefs and responses. In other words, these deep value commitments, provide the direction and the complexion of our moral lives.

The “difference” is, according to Diamond, signaled by our talk of “animals and humans”, and of “us and them”. In this sort of talk we set ourselves apart from the rest of creation - from even the most intelligent mammals. We also speak of our fellow human beings and of a common and shared humanity. The distinction between humans and everything else is indicated by Diamond when she refers to our fellows “in having a human life to lead”²², and to Joseph Conrad’s “feeling of unavoidable solidarity” in “mysterious origin, in toil, in hope, in uncertain fate, which binds men to each other and all mankind to the visible world”²³.

An illustration of our sense of the difference is provided by Peter Singer, who uses a thought-experiment to show just how deep this sense of difference runs. He asks us to

²¹ *The Realistic Spirit*, p.331.

²² *Human Beings*, p.43.

²³ *Human Beings*, p.50.

reflect on a new kind of institution found in the Netherlands which houses people who are physically normal but intellectually “well below the normal human level”²⁴. These people, Singer explains, were given extensive freedom within the institution. Despite having greatly diminished minds compared to normal human beings, they were permitted to communicate in various ways with one another, cooperate intelligently on shared projects, have strong relationships, develop a kind of political structure with leaders and followers, display a rudimentary form of justice or fairness, and exercise their intelligences in solving problems and puzzles. But in addition, we are told, the inmates were given free rein to have sex with one another, to fight over sexual partners, and to raise children together. Singer also asks us to reflect on what we might say if we found out that the inmates were later used in experiments which infected them with HIV and hepatitis²⁵, and were treated as if they “did not have the same right to life as normal human beings”²⁶.

No doubt, Singer observes, we would feel “shock and a sense of outrage”²⁷ at the treatment these people received and the way they were regarded. Obviously, our sense of their undignified and appalling treatment is informed by the fact that, in the above scenario, we take these “people” to be disabled human beings rather than the chimpanzees who, as a matter of fact (he reveals), were the “inmates” in the Dutch “institution”. Singer wants us to acknowledge how our response changes (he thinks unjustifiably) when it is revealed he is using the term “people” in the reported situation to simply imply “person”, in the sense here defined by John Locke: “A thinking intelligent being that has reason and reflection and can consider itself as itself, the same thinking thing, in different times and places”²⁸. Chimpanzees, whales, dolphins, elephants, and perhaps even dogs, pigs, and cows may possess this capacity, Singer believes. His point is not that we aren’t outraged and shocked by the prospect of infecting chimps with HIV and hepatitis, but that our “automatic assumption” is that there is a fundamental ethical difference between the two kinds of individuals in the thought-experiment, even though

²⁴ *Writings on an Ethical Life*, p.73.

²⁵ *Writings on an Ethical Life*, p.75.

²⁶ *Writings on an Ethical Life*, p.75.

²⁷ *Writings on an Ethical Life*, p.76.

²⁸ *Writings on an Ethical Life*, p.76.

both are equally “persons”. All things being equal (in two-level utilitarian terms), he wants us to respond ethically to harmful experiments upon retarded human beings or young children, and harmful experiments upon intelligent animals, in exactly the same manner: with an equal level of reluctance and dismay.

It can be guessed from the possible “mass of ways of responding” to which Diamond alludes that the conceptual unraveling of “people” or “human being” is going to be a complex affair. Diamond gives several key examples, one of which is that we do not normally eat our dead or the amputated limbs of human beings²⁹; and that when we think we may or must, we only do so with the reluctance and distress that comes from finding it always horrible, and in normal circumstances unthinkable Swiftian. In fact, we may regard our reactions of horror, absurdity, and disbelief to such ideas as eating children or babies as paradigm examples of those responses. Hardly anything, it seems, is so basic and irrevocable in our sense of life as these things.

Another of Diamond’s basic examples, one I have already mentioned, is that as a matter of course we find it, if not exactly morally wrong then certainly inconceivable - and as Charles Dickens shows sometimes comic - to give human children numbers instead of names³⁰. Failing to name children is not thought to be just eccentric or morally imprudent. Nor is it something we simply do not do and find unthinkable because we are human: our finding it impossible is mediated by our sense that it is inhuman and ludicrous. We would think that there was something so deeply wrong with someone who, though quite rational still forgot to name their children, that we surely could not find our feet with them – and not simply because we think they failed a test of sound prudential and moral thinking. At the same time, everyone responds to the careful selection and unveiling of names for children as a joyful, meaningful, and indispensable ceremonial part of introducing a new human being to its family and to society.

²⁹ *The Realistic Spirit*, p.321.

³⁰ *The Realistic Spirit*, p.323.

Although Diamond talks about some often unnoticed and very elementary ways of responding to people and animals, and although she draws attention to the “source of moral life”, she does not mean that these responses are merely the psychological building material of morality. Reactions of horror, joy, love, revulsion, and so on are sources of the notion of “kind”, and thus of morality, in the sense that they are reactions wholly made from within the realm of meaning. As such, they are made out of, and are subject to assessment from, the critical concepts. They are, that is, forms in which we are critically moved, and they are indispensable for acquiring the right sort of perspicacity or lucidity in ethical thought. Her view is thus diametrically opposed to the view expressed recently by Singer when he spoke of literature’s ability to shed light upon the more personal and “human” parts of our lives³¹. For Singer, our personal and human selves are obviously important to us, and this is one major reason we love literature and consider it important; but those selves are not necessarily relevant to moral argument.

The above forms of response are part of what someone may mean in using the term “human being” or “person”, where this has the implication that a human being is not a thing, an “it”, or an animal, and must be addressed by name. Such responses help build up the notion we may have of a certain “kind” of creature. Further examples of Diamond’s include the “difference between giving people a funeral and giving a dog one”³², and the need people feel to honor the human dead, even those who are anonymous and whose identity has been lost to human history³³. Again, we may be moved by the idea that there is something uniquely strange and “mysterious in human life”³⁴, something highly peculiar, and this may also be part of registering the “difference”.

To Diamond’s way of thinking, Singer and Regan do not realize the possible ethical implications of the fact that sometimes “we eat *them*”³⁵. Strangely enough, Diamond

³¹ A. Leist & P. Singer (eds.), *J.M. Coetzee and Ethics: Philosophical Perspectives on Literature* (New York: Columbia University Press, 2010), p.5.

³² *The Realistic Spirit*, p.322.

³³ *Human Beings*, p.58.

³⁴ *Human Beings*, p.40.

³⁵ *The Realistic Spirit*, p.324.

thinks, Singer's and Regan's arguments entail that there is nothing odd or curious about a vegetarian eating a cow that has been struck by lightning³⁶ and that there is no essential "difference between miscegenation and *chacun a son gout* with consenting gorillas"³⁷. But there is, she suggests, something that needs explaining about a person who is seriously appalled by the ('humane') raising, of animals for food, and who casually eats them when they are killed accidentally. And, she thinks, it is obviously bizarre for anyone to believe that bestiality is not something to be repelled by. As it happens, Singer himself rejects her accusation by reminding her of the nature of his theory. He is puzzled as to why Diamond thinks the vegetarian who eats animals that are accidentally killed "curious"³⁸ given the structure of certain vegetarian stances such as his own; and (in an article called "Beastly Passions" posted on his website) he shows his commitment to theory, as well as his deep suspicion of language used in the realm of meaning, by finding no good reason to object in principle to bestiality. Underlying Singer's reaction is the fact that his theory does not, in a basic ethical sense, take seriously such notions as respect for dead bodies and sexual dignity.

The way people respond to the killing and eating of animals also delineates the "difference". This is noted by Gaita when he claims that "we do not and cannot respond to what happens in the abattoir as we respond to murder"³⁹. He says "no one can seriously wish to respond, to the slaughter of animals as though it justified taking up arms against farmers, butchers, and people who work in abattoirs"⁴⁰. It is for this reason that Gaita criticizes Elizabeth Costello's apparent moral assimilation of animal consumption and the Holocaust in Coetzee's much discussed book. Costello errs, he thinks, not primarily because she misuses the Holocaust, but because she forgets the very elementary ethical difference between killing a human and killing an animal.

There is another and larger reason why Gaita thinks we cannot respond to the killing of animals as murder. Throughout his work, Gaita has developed the idea that human

³⁶ *The Realistic Spirit*, p.322.

³⁷ *The Realistic Spirit*, p.322.

³⁸ P. Singer, 'Utilitarianism and Vegetarianism', *Philosophy and Public Affairs* 9, no. 4, 1980, p.327.

³⁹ R. Gaita, *The Philosopher's Dog* (New York: Random House, 2005), p.217.

⁴⁰ *The Philosopher's Dog*, p.216.

beings, like nothing else in nature, are “unique and irreplaceable”. His argument describes, more fully than in Diamond’s work, some of the most significant reasons for thinking there is a difference between human beings and all other animals. It will be of interest to look (too briefly) at Gaita’s understanding of this supposed difference, because it pushes apart the gap between human beings and animals – a gap that Singer and others want to close - and it does so very markedly. At the same time, his sense of the difference will allow us to inquire into how it is that our peculiar human animality - the fact that we share obvious characteristics and vulnerabilities with animals while being the only animal, to discuss ethics amongst ourselves - affects our understanding of both humans and nonhumans.

The topic can be approached by way of Rush Rhees’ reflections in *Moral Questions*. Rhees’ first claim is as follows:

We might say that an animal’s life does not go one way rather than another. It just goes on. (The animal may be comfortable or uncomfortable. It may suffer much or little. But you cannot talk of direction, because you cannot talk of goals, or of success or failure in its life, or of progress or degeneration.)...

You cannot say that the animal just lets himself be carried along by circumstances (as you might say of some men) any more than you can say that it tried to shape the course of its own life...

An otter cannot lead one kind of life rather than another.⁴¹

Rhees arguably misleads by denying that animals can have “goals”. Nevertheless, animals and humans, according to his claim, have fundamentally different ways of living and of participating in life⁴². The phrases “ways of living” and “forms of life” apply, Rhees believed (following Wittgenstein), to human beings in a way they do not apply to

⁴¹ R. Rhees, *Moral Questions*, ed. D.Z. Phillips (Basingstoke: Macmillan, 1999), pp.168-169.

⁴² *Moral Questions*, p.169.

animals – their use in each case is different. A person’s actions are “intelligible”⁴³ in a way an animal’s aren’t, goes his claim, because only in human life is there discussion and “participation in a form of intercourse”⁴⁴. We can ask of a human being what they are doing when they act in some manner; ask what their actions or words mean. As Singer believes, it is possible for a human being to reflectively form and criticize plans, shape the course of his or her life, and take a (subjective) attitude towards its meaning or point. Rhee points out that the notion of meaning still plays a defining role even when a person does not do these things, allowing themselves to be swept along by circumstances. These things are possible only because, once we have the requisite grasp of a human being’s language and culture – mastering to some extent their own peculiar way of living or form of life - it is intelligible to discuss with them what they mean when they do or say something.

However, Rhee makes a second and more fundamental point intended to show that understanding people is different from understanding animals. The point relies upon the notion that human actions and words can have meaning in the above sense, but it goes beyond it. Rhee claims that “although there is certainly suffering, and although there is certainly grieving and joy, there is not what you would call either comedy or tragedy in the lives of animals”⁴⁵.

If I am to understand what someone is saying I must know the language.

But what must I know if I am to understand the course of a man’s life?

...If understanding Anna Karenina’s life is like understanding what is said – then it is like understanding the depth or the horror or the humor of what is said...For that is how people are moved: by depth, by horror or by humor, for instance. This is the form their understanding of one another takes.⁴⁶

⁴³ *Moral Questions*, p.167.

⁴⁴ *Moral Questions*, p.169.

⁴⁵ *Moral Questions*, p.183.

⁴⁶ *Moral Questions*, pp.236-237.

Again, a person's life has meaning even when they are unaware of it and do not or cannot respond to questions of meaning. For the meaning that exists in their lives only makes sense against the background possibility of their being creatures who can be moved in recognition of depth, humor, and horror. In contrast, Rhees says, animals

do not have language; and they do not have literature and they do not have art and they do not have music...Take these things away, and you take away what we mean by 'human life' altogether.⁴⁷

Clearly, this second kind of meaning is the sort which exists in "the realm of meaning", and is the kind Gaita refers to when he makes the claim that the "lives of animals have no meaning, or they have meaning in only an attenuated sense"⁴⁸.⁴⁹ This also is the way in which humans, but not animals, have a "rich inner life"⁵⁰ and can be "fully another perspective on the world"⁵¹. Human beings are "fully" another perspective on the world and their inner lives – the way they love, feel joy, grieve, appreciate virtue, etc. - are "rich" only if they are capable of fully-fledged ethical response to meaning, to its revision and supplementation, and to the great many forms in which notions of value may appear (which is not to say that lucidity demands they be conversant with every serious art form or means of expression in their culture and beyond it). To be this sort of fully-fledged reflective being they must, in other words, be subject to no constitutive limit on the possibilities of genuine reflection, discussion, and ethical experience.

Our usual notion of a biography – a notion not mentioned by James Rachels when he distinguishes between the biographical and biological lives of animals - has its locus in human life and in the way a biography, or for that matter a novel like *Anna Karenina*, can "disclose a distinctive identity" by telling us "who someone is rather than the sum of their

⁴⁷ *Moral Questions*, p.194.

⁴⁸ R. Gaita, *Good and Evil: An Absolute Conception* (2nd ed.) (London: Routledge, 2004), p.116.

⁴⁹ Though it is hard to see how their lives can have even an attenuated meaning if "meaning" is meant in the current sense - that is, as requiring the possibility of lucid response. But see later on the question of *attenuated* meaning.

⁵⁰ *The Philosopher's Dog*, p.19.

⁵¹ *The Philosopher's Dog*, p.82.

achievements”⁵². Humans thus have very different “selves” than animals. The kind of selves humans have, and this sense in which we speak of “who” they are, underpins the meaning of the names we feel we must give them when they are born. The particular notion of a biography which tells us who someone is loses its meaning entirely in the case of animals, as Gaita argues:

We tell stories about animals...but the stories do not add up to a biography because nothing counts as Orloff or Gypsy or Jack the Cockatoo making or failing to make something of their lives, nor even of life making something of them. Life neither presents them with nor denies them opportunities. They cannot rejoice in their life nor can they despair of it.⁵³

Tom Regan thought that some animal deaths, like the death of a whale, can be tragic. But only human animals can experience the sort of “tragedy” which is related to having a rich inner life, or to failing to acquire or losing it, or to being unable through misfortune to develop such an inner life. The inner life of meaning in a human being, then, affects our understanding of the nature of the tragic. In Gaita’s view, human beings are “unique and replaceable”; they appear to be the only creatures to have lives of this kind. They are the only animal, he thinks, that can “transcend the characteristics of their species”⁵⁴ in this particular way. He reminds us that the disappearance of a human personality, even someone we did not know, can move us as being especially mysterious on account of the extinction of a perspective on the world. Animal deaths are not mysterious in this precise and peculiar way.

A further reason Gaita has for calling humans “unique and irreplaceable” concerns the nature of the attachments we can form with them. Here is a relevant and important passage from *A Common Humanity*:

⁵² *The Philosopher’s Dog*, p.19.

⁵³ *The Philosopher’s Dog*, p.79.

⁵⁴ *The Philosopher’s Dog*, p.78.

Our sense of the preciousness of other people is connected with their power to affect us in ways we cannot fathom and in ways against which we can protect ourselves only at the cost of becoming shallow. There is nothing reasonable in the fact that another person's absence can make our lives seem empty. The power of human beings to affect one another in ways beyond reason and beyond merit has offended rationalists and moralists since the dawn of thought, but it is partly what yields to us that sense of human individuality which we express when we say that human beings are unique and irreplaceable. Such attachments, and the joy and the grief which they may cause, condition our sense of the preciousness of human beings. Love is the most important of them.⁵⁵

It is the fact that other humans can be unique perspectives on the world that informs the kind of relations we can have with them and informs our sense, from within the realm of meaning, of the legitimate and proper nature of those attachments. Our sense of what it is to legitimately love, grieve, care for, and take an interest in other human beings must be defended by appealing to the terms of criticism that, as Gaita puts it, distinguish the real and the counterfeit forms of such relations and attachments. This is what allows Gaita to say to those who protest claims about the "difference" – citing perhaps the strength and power of our relations with animals - that our relations with human beings are transformed by the unique kind of creatures they are and also by the fact that the ethical nature of those relations are determined completely by a style of critical thought which is quite different from an appeal to biological facts, to capacities, and to strong feelings and attitudes.

Furthermore, Gaita argues, the fact that humans are "unique and irreplaceable" helps to explain the different ways in which they can be wronged, even when their injuries are no different to those that could be inflicted on an animal. The sort of attachments human beings are able to have partly determines the kind of beings they are, and this affects the character of our moral relations with them. In addition, the nature of those distinctive

⁵⁵ R. Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999), pp.26-27.

wrongs is something that further explains the idea that only human beings are “unique and replaceable”. As Gaita claims: “Human beings limit one another’s wills as does nothing else in nature”⁵⁶. In particular, Gaita argues, remorse for seriously wronging human beings, especially when it involves killing them, is “fundamental amongst the ethical determinations of human individuality”⁵⁷. Remorse must be distinguished from a “mere feeling, or a mere attitude”⁵⁸ because it includes “a disciplined remembrance of the moral significance what we did”⁵⁹:

Pained bewilderment is the most natural expression of remorse. ‘What have I done? How could I have done it?’ These questions express a shocked realization of the meaning of what one has done, a shocked realization that anything could have that meaning.⁶⁰

Again, Gaita stresses remorse has a critical dimension that distinguishes its false semblances and corruptions from its lucid forms. The killer who is haunted by remorse or guilt may think of suicide. Now, even if we finally consider suicidal thoughts or actions misguided or wrong, Gaita argues, we might find them an intelligible reaction to murder. Such pained and haunted responses, though perhaps not justifiable, would then not only be understandable, they would also inform our sense of human irreplaceability. A similar case could be made out for grief. In contrast, Gaita contends, it “is not even intelligible that a person should wish to kill himself because he had killed microbes or insects, and it would show a moral failing rather than a virtue if they should want to do it having killed an animal”⁶¹. Indeed, suicidal remorse or grief for the killing of an animal would imply that a person is becoming “unhinged”⁶². The murderer who is suicidal may be unjustified in considering an exit from life but is not being sentimental; the killer of an animal who becomes suicidal is surely being *both*.

⁵⁶ *Good and Evil*, p.141.

⁵⁷ *Good and Evil*, p.78.

⁵⁸ *Good and Evil*, p.59.

⁵⁹ *Good and Evil*, p.59.

⁶⁰ *A Common Humanity*, p.31.

⁶¹ *The Philosopher’s Dog*, p.170.

⁶² *The Philosopher’s Dog*, p.170.

On Gaita's account, there is a further dimension to responses like remorse, love, and grief that are built into his notion of human preciousness or irreplaceability, and which adds substance to his claim that human beings are individuals like no other animal. These responses (love, grief, remorse, etc.) to "the particularity"⁶³ or singularity of the individual who is the object of the response must resist allowing her "to become a mere instance of a unique mode of human individuality"⁶⁴ or a "representative of humanity"⁶⁵, as many moral theories do imply. This kind of remorse (for example) cannot be indifferent to the fact that the person who has been wronged has a particular name, history, body, and characteristics that distinguishes her from others. However, Gaita argues that if the response is to properly recognize its object as "unique and irreplaceable", it must also, as part of the very sort of response it is, acknowledge that the object belongs to the kind of being whose nature is determined, amongst other things, by the idea a full-fledged ethical understanding. Therefore, the remorse (for example) would have had the same character "had it been someone else"⁶⁶. Nevertheless, Gaita argues, such responses are what they are because they focus on the particular individual. By doing this, they ethically individualize the human being in a way that is different to any other being we know of.

The preceding paragraphs have touched on some possible ways of describing the sense that we are "different in kind" from everything else on the planet. Diamond's first move was to show that some philosophers who identify speciesism as a common human error have overlooked these ways of speaking. Singer attacks the idea of human special-ness or "sanctity" as a "doctrine that places the lives of members of our species above the members of other species"⁶⁷. He concurs with Diamond when he says that the "distinction between human beings and all other animals is fundamental to our ethical attitudes toward ourselves, toward the rest of nature, and toward ethical problems of life and death"⁶⁸. But he has argued repeatedly, and for many people persuasively, that this

⁶³ *A Common Humanity*, p.32.

⁶⁴ *Good and Evil*, p.149.

⁶⁵ *Good and Evil*, p.148.

⁶⁶ *Good and Evil*, p.149.

⁶⁷ *Practical Ethics*, p.117.

⁶⁸ *Writings on an Ethical Life*, p.76.

distinction is routinely grounded at the end of the day in a biological group difference. Of course, philosophers have attempted to skirt or rebut Singer's charge of speciesism by appealing to this or that capacity or feature or relation or to a complex combination of such facts. Yet Singer has managed to show that in virtually every case – save in the odd case where the proponent has been willing to relegate to a lower moral status restricted classes of incompetent or undeveloped human beings – that the presumed distinctions in the philosophical refutations are finally, as Bentham suggested, biological or species-based ones. That is to say, in these arguments against Singer it is the biological distinction that appears to play a large role in the human-animal distinction and of the elaborate and desperate arguments that follow. Given this situation, one can see why Colin McGinn has called Singer's argument against speciesism “a won argument”⁶⁹.

There is no reason to say that “human being” or “one of us”, as these terms are often used, must essentially mean *homo sapiens*. Indeed, there is no reason to conclude that our sense of “human beings” must have precisely the same extension as the biological conception. This could mean that individuals who are not *homo sapiens* may be “human beings”, or at least, that they may be “one of us”, sharing with us a full “humanity”. Also, there may be some things that are arguably *homo sapiens* but which are not equal fellows, such as embryos and fetal monsters.

One consequence of the possibility of there being alternative meanings of “human being”, or of the possibility of ethically different ways of talking about “us and them”, is that the people who speak in this way cannot be accused of speciesism in the sense the critics like Singer intend. It may be possible to criticize such people on other ethical grounds; but they cannot be accused of appealing essentially to one feature, or a cluster of biological features, to trace out a difference in kind. Nor can they necessarily be accused of appealing to capacities or “differences” to explain their notion of “kind”, a notion that achieves its moral relevance by way of correct moral principles. Though facts form part of its content, the ethically relevant notion of “kind” is not purely factual in nature. Instead, its sense must be understood in the realm of meaning.

⁶⁹ P. Singer, *Animal Liberation*, (London: Pimlico, 1995), p.xix.

Because it is important to be clear about the conceptual nature of “kind” in this ethical context, it may be worth considering a relevant criticism recently made of Gaita, and to some extent of Diamond. In a soon to be published book edited by Chris Cordner, the philosopher Lars Hertzberg argues that Gaita’s discussion of speciesism and humanity in some of his work is “somewhat problematic”⁷⁰. Hertzberg’s concern is that Gaita “occasionally argues as though the concept of humanity had a grounding role in morality”⁷¹. He worries that Gaita

speaks of *our sense of belonging to a common kind* as forming our responses (while also being formed by them). In other words, thoughts about *who I am and what I share* with the other are assumed to have a role in the way I respond to him. Also, Gaita writes that “[a]ttitudes towards a soul mark out a kind”, and he speaks of the “conception of humankind that is built out of our responses” – though admittedly it “takes little notice of the scientific criterion for *homo sapiens* [and] is not a rival species classification”.⁷²

The problematic way of arguing which Hertzberg identifies is the claim that certain facts about, say, human beings, and certain responses to them, justify or ground moral claims - showing, for example, that human beings are more, or differently, morally significant compared to other animals. The implicit methodology Hertzberg suspects sometimes applies to Gaita and Diamond would have the effect of putting their arguments on the same level as the arguments and the theorizing they are questioning, by treating facts about humans and imaginative responses to them as justificatory premises in an argument. Accordingly, it would shift much of our thinking about human and animal life to a position outside discourse about meaning. Clearly, that is not a consequence that Diamond or Gaita would welcome.

⁷⁰ L. Hertzberg, ‘Gaita on Recognizing the Human’ in C. Cordner (ed.), *Philosophy, Ethics and a Common Humanity: Essays in Honour of Raimond Gaita* (London: Routledge, 2011), p.13.

⁷¹ *Philosophy, Ethics and a Common Humanity*, pp.15-16.

⁷² *Philosophy, Ethics and a Common Humanity*, p.17.

Hertzberg believes the mistake is to think that human practices, ceremonies, literature, feelings, imagination, capacities, features, responses, or anything else could be used to justify ethical or moral perspectives about humans, or for that matter, animals. Although these ingredients may help to build particular conceptions of “kind”, they cannot be used to lay down rational rules about how we should respond morally. In contrast, the right way to regard the variety of facts and responses is simply to describe how they might figure in one or other conceptions about human and animal kinds in the realm of meaning. Therefore, it is not the mere fact that, for example, human beings are born of human parents, or are given names, which justifies or dictates such ideas as “fellow humans”. Instead, these facts and responses may conceptually become a part of moral or other ethical ideas – or not. It depends on what we make of them.

However, it is clear from Gaita’s work in more than one book that he thinks our responses to human beings do not justify anything, but rather help to build our sense of human “uniqueness and irreplaceability”. The same goes for what sense we make of animals: neither facts about behavior or bodies, nor our responses to them, are given a “grounding role” in moral reflection. About different sorts of animals, he writes:

But our sense of why we should not distinguish so radically between individual animals or between kinds of animals will not, I think, show that we have come to believe that objective, empirical differences between them do justify the different ways we treat them.

...I suspect it is not their objective differences in themselves that matter to us so much as the relations those features make possible for us. Even then, the features themselves never fully explain the relations they make possible.⁷³

⁷³ *The Philosopher’s Dog*, p.37.

Some objective facts and some imaginative responses may be constituent elements of ideas discovered by thinking in the realm of meaning. The point is simply that they must not be seen as parts of a rational argument, since the place that they do rightly have can only be determined by that ideal of thinking Gaita calls lucidity. So while Diamond refers to “the concept *human being*”⁷⁴ and to “our notion of human beings”⁷⁵, we are free to accept or reject this idea, so long as we remember that such freedom is associated with the trust and responsibility that goes with the fact we can be perspicuously moved. It goes with the observation that there is not necessarily one single conception of “human being”, and none which we are bound *a priori* to accommodate. There are instead many possible conceptions, which may vary in small ways or in the large ways that arise in the thought of writers as different as Kant and Nietzsche, and Rawls and Nussbaum. In principle, no coherent conception of human life *whatever* can be excluded, by philosophical or rational argument, from the realm of meaning. There are no limits, in *this* sense, on our freedom of thought. Lastly, the forms or styles which are thought to support even very similar conceptions of “human being”, including the ones we tend to accept, may be argued over in the open-ended and ever-deepening fashion described earlier.

One mistake that may be made about the place of human responses in the realm of meaning is to see them, as Onora O’Neill might, as giving rise to descriptions that are merely relative to a given practice. Diamond herself, in “Eating Meat and Eating People”, is aware that some people are likely to feel that she has left herself with no means of criticizing the practices of, say, slavery or racism - on the grounds that she must acknowledge that whites once responded, and may occasionally still respond, to those practices as if they were entirely obvious rather than odious. In a related example, David McNaughton is concerned that appeals to concepts which involve responses are ultimately circular. Taking up Diamond’s example that we do not eat our pets and that that is part of the concept of a pet, McNaughton claims that the “objection to viewing an appeal to the fact that Larry [the lamb] was a pet as a justification for treating him in a particular way was that it was hopelessly circular, since Larry’s being a pet was

⁷⁴ *Human Beings*, p.47.

⁷⁵ *The Realistic Spirit*, p.324.

constituted by his being treated in that way”⁷⁶. McNaughton would say something similar about the triviality of appealing to the notion of “fellow humans”, or to the idea that humans are “unique and irreplaceable”. What we need, according to McNaughton, is not a trivial reiteration of our moral obligations and responses to humans but an argument that picks out morally salient properties to show why we should accept those feelings and responses.

However, because of his philosophical preconceptions of what moral argument can consist in, McNaughton misunderstands the place these descriptions can have in ethical thought. One point of invoking the notion of a “pet”, for example, is not to attempt to rationally justify treating animals in particular ways. After all, it is quite true that there is no good argument emanating from the surface meaning or conceptual parameters of “pet” that could rationally compel someone to refrain from detesting pets, or that could by force of reason stop them from deciding that it is OK to eat the lamb rather than continue keeping it as a pet. It is quite true that, conceptually or logically speaking, no one can eat their pet; it is true also that it is quite useless to appeal to the logic of “pet” to convince anyone about the moral status of certain animals. The legitimate place that descriptions like “pet” and “fellow human being” can have is that of being subject to the critical form of thinking that can determine whether they are vulgar or important. It is only in this way that they might have moral implications and occupy a nontrivial place in moral argument.

Of course, McNaughton, Singer, and others may come to agree that, as we typically use them, the notions of “difference” and of “kind” do not play the role they may at first have supposed them to play in rational argument or in the derivation of more specific moral concepts and judgments. Nevertheless, talk of “different kinds” is likely to continue to be greeted with skepticism about its value in genuine ethical reflection. One reason for this is Singer’s feeling that they are the emotivist residue of our history as social animals with primate dispositions. Another and related reason is that their origin is entirely contingent on cultural and material processes. The accidental nature of the possible content of the realm of meaning strikes many people as an offence against reason. That sense of a

⁷⁶ *Human Beings*, p.80.

violation of objective thought can lead them to say that the content of ethics must be left to be determined wholly by rational argument, even if that means seriously distancing ourselves from many of the beliefs we presently hold dear. How else can we reasonably identify and be rid of abominations like slavery and racism, except by luck? And isn't it likely that we are presently doing things, to humans and to animals, that are also abhorrent and that need to be exposed by reason?

The proponents of the alternative view should not deny that critical appraisal is required to determine the cognitive worth of ethical practices and judgments. Nor should they deny that reflection on ethical mores can be creatively imaginative, courageous, and lucid enough to invite us to deepen or to revise our present, deeply-entrenched stances. For example, perhaps some ideas of the "difference" between humans and animals should be subject to criticism. However, there is as yet no reason to conclude that the content of ethics (within its essential conceptual limits) must be indefinitely revisable on pain of the failure to follow reason wherever it leads; no reason, that is, so long as our conception of reason is not captured by the image of Singer's escalator, which may go up and completely out of sight. The matter may be examined by way of some examples.

In his discussion of Elizabeth Costello, Gaita writes:

I have heard people say that meat is murder, but I have not met anyone whom I credit with believing it. No one I know or have even heard of treats people who eat meat as though they were murderers or accomplices to murder.⁷⁷

Replying to this claim, Elisa Aaltola argues that "Coetzee's take on the matter is deeper than that of Gaita"⁷⁸, partly because "[g]unning down meat eaters is a futile option"⁷⁹, and partly because Costello is an example of someone who shows in her (often

⁷⁷ *The Philosopher's Dog*, p.204.

⁷⁸ *J.M. Coetzee and Ethics*, p.136.

⁷⁹ *J.M. Coetzee and Ethics*, p.136.

“perplexed”) behavior a belief in “the animal murder all around her”⁸⁰. It is not absolutely clear that Costello, irrespective of her deep woundedness and the radical nature of what she says, does *behave* precisely as Aaltola describes. In any case, Gaita’s point is that however shocked and outraged by the practice of meat-eating we may be, and however impractical and futile it may be to act in the animals’ defense, virtually no one could be critically moved by the thought that we might one day be just as revolted by eating pigs as we are by the prospect of eating babies, or by the thought that, when the conditions are right, armies might be organized to attack thousands of human beings in order to protect the lives of millions of animals.

Another example Gaita discusses is Singer’s suggestion in *Practical Ethics* that we should try to recognize that a failure to give money to Oxfam to save lives is on the same moral level – *given certain practical conditions are met* - as going over and shooting a few Ethiopian peasants⁸¹. Singer wants us to resist the common assumption that that is self-evidently absurd⁸². Singer’s argument, Gaita points out, trades on the assumption that we react to the prospect of shooting peasants with shock and abhorrence. Part of the reason for that, no doubt, is that we think remorse, as he has described it, is a proper and lucid response to murder, and essential to what murder is. For Singer, if all things are equal - as that condition is determined by his two-level utilitarian theory - we have roughly equal reason to be either remorseful or not remorseful in the one case as in the other. For example, we may reach a stage in our culture where most of the “extrinsic differences”⁸³ between the two cases are eliminated: giving money to Oxfam is as easy, as harmless, and as efficient a means of saving lives as is refraining from shooting peasants. The point is not that we would not recognize the failure to donate as gravely wrong. The point is that Singer believes there may be some future conditions under which we might reasonably come to believe that selfishly failing to save starving people

⁸⁰ *J.M. Coetzee and Ethics*, p.135.

⁸¹ *Good and Evil*, p.55-60.

⁸² *Practical Ethics*, p222.

⁸³ *Practical Ethics*, p.244.

by not donating money to aid organizations (assuming that is done without homicidal intent) is, or is very close to being, the moral equivalent of murder⁸⁴.

But, Gaita wants to ask, which of us would claim that there might be conditions under which it could be intelligible, rather than hopelessly shallow, to feel the sort of remorse that could isolate a person from others, and destroy her life and maybe result in her suicide, on account of a failure to save lives by giving money to charity? And who can honestly say that circumstances might morally justify dispensing with the belief that remorse is a proper and lucid response to murder? A similar question may be posed in regard to Singer's earlier contention that we should respond morally in the same way to the Dutch institution, irrespective of whether its inmates are chimpanzees, or humans at comparable stages of mental development. He would think that there are circumstances in which we ought to feel more or less the same about the cruelty, indignity, and damage to interests taking place in that Dutch zoo – assuming the level of preference frustration is roughly the same - as in an institution for the mentally ill. To reach that conclusion, is to agree with Singer that our sense of a “difference” resembles antiquated views on racism and slavery.

Our sense, that adopting certain new ethical responses in the realm of meaning is unthinkable, and that it also is unthinkable that other deeply felt responses should be consigned to a morally primitive past, is linked to a sense of the seriousness of morality and meaning. Without certain basic critical responses, what we would be left with may still be “ethics” or “morality” in some conceivable sense, but it would not be ethics or morality as we (or most of us) understand it, for it would have been drained of the very substance that gave it weight and authority. That feeling would not necessarily be defeated by arguing, as Singer might, that our powerful desire for meaning and fulfillment can be satisfied by commitment to an ethical point of view which is informed by the moral ideal of the impartial spectator (a view which may even induce our admiration and reverence). For any thirst we possess for meaning and fulfillment (let

⁸⁴ *Practical Ethics*, p.222.

alone the possession of love or reverence for lucid ethical thought) is going to be inseparable from the nature of the elementary critical responses that compose the “source of morality”.

Philosophers sometimes champion pure rationality in ethical reflection by claiming that reliance on “emotional responses” risks entrenching prejudices like sexism and homophobia. But it is not usually rational argument that explains the reaction most people have to past or present injustice. Moreover, if it is true that our ethical thinking must be done in the realm of meaning, then we can after all only tell what is historically good or appalling by thinking *in media res*. This means that we must think for ourselves and in ways that call on a fully-fledged responsiveness.

It is true that the content of the realm of meaning is conspicuously contingent on the necessary personal dimension of ethics and on cultural factors. Writers like Diamond and Gaita admit that the accidental nature of ethical thought is a strange fact of life. Furthermore, they can acknowledge how odd it can seem that judgments which have and need no rational support can be the right ones. Diamond, for instance, could grant that it does indeed appear strange, perhaps incredible, that what separates us so significantly from animals derives not from “timeless criteria of *moral relevance*”⁸⁵ but from human products and artifacts. Not only does it seem tailor-made for prejudice; what is of fundamental value seems to have been conjured out of thin air. Perhaps because we are so accustomed to types of argument that idealize purely impersonal forms of objectivity, more personal types of argument seem peculiarly to insult a sense we have of the nature of reason.

Yet the view of the nature of reason in ethics from inside the realm of meaning is very different from the view outside it. From the former location, the background “sources of morality” look indispensable to any serious understanding of ethics, and the deliverances of theory can appear reductive and even comical, in much the same way that, for

⁸⁵ *Human Beings*, p.36.

example, archaic Greek views of slavery, or (increasingly) homophobia, can now strike us as both baffling and, despite being disconcerting, simply laughable.

In “Philosophy as a Humanistic Discipline”, Bernard Williams entertained the possibility that science may be as fully non-contingent and “objective” as it is feasible for any mode of thought to be, such that even the scientific judgments of alien beings with very different sensory apparatus may non-contingently converge with ours upon the truth. However, he left it open that convergence in science with the aliens may not be possible - because it may be that the requirements of scientific thinking and judgment as we understand it are not quite so universal.

Science might, for example, require a more substantial overlap in forms of life which could give rise to sufficient sharing of the relevant concepts that partake in scientific reasoning and conclusions. But if that were so, we would not lose faith in the truth of human science. That is because, knowing what science is through an understanding of its method and from familiarity with it, we can recognize that it owns the peculiar cognitive character and degree of objectivity which confers upon it legitimacy as that particular and genuine form of thought. Primitive tribes, by comparison, may not know what to make of modern science before they have had some contact with the way it is practiced. Until they are conversant with it, science may strike them as unintelligible, its counterintuitive claims wild and incredible. Or it may be that science will seem to them an inferior method to their own means of investigating nature, even in a value-neutral sense. Somewhat similarly, being conversant with the use of critical modes of ethical reflection - something that can only be obtained from actually using them - reveals to us its cognitive bona fides. This is true even though understanding in the realm of meaning is not to be compared to the “objectivity” promised by science. Williams’ commentary is relevant:

Precisely because we are not unencumbered intelligences selecting in principle among all possible outlooks, we can accept that this outlook is ours just because of the history that has made it ours; or, more precisely,

has made both us, and made the outlook as something that is ours. We are no less contingently formed than the outlook is, and the formation is significantly the same. We and our outlook are not simply in the same place at the same time. If we understand this, deeply understand it, we can be free of what is indeed another scientific illusion, that it is our job as rational agents to search for, or at least move as best we can towards, a system of political and ethical ideas which would be the best from an absolute point of view, a point of view that was free of contingent historical perspective.⁸⁶

The general and contingent processes which formed us and our capacity for scientific understanding have, by giving rise to additional contingencies, also formed our capacity for thinking critically about in the realm of value. But they have also helped form *what it is* for something in this realm to be reality rather than appearance, and what it is to distinguish them. So although such things have been shaped by certain contingencies, those forms of thought are not themselves merely contingent. It makes no sense to say that there is another, less unacceptably contingent form of thought that would allow us to get things right.

The only way to tell whether the style of thought is real or bogus is to examine its nature. At the end of the day, some philosophers may feel that rationality, and perhaps a few (conceptually and/or causally necessary) psychological dispositions and outpourings, are at the heart of serious ethical reflection. Such a position may not be irrational, but because it is dramatically divorced from ethical practice as most of us know it, it is unlikely to win many adherents after its character is exposed. It may not be incumbent upon us as *rational* beings to inhabit the realm of meaning, just as, as Singer reasonably claimed, it is not irrational for anyone to abandon the ethical point of view in favor of amoralism. The requirements of the realm of meaning, and the fact that it binds us to a certain mode of thought and way of living, only arises for beings who can go well beyond (mere) rationality.

⁸⁶ *Philosophy as a Humanistic Discipline*, pp.193-194.

Chapter 6 : Science and Conceptual Understanding

In the previous chapter, we began to look at what an understanding of human and animal life might come to. Drawing on the work of Wittgenstein, Cora Diamond and Raimond Gaita suggest that a deeper understanding of “us and them” will require attention to the way that certain concepts are formed from our responses. This is the only way, they believe, to see animals and humans as they really are. As we shall see, these “response-dependent” concepts are involved in two different kinds of understanding – a kind that is essentially about the facts of sentient life, and a kind that quite is different from this. The second kind was discussed in previous chapters, when we contemplated the nature of thinking with certain critical concepts that determine meaning. Neither of these kinds of understanding involves the spectator’s passive perspective. In this chapter, I shall be concerned with how science and philosophy both rightly conceive and also misconceive the nature of the task of finding out about us and the animals on our planet.

Gaita says this about our understanding of humans and animals:

The responses that form and are formed by our sense of belonging to a common kind cannot be elicited by beings that do not look like and behave like us. This is...because those responses are built into the concepts with which we identify what could be appropriate objects for our responses. This is a circle – a non-vicious circle – from which we cannot escape without losing the relevant concepts...For the same reason we cannot...tell in advance all that we will count as looking and behaving like us. We have to see how we respond. And reflect on our responses of course.¹

¹ R. Gaita, *A Common Humanity*, (Melbourne: Text Publishing, 1999), p.269.

Commenting on this passage, Lars Hertzberg claims that it is not clear “why the notion of sharing something with the other should play anything but an accidental part here”². As an example of what he means, he says that where “compassion is pure, no thoughts about myself enter in, nor are these thoughts required in order to justify my compassion”³. Of course, it is true that a person’s compassion does not make explicit or conscious reference to themselves when it is “pure”. But that is not the only way in which a reference to self may be present in the conception of the situation which the person with pure compassion has.

Hertzberg downplays the fact that for Gaita it is of central importance that I relate to human beings, not as alien outsiders, but as one amongst my own kind. Thus, in his example of the nun who displays a pure and non-condescending love towards mentally ill patients who have virtually no capacity for distinctive human behavior⁴, it is crucial to the nature of our understanding of her behavior, and indeed to our wonder it, that she responds to the patients not just as the moral equals of other humans but as *her fellows*. She is one of them and they are the same as her; they are her kind. That recognition is there in her response, and it is part of why her love is uncondescending.

Although the patients might be “struggling on the ground like a half crushed worm”, the nun’s behavior reveals her understanding that the patients are unique and irreplaceable⁵ in precisely the same way as herself. Likewise, we may find the fact that we are each individuals, “here, on this planet, now”⁶ as Williams put it, living amongst other creatures who are nonhuman, is important to our understanding of who or what they and we are. Through concepts formed in part by our responses and our interaction with others, human and nonhuman, a sense of belonging, or not belonging, to a common kind of one sort or

² C. Cordner, (ed.) *Philosophy, Ethics and a Common Humanity: Essays in honour of Raimond Gaita* (London: Routledge, 2011), p.18.

³ *Philosophy, Ethics and a Common Humanity*, p.18.

⁴ *Philosophy, Ethics and a Common Humanity*, p.18.

⁵ *A Common Humanity*, p.18.

⁶ B. Williams, *Philosophy as a Humanistic Principle*, Moore, A.W ed. (Princeton and Oxford: Princeton University Press, 2006), p.148.

another may emerge. The sense we have of a common kind may be important, without being grounded in, and without grounding, anything else.

Many people feel that science holds the best promise of deepening our understanding of common or dissimilar kinds. So we should ask what science does have to offer our enquiry. I shall mention some ways in which science does assist us, or might assist us, and some ways in which it may lead us astray - in part because of some assumptions that it shares (perhaps in a mutually reinforcing manner) with a lot of philosophy. Certain large assumptions those two disciplines share, about the place and proper nature of the concepts we may use in our thinking about the lives of animals are arguably misguided. Bringing out certain arguable or misconceived presuppositions will help to sharpen the focus of the enquiry.

One of the first things to mention is that science has often been used to reject the notion of “us and them”, or at least certain emphases of that notion. Indeed, the rejection is one strand of the modern scientific and philosophical temper - even if it does not have large moral consequences in, say, animal experimentation. Influenced by science, Mark Bekoff disdains the language of “us and them” as arrogant dualism.⁷ James Rachels thinks science has enabled us to recognize at last a “morality without the idea that humans are special”⁸. His book *Created from Animals: The Moral Implications of Darwinism* prosecutes “Darwin’s thesis that the differences between humans and animals are matters of degree, not kind.”⁹ In Darwin’s own words:

Man in his arrogance thinks himself a great work worthy the interposition of a deity. More humble and I think truer to consider him created from animals.¹⁰

⁷ M. Bekoff, ‘Animal Passions and Beastly Virtues: Cognitive Ethology as the unifying science for understanding the subjective, emotional, empathic, and moral lives of animals’ in *Zygon*, Vol. 41, No 1 (March 2006) p.81.

⁸ J. Rachels, *Created from Animals: The Moral Implications of Darwinism*, (Oxford: Oxford University Press, 1991), p.173.

⁹ *Created from Animals*, p.189

¹⁰ *Created from Animals*, p.1.

Rachels goes on to claim that we should radically recast our perspective on our lives here on earth amongst the animals, by recognizing there is no basic and inherent difference between human beings and other animals. Others, too, will feel that Gaita and Diamond underplay the role of science in helping establish the deepest truths about humans and animals. From the beginning, it should be said that neither Gaita nor Diamond denies that science can yield important information about animal life and nature. What they do say is that it is not the differences so much as what we make of them that has a bearing on the most important kind of understanding.

In itself, that does not imply that the deliverances of science will be irrelevant to what we say about “us and them”. On the other hand, they feel that the assumptions of science and philosophy have resulted in some wrong approaches to the question. In particular, the problem is that these disciplines often assume we are in a certain epistemic situation with respect to other minds, behavior, and life: the position of the passive, rational spectator.

In the Introduction to this thesis, it was made clear that its argument about the nature of animality will not turn specifically on rejecting the empirical claims about animals made by the philosophers in the more traditional mould. Such claims include animal capacities for grief, anger, happiness, jealousy, fear, and more. For example, the eminent philosophical and scientific contributors to *The Great Ape Project* accept claims about the “advanced cognitive and emotional capacity of the great apes”, as a New Zealand politician put it¹¹. Singer cites Geza Teleki’s report of an encounter he had with two adult male chimpanzees, each of whom climbed separately up a ridge from opposite sides: “As they met at the top they stood upright, face to face, and clasped hands, while softly panting. Then they sat down together and joined Teleki in watching the sunset”¹².

Singer’s aim in cataloguing such examples is not to provoke wonder or sympathetic involvement – though he may well hope that happens. His aim is to provide evidence that animals such as the great apes have relatively sophisticated capacities, like self-

¹¹ P. Singer, *Writings on an Ethical Life* (Salisbury South: Griffin Press 2000), p.84.

¹² *Writings on an Ethical Life*, p.83.

consciousness and Lockean “personhood”. It is true the attributions countenanced by some philosophers can be charitable. For example, Singer declares that some animals have “the capacity for conceptual thought without having a language”¹³. But although some philosophers like Davidson have cast doubt on claims that animals have concepts and therefore beliefs, such arguments will not be relevant to the discussion.

One reason for thinking science has much to offer in the case of animals is that we often know so little about animals and their lives. To some extent, this explains the interest in Goodall, Fossey, and Attenborough. Singer mentions the view of one primate scientist who says that the Tanzanian chimps he has observed for twenty-five years “continue to be the source of astonishment, interest, and pleasure”¹⁴. According to Singer, “apes who have learned sign language also continue to display previously undreamed-of capacities”¹⁵.

On more familiar ground, philosopher, animal trainer, and poet Vicki Hearne questions the common understanding of the “mythical emotional independence of the cat”¹⁶. We are mistaken if we think “there is no theme, no focus, to a cat’s activities”¹⁷. She claims that it is inattentiveness and “imaginative failure that obscures our view of the ways in which the house cat cooperates deeply in the domestic enterprise”¹⁸. By comparison, it easy to

achieve general agreement on the interpretation of a doggy action. But cats take the task of pleasing us far more seriously. Science has shown this¹⁹.

Some aspects of the behavior of common animals, let alone exotic ones, are not yet well understood.

¹³ P. Singer, *Practical Ethics* (2nd ed.), (New York: Cambridge University Press, 1993), p.114.

¹⁴ *Writings on an Ethical Life*, p.83.

¹⁵ *Writings on an Ethical Life*, p.83.

¹⁶ V. Hearne, *Adam’s Task: Calling Animals by Name* (New York: Akadine Press, 2000), p.57.

¹⁷ *Adam’s Task*, p.237.

¹⁸ *Adam’s Task*, p.57.

¹⁹ *Adam’s Task*, p.226.

Hearne thinks that we learn most about animals, not through science, but through “intimate acquaintance”²⁰. Her thought, which as we shall see there is good reason to believe, is not opposed to the idea that we need science to reveal certain animal behaviors. And indeed science, and its contagious attentiveness to nature, has enabled discoveries of remarkable similarities and evolutionary connections between humans and animals.

Here are two examples. They represent the sort of results that generate great interest amongst a public curious about our kinship with strange “others”.

Field studies by scientists such as Cynthia Moss have revealed an intriguing interest elephants have in their own dead. In one case, a group of females were trying to lift up the body of a young elephant, who had been shot in the right lung. The female elephants, says Moss, “gave up but they did not leave”. Instead, they

stayed around the carcass touching it gently with their trunks and feet. Because it was rocky and the ground was wet, there was no loose dirt; but they tried to dig into it with their feet and trunks and when they managed to get a little earth up they sprinkled it over the body...by nightfall they had buried her with branches and earth.²¹

As Moss reports it, these female elephants stood over the body of the young elephant for the rest of the night.

A more controversial example, from the “laboratory”, is the famous ape-language experiments. Though the results of the studies are contested for scientific and philosophical reasons, they have suggested some highly developed nonhuman behaviors. Sue Savage-Rumbaugh’s work with a bonobo called Kanzi is more recent than the work with the famous chimp Washoe. Earlier experiments, by failing to “enculturate” the

²⁰ *Adam’s Task*, p.113.

²¹ C. Moss, *Elephant Memories*, (Chicago: University of Chicago Press, 2000), p.73.

experimental subjects, did not treat the apes like children who are learning language. Some allege this resulted in underestimations of their communicative potential. Savage-Rumbaugh, says Steven M Wise, relates what happened when Kanzi clearly misunderstood one sentence in which she asked him to ‘put the paint in the potty’. Kanzi

promptly picked up some clay (a similar play object to paint), and put it in the potty. I said ‘What about the paint?’ Kanzi put more clay in the potty. I said ‘thank you’, but ‘now put the paint in the potty’. Kanzi clearly thought me a little dumb, and so he brought me the potty and placed it right in front of my face so I could see that he had done what I was so persistent in asking for.²²

Savage-Rumbaugh’s work uses scientific techniques to eliminate confounding factors in the analysis of “sign language”. Those experiments raise difficult issues of syntax, structural complexity, and grammar for the science of linguistics. Nonetheless, they suggest “undreamed-of capacities”, and more remarkable overlaps between human and animal behavior than was once believed.

Nonetheless, there are also more obvious questions about what is going on. What, for example, is the cognitive nature of ape “signing” when they communicate, when they use signs to “comment” on things, and when, unprompted by “Clever Hans” cues, they carefully teach their young signs?

As the controversy indicates, science needs to be aware of the concepts it uses in its investigations. In the ape studies, there are looming conceptual questions about language, intention and orders of intention, belief, deliberation, self-consciousness, second or third-order desires, deception, “theories of mind”, and so on.

²² S. M. Wise, *Rattling the Cage: Toward Legal Rights for Animal* (New York: Perseus Publishing, 2000), pp.225-226.

Something similar goes for tool-use. Is it a learnt but mechanical action, as it might be in lower animals? Does tool making in great apes involve foresight? When Maya, a chimpanzee from northern Congo, modifies the standard technique by carefully fraying the end of a twig between her teeth to make a brush-like implement, capable of catching ten times the number of ants per scoop, is she using a kind of means-ends reasoning and creative problem-solving ability similar to a young child?²³

Clearly, some such questions need cooperation between scientific minds and minds of a philosophical bent. The reason this does not always happen is that scientists can readily fall for a kind of scientism, which says that science is the model for objective understanding. Thus, it is not uncommon for scientists to overlook the critical importance to their work of understanding the concepts they use. In those cases, interdisciplinary dialogue with philosophy would be valuable. But in parts of science, there is clearly a scientific impulse to see science as the prototype of genuine understanding of human and animal behaviour²⁴.

For example, there is an inclination, by ethologists and veterinary behaviorists, to treat the analysis of animal behavior as a matter for careful experiment and observation, without paying close attention to concepts such as self-awareness, communication, intention, boredom, aggression, and anxiety. That is a reason why some scientists tend to make hasty announcements about chimps being able to use “language”, or about them having self-consciousness because they react in interesting ways to their reflections in mirrors.

But now a more fundamental philosophical matter arises. Science, influenced by and influencing philosophy, has a tendency to a conceptual mistake that can lead to an overstatement of its claims and a distortion of its application. The source of this error is an even deeper lack of conceptual sophistication about the nature of other minds and other beings. The fault is shared by many philosophers. It is also shared, as Gaita points

²³ *National Geographic*, February, 2010.

²⁴ R.Gaita, *The Philosophers Dog*, (New York: Random House, 2005), p.114.

out, by those who (like popular writer Jeffrey Masson) reject the grandiose scientific claim that only science can illuminate animal behavior²⁵. This matter of conceptual understanding needs to be examined, because it has important consequences for our reckoning with animal/human life.

As mentioned earlier, there are in fact two related conceptual assumptions, each of which imagines a passive, spectator stance toward human and nonhuman beings. The first is to do with understanding others and their behavior in an ordinary factual, empirical, and “tone-free” manner – whether others are, for example, sensate creatures or have mental states. The second assumption is that science and philosophy can fully reckon with animal and human life in a “tone-free zone”, that is, in a place outside what Gaita calls the realm of meaning, in which a different kind of thinking comes into play. Let us consider now the first assumption.

It seems unlikely that many biologists would unhesitatingly grant that there could in reality be “something that looks like green slime but [that] engages in complex behaviors” and has “rational, autonomous agency”²⁶, to quote a thought experiment. Yet the first assumption is of this general sort. It can result in unwarranted skepticism, as in Steven M Wise’s representative contention, that despite:

100,000 years of companionship, we know surprisingly little about how dogs communicate; we’re just starting to figure out what barking means. Some say it doesn’t mean anything but excitement, but research is beginning to contradict that claim.²⁷

²⁵ *The Philosopher’s Dog*, p.114.

²⁶ D. Jamieson, (ed.) *Singer and his Critics*, (Oxford: Blackwell Publishing, 1999), p.103.

²⁷ S. M. Wise, *Drawing the Line: Science and the case for Animal Rights* (Cambridge: Perseus Publishing, 2003), p.122.

But the very same presupposition can also (paradoxically it will be seen) result in excessive open-mindedness, like the speculation that “Sperm whale culture...might encompass abstract concepts, perhaps even religion”²⁸.

Often science excels when it imaginatively frames hypotheses about animal behavior and consciousness. However, science and much philosophy in general takes up a skeptical attitude towards other minds. This skepticism can be about the very existence of other conscious beings, or about the precise nature of their subjectivity, as when Thomas Nagel says of finding out what it is like for a bat to be a bat, that “extrapolation must be incompletable”²⁹.

In fact, this passive, spectator stance towards the inaccessible private lives of other beings does usually seek to extrapolate outwards from the human subject to animals. For apart from prejudice and unfamiliarity, many people believe that the extra difficulty with animals lies in the physical and behavioral differences, including perhaps the absence of a human language. Nevertheless, many scientists and philosophers believe that, thanks to modern science, the evidence has sufficiently mounted that we can *effectively be certain* that animals are conscious.

A nicely representative example of what Tom Regan calls the “cumulative argument” for animal minds³⁰ comes from *Animal Liberation*. Singer starts from the basic assumption that “mental events” can “never be observed”³¹ and that behaviors like writhing, moaning, yelping, and screaming are “not pain itself”³² but only its manifestations. On this skeptical premise, it is conceivable that “one of our close friends is really a cleverly constructed robot”³³.

²⁸ Zygon, p.72.

²⁹ T.Nagel, ‘What is it like to be a bat?’ in *Mortal Questions* (Cambridge: Cambridge University Press, 1979), p.169.

³⁰ T. Regan, *The Case for Animal Rights*, (Berkeley: University of California Press, 1985), p.1.

³¹ *Writings of an Ethical Life*, p.36.

³² *Writings of an Ethical Life*, p.36.

³³ *Writings of an Ethical Life*, p.36.

The modern form of the argument continues by enumerating pieces of evidence for an inference that some animals have minds based on similarities to humans like behavior, physiology, anatomy, and (often the trump card) modern evolutionary theory. The evidence may be backed up by the principle of parsimony³⁴ and the argument's predictive power. Also, some behavior, like Maya's fraying the end of a twig to make a brush-like too, is more easily explained when mental causes are posited. Such behavior, unlike the mechanical behaviour of an insect, is complex, unconditioned, and adaptable.³⁵

Proponents of this approach typically ignore or dismiss Wittgenstein's work. He has been called a logical behaviorist.³⁶ Singer claims Wittgenstein says that we "cannot meaningfully attribute states of consciousness to beings without language"³⁷. Animal ethics philosopher Bernard Rollin considers Wittgenstein to be viciously skeptical:

His works are peppered with cryptic, skeptical remarks about predicating mentalistic attributes to animals. In one famous passage, he tells us that of a lion could speak, we couldn't understand him; in another he suggests it is conceptually impossible for an animal to smile. He also suggests that a dog cannot simulate pain or feel remorse, that an animal cannot hope or consciously imitate, and that a dog cannot mean something by wagging its tail.³⁸

Of course, this is not the only view of Wittgenstein's input. If Peter Winch and Raimond Gaita are right, Wittgenstein's insights into the nature of our conceptual understanding of animals and humans have been overlooked. Following Wittgenstein's thought has two advantages for us. First, it clarifies our certainty that animals are sensate beings of a certain type(s), and further, it reveals the nature of our understanding of them in this sense. Second, it points the way to the more complete understanding that was mentioned,

³⁴ *Writings of an Ethical Life*, p.38.

³⁵ *Created from Animals*, p.145.

³⁶ A. Hills, *Do Animals Have Rights?* (London: Icon Books, 2005), p.36.

³⁷ *Writings of an Ethical Life*, pp.39-40

³⁸ B.E. Rollin. *The Unheeded Cry*, (Ames: Iowa University Press, 1998), p.137.

both by illuminating the concepts which become part of that understanding and by exhibiting the way in which it may be formed.

The Wittgenstein-inspired argument starts by noting that the skeptical position claims our friends might conceivably be robots and that their writhing and moans are mere “colorless bodily movement”³⁹. Speaking against the skeptic’s claim that there will always be some degree of doubt about other minds, if only in principle, Gaita argues that we can be “absolutely certain”⁴⁰ about the existence and nature of “mental states” like sensation in other creatures. He has two general things to say about the skeptical position.

The first need only detain us momentarily. Gaita claims that attempts to refute the skeptic on her own terms will not be “adequate to our certainty”⁴¹. In other words, it is inclined not to take skepticism fully seriously. Even if, granting the premise, the anti-skeptic has some success in showing the likelihood of animal consciousness; it will not add up to the certainty which is hoped for and which everyone just has. The usual response from many scientists and philosophers to skepticism is that we can now be “almost certain”, or as certain as we need to be, for ethical purposes, for example. But trouble is brewing. Gaita asks: “on what rational grounds are such probabilities calculated?”⁴². The problem is that once the “doubt is raised, nothing can allay it”⁴³. The argument, after all, was never strictly scientific, and this contributes to an air of desperation. Yet it posed as an empirically convincing one.

Unsettling questions follow. For example, what scientific warrant is there in the claim that “mental events” must be posited as causes of behavior or else some other cause invented? We do not have an established scientific theory of mental causation in human beings; and anyway, it is usually supposed that “mental states” have neurological or other physical correlates of such super-computer-like complexity that a deeper explanatory potential - unlike that of (say) crude Skinnerian behaviorism - cannot be dismissed. A

³⁹ *The Philosopher’s Dog*, p.62.

⁴⁰ *The Philosopher’s Dog*, p.44.

⁴¹ *The Philosopher’s Dog*, p.47.

⁴² *The Philosopher’s Dog*, p.47.

⁴³ *The Philosopher’s Dog*, p.47.

similar maneuver can be made on the supposed Darwinian trump card – the correspondences between the central nervous systems of humans and those of the higher animals. Unlike modern Darwinism, this argument is just not scientifically conclusive. So the usual anti-skeptical position tends to help itself to more certainty than it is entitled to.

Actually, it will always – necessarily always - be left with the intelligible possibility of doubt, and this residue is at odds with our absolute certainty. Our certainty, for example, is impervious to conspiracy theories and pseudoscience, as Darwinism is not. The more important and Wittgensteinian reply to skepticism gives an account of why this is so. For it seeks to dissolve the problem rather than refute it; and it does so by questioning skeptical assumptions about the uninvolved, speculative stance towards other minds.

The presupposition of the standard anti-skeptical argument is that our epistemic relation to other human beings and to animals is characterized as something like an “assumption, a conjecture, a belief, or even knowledge”⁴⁴, or perhaps as a special or intuitive mode of access. All of these epistemic modes can in principle result in mistaken propositions. In Gaita’s exposition, our understanding that there are other sensate beings, of this or that kind, does not involve the epistemic concepts of belief or knowledge. Such understanding is more a matter of mastering a concept or set of concepts. Our certainty is better understood, then, as an inability to doubt which arises from the possession of a concept. The sort of concept that “sensate being” is, is more like the concept “physical object”, than the concepts “gryphon” or “Martian”. And yet, as we shall see, “conscious being” has a significantly different conceptual structure from “physical object”, and is connected with the understanding in a different way.

Unlike our empirical knowledge, the kind of certainty we have about other minds “is without evidence – *completely* without evidence – and is none the worse for that”⁴⁵. In “Eine Einstellung zur Seele”, Peter Winch discusses this famous passage:

⁴⁴ *The Philosopher’s Dog*, p.61.

⁴⁵ *The Philosopher’s Dog*, p.64

“I believe that he is suffering” – Do I also *believe* that he isn’t an automaton?

It would go against the grain to use the word in both connexions...

“I believe that he is not an automaton”, just like that, so far, makes no sense.

My attitude towards him is an attitude towards a soul...I am not of the *opinion* that he has a soul.⁴⁶

Gaita explains that “soul” (in German, “seele”) here simply means “a being with thoughts and feelings”⁴⁷; it “means an inner life” but not one “with deeper and shallower possibilities”⁴⁸. Furthermore, “attitude” in the passage does not imply an “arbitrary and subjective”⁴⁹ projection onto an objective world described by behaviorism. Winch argues that the concepts of pain and of sensate creature arise from our unreflective reactions to particular objects. The “primitive material”⁵⁰ of our “unhesitating interactions”⁵¹ helps form the concept of *pity*. Such widely shared and inescapable⁵² human patterns of response⁵³, together with their objects, build the concepts of pain and sensate creature. Winch points out that for this range of concepts, response and object are internally related⁵⁴: there would be no concept of pity without the specific object(s) it is commonly a response to - and vice versa.

Furthermore, our own affective reactions, on this view, are conceptually tied to our *individual* understanding of “other minds” or “sensate beings”. That is why Wittgenstein said that pity is “a *form* of conviction that someone else is in pain”⁵⁵. But now, while it may make sense to say I believe or know that a dog is in pain, it makes no sense to say that I believe or know that this dog is a sensate creature. For my understanding of

⁴⁶ P. Winch, *Trying to Make Sense* (Oxford: Blackwell, 1987), p.140.

⁴⁷ *The Philosopher’s Dog*, p.60.

⁴⁸ *The Philosopher’s Dog*, p..60.

⁴⁹ *Trying to Make Sense*, p.141.

⁵⁰ *Trying to Make Sense*, p.147.

⁵¹ *The Philosopher’s Dog*, p.63.

⁵² *Trying to Make Sense*, p.149.

⁵³ *Trying to Make Sense*, p.152.

⁵⁴ *Trying to Make Sense*, p.147.

⁵⁵ R. Gaita, *Good and Evil: An Absolute Conception*, 2nd Ed, (London: Routledge, 2004), p.176.

“sensate creature” is conceptually embedded in my actual and possible background responses to such beings and is not grounded in any evidence that they are conscious.

On the standard, strongly non-anthropocentric picture, the “affective dispositions of any particular person”⁵⁶ may causally affect their cognitive achievements but they are strictly unnecessary for understanding. The standard picture regards it as perfectly intelligible that such a person can be indifferent to the pain or other subjective states of creatures. It also treats subjectivity as an interior, occult phenomenon. This passive epistemological stance, aspiring to “the view from nowhere”, is evident when we speak of “ascriptions” or “attributions” - rather than *descriptions* - of animal mental states.

It will pay to dwell on the conceptual interdependence of object and response. Consider what Gaita says:

Such reactions – a variety of interacting responses to the demeanors of the human form – are partly constitutive of those concepts with which we describe the forms of bodily expressiveness – groans, smiles, grimaces, and so on. They are the concepts with which we describe what we ordinarily call ‘behavior’, all the subtle inflections we bring under the notion of ‘body language’, and which distinguish behavior from ‘colorless bodily movement’. Binding a person’s wound while looking into his face is an example of an attitude towards a soul.⁵⁷

A Rogers and Hart song contains the line, “wait ’til you feel the warmth of his glance”. The behavior of others does not strike us as robotic or “colorless” because the concepts we use to describe thoughts, emotions, beliefs, intentions and moods are assembled from responses to particular bodies and faces. So, despite Singer’s claim, writhing and screaming do not represent *evidence* of feeling; these descriptions are already *expressive*

⁵⁶ *Good and Evil*, p.176.

⁵⁷ *The Philosopher’s Dog*, p.62.

of feeling. This is clear in the case of human beings. But not all organisms have obvious expressive potential.

An example is the fly. When Gaita says that “we do not know *what to make of the idea* that a fly might be in agony”⁵⁸, he does not mean that we may not feel pity for the fly. In this case, our pity does not give rise unequivocally to the concept of “pain” or of “sensate creature”. The “tender compassion”⁵⁹ we may have for an insect is a response to an animate body with agency, which can be killed and mutilated, but does not have anything like the demeanor and face of a human being. Here we see clearly the second element in the conceptual interdependence: the expressive body.

When Gaita refers to “a kind of naturalism of the surfaces”⁶⁰, he means an understanding we have of other people and of animals that cannot come about because of a special epistemic relation to something essentially inaccessible. “Everything is on the surface”, he writes, “provided of course one has an imaginatively rich sense of the surface”.⁶¹ On this account, it is only through our own living and expressive body’s relation to other living and expressive bodies that we can “understand how it is with”⁶² another, and “*what it is to be one who suffers*” in a certain way, “with the resonance which Nagel wants for that expression, but cannot get with bats”⁶³.

Lars Hertzberg acknowledges that Gaita has identified a mutual conceptual dependency between response and object – a circle that is “non-vicious” because it shows how the concepts are formed together. But Hertzberg claims that Gaita is prone to a misreading of Wittgenstein’s insight:

⁵⁸ *Good and Evil*, p.179.

⁵⁹ *The Philosopher’s Dog*, p.136.

⁶⁰ *The Philosopher’s Dog*, p.200.

⁶¹ *The Philosopher’s Dog*, p.131.

⁶² *Good and Evil*, p.185.

⁶³ *Good and Evil*, p.185.

It comes to this: only of a living human being and what resembles (behaves like) a human being can one say: it has sensations; it sees; is blind; hears; is deaf; is conscious or unconscious.⁶⁴

He believes the mistake is to read this as expressing the view that the general category “human being” – that is, our “common kind”⁶⁵ - provides *grounds* for the idea that other beings are conscious, on the basis of a resemblance in behavior and our responses to it. This approach, says Hertzberg, involves “laying down rules for the use of certain expressions, rather than simply describing their use”⁶⁶. It undermines the right way to understand the subjectivity of humans and animals, by supplanting an active cognitive relation involving our responses, with a passive observer relation.

David Cockburn, he says, was right when he said the “notion of resemblance should not be taken to refer to geometrical or other physical similarities between human and other forms of expression; rather, the resemblance should itself be understood as involving the expressive nature of the behavior”⁶⁷. In other words, any similarities we find between “flies that writhe or squids that flee”⁶⁸ and human behavior is a reflection, not a grounding rule or condition, of those common descriptions (not “ascriptions”). We should not be prescriptive about the criteria of concepts, but should simply look at how language is intelligibly used in different contexts.

As we shall see, Gaita’s work does not suggest that we can determine “kinds” – either sensate kinds or “ethical” kinds - in this non-Wittgensteinian manner. Hertzberg’s criticism might have been better directed at Michael Leahy. In *Against Liberation: Putting Animals in Perspective*, Leahy contends that Singer, Regan, Hearne, Rachels, and Clark are guilty of far-reaching anthropomorphism.⁶⁹

⁶⁴ *Philosophy, Ethics and a Common Humanity*, p.16 (Philosophical Investigation no 281).

⁶⁵ *Philosophy, Ethics and a Common Humanity*, p.16.

⁶⁶ *Philosophy, Ethics and a Common Humanity*, p.18.

⁶⁷ *Philosophy, Ethics and a Common Humanity*, p.19.

⁶⁸ *Philosophy, Ethics and a Common Humanity*, p.19.

⁶⁹ M. P. T. Leahy, *Against Animal Liberation: Putting Animals in Perspective* (London: Routledge, 1993), p.253.

A crucial part of Leahy's argument comes from *Zettel*, where Wittgenstein discusses "a primitive reaction to tend, to treat, the part that hurts when someone else is in pain"⁷⁰:

But what is the word "primitive" meant to say here? Presumably that this sort of behavior is *pre-linguistic*: that a language-game is based *on it*, that it is the prototype of a way of thinking and not the result of thought.⁷¹

Leahy argues that animal attributions depend on "pre-linguistic prototypes of behavior upon which the primary language-game of pain [for example] is based"⁷². More precisely, animals must display characteristic prototypes to "provide grounds"⁷³ for the attributions. Otherwise, anthropomorphism results.

Thus, our attributions to animals are grounded "in their contiguity to the human paradigm"⁷⁴ and are "parasitic"⁷⁵ upon it. How then do we judge rightly the sufficiency of the prototypes? Leahy allows a place for our "instinctive responses"⁷⁶, saying that "we feel impelled to mark the similarity of their behavior to that of human beings situated likewise whilst allowing for the inability to describe what they feel."⁷⁷

Yelps and whines are examples of prototypes. But Leahy warns that the "similarities of their pre-linguistic reactions to human responses serve as constant temptations to treat them and speak of them in ways that are perhaps too reminiscent of the human paradigm"⁷⁸. In fact, the absence of language, self-awareness, and conceptual understanding in animals means these "attenuated language games" begin to "misfire with uncertainty"⁷⁹.

⁷⁰ *Against Animal Liberation*, p.125 (*Zettel* nos. 540, 541).

⁷¹ *Against Animal Liberation*, p.126 (*Zettel* no. 51).

⁷² *Against Animal Liberation*, p.127.

⁷³ *Against Animal Liberation*, p.133.

⁷⁴ *Against Animal Liberation*, p.142.

⁷⁵ *Against Animal Liberation*, p.115.

⁷⁶ *Against Animal Liberation*, p.127.

⁷⁷ *Against Animal Liberation*, p.152.

⁷⁸ *Against Animal Liberation*, pp.127-128.

⁷⁹ *Against Animal Liberation*, p.128.

Leahy claims he has shown that animals cannot fear or flee death, nor manifest virtue, vice, hope, grief, joy, or grief:

Animals can, of course, manifest relatively short term distress at, say, the loss of a mate, but it shows itself only in a disruption of behavior. Without language it cannot *consider* its plight. Furthermore, as with hope and remorse, there are not characteristic prototypes: pulling a long face or weeping frenziedly would be inadequate simulations of grief.⁸⁰

He concludes that the reality of animal life is that they are “dumb brutes” or “true primitives”.

Leahy’s exposition would raise Hertzberg’s eyebrows. For a start, Leahy largely ignores the role of the responses which help form our concepts of understanding other minds. His prosecution of the argument suggests he is relying on his own “guiding criteria”⁸¹. It also suggests that the concepts can be determined independently of how they are actually used.

Whereas Wittgenstein uses the term “prelinguistic prototypes” to refer to human behavior, Leahy extends the concept to animals. With that move, he seems to be directing us to weigh the geometric resemblance of the prototypes with human behavior, and perhaps our reactions, to ground the relevant attributions. Hertzberg parodies this method with the image of checking our responses in a mirror to see whether they are adequate to the concepts we entertain.⁸²

Leahy’s idea of “substantial similarity”⁸³ appears to justify his attributions only because we already recognize behavior as more than lifeless action or “colorless bodily movement”. For example, he claims that canine tail-wagging is a grounding prelinguistic

⁸⁰ *Against Animal Liberation*, p.133.

⁸¹ *Against Animal Liberation*, p.166.

⁸² *Philosophy, Ethics and a Common Humanity*, p.17.

⁸³ *Against Animal Liberation*, p.9.

prototype. Yet it is very difficult to see tail-wagging, let alone the powerfully odd behavior of sperm whales when they raise their flukes or send a jet of water into the air from their spouts, as comparable to human “prototypes” of linguistic behavior. What is there in our behavior to “resemble” the sperm whale’s use of fluke and spout? Yet we do think of their behavior as resembling ours. Resemblance comes down to the fact that animals express pain, friendliness, anger, frustration, and enjoyment. In *this* respect, they and we are of a common kind.

In many places, Gaita is at pains to argue that our responses to particular objects - our attitudes towards “souls” - do not justify concepts but help form them. For example:

When dogs respond to our moods, to our pleasures and fears, when they anticipate our intentions, or wait excitedly to see whether we will take them for a walk, they do not assume that we are sensate beings with intentions. I imagine that it was the same for us in our primitive state. Out of such unhesitating interactions, between ourselves, and between us and animals, there developed – not beliefs, assumptions, and conjectures about the mind but - our *very concepts* of thought, feeling, intention, belief, doubt, and so on.⁸⁴

Furthermore, Gaita’s argument shows that, ironically, Leahy’s position is itself illegitimately anthropomorphic. “There is no reason to think we form the concept of intention”, Gaita argues,

first in its application to human behavior and that we then apply it to animals, when, for example, we see a dog running after a cat. That is assumed when people speak of anthropomorphism – that we illegitimately apply to animals concepts of conscious states that we have legitimately developed in relation to human beings. But such concepts, I have

⁸⁴ *The Philosopher’s Dog*, p.63.

suggested, are formed in responses to animals and to human beings together.⁸⁵

“That is the deepest reason”, Gaita argues, “why it is not anthropomorphic”⁸⁶ to say that animals can have intentions. His argument undermines the basic assumption of a great deal of philosophy and science: that we must extrapolate outwards from our own human case to the strictly inaccessible minds of other beings. That, too, is an illegitimate form of anthropomorphism.⁸⁷

We understand animals - and they understand us to a degree - only because we share animal bodies that can be “inflected, so to speak, in interacting responses to the forms of the living body’s expressiveness”⁸⁸. For Gaita, here is “a kind of naturalism of the surfaces”⁸⁹: “Everything is on the surface, provided of course one has an imaginatively rich sense of the surface”⁹⁰. Thus, it is through our own living body’s relation to other expressive bodies that we can “understand how it is with”⁹¹ another. This picture has a “resonance which Nagel wants for that expression, but cannot get with bats”⁹².

Some philosophers and scientists are therefore wrong to think that there are special philosophical obstacles to being certain of, and (moreover) understanding, the subjectivity of animals, even bats or sperm whales. Their assumption is that we must infer the hidden inner lives of others in order to understand them. The first key assumption I referred to was about factual or empirical understanding – whether animals have subjective states like belief and fear. I will reflect further on this assumption now. Following that, I will address the other assumption – that factual understanding is the

⁸⁵ *The Philosopher’s Dog*, pp.62-63.

⁸⁶ *The Philosopher’s Dog*, p.63.

⁸⁷ However, it is important to say that his argument does not imply that our concepts with animals never internally make reference to human life. A more complete understanding of animals is formed in part from concepts first developed in a human home. This idea will be explored in the next two chapters.

⁸⁸ *The Philosopher’s Dog*, p.61.

⁸⁹ *The Philosopher’s Dog*, p.200.

⁹⁰ *The Philosopher’s Dog*, p.131.

⁹¹ *Good and Evil*, p.185.

⁹² *Good and Evil*, p.185.

only real form of understanding of what animals and humans are like. In addressing that claim a richer range of concepts to describe other beings will emerge.

In one sense we can sympathize with Nagel. Animal bodies and modes of living *are* often alien and can be puzzling. But to understand the subjectivity of animals (even outside the realm of meaning which we have not entered yet), we need to have a certain form of intersubjective interaction. Partly, this means being free of misconceptions and prejudice. It means having an imaginative openness of response, of a kind not on display in the writings of scientists like Skinner and philosophers like Leahy.

With that responsiveness, in the face of behavior, some descriptions can be irresistible. Bekoff quotes an expert on elephant behavior, who said that after watching a female elephant with her dead newborn:

I got my first very strong feeling that elephants grieve. I will never forget the expression on her face, her eyes, her mouth, the way she carried her ears, her head, and her body. Every part of her spelled grief.⁹³

Here is another example. When Vicki Hearne visited “Gentle Jungle” to find out about ape “language”, she was startled by what she found:

The conversation with Washoe and Moja is about breakfast: ‘Do you want an apple?’ ‘Give Moja fruit juice!’ and so forth. I can’t read Ameslan, or not much of it, but I experience, as do most people who happen on these conversations, a shock of recognition. This is language, I think, or at least what I call language. The pattern of immediacy and response seem unmistakable. I find that trying to have recourse to the ‘Clever Hans fallacy’ as an explanation seems alien to my intuitive reading as a trainer.⁹⁴

⁹³ Zygon, p.101.

⁹⁴ *Adam’s Task*, p.34.

Hearne talks of those who can respond well to body language in a way that is not affected by “fantasies of power”⁹⁵ or contaminated by the

attempt to *infer* whether or not the dog will bite, jump on them or whatever. Instead of reading the dog... they cast about for some premise from which they can draw an inference that will give them certainty about the dog’s behavior.⁹⁶

This may involve “a certain steadiness of gaze”⁹⁷ that is opposed to one kind of scientific detachment. “To be [scientifically] ‘objective’”, Hearne says, “is to try to approach the condition of being No One in Particular with a View From Nowhere”.⁹⁸ Rush Rhees said something similar about the spectator’s stance:

You will no more understand animals – understand what animals are like – by trying to establish causal laws of their behavior, than you will understand what people are in that way. Nor will you see the difference between animals and human beings.⁹⁹

Look on animals as companions – or antagonists – rather than as experimental subjects. ‘Subjects of experiments’. Learn from animals in a way more comparable to that in which you may learn from human beings...

If you were unarmed in the jungle, you would look on animals differently. And you would not think of them all as ‘lower’.¹⁰⁰

A revealing example of “epistemological heavy-handedness”¹⁰¹ comes from Hearne’s observation of visitors to “Gentle Jungle”:

⁹⁵ *Adam’s Task*, p.114.

⁹⁶ *Adam’s Task*, p.59.

⁹⁷ *Adam’s Task*, p.79.

⁹⁸ *Adam’s Task*, p.229.

⁹⁹ R. Rhees, *Moral Questions*, ed. D.Z. Phillips (Basingstoke: Macmillan, 1999), p.187.

¹⁰⁰ *Moral Questions*, p.187.

The handlers, I noticed, walked in with a soft, acute, 380 degree awareness; they were receptively establishing mute acknowledgment of and relationships with all the several hundred pumas, wolves, chimps, spider monkeys and Galapagos tortoises. Their ways of moving fit into the spaces shaped by the animals' awareness. [In contrast the academics] failed to radiate the intelligence the handlers did. Their very hip joints articulated the importance of their theories, they had too many questions, too many hidden assumptions about their roles as observer.¹⁰²

J.M. Coetzee's character Elizabeth Costello marvels at the powers of expression belonging to human bodies:

which not in a thousand years could she have dreamed up...How on earth can bodies not only keep themselves clean using blood (*blood!*) but cogitate upon the mystery of their existence and make utterances about it and now and again even have little ecstasies?¹⁰³

Costello also points out that animals, which do not cogitate upon mysteries, show intriguing forms of expressiveness. As Gaita says, she is intolerant of the assertion that "animals cannot know that they die and therefore cannot fear death because they do not possess concepts – of self and of the future, for example – necessary for such knowledge"¹⁰⁴:

Anyone who says that life matters less to an animal than it does to us has not held in his hands an animal fighting for its life. The whole of the being of the animal is thrown into that fight, without reserve. When you say that the fight lacks a dimension of intellectual or imaginative horror, I agree. It

¹⁰¹ *Adam's Task*, p.240.

¹⁰² *Adam's Task*, p.230.

¹⁰³ J. M. Coetzee, *Elizabeth Costello: Eight Lessons*, (2nd ed), (Melbourne, Knopf, 2003), p.210.

¹⁰⁴ *The Philosopher's Dog*, p.69.

is not the mode of being of animals to have an intellectual horror: their whole being is in the living flesh.

If I do not convince you, that is because my words, here, lack the power to bring home to you the wholeness, the unabstracted, unintellectual nature, of that animal being. That is why I urge you to read the poets who return the living, electric being to language; and if the poets do not move you, I urge you to walk, flank to flank, beside the beast that is prodded down the chute to his executioner.¹⁰⁵

Costello stresses the imaginative responsiveness of poets who bring to life the living, electric being of animals. For example, Ted Hughes gives us a big cat that is much more alive and full of intelligent feeling than the “baffled will” of Rilke’s panther, dulled and inert in captivity. Costello notes:

Fullness of being is a state hard to sustain in confinement...it is on creatures least able to bear confinement – creatures who conform least to Descartes picture of the soul as a pea imprisoned in a shell, to which imprisonment is irrelevant - that we see the most devastating effects: in zoos, in laboratories, institutions where the flow of joy that comes from living not *in* or *as* a body but simply from being an embodied being has no place.¹⁰⁶

Nevertheless, or because of this, she admires Ted Hughes’s captive jaguar. Here is a portion of Hughes’ poem, *Second Glance at a Jaguar*, which Stephen Mulhall quotes:

Skinful of bowls he bowls them,
The hip going in and out of joint, dropping the spine
With the urgency of his hurry

¹⁰⁵ Elizabeth Costello, p.111.

¹⁰⁶ Elizabeth Costello, pp.78-79.

Like a cat going along under thrown stones, under cover,
 Glancing sideways, running
 Under his spine...
 He's wearing himself to heavy ovals,
 Muttering some mantra, some drum song of murder
 Intolerable, spurred by the Rosettes, the Cain-brands,
 Wearing the spots off from the inside,
 Rounding some revenge. Going like a prayer-wheel,
 The head dragging forward, the body keeping up,
 The blackjack tail as if looking for a target,
 Hurrying through the underworld, soundless.¹⁰⁷

In her lecture, Costello argues that this caged jaguar, which mesmerizes zoo visitors and poet alike, is an animal whose “consciousness is kinetic rather than abstract”:

Hughes is feeling his way towards a different kind of being-in-the-world, one which is not entirely foreign to us...In these poems we know the jaguar not from the way he seems but from the way he moves. The body is as the body moves, or as the currents of life move within it. The poems ask us to imagine our way into that way of moving, to inhabit that body...poetry that does not try to find the idea in the animal, that is not about the animal, but is instead the record of an engagement with him.¹⁰⁸

It is the poet's “attentiveness to animals”¹⁰⁹ - combined with his ability to capture the rippling energy of the surface (perhaps, the “joy”), and his way of bringing out the color rather than colorlessness of the bodily movements - that offers us one form of understanding that is opposed to that of Nagel. Nagel's thought does not allow us to

¹⁰⁷ S. Mulhall, *The Wounded Animal, J.M. Coetzee & the Difficulty of Reality in Literature & Philosophy*, (Princeton: Princeton University Press, 2009), pp.111-112.

¹⁰⁸ *Elizabeth Costello*, pp.95-96.

¹⁰⁹ *Elizabeth Costello*, p.96.

authentically take hold of the subjectivity of different others, because when the view from nowhere is adopted, animals become, to different degrees, unknowable.

Now, however, we have at hand a philosophical view that is opposed to the passive spectator stance. This view suggests that properly understanding animal behavior is to have a kind of responsive relation – an attitude toward a “soul” - in which we recognize in them a kind of presentness. In this field, response-dependent concepts are internal to our understanding. More precisely, we could say, these concepts are response-and-surface-dependent. Because of its preconceptions, science, and to some degree philosophy, are typically unaware of this form of recognition or understanding. But now we come to their second large assumption.

This assumption is that “factual knowledge is the prototype for all knowledge”¹¹⁰. Gaita answers it as follows:

But there is no good reason to think that those prototypes should determine the meaning of all substantial applications of the concepts of understanding, of objectivity, of trying to see things as they are. I grant readily and fully that the understanding of the heart will never lead to knowledge of the kind that can accumulate through the ages and become settled in the great encyclopedias of our culture. But that does not mean that it is not a genuine form of understanding.¹¹¹

By an “understanding of the heart”, Gaita means to invoke his conception of the inseparability of thought and feeling in the constitution of critical modes of thought which apply in what he conveniently calls the “realm of meaning”. As we have seen, these critical concepts determine the sort of cognitive success or failure that depends on the form of an idea being inseparable from its content.

¹¹⁰ *The Philosopher's Dog*, p.115.

¹¹¹ *The Philosopher's Dog*, p.110.

There are, then, two senses in which Wittgenstein's phrase "attitude towards a soul" is important. The first is Wittgenstein's own meaning of "soul" as something like "creature with subjectivity" or "inner life". The second meaning of "soul" we might point to, however, is this: only an individual who can suffer but also has a rich inner life - rich because of the possibility of depth and shallowness - has a 'soul'. As Gaita says, animals suffer, "but they cannot reflect upon their suffering, they cannot be driven to despair about it"¹¹². A dog can love its master; but does not love in sentimental or self-indulgent ways - no matter how intense and striking the nature of its attachments. Specifically, animals lack the sort of reflection that is characterized by the presence of the critical modes which allow us to understand meaning. Disregard for an understanding which can only be obtained in this way is common in much philosophy and science. But philosophy, at least, must concern itself with this other way of thinking if it is to do justice to questions about what kind of things animals and human beings are.

As a matter of fact, the failure to engage with the form of understanding that depends on these specific critical capacities does not apply only to the crude assumption, also found in a good deal of science and philosophy, that factual knowledge, in emulation of the "view from nowhere", is the prototype of all understanding. Alasdair MacIntyre believes that our experiences, responses, and characters are internal to a part of ethical understanding of the virtues. In *Dependent Rational Animals*, he gives a scientifically literate and sensitive account of the nature of animals, taking on board Wittgenstein's insight about the response-dependent nature of concepts about behavior and subjectivity, and stressing that our understanding of animals is partly formed from direct acquaintance with them. He writes there is a kind of

practical knowledge, a knowing how to interpret, that arises from those complex social interactions with others in which our responses to others

¹¹² *A Common Humanity*, p.239.

and their responses to our responses generate a recognition by them and by us of what thoughts and feelings it is to which each is responding.¹¹³

MacIntyre argues that animals can act for reasons and have a kind of *phronesis* or practical rationality. Dolphins, for example, display intelligent activity by engaging in the “purposeful pursuit of characteristic goals”¹¹⁴. This capacity gives rise to excellences and goods which constitute flourishing in “their own specific mode”¹¹⁵. He also believes that the relationships between some nonhuman animals and some human animals are more analogous to human relationships that some philosophers recognize, and that close cooperation between humans and animals is possible.

MacIntyre believes that, in an important sense, humans and animals belong to a common kind, since “in our own beginnings as rational agents we are very close to their condition and...our identity was then and remains an animal identity”¹¹⁶. We are “redirected and remade animals and not something else”¹¹⁷. Many philosophers, he says, have exaggerated the differences between humans and animals and have overlooked the resemblances and commonality¹¹⁸ by drawing “a single line between all non-humans on the one hand and humans on the other”¹¹⁹. One way we are similar is that we are each mortal and vulnerable and, in the case of the higher animals, we are each (though differently) susceptible to losing the capacity to act intelligently on reasons. But at the same time they are different to us, and belong to a different kind, because they cannot reflect upon their histories and futures, their births and deaths, and enter discussions about value. Intelligent animals are not “independent practical reasoners”.

Human beings, MacIntyre thinks, can have a kind of understanding which is not purely rational or factual, but which emerges from their animal directedness and capacity for

¹¹³ A. MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues*, (London: Duckworth, 1999), p.14.

¹¹⁴ *Dependent Rational Animals*, p.23.

¹¹⁵ *Dependent Rational Animals*, p.23.

¹¹⁶ *Dependent Rational Animals*, p.115.

¹¹⁷ *Dependent Rational Animals*, p.49.

¹¹⁸ *Dependent Rational Animals*, p.8,12.

¹¹⁹ *Dependent Rational Animals*, p.13.

virtue. This includes sympathies and affections, although these are changed by our capacity for reflection. Yet MacIntyre's conception of how we understand animal life leaves out virtually all that might come from the critical modes of reflection that Gaita explores. Despite his awareness of some response-and-surface-dependent forms of understanding, therefore, what he provides is a detailed naturalistic description of animals - their mode of intelligence, species excellences, and their flourishing – which exists outside a zone in which meanings are critically explored. Thus, MacIntyre's approach allows no room for descriptions of the reality of animal being which stand or fall according to whether their form is sentimental or banal.

In stark contrast, Gaita insists that we should take seriously the fact that there might be “a distinctive role that storytelling can play in showing us how we can apply to animals concepts we had previously thought had no application to them”¹²⁰. Story-telling can also deepen our understanding of meaning-concepts which we had previously applied to animals, by allowing us to see these concepts – say, the concept of animal dignity - in new compelling forms. This was, I argued, the second way that our understanding can be enriched; indeed enriched in an ever-deepening manner, for we can come to see general things, which we had already believed, in a new light, and sometimes in a light under which they seem even more insightful.

This does not mean that we must reject the important role that science plays in our knowledge of animality, including bringing to light certain animal behaviors. But it does mean that we should correctly position science. First, we should notice its limitations in terms of understanding which is not about value, but it more naturally thought of as empirical or factual (such as whether they have certain emotional states). Not all understanding needs validation or *can* meaningfully be validated by science; and as we saw, much or most of our understanding of mental and conscious states comes from direct acquaintance, and interactive and responsive living – by looking at animals, as Rhees advised, as if we had met them in the jungle. Second, we should realize that this kind of understanding of behavior is itself only a small part, if sometimes a constituent

¹²⁰ *The Philosopher's Dog*, p.115.

part, of a deeper, more comprehensive understanding of what it is to be an animal or a human being.

We can acknowledge that the former “non-evaluative” kind of understanding may help build those critical concepts that partly constitute the realm of meaning without playing a grounding role. So we should also grant that exploring meaning and animal life requires sensitivity both to ethically evaluative and non-evaluative modes of appreciation. Because of the interdependent surface-and-response way in which conceptions of meaning are formed, we will often need to be sensitive to both types of understanding together.

In Hughes’s jaguar verse, a poem in which the aura of sensitive life is intermingled with an evocation of wonder at the animal’s charged presentness, there is already a movement beyond an active grasp simply of the presence of conscious life in one form or another. Chapter 7 contains more examples of how a sensitive and imaginative approach to certain facts of animal behavior is integrated into a kind of reflection disciplined by the critical concepts. Here it must be recalled that attention to animal behavior comprises only half the conceptual equation - human responsiveness must also be in the spotlight. The examples in the next chapter involve story-telling and writing which require an understanding of the heart as well as the head. Specifically, form and content in these examples cannot be pulled apart without undermining their “tone” and thus their cognitive content and value.

The reason for providing these examples is not that they must compel assent in all rational people – that would be against the spirit of the preceding argument. Nor will all thoughtful people who strive for lucidity necessarily agree with every point. Rather, the reason for discussing these examples is to illustrate why the most serious kind of understanding of nonhuman life must proceed by careful attention to response-and-surface dependent determinations. These must sometimes be imaginative and creative ones; but always, they can only be made in a realm that is culturally informed and

reverberates with a “quality” or “tone” which, by employing the critical concepts, we can take seriously.

Chapter 7 Animals in the Realm of Meaning

The first example in this chapter, Herman Melville's *Moby Dick*, introduces the question of whether moral descriptions apply to animals. *Moby Dick's* narrator, Ishmael, tells us that after the first encounter with the white whale, Captain Ahab's "torn body and gashed soul bled into one another; and so interfusing, made him mad"¹. He reports that the captain becomes "intent on an audacious, immitigable, and supernatural revenge"². In one of his speeches, Ahab cries:

‘it was Moby Dick that dismasted me; Moby Dick that brought me to this dead stump I stand on now. Aye, aye’, he shouted with a terrific, loud, animal sob, like that of a heart-stricken moose; ‘Aye, Aye! It was that accursed white whale that razed me; made a poor pegging lubber of me forever and a day!’ Then tossing both arms, with measureless imprecations he shouted out: ‘Aye, aye! And I’ll chase him round Good Hope, and round the Horn, and round the Norway Maelstrom, and round perdition’s flames before I give him up. And this is what ye have shipped for, men! To chase that white whale on both sides of land, and over all sides of earth, till he spouts black blood and rolls fin out.’³

There are different ways of construing Ahab's madness which need to be fleshed out in order to make sense of his relation to the whale. For a start, monomaniacal Ahab is by no means completely morally deranged. Addressing the disgraced black boy Pip, he says instinctively: "thou touchest my inmost centre, boy; thou art tied to me by cords woven of my heart-strings"⁴. He also implores his near-mutinous mate like this: "Close! stand close to me, Starbuck; let me look into a human eye; it is better than to gaze at sea or sky; better than to gaze upon God. By the green land; by the bright hearthstone! This is the

¹ Melville, H. *Moby Dick*, (New York: Signet, 1961), p.186.

² *Moby Dick*, p.188.

³ *Moby Dick*, p.166.

⁴ *Moby Dick*, p.489.

magic glass man; I see my wife and my child in thine eye.”⁵ It also seems that Ahab looks upon his men, in all their human variety, as fellow mortals. Clearly, he has richly imaginative sense of the strange significance of human life.

We understand that Ahab is “naturally grieved, and that to the quick, with the terrible casualty which had overtaken him”⁶. His character and quest have a meaning beyond his relation to the whale:

The White Whale swam before him as the monomaniac incarnation of all those malicious agencies which some deep men feel eating them, till they are left living with half a heart and half a lung...all evil, to crazy Ahab, were visibly personified, and made practically assailable in *Moby Dick*. He piled upon the whale’s white hump the sum of all the general rage and hate felt by his whole race from Adam down; and then, as if his chest had been a mortar, he burst his hot heart’s shell upon it.⁷

Obviously, the whale is the surrogate target of Ahab’s existential outrage:

“All visible objects, man, are but pasteboard masks. But in each event – in the living act, the undoubted deed – there, some unknown but still reasoning thing put forth the mouldings of its features from behind the unreasoning mask...That inscrutable thing is chiefly what I hate; and be the whale agent, or be the white whale principal, I will wreak that hate upon him. Talk to me not of blasphemy, man; I’d strike the sun if it insulted me. For could the sun do that, then I could do the other”⁸

⁵ *Moby Dick*, p.507.

⁶ *Moby Dick*, p.187.

⁷ *Moby Dick*, pp.185-186.

⁸ *Moby Dick*, p.167.

With its “outrageous strength”⁹ and inscrutability, the Leviathan is an inspired choice of metaphor. However, as far as the morally serious Starbuck can see, Ahab’s behavior is as barely intelligible as it would be if he were chasing a natural object:

‘Vengeance on a dumb brute!’ cried Starbuck, ‘that simply smote thee from blindest instinct! Madness! To be enraged with a dumb thing, Captain Ahab, seems blasphemous.’¹⁰

Starbuck makes a final appeal to his captain’s understanding as the whale is swimming rapidly away from the onslaught.

‘Oh! Ahab’, cried Starbuck, ‘not too late is it, even now, the third day, to desist. See! Moby Dick seeks thee not. It is thou, thou, that madly seekest him!’¹¹

The fact that Melville uses the whale as a metaphor or device is clear enough. But Starbuck and the crew are faced with the man and his mission. At the root of their incomprehension is not the opinion that Ahab, blinded by a real wrong done to him by the whale, inexcusably puts many lives at risk. Nor do they feel that Moby Dick was only doing what he had every right to do, namely defending himself from the harpoons, and not seeking men to kill. Nor, again, do they believe that, while the desire for revenge is an intelligible response to bad behavior, it is neither worthy of Ahab’s protracted rage, nor fair to an animal miscreant whose capacity for vice is circumscribed. These are all things that people might say in response to what an animal has done; but they are not what Starbuck thinks.

The crew surely would not deny that some sense can be made of visiting one’s anger on an animal by killing or mutilating it. There is no obvious conceptual confusion involved in hating an animal and wanting its destruction because of what it is like or what it has

⁹ *Moby Dick*, p.167.

¹⁰ *Moby Dick*, p.167.

¹¹ *Moby Dick*, p.531.

has done. In that precise way, we can make sense of someone taking “revenge” on an animal. The difference is that Ahab’s revenge is done in the spirit of avenging a wrong. Indeed, Ishmael reveals that “in his heart, Ahab had some glimpse of this, namely: all my means are sane, my motive and my object mad”¹². Apparently, he is self-deceived about the fact he is pursuing, as Michael Leahy would agree, a dumb, instinctive brute.

We might read the novel as affirming this thought. But it might pay to look more closely at how Melville draws the relation between Ahab and the whale. “Wild rumors abound”, says Ishmael, “whenever there is any adequate reality for them to cling to”¹³. The novel depicts different relations between man and beast. Third mate Flask is said to harbor animosity toward the whale, but his desire to kill is more general:

[Flask] somehow seemed to think that the great Leviathans had personally and hereditarily affronted him; and therefore it was a sort of point of honor with him, to destroy them whenever encountered. So utterly lost was he to all sense of reverence for the many marvels of their majestic bulk and mystic ways; and so dead to anything like an apprehension of any possible danger from encountering them; that in his poor opinion, the wondrous whale was but a species of magnified mouse...¹⁴

Compare this to Ahab’s opinion:

I will not say as schoolboys do to bullies, - Take some one of your own size; don’t pommel *me*! No, ye’ve knocked me down, and I am up again, but ye have run and hidden. Come forth from behind your cotton bags! I have no long gun to reach ye. Come, Ahab’s compliments to ye; come and see if ye can swerve me.¹⁵

¹² *Moby Dick*, p.187.

¹³ *Moby Dick*, p.181.

¹⁴ *Moby Dick*, p.125.

¹⁵ *Moby Dick*, p.171.

In Ahab's words his adversary is given a character and special kind of agency. It is not the species that has offended him but a particular antagonist. Melville builds several connections between Moby Dick and Ahab, which are really connections between beast and man. With his whale-bone leg he is never allowed to forget that he was dismembered by one of the creatures - graphically portrayed over and again by Melville as creatures of flesh and blood – he dismembers as a way of life. During the chase he says:

Here's food for thought, had Ahab time to think; but Ahab never thinks; he only feels, feels; that's tingling enough for mortal man! To think's audacity. God only has that right and privilege. Thinking is, or ought to be, a coolness and calmness; and our poor hearts throb, and our poor brains beat too much for that.¹⁶

Ahab is an embodied and passionate creature like the whale. Yet obviously, Ahab does think while the whale does not. Still, Ishmael is at pains to show us why he thinks of “spermaceti” not really as fish (which was the then-current biological misperception), but as *great* fish. Ishmael's meticulous anatomical descriptions explain, amongst countless other details, how sperm whales do not have gills, but lungs, like us. As well as diving to inhuman depths, the spermaceti must live for the most part close to the surface. Here the whales can breathe, rest, play with their young, cruise in great pods, interact, and, of course, be hunted. Their bodies both resemble and differ alarmingly from human bodies. Ishmael observes that the whales' “immense magnitude renders it very hard really to believe that such bulky masses of overgrowth can possibly be instinct, in all parts, with the same sort of life that lives in a dog or horse”¹⁷. That they have such lives is indeed what Ishmael does claim. Ishmael's whale is an animal with at least the same sort of feeling and intelligence - or intelligent feeling perhaps – as these familiar land animals.

In the film version of Hemingway's novel *The Old Man and the Sea*, the great fisherman Santiago “talks” with a kind of respect to the marlin with which he is locked in a life and

¹⁶ *Moby Dick*, pp.525-526.

¹⁷ *Moby Dick*, p.269.

death battle. He calls the fish “strong and brave”. Although the fish may be described as thrashing about with blind instinct and no understanding, we may want to resist the assertion that Santiago is doing little more than reporting the fish’s epic persistence. The struggle of this huge and powerful fish is to be appreciated as something marvelous. A wonder of nature it may be, and yet Ahab need not see a massive fish like the marlin as a *great* fish, with the same sort of life and agency as the whale.

Contrast Ishmael’s sense of the whale, and the life that is within it, with this report of an encounter with squid:

No perceptible face or front did it have; no conceivable token of either sensation or instinct; but undulated there on the billows an unearthly, formless, chance-like apparition of life.¹⁸

The ghost-like squid are a living form to marvel at, but not because they have any kind of substantial “life within them”, irrespective even of whether they are sentient. The poet Elizabeth Bishop is struck, in a manner similar to Ishmael with the squid, by an encounter with the eyes of a “tremendous fish” she has caught:

I looked into his eyes
 Which were far larger than mine
 But shallower, and yellowed,
 The irises backed and packed
 With tarnished tinfoil
 Seen through lenses
 Of old scratched isinglass
 They shifted a little, but not
 To return my stare.
 -It was more like the tipping
 of an object toward the light.¹⁹

¹⁸ *Moby Dick*, p.272.

With the whale it is different. That is not just because the whale is more complex, but because it has a different mode of life. Even so, the whale's life and bodily form present Ishmael with some puzzles. Of the tail, he muses that at

times there are gestures in it, which, though they would well grace the hand of man, remain wholly inexplicable...Nor are there wanting other motions of the whale in his general body, full of strangeness, and unaccountable to his most experienced assailant.²⁰

He confesses: "Dissect him how I may, then, I but go skin deep; I know him not, and never will"²¹. The whale is as strange a life-form as Nagel's bat, and easily stranger than the Wittgenstein's lion - the one which, if he could speak, could not be understood. A part of Ishmael's bewilderment has to do with what this unusual and secretive creature is like. This is also a perplexity about what, for example, it is expressing when it moves its tail like this or that. Another part of his bewilderment, however, is about how its form of intelligently expressive living can be manifested in a body seemingly so bereft of familiar expressive features. Gaita claims that we are certain that dogs have pain but not so sure about fleas: "That is because dogs have faces and fleas do not – not the kind one can look into when tending to their wounds"²². Ishmael's puzzlement is intensified by his interest not only in sensation but in a kind of intelligent feeling and knowing:

But if I know not even the tail of this whale, how understand his head?
 Much more, how comprehend his face, when face he has none? Thou shalt see my back parts, my tail, he seems to say, but my face shall not be seen.
 But I cannot completely make out his back parts; and hint what he will about his face, I say again he has no face.²³

¹⁹ In T. Hughes (ed.), *Poetry in the Making*, (London: Faber and Faber, 1986), p.28.

²⁰ *Moby Dick*, p.363

²¹ *Moby Dick*, p.363

²² R Gaita. *A Common Humanity*, (Melbourne: Text Publishing, 1999), p.268.

²³ *Moby Dick*, p.363.

Things seem different with other animals including those that live in the sea:

Many mariners cherish a very superstitious feeling about seals, arising not only from their very peculiar tones when in distress, but also from the human look of their round heads and semi-intelligent faces, seen peeringly uprising from the water alongside. In the sea, under certain circumstances, seals have more than once been mistaken for men.²⁴

It was the humanness of the seal's face that struck the mariners. Bearing an uncanny likeness to the "human paradigm" is one way in which the face of the seal resembles a human face. The other way it resembles a human face consists simply in the fact that it is also an expressive face, or as Ishmael would say, it consists in the simple fact that it is unmistakably a face.

Some might think that Levinas was being obscure when wondered what a face is:

It is via the face that one understands, for example, a dog...I cannot say at what moment you have the right to be called "face". The human face is completely different and only afterwards do we discover the face of an animal. I don't know if a snake has a face.²⁵

The snake has no face? But Ishmael's perplexity is about what a creature can *do* with its "face". Can the whale wear on its face curiosity or puzzlement, as the snake cannot? Yet: "there swims behind it all a mass of tremendous life"²⁶. May we not also look into its eyes when we pity it? Ishmael might think so:

So have I seen a bird with clipped wing, making affrighted broken circles in the air, vainly striving to escape the piratical hawks. But the bird has a

²⁴ *Moby Dick*, p.491.

²⁵ M. Calarco & P. Atterton, (ed.) *Animal Philosophy: Essential Readings in Continental Thought*, (Cornwall: Continuum, 2004), p.49.

²⁶ *Moby Dick*, p.327.

voice, and with plaintive cries will make known her fear; but the fear of this vast dumb brute of the sea, was chained up and enchanted in him; he had no voice, save that choking respiration through his spiracle, and this made the sight of him unspeakably pitiable...²⁷

Ishmael seems to be saying that the whale is not pitiable because he wants to cry out and can't, though that too may be an occasion for a slightly different sort of sympathy. He finds the whale's predicament pitiable partly because he has no means at all of calling out in pain and distress. His mute agony, Ishmael thinks, arouses and colors our response.

Philosophers like Stephen Clark remind us of what we have learnt about animals since Melville's time. Cetaceans have a complicated sonar communication system that cannot be heard by humans on boats. Ishmael, however, may not think that the fact they can after all communicate in this complex way must wholly undermine the quality of his pity. The agonized bloody spouting of the dying whale is not accompanied by an audible scream or cry, and this can contribute to its effect on us, without implying that the pity we may feel for creatures possessing audible voices is any the less. Although the whalers knew nothing of what science has since revealed, men like Starbuck, who talked of sperm whales as dumb things, were still in no doubt that they could suffer terribly, although they and everyone else knew they did not grimace or howl.

In the following passage, the narrator contrasts the responses of Flask and Starbuck to the killing of an old whale. Ishmael also intimates, through the way he narrates the sequence, his own sense of what it means to kill a "great fish":

For all his old age, and his one arm, and his blind eyes, he must die the death and be murdered, in order to light the gay bridals and other merry-makings of men, and also to illuminate the solemn churches that preach unconditional inoffensiveness by all to all. Still rolling in his blood, at last

²⁷ *Moby Dick*, p.342.

he partially disclosed a strangely colored bunch or protuberance, the size of a bushel, low down on the flank.

‘A nice spot’, cried Flask; ‘just let me prick him there once’.

‘Avast!’ cried Starbuck, ‘there’s no need of that!’

But humane Starbuck was too late. At the instant of the dart an ulcerous jet shot from this cruel wound, and goaded by it into more than sufferable anguish, the whale now spouting thick blood, with swift fury blindly darted at the craft...so spent was he by loss of blood, the whale...lay panting on his side, impotently flapped with his stumped fin, then over and over slowly revolved like a waning world; turned up the white secrets of his belly; lay like a log, and died. It was most piteous, that last expiring spout.²⁸

A number of times, Ishmael draws attention to the importance of the whale’s spout and to the spout’s ability, paralleling our ability, to both inhale air and choke on blood. Upon the breathing spout, Ishmael seems to hold, falls some of the burden of our realization of the whale’s misery. Ishmael does not regard the spout, or any other part of the whale, as the attributive grounds for a mental state. Rather, he seems to be trying to describe and convey its role in the make-up of the whale’s expressive powers.

The creation of an animal personality which, like the villain in Westerns, stands out amongst its kind, amplifies the effect of Melville’s novel. The fact that the whale is not drawn for the reader as a merely physical force or as a “magnified mouse” generates some of the drama: “To produce a mighty book, you must choose a mighty theme. No great and enduring volume can ever be written on the flea, though many there be who have tried it”²⁹. The whale, as we noted, has a metaphorical place in Melville’s mighty themes; and yet it must be able to serve as an apt metaphor. To serve it best, it may be suggested, it must stand both as a marvel of nature and as a particular kind of life.

²⁸ *Moby Dick*, p.345.

²⁹ *Moby Dick*, p.432.

Far from being an “unintelligent agent”³⁰, Moby Dick has an “uncommon magnitude and malignity”, “ferocity, cunning, and malice”³¹. There is “enough in the earthly make and incontestable character of the monster to strike the imagination with unwonted power”.

Nor was it his unwonted magnitude, nor his remarkable hue, nor yet his deformed lower jaw, that so much invested the whale with natural terror, as that unexampled, intelligent malignity which, according to specific accounts, he had over and over again evinced in his assaults.³²

While it is this aspect of the encounter that smites Ahab, the effect of it on him does not issue from coming face-to-face with an impersonal force of malignity. Rather, what makes its mark upon him is an encounter with this whale, with its strange whiteness and deformed jaw, in its particularity. It is (in part) this individual, with those features and history, that Ahab hates. Moby Dick would not be hated by the captain with the same ferocity unless he had acted in something like the way Ishmael, with dramatic license, describes it:

No turbaned Turk, no hired Venetian or Malay, could have smote him with more seeming malice. Small reason was there to doubt, then, that ever since that almost fatal encounter, Ahab had cherished a wild vindictiveness against the whale.³³

This is how Melville describes the final meeting:

...the White Whale churning himself into a furious speed, almost in an instant as it were, rushing among the boats with open jaws, and a lashing tail, offered appalling battle on every side; and heedless of the irons darted

³⁰ *Moby Dick*, p.185.

³¹ *Moby Dick*, p.180.

³² *Moby Dick*, p.184.

³³ *Moby Dick*, p.185.

at him from every boat, seemed only intent on annihilating each separate plank of which those boats were made³⁴

Retribution, swift vengeance, eternal malice were in his whole aspect, and in spite of all that mortal man could do, the solid white buttress of his forehead smote the ship's starboard bow, till men and timbers reeled.³⁵

Again, we might feel that some dramatic license is used to communicate the whale's intentions and rage. Passing up a chance of escape, Moby Dick returns deliberately not just to harm, but also to toy with, the whaling men. At one point, when he has the men at his mercy, the whaling rowboat between his jaws, he shakes "the slight cedar as a mildly cruel cat her mouse"³⁶. There is perhaps enjoyment and satisfaction in his "direful wrath" and "infernal aforethought of ferocity":

More than all, his treacherous retreats struck more of dismay than perhaps aught else. For, when swimming before his exultant pursuers, with every apparent symptom of alarm, he had several times been known to turn around suddenly and, bearing down upon them, either stave their boats to splinters, or drive them back in consternation to their ships.³⁷

This is "malicious intelligence" of the "unreasoning" kind. It is the unreasoning malice of an animal that makes an impression on those who have seen Moby Dick, and it ignites Ahab:

"Commend the murderous chalices! Bestow them, ye who are now made parties to this indissoluble league. Ha! Starbuck! But the deed is done! Yon ratifying sun now waits to sit upon it. Drink ye harpooners! Drink and

³⁴ *Moby Dick*, p.521.

³⁵ *Moby Dick*, p.534.

³⁶ *Moby Dick*, p.513.

³⁷ *Moby Dick*, pp.184-185.

swear, ye men that man the deathful whaleboat's bow – Death to Moby Dick! God hunt us all, if we do not hunt Moby dick to his death!”

The force of Ahab's character almost convinces the crew, with the exception of Starbuck, that the mission into which they have been co-opted is sane. The task that then befalls Ishmael is to reflect on what is sane and what is mad in Ahab and those who would follow him in pursuit of, as they think, an intelligent animal agent and wrongdoer:

The long, barbed steel goblets were lifted; and to cries and maledictions against the white whale, the spirits were simultaneously quaffed down with a hiss.³⁸

Suppose we think that Melville's story-telling anthropomorphically exaggerates some elements of the nature of sperm whales and animals generally. That does not mean that any exaggerations he employs are fatal to the sense we might have that Melville has taught us something about the concept of “moral behavior” in animals, let alone other aspects of intelligent animal life, and that he has done this in the manner in which he has told his tale.

.....

The following quotation is from a book called *Do Animals Have Rights?*:

Some animals, especially those like chimps who live in complex social groups, act in ways that we would call virtuous if we saw them in humans. Many of these animals look after their own young, sometimes they even care for the young of other animals and the old and frail members of their

³⁸ *Moby Dick*, p.170.

group; they seem to show sympathy and concern for one another. Some animals have social networks where they reciprocally help one another.³⁹

That looks like a promising beginning to an argument that animals show a form of virtue. However, the author of this book, Alison Hills, does not come to that conclusion:

Of course, we can say that certain animals are acting like someone who is generous or benevolent, but we should not praise them for acting well unless we are also prepared to hold responsible animals that seem selfish and violent. We cannot consistently praise bonobos for their peacefulness, unless we are prepared to blame chimps for their aggression.⁴⁰

Like Leahy, Hills believes that animal behavior is sometimes *like* generosity and sometimes *seems* selfish and violent, but really it is only resemblance, metaphor, or analogy. While we “treat children as moral agents in the making”⁴¹, we merely train animals, “altering their behavior with rewards and punishments”⁴² to mould their instincts. The claim that animals cannot be described in moral terms is irresistible and ubiquitous. Even Singer distinguished normal humans from animals on the basis of their reflective rationality, which for him largely defines ethics. Behavior that can be evaluated in anything like moral terms is impossible, we think, without a threshold degree of reason and reflectiveness. Tom Regan is equally adamant that animals, like children and the mentally deranged, are “moral patients” not “moral agents”⁴³.

Some virtue theorists also deny that animal behavior can be described in terms of moral language or virtue. Alasdair MacIntyre says that while animals have *phronesis* and can act on reasons, only humans can develop the independent practical reason⁴⁴ that is a precondition of the practice of virtue. Rosalind Hursthouse claims that “amongst the

³⁹ A. Hills, *Do Animals Have Rights?* (London: Icon Books, 2005), pp.76-77.

⁴⁰ *Do Animals Have Rights?* p.77.

⁴¹ *Do Animals Have Rights?* p.75.

⁴² *Do Animals Have Rights?* p.76.

⁴³ T. Regan, *The Case for Animal Rights*, (Berkeley: University of California Press, 1985), p.152.

⁴⁴ A. MacIntyre. *Dependent Rational Animals: Why Human Beings Need the Virtues*, (London: Duckworth, 1999), p.83.

social animals, both wolves and elephants have patterns of action that resemble our charitable or benevolent acts”⁴⁵. But she says that animals, unlike human beings, cannot “contemplate alternatives and decide to change things, or choose to try a new way as we can; they are biologically determined, we are not”⁴⁶. Hursthouse’s thought is that for animals the “concepts of ‘a good member of the species x’, and ‘living well as x’...are completely constrained by what members and specialized members of the species in question actually do”⁴⁷. Her formula has the implication that “an exceptional [male] polar bear that hangs around its cubs offering food” rather than nicking off is “defective”⁴⁸ and fails to flourish. For her, naturalism’s language of excellence and defectiveness is biologically evaluative only, and has no moral connotations.

Raimond Gaita has discussed our temptation to rule out, or at least attenuate, the reality of human moral behavior and judgment by falling into “a moralistic distortion of morality”⁴⁹. His discussion focuses on Gitta Sereny’s book *Cries Unheard*, about young Mary Bell, who was convicted of the manslaughter of two small boys she killed at age eleven. Gaita outlines what gives rise to a philosophical issue:

When children kill children, the horror of it can provoke strong and sometimes confused responses that at first appear inconsistent. We respond fiercely to what we regard as crimes not only against innocents, but also, at the same time, against innocence. More people are inclined to speak of the *evil* of those crimes than they are even of the massacre of thousands of adults. At the same time we draw back from the concept of evil, partly because it was not the innocence of this or that child but the innocence of children that ignited our ferocity, and the killers are children too. Furthermore, we hardly know how to attribute to child-killers concepts that they must possess if they are to have the intentions necessary

⁴⁵ R Hursthouse., *On Virtue Ethics*. (Oxford: Oxford University Press, 1999), p.209.

⁴⁶ *On Virtue Ethics*, p.220.

⁴⁷ *On Virtue Ethics*, p.221.

⁴⁸ *On Virtue Ethics*, p.220.

⁴⁹ Gaita, R. *Breach of Trust Truth Morality and Politics*, *Quarterly Essay* Vol. 16, Ed Feik, C.(Melbourne: Black Inc, 2004), p.45.

for their actions to be evil. Mary Bell persistently pleaded that she did not understand that death is final. When Sereny asked her, “Did the fact of their being dead mean anything to you?” Mary replied, “No, nothing, because I hadn’t intended...Well – how can I say this now...But...I didn’t know I had intended for them to be dead...dead forever. Dead for me then weren’t forever”.⁵⁰

Cora Diamond would regard such examples - the killing of children by children - as presenting a “difficulty of reality”⁵¹. In reaching for A.S. Byatt’s word, “spikiness”⁵², Diamond tries to capture the essentially baffling nature of perceived evil such as this. “How could a child do such a thing?” is an expression of horror and essential mystery – essential because it cannot in principle be alleviated or solved. Yet the incredulity runs the risk of being (to use Diamond’s word) “deflected”, or rendered a rational or factual problem, and so made mundane. Gaita explains how an ordinary and widespread moral confusion may interfere with a clear assessment in the realm of meaning of the (quite non-mundane) moral possibilities in the behavior of children:

Anyone whose contemplation of Mary’s life moved them to think ‘There but for the grace of God go I’, would, however, withhold a certain kind of judgment, the kind we now call judgmentalism – judgment that would *blame* her (bearing in mind all the connotations of that word), that would encourage one to point a finger at her and to turn one’s back on her. This strikes some people as incoherent: how can one both see (and in that sense judge) a situation in a severe moral light while at the same time refusing to blame its agent? That, I think, is the effect of a moralistic conception of morality.⁵³

⁵⁰ *Quarterly Essay*, p.45.

⁵¹ S.Cavell, et al *Philosophy and Animal Life*, (New York: Columbia University press, 2008), p.63.

⁵² *Philosophy and Animal Life*, p.63

⁵³ *Quarterly Essay*, p.46.

It is true that blame is expressive of a form of understanding that another has done evil, but, as Gaita argues, so too is pity, even if to be lucid it must be a severe pity that can hold the wrongdoer to account. We may pity Oedipus as does the Greek chorus, “for the evil he did on account of ignorance for which he was not culpable”⁵⁴. Nor should we feel compelled on pain of confusion to retract from the horror and incomprehension we may feel towards Mary Bell. Diamond would say this is necessarily a moral form of bafflement; while Gaita says that “moral terms are necessary to describe the *kind of horror* it is”⁵⁵.

Quoting William James’s warning about the theorizer’s tendency to oversimplify his materials, Diamond remarks:

A moralistic conception of morality – not just a theorizing mind – can lead us to say: *this* (whatever it may be) is what moral thinking in essence is; all else is not *really* moral thinking. The requirements of morality, not just the requirements of theory, may seem to lead us away from any recognition of genuine variety within moral experience.⁵⁶

In a similar spirit, Gaita suggests our thought is all too easily held “hostage to a false sense of what the possibilities are”⁵⁷. Charles Siebert tells the story of an elephant in a 1916 US traveling circus, who was said to have fatally smashed the head of a young hotel janitor. The public’s bloodlust to kill “Murderous Mary” was appeased by Charlie Sparks, the circus owner. After considering the option of having Mary electrocuted by Thomas Edison, who was testing Westinghouse’s alternating current on animals “in hopes of discrediting it as being too dangerous, Sparks ultimately decided to have Mary hanged”, which he did from a crane, twice, in front of an audience⁵⁸. The absurdity of treating animal actions as if they were wicked human ones might encourage us to limit

⁵⁴ *Quarterly Essay*, p.46.

⁵⁵ *Quarterly Essay*, p.47.

⁵⁶ Diamond, C. *CH 9 : Moral Difference and Distances: Some Questions in Commonality and Particularity in Ethics* Alanen, L. Heinamaa, S. Wallgren, T. ed. (London: Macmillan 1997), p.228

⁵⁷ *Quarterly Essay*, p.47.

⁵⁸ Siebert, C. *Roger’s World, toward a new understanding of animals*, (Australia : Scribe, 2009), pp87-88

the field of possibility and rule out the intelligibility of a moral response to animal behavior altogether.

But now, of course, some will say that animals are not children moving towards moral maturity. The maturing Mary Bell continued to “hide from the full acknowledgement of the terrible meaning of her deeds, meaning that would be revealed to her only in a lucid remorse”⁵⁹. But for this Mary there was - actually and constitutively – this possibility; whereas the Mary the elephant is an animal, and being an “animal” she is partly defined by the fact that at no time is she capable of reflecting upon meaning.

Not every philosopher rules out moral behavior in animals. In *A Treatise of Human Nature*, David Hume says that:

an action, sentiment, or character is virtuous or vicious; why? because its view causes a pleasure or uneasiness...To have the sense of a virtue, is nothing but to *feel* a satisfaction of a particular kind from the contemplation of a character. The very *feeling* constitutes our praise or admiration.⁶⁰

When Hume asks, “why incest in the human species is criminal, and why the very same action, and the same relations in animals have not the smallest moral turpitude and deformity?”⁶¹, he answers that we do not *feel* that animal incest is immoral, just as we do not *feel* that the sapling commits parricide. But this is not the same as saying there is a conceptual obstacle to judging that animals can act morally well or badly, as, by contrast, there is a conceptual obstacle in judging that they can morally judge others, say, by forming a conception of injustice. This, of course, they cannot do.

More common today than Hume’s lenient approach to the question, are approaches that turn to science for enlightenment. In “Good Dogs and Other Animals”, the philosopher

⁵⁹ *Quarterly Essay*, p.47.

⁶⁰ Hume, D. *Treatise of Human Nature*, (Cambridge: Cambridge University Press, 2009) p.471.

⁶¹ *Treatise of Human Nature*, p.467.

Stephen Clark wants to disabuse us of the skepticism caused by a swinging of the pendulum away from silly anthropomorphism. Clark reports Samuel Johnson's apparent belief that when a savage man "sees another women that pleases him better, he will leave the first"⁶². Johnson's tradition enabled him to remain enclosed in a "determined ignorance"⁶³ about the common nature of distant human beings. According to Clark, we are prone to the analogous view that animals are "moved solely by immediate desire and pain"⁶⁴. We often assume they act through "mere conditioned reflex, not an intelligent assessment of the situation"⁶⁵. But, for example, although it is true that "hunting wasps do not really care for their young", normal primates "recognize each other as individuals and have clearly personal relations with their fellows"⁶⁶. As evidence of this, Clark turns to the ethological field studies of Jane Goodall. Goodall, he says, observed a group of chimpanzees almost all of whom "ignored or bullied a companion who was partly paralyzed"⁶⁷ (chimps can contract polio). But one particular

chimpanzee, though disliking the smell (and one can reasonably assume) as much 'turned off' by physical weakness and abnormality as his companions (and most humans), did none the less continue to treat the unfortunate and lonely ape as his old friend and companion. The impulse to friendship was stronger in him than the impulse to despise...He preferred one way of acting to another that he might have preferred.⁶⁸

Clark points out that certain dispositions are not rare but widespread in the animal kingdom. These dispositions are not "moral virtues", since those require the ability to assess "sentiments in the light of reason"⁶⁹ and may be "deliberately acquired"⁷⁰. They

⁶² Clark, S. *Good Dogs and other Animals*: Singer, P. ed., *In Defence of Animals* (Oxford: Blackwells 1985), p.42.

⁶³ *In Defence of Animals* p.42.

⁶⁴ *In Defence of Animals* p.45.

⁶⁵ *In Defence of Animals* p.46.

⁶⁶ *In Defence of Animals*, p.46.

⁶⁷ *In Defence of Animals*, p.50.

⁶⁸ *In Defence of Animals*, p.50.

⁶⁹ *In Defence of Animals*, p.51.

⁷⁰ *In Defence of Animals*, p.46.

are rather “natural virtues”⁷¹, involving behavior which is commendable. Elsewhere he claims that these animals can be “ethical: that is, they respond to aspects of a situation and to features of their kindred, that a good man would also respect”⁷².

James Rachels’ *Created from Animals* places even more stress upon the relevance and rigor of science, and its priority over anecdote and armchair philosophizing. He tends to give greater weight to experimental studies compared to field observations, like those of Goodall⁷³. In a 1964 experiment Rhesus monkeys were trained to pull a lever for food. The lever was later hooked up to both provide food and also give a variety of other rhesus monkeys shocks that observably caused them pain. The experimenters concluded that “a majority of rhesus monkeys will consistently suffer hunger rather than secure food at the expense of electroshock to a conspecific”⁷⁴, and that “apparently it is a powerful desire of the rhesus monkey that he should not cause suffering to others of his own kind”⁷⁵. Combining controlled experiments such as this, which carefully eliminate confounding factors, and the conceptual claim that altruism “might be defined simply as action that is motivated by the desire to help others”, and more strongly as “*the willingness to forgo some good for oneself in order to help others*”⁷⁶, Rachels concludes that Darwin was right in his “view of animals as (at least partially) moral beings”⁷⁷. The common natural history of human and animal behavior also gives us “*an extra reason* (and, one might well think, a compelling reason), in favor of interpreting them as analogous”⁷⁸.

Rachels sees a correspondence between unthinking human moral behavior – altruism or compassion for example - and the unreflective behavior of animals. If the former is moral behavior, then so is the latter. The former, he alleges, is *paradigmatic* moral behavior. It

⁷¹ *In Defence of Animals*, p.46.

⁷² Clark, S. *The Nature of the Beast* (Oxford University Press 1982), p.107.

⁷³ J. Rachels, *Created from Animals: The Moral Implications of Darwinism*, (Oxford: Oxford University Press, 1991), p.170.

⁷⁴ *Created from Animals*, p.150.

⁷⁵ *Created from Animals*, p.150.

⁷⁶ *Created from Animals*, p.149 (original italics).

⁷⁷ *Created from Animals*, p.152.

⁷⁸ *Created from Animals*, p.155(original italics).

is the behavior of a person who simply assists other people without pausing to consider whether she has sufficient reason for it.

But Rachels does not question whether there might be a difference between the behavior of animals, and unreflective but virtuous human behavior, including that of the “virtuous peasant”, who is unreflective yet critically responsive. In reality, what is needed is a grasp of the magnitude and the nature of the task of showing that animals can sometimes be described in something like moral terms. Opponents of Rachels and Clark, of course, will continue to say that the mass of empirical evidence they adduce is beside the point, because of their laxity with the conceptual parameters of moral and ethical behavior.

What Rachels and Clark share with their opponents, however, is that they do not engage with certain ways of describing animals as moral beings which are only available to us, if they are available at all, when we think in the realm of meaning. In this realm, facts about behavior are not irrelevant, and are very important; but they seriously under-determine the meaning of that behavior.

Moby Dick’s unreasoned malice is impressively awful to those who are witness to it. The form of Melville’s writing, though it is about a fictional whale, may be seen as an invitation to adopt a different perspective on animal behavior. Not so long ago, ethologists were stunned by the discovery of chimpanzees intelligently collaborating in the organized hunting of monkeys. Viewers of the footage of the colobus monkey killings may have been struck by the evident relish with which the frenzied hunters tore their victims apart. Jane Goodall watched a lonely and half paralyzed chimp with polio seek, in gentle desperation, the companionship of two healthy chimpanzees, both of whom swung away and continued to groom one another. Goodall wrote that during this episode she “came nearer to hating a chimpanzee than I have ever done before or since”⁷⁹.

⁷⁹ M. Midgley, *Animals and Why They Matter*, (Harmondsworth: Penguin Books, 1983), p.121.

Simone Weil remarked that “Men have the same carnal natures as animals. If a hen is hurt, the others rush up and peck it”⁸⁰. Weil’s words tell of a terrible animality belonging to human beings. They also reveal how different humans and animals are - in particular because of what it can *mean* for a human being to join in the “festival of cruelty”. When the scenes of the monkey hunting were shown, it may have seemed to some that what was on display was a terrible cruelty belonging to animals, in which what emerged was a likeness between that cruelty and human behavior.

Ishmael may be read as saying that Moby Dick is capable of awfulness because, although his behavior is unreasoned, it is backed by a mass of tremendous life and intelligent feeling. In suggesting to us the possibility of nonhuman cruelty and malice, it is important for Melville to depict the whale’s mode of life, the nature of its animality or creatureliness; and this he does by way of an astonishingly detailed and sensitive “naturalism of the surfaces”. But equally, he suggests to us how an understanding of those surfaces can be tied to our critical responses to them, as we weigh the responses of Starbuck and Flask to the “dumb brute”, against Ahab’s mad, and Ishmael’s vivid, sense of the whale’s life – and we do all this through a critical response to the form of Melville’s writing.

We may or may not be critically influenced by Melville’s work, and thus, we may or may not apply to animals the terms Melville invests with moral tonality. One philosophical reason for refusing to do so is the sense that the concepts are being rendered unintelligible. In particular, we may feel they are being anthropomorphically stretched far from their natural home. For it is clear in this sort of case, that we are being asked to *extend* ways of speaking from human life to nonhuman life, and so outwards from the place where those concepts have their paradigm instances. And the conceptual extension does seem to go in that direction even if it is true that it also partly goes in the other – as, for example, in Weil’s remark that our sense of human cruelty and wickedness is partly informed by the carnal nature we share with animals. (Camus, Coetzee tells us, extended his scarifying experience as a child of a hen’s “death cry”, to his sense of the horror of

⁸⁰ R. Gaita, *Good and Evil: An Absolute Conception*, 2nd Ed, (London: Routledge, 2004), p.193.

capital punishment⁸¹.) It will be helpful then to turn to Cora Diamond's thoughts and to Stephen Mulhall's commentary on them.

In "Eating Meat and Eating People", Diamond suggested that our key moral and ethical concepts are formed predominantly in the context of human life and from our ways of responding to each other. She then suggested that we can "imaginatively read into animals"⁸² such responses as we have first and foremost, and most compellingly, towards other human beings. For example, there is the imaginative possibility that "our *hearing* the moral appeal of an animal is our hearing it speak – as it were – the language of our fellow human beings"⁸³.

Diamond further developed this idea in her essay "Injustice and Animals"⁸⁴, where she talks of how we may reach for descriptions under a certain "communicative or expressive pressure"⁸⁵. Her Simone Weil-inspired example here is of the need we may feel to capture in language the pitilessness and the failure to relent present in the human refusal to give up using "them". This response to the "burdens we place on the backs of animals"⁸⁶, Diamond argues, is one that can be formed, for example, in the light of "the desperate cry that might be made by a girl being forced into a brothel", a fierce cry which "comes from the depth of her soul"⁸⁷. But how might it make sense to extend imaginatively some part of the meaning of this peculiarly human cry – the sort of "*unreasoned, strangely persisting expectation*"⁸⁸ that only human beings can have - to animals? Diamond writes:

⁸¹ S. Mulhall, *The Wounded Animal, J.M. Coetzee & the Difficulty of Reality in Literature & Philosophy*, (Princeton: Princeton University Press, 2009), p.71.

⁸² C. Diamond, *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, (Cambridge Mass.: MIT Press, 1995), p.333.

⁸³ *The Realistic Spirit*, pp.333-334

⁸⁴ Diamond, C. *Slow Cures and Bad Philosophers: Essays on Wittgenstein, Medicine, and Bioethics*, Elliot, C. (ed.), (USA: Duke University Press, 2001)

⁸⁵ *Slow Cures and Bad Philosophers*, p.134.

⁸⁶ *Slow Cures and Bad Philosophers*, p.141.

⁸⁷ *Slow Cures and Bad Philosophers*, p.121.

⁸⁸ *Slow Cures and Bad Philosophers*, p.131.

This childlike expectation of good in the heart is not involved when one demands one's rights, but is the source of the cry of outraged hurt when injustice is done to one. And, if the idea of a human being as a possible victim of injustice is inseparable from the expectation in the heart that good will be done to one, how can animals be thought of as possible victims of injustice, since animals do not have this expectation of good?⁸⁹

Her answer, in effect, is that we can hear the echo of this expectation, and the human response to it which involves "a kind of love, or loving attention"⁹⁰, under the expressive pressure to communicate the reality of what is done to animals. Elsewhere, Diamond talks about the sense of horror and essential incomprehension felt in the face of pitilessness to animals, which turns Elizabeth Costello - who is additionally isolated because people think that her incredulous, Swiftian reaction to the "animal enterprise" is mad - into a "wounded animal"⁹¹. Diamond thinks of responses of essential bafflement to things in life as involving a "difficulty of reality", because these things seem to defy our thinking them: under the pressure of what we are presented with, we just cannot believe that such things should exist. "How can this be!?" is to be taken here as a response which necessarily does not look for a solution.

The sense of brutality, horror and incredulity, and the associated echo of the cry of desperation and injustice, may be intimated to some readers in the way Dostoevsky depicts a scene in *Crime and Punishment*. Raskolnikov dreams of himself as a child walking with his father. They come across a "small, lean, grayish-brown mare" harnessed to a huge cart, into which the peasant Mikolka invites six men and a peasant women. A drunken crowd gathers to amuse themselves with the spectacle. The mare:

could scarcely manage to move the cart one step at a time, working away helplessly with her legs, snorting and cowering under the blows of the three whips which were belaboring her mercilessly...

⁸⁹ *Slow Cures and Bad Philosophers*, p.130.

⁹⁰ *Slow Cures and Bad Philosophers*, p.131.

⁹¹ *Philosophy and Animal Life*, p.46.

‘Whip her across the muzzle!’ shouted Mikolka. ‘Across the eyes! Whip her across the eyes!’

‘Let’s have a song, lads!’ someone in the cart shouted, and everyone in the cart took up the cry. They started singing a boisterous song, a tambourine tinkled, and there was shrill whistling during the refrains. The young peasant woman went on cracking nuts and smiling to herself...

But by now the poor little boy was beside himself. He pushed his way through the crowd to the grey-brown mare, put his arms round her dead, bloodstained muzzle, and kissed her, kissed her on the eyes, on the lips... Then he suddenly jumped to his feet and rushed in a rage at Mikolka with his little fists. But just then his father, who had been running after him, caught hold of him at last and carried him out of the crowd...

‘Daddy, why – why did they kill the poor little horse?’ he whimpered, but suddenly his breath failed him and the words came in shrieks from his panting breast...

... ‘It’s not our business. Come along!’⁹²

What should be noticed here is not just the relentlessness of the crowd but the pained incredulity of the boy⁹³. In the shadow of the dream, Raskolnikov asks himself if he can really kill the old woman with the hatchet and “slither about in warm, sticky blood”⁹⁴. Costello’s wounded feeling of horror is not unconnected with her impassioned awareness of animal mortality and vulnerability, manifested in their surfaces and their flesh and blood:

She believes, most unquestionably, in the ram, the ram dragged by its master down to this terrible place. The ram is not just an idea, the ram is alive though right now it is dying. If she believes in the ram, then does she believe in its blood too, this sacred liquid, sticky, dark, almost black,

⁹² F. Dostoyevsky, *Crime and Punishment* transl Magarshack, D. (England: Penguin Books, 1968), pp.74-78.

⁹³ For a related example, see C. Cordner, *Ethical Encounter: The Depth of Moral Meaning* (Wiltshire: Palgrave, 2002), p.2

⁹⁴ *Crime and Punishment*, p.78.

pumped out in gouts on to soil where nothing will grow? The favorite ram of the king of Ithaca, so runs the story, yet treated in the end as a mere bag of blood, to be cut open and poured from.⁹⁵

Coetzee places his character's response to what is done to animals more or less side by side in *Elizabeth Costello* with her sense of obscenity and outrage at mercilessness toward living, vulnerable, mortal human bodies. In this passage, she is presented as reflecting on a novel which vividly describes how Hitler treated his would-be assassins. The captured men face their executioner:

exhausted, shivering, hands in their pockets to hold up their pants, whimpering with fear, swallowing their tears, having to listen to this coarse creature telling them what would happen when the rope snapped tight, how shit would run down their spindly old-man's legs, how their limp old-man's penises would quiver one last time...One after the other to the scaffold they went, in a non-descript place that could have been a garage or equally well an abattoir...[then] their sobbings and then their writhings, and then their stillness, the slack stillness of dead meat...⁹⁶

Coetzee provides, perhaps, an example of something Diamond recalls Wittgenstein suggesting to us about ethics: placing ideas side by side or pulling them apart to change our way of viewing things. In this case, it might be the "placing side by side of ourselves and animals as beings to whom justice and injustice may be done"⁹⁷. Or, in a less morally explicit vein, it could be the juxtaposition of a sense of horror and visceral surprise at what can happen to the flesh and blood bodies of animals and people which is connected with a reaction to the frailty of their corporeal lives. Diamond also warns that we may not decide, in advance of exploring a certain use of a term, whether or not it is being incoherently stretched beyond its natural home. She says that, when people feel bound to speak in these ways,

⁹⁵ Coetzee, J. M. *Elizabeth Costello: Eight Lessons*, (2nd ed), (Melbourne, Knopf, 2003), p.211.

⁹⁶ *Elizabeth Costello*, p.158.

⁹⁷ *Slow Cures and Bad Philosophers*, p.118.

the question is how far they can mean what they say, in lives formed in part by such ways of speaking; and no outside attempt to lay down rules for what can be said about animals can take into account the pressures from within that life to speak as they do, to *make* sense of what they say within their lives.⁹⁸

This appears to be a reiteration of what was said earlier - that no “external” rules can restrict our strivings for lucidity in the realm of meaning. In *The Wounded Animal*, Stephen Mulhall draws attention to Diamond’s mention of another of Wittgenstein’s remarks. Wittgenstein, asking whether a rose lacks teeth in the same way as a newborn or a goose lacks them, offers the reply: “Why, suppose one were to say: the cow chews its food and then dungs the rose, so the rose has teeth in the mouth of the beast”⁹⁹. Mulhall agrees with Diamond that:

words are inherently capable of projection beyond their familiar contexts, as if there is always already more to their meaning than is captureable in the grammatical rules for particular language games with them. Such projectiveness is guided or governed by the existing ways in which that word relates to a range of other words, insofar as each concrete, realized case of projection is an expression of our willingness to find a point of purchase for some proportion of that range of interrelated expressions, some specific way in which the relevant word can be seen as bringing some inflection of that field of terms into the new context.¹⁰⁰

The intelligible projection or extension of a word, such as “malice” or “injustice”, can then feel “like a discovery or a revelation of a possibility (at once in and of the words, and in and of reality) rather than its essentially arbitrary construction”¹⁰¹. An example

⁹⁸ *Slow Cures and Bad Philosophers*, p.134.

⁹⁹ *The Wounded Animal*, p.74 Philosophical Investigations no 221-222.

¹⁰⁰ *The Wounded Animal*, p.74.

¹⁰¹ *The Wounded Animal*, p.74.

Mulhall gives of proper and improper projections of language involves a comparison of the words used by primatologist Barbara Smuts in *The Lives of Animals* and the words used by Vicki Hearne. Elizabeth Costello's philosophical opponent, Thomas O'Hearne, declares:

Thomas Aquinas says that friendship between human beings and animals is impossible, and I tend to agree. You can be friends with neither a Martian nor with a bat, for the simple reason that you have too little in common with them.¹⁰²

Smuts disagrees. Although she is a primatologist, she contrasts the "objective, replicable information" of science with the equally demanding task of learning how to move successfully amongst intelligent social animals like baboons¹⁰³. There, she claims, one discovers the nature of "human-baboon intersubjectivity"¹⁰⁴. This requires that one give in to "the possibility of voluntary, mutual surrender to the dictates of intersubjectivity"¹⁰⁵. Smuts learns to surrender to "instinct, not as mindless, reflexive action, but rather as action rooted in an ancient primate legacy of embodied knowledge"¹⁰⁶. She finds herself having to negotiate a bizarre "system of baboon etiquette"¹⁰⁷, since the baboons will only relate to her as a social subject and not a neutral object. At times she is compelled by circumstances to yield "as a humble disciple" to their "superior knowledge"¹⁰⁸ and expert grasp of their world. At other times she is embarrassed by her mistakes about "baboon propriety"¹⁰⁹.

Mulhall is sympathetic to Smuts when she concurs with "Elizabeth Costello on viewing animals as subjects rather than objects"¹¹⁰. However, he has difficulties with the way

¹⁰² Coetzee, J. M (et al), *The Lives of Animals*, (New Jersey: Princeton University Press, 1999), p.107.

¹⁰³ *The Lives of Animals*, p.109.

¹⁰⁴ *The Lives of Animals*, p.110.

¹⁰⁵ *The Lives of Animals*, p.118.

¹⁰⁶ *The Lives of Animals*, p.110.

¹⁰⁷ *The Lives of Animals*, p.110.

¹⁰⁸ *The Lives of Animals*, p.109.

¹⁰⁹ *The Lives of Animals*, p.110.

¹¹⁰ *The Lives of Animals*, p.118.

Smuts goes about describing these “personal” relations. Smuts, he thinks, makes large philosophical assumptions that will arouse the suspicions of skeptics, philosophers, and the poetically inclined.¹¹¹

Smuts says that “personhood connotes a way of being *in relation to others*”¹¹², and that an animal’s “idiosyncratic, subjective experience of us plays the same role in their relations with us that our subjective experience of them plays in our relations with them”¹¹³. Seizing on the claim that animals are “‘persons’ like you and me, who happen to be nonhuman”¹¹⁴, Mulhall points out that the “home of the concept of personhood is that of human intersubjectivity; and the forms of the interhuman relationships have a richness and variety that are absent from interbaboon relationships, and so are absent from human-baboon interactions”¹¹⁵. Smuts, like Singer and others, “seems tempted by a misconception of personhood as somehow prior to and independent of our concept of human being”¹¹⁶, without realizing that animal personhood “can at best be a pared-down analogue of the original concept”¹¹⁷. She fails to see that every activity we share with animals – eating, having sex, loafing around, comforting the distressed, sharing a look, being in pain – can be “infused with a certain kind of significance”¹¹⁸ in the human case.

According to Mulhall, “the most any gorilla can do is relate to us as an individual gorilla of a peculiar kind”¹¹⁹. By her own admission, Smuts is forced to “slough off modes of human interaction” and adopt “the prevailing modes of baboon-baboon interactions”¹²⁰. But the difference kinds of “personhood” and individuality in each case mean that the whole nature of any possible friendship humans can have with animals is dramatically altered.

¹¹¹ *The Wounded Animal*, p.123.

¹¹² *The Lives of Animals*, p.118 (original italics).

¹¹³ *The Lives of Animals*, p.118.

¹¹⁴ *The Lives of Animals*, p.108.

¹¹⁵ *The Wounded Animal*, p.124.

¹¹⁶ *The Wounded Animal*, p.125.

¹¹⁷ *The Wounded Animal*, p.124.

¹¹⁸ *The Wounded Animal*, p.121.

¹¹⁹ *The Wounded Animal*, p.125.

¹²⁰ *The Wounded Animal*, p.125.

Smuts prefers to rephrase Costello's claim about there being no limits to our thinking our way into the being of an animal – whether it be a gorilla or an oyster - “so that it has less to do with the poetic imagination and more to do with real-life encounters with other animals”¹²¹. She therefore implies that that imagination is not crucial to correcting “our own narrow views about who they are and the kinds of relationship we can have with them”¹²². Smuts' view is opposed to the view whose implications we are now exploring - the view that finding out “who they are” is essentially an activity of reflecting imaginatively by using a certain range of critical concepts, even if that activity is importantly informed by real-life encounters.

This is something that Vicki Hearne is alive to, despite using words that Mulhall thinks are “far more extravagant to a philosophical eye than are Smuts's”¹²³. Hearne, says Mulhall, rises “above any such flat-footed claim to literal meaning” and shows “a poet's desire to emphasize the legitimacy of other modes of projection of words”¹²⁴.

Both Smuts and Hearne are interested in getting it right and in thinking well about animals and ourselves. But Hearne's primary means of coming to grips with “the reality of animal nature”¹²⁵ and animal “otherness”¹²⁶ is through the realm of meaning - creating and exploring through what Mulhall calls a kind of “mythopoetics”¹²⁷. This “mythology of animal-human relations”¹²⁸ is built up from reflective tradition, personal encounters, and from great and popular literature.¹²⁹ It is “shot through with ideas of community, awe and honor, the sacred and the profane”¹³⁰. Theories about “animal rights and consciousness”¹³¹, Hearne thinks, are of little help to a more valuable kind of

¹²¹ *The Wounded Animal*, p.123. *The Lives of Animals*, p.120.

¹²² *The Wounded Animal*, p.120.

¹²³ *The Wounded Animal*, p.126.

¹²⁴ *The Wounded Animal*, p.126.

¹²⁵ *The Wounded Animal*, p.129.

¹²⁶ *The Wounded Animal*, p.129.

¹²⁷ *The Wounded Animal*, p.129.

¹²⁸ *The Wounded Animal*, p.126.

¹²⁹ *The Wounded Animal*, p.128.

¹³⁰ *The Wounded Animal*, p.126.

¹³¹ *The Wounded Animal*, p.126.

understanding, because they contribute, again in Mulhall's words, "virtually nothing...towards imagining the personhood of any animal"¹³².

Mulhall explains that one of Hearne's main interests in her book *Adam's Task* is to show some of the possibilities of our relations with animals by earning the "right to use"¹³³ her own imaginative language. A good part of Hearne's book is concerned with the details of what Mulhall calls "a dog-human language game"¹³⁴ through which animal and person come increasingly, as the game is deepened over time through interaction, to understand one another. The idea that animals without language and the ability to "mean" anything could be participants in a language game, capable of grasping or misunderstanding the "meaning"¹³⁵ of what is conveyed to them, may itself seem flat-footed. Yet the terminology used by Hearne involves (at least partially) an extension or projection from its human home of concepts that aim to capture the reality of "shared forms of canine-human life"¹³⁶.

Mulhall draws a link between Wittgenstein's builders – who have simple utterances like "Slab!" and "Pillar!" - and Hearne's human-animal language game, which likewise incorporates some orders, indicated by "tokens of English" such as "Sit!" and "Fetch!"¹³⁷. Imaginative attention to the detail and context of the dog-human language game may, in Mulhall's view, vindicate Hearne's extra-human uses of terms like "language", "personhood", "think", and "meaning" (and at the same time it may show Leahy's rebuke of Hearne to be insufficiently sensitive to the creation of meaning).

Mulhall regards the chapter in *Adam's Task* on training the dog Salty to be a forceful example of Wittgenstein's point about grasping meaning by reading the darkness – the relevant background – surrounding words; and this because, while Hearne claims to be

¹³² *The Wounded Animal*, p.126.

¹³³ *The Wounded Animal*, p.127.

¹³⁴ *The Wounded Animal*, p.127.

¹³⁵ *The Wounded Animal*, p.127.

¹³⁶ *The Wounded Animal*, p.129.

¹³⁷ *The Wounded Animal*, p.127.

“not filling in all the details”¹³⁸ of the language she uses, she *does* fill in a good many of them. She thereby illuminates “what is usually left dark”, says Mulhall, “in any account of language use”¹³⁹. It is not necessarily more scientific detail that is needed so much as detail about the manner of use of language. Hearne’s writing gives us a sense, going well beyond the usual mere tokens of human-dog “language”, of “the broader context of the particular form of life she shares with Salty”¹⁴⁰. What she conveys, according to Mulhall, is a “highly complex and specific form of life”¹⁴¹ involving a dog - a form or mode of life she partly shares with Salty, who of course cannot speak.

For example, Hearne claims that Salty, after failing numerous times to realize that Hearne controls her leash and so being yanked violently head over heels, sits “down to think this over, cocking her head in puzzlement, trying to work out the implications of my behavior”¹⁴². As Salty’s understanding progresses, partly through a good deal of training and correction, she learns not only to read aspects of human behavior, mood, desires, and so on, but to recognize and respond (or refuse to respond) to Hearne’s intentions¹⁴³, as opposed to merely reacting to cues. Salty eventually grasps that, for example, the token “Sit!” can apply in different ways on different occasions and in different places. As the dog’s behavior moves well beyond Skinnerian conditioning, Mulhall (following Hearne’s lead) entertains the possibility that “Sit!” (etc.) has been transformed “into what we might call a highly primitive form of imperative”¹⁴⁴.

Perhaps now we might say that Salty can understand the “meaning” of Hearne’s utterances. But, if we follow Hearne’s train of thought, it is Salty too who can “mean” something - for instance, when she spontaneously and emphatically sits, and in doing so modifies the details of her training. Her efforts to communicate may involve, say, demanding something or “apologizing”, and are directed intentionally to Hearne, who must then respond. Mulhall comments:

¹³⁸ *The Wounded Animal*, p.127.

¹³⁹ *The Wounded Animal*, p.128.

¹⁴⁰ *The Wounded Animal*, p.127.

¹⁴¹ *The Wounded Animal*, p.128.

¹⁴² *The Wounded Animal*, p.126.

¹⁴³ *The Wounded Animal*, p.127.

¹⁴⁴ *The Wounded Animal*, p.127.

Now the loop of intention is two-way, and it is Salty who has enlarged the context of projection; now both players of this proto-language game can be obedient to each other, and to their common language (or can disobey).¹⁴⁵

For instance, once Salty is highly trained and obedient, she is surely “making some sort of joke”¹⁴⁶ when, out of the blue she breaks her training by jumping loudly onto a chair in a lively and knowing manner. Hearne thinks of this as an example of “animal humor”¹⁴⁷. Some might think it is expressed, say, in the way a cat teases a dog with the speed of its claws and enjoys the surprised and hurt reaction.

Hearne’s “proto-language” may involve projection from a human base, but the idea that it is a sort of language in which players can mean things and respond to what others mean is one that people may be compelled under communicative pressure to recognize. But the differences are not forgotten. On the contrary, against the first appearances of anthropomorphism, the differences are expressed in the extended language itself. In a sense, the language of some of these relations is anthropomorphic, but not necessarily in a way that obscures “the reality of animal nature, both nonhuman and human”¹⁴⁸. “And the paradoxes involved in its articulation”, Mulhall says, “are not merely apparent, or eventually to be dissipated; they are internal to her sense of the enigmatic, mutually educative marvel of kinship between the human animal and her fellow creatures”¹⁴⁹.

Hearne, says Mulhall, “understands her relationship to the dog in fundamentally moral terms, and finds the dog to be responsive to that understanding”¹⁵⁰. While Gaita notes that many people will find Hearne’s language “over the top”¹⁵¹, he claims that what she shows is that with animals we can “distinguish between a command issued with rightful authority from an act of force”, and “that one must earn a right to command a dog, and

¹⁴⁵ *The Wounded Animal*, p.128.

¹⁴⁶ V Hearne, *Adam’s Task: Calling Animals by Name* (New York: Akadine Press, 2000), p.75.

¹⁴⁷ *Adam’s Task*, p.61.

¹⁴⁸ *The Wounded Animal*, p.129.

¹⁴⁹ *The Wounded Animal*, p.129.

¹⁵⁰ *The Wounded Animal*, p.128.

¹⁵¹ *The Wounded Animal*, p.41.

that possession of the right depends on earning and deserving the dog's respect"¹⁵². When "training becomes more or less accurately describable in behavioristic terms, then it brutalizes the animal"¹⁵³ - just as it would (in a different way) degrade a child to use certain techniques of behavior modification. In the same spirit, Mark Rowlands, in reporting on his training of a wolf, speaks of the trainer "not as a dominant and arbitrary authority whose will must be obeyed at all costs, but as an educator who allows the wolf to understand what the world requires of it"¹⁵⁴.

Hearne's important insight is "that freedom is constituted by certain kinds of moral relations, rather than simply enabled and enhanced by them"¹⁵⁵. It is constituted, for instance, by Gaita's friendship with his dog Gypsy, by the fact he teaches her to be trustworthy rather than merely predictable, and by the fact that if she breaches that trust the family will feel let down. (He even declares that, "Were it to happen, I believe she would know it"¹⁵⁶.) Through an "education into citizenship", Gypsy's instincts are "transformed (humanized, I would say) under that discipline, enabling her to participate to some degree in a human form of life"¹⁵⁷.

Gaita mentions animal dignity in the context of animal training - or rather, he talks of education and humanization. He also discusses the extended concept of dignity - extended both in the sense of being projected from human life and in the sense of being conceptually complex - in the context of a scene in Coetzee's novel, *Disgrace*. Gaita thinks that Coetzee effectively invites us, by way of the "grace and power"¹⁵⁸ of his writing, to extend the concept of dishonoring corpses from humans to dogs. It is only if the writing in its specific form becomes alive to us, and it is only if we are critically moved by its tone, that we can learn something about the reality of animal "dignity". We might, of course, find the presentation of the idea sentimental or ludicrous.

¹⁵² R. Gaita, *The Philosophers Dog*, (New York: Random House, 2005), p.41.

¹⁵³ *The Philosopher's Dog*, p. 183.

¹⁵⁴ Rowlands, M *The Philosopher and the Wolf*, (London: Granta, 2008), p.25.

¹⁵⁵ *The Philosopher's Dog*, p. 42.

¹⁵⁶ *The Philosopher's Dog*, pp. 42-43.

¹⁵⁷ *The Philosopher's Dog*, p. 42.

¹⁵⁸ *The Philosopher's Dog*, p. 95.

It is therefore be worth reproducing the extract. In it, the central character in the novel, David Lurie, who helps at the local animal shelter, refuses to leave the dead dogs at the rubbish dump with the hospital waste and other animal body parts because, he says, he is not “prepared to inflict such dishonor upon them”¹⁵⁹:

So on Sunday evenings he brings the bags to the farm in the back of Lucy’s kombi, parks them overnight, and on Monday mornings drives them back to the hospital grounds. There he himself loads them, one at a time, on to the feeder trolley, cranks the mechanism that hauls the trolley through the steel gate into the flames, pulls the lever to empty it of its contents, and cranks it back, while the workman whose job this normally is stand by and watch.

On his first Monday he left it to them to do the incinerating. Rigor mortis had stiffened the corpses overnight. The dead legs caught in the bars of the trolley, and when the trolley came back from its trip to the furnace, the dog would as often as not come riding back too, blackened and grinning, smelling of singed fur, its plastic covering burnt away. After a while the workmen began to beat the bags with the backs of their shovels before loading them, to break the rigid limbs. It was then that he intervened and took over the job himself...

The dogs are brought into the clinic because they are unwanted: *because we are too menny*. That is where he enters their lives. He may not be their savior, the one for whom they are not too many, but he is prepared to take care of them once they are unable, utterly unable, to take care of themselves, once even Bev Shaw has washed her hands of them. A dog-man, Petrus once called himself. Well, now he has become a dog-man: a dog undertaker...offering himself to the service of dead dogs.¹⁶⁰

¹⁵⁹ Coetzee, J. M, *Disgrace*, (Australia: Vintage (Random House), 2000), p.144.

¹⁶⁰ *Disgrace*, pp.145-146.

Melville also wrote about dignity in *Moby Dick*. In his time, whales were decapitated for their valuable oil. Ishmael describes this “desecration”:

The vast white headless phantom floats further and further from the ship, and every rod that it so floats, what seem square roods of sharks and cubic roods of fowls, augment the murderous din. For hours and hours from the almost stationary ship that hideous sight is seen. Beneath the unclouded and mild azure sky, upon the fair face of the pleasant sea, wafted by the joyous breezes, the great mass of death floats on and on, till lost in infinite perspectives.

There’s a most doleful and most mocking funeral!¹⁶¹

Ishmael’s description of this “hideous vulturism”¹⁶² is imbued with pity for the mutilated monsters. As it is when Stubbs, enthusiastically cutting a fresh whale steak, adds “insult to injury”¹⁶³:

It is not, perhaps, entirely because the whale is so excessively unctuous that landsmen seem to regard eating him with abhorrence; that appears to result, in some way, from the consideration before mentioned: i.e. that a man should eat a newly murdered thing of the sea, and eat it by its own light.¹⁶⁴

We may find that a disciplined pity, as Ishmael displays, is part of the form of recognition of the indignity. Gone for Ishmael are the “knightly days our profession, when we only bore arms to succor the distressed, and not fill men’s lamp-feeders”¹⁶⁵. Now the desecration does not even serve a worthy purpose. Once again, agreeing with Ishmael requires critical attention to the tone of the writing and its capacity to ring true rather than hollow.

¹⁶¹ *Moby Dick*, p.300.

¹⁶² *Moby Dick*, p.300.

¹⁶³ *Moby Dick*, p. 293.

¹⁶⁴ *Moby Dick*, p.293.

¹⁶⁵ *Moby Dick*, p.348.

Gaita points out that for David Lurie “the horror of what is done is the horror of what is done *to the dogs* and that the world he hopes for is a world in which dogs are spared the dishonor”¹⁶⁶. Although he is on side with Coetzee, Gaita admits readily that some people will not agree, “even though they accept without hesitation that dead human beings may be harmed”¹⁶⁷. Certainly, he is equally ready to stress, the notion of animal dishonor is mitigated by “the fact that their individuality is attenuated in a way that shows in the impossibility of writing biographies about them”¹⁶⁸. With humans, as we see in chapter 7, it is different. To “see dignity in faces”, Gaita believes, is connected with seeing “the full range of human expressiveness in them”¹⁶⁹. In order, however, to bring out here a related “extended or projected” idea, we can turn to another example from Coetzee’s novel, *Elizabeth Costello*.

The example starts with Franz Kafka’s *A Report to an Academy*. Elizabeth Costello, Coetzee’s central character in the novel, tells us that Kafka’s imaginary Red Peter, the ape who had been removed from his natural home and who had learnt to speak, gave an address in 1917 to the Academy of Science as a “branded, marked, wounded animal presenting himself as speaking testimony to a gathering of scholars”¹⁷⁰. Mulhall suggests that we should see Costello’s citation of Red Peter as highlighting the tendency to assign exclusive importance to forms of consciousness that are exemplified by the divinization of “reason” in Western culture and philosophy¹⁷¹. Accordingly, apes are seen in our culture merely as dumb brutes or “true primitives” – that is, without sensitivity to their reality as that can be explored by attending to questions of meaning in a certain response-dependent manner.

¹⁶⁶ *The Philosopher’s Dog*, p.93.

¹⁶⁷ *The Philosopher’s Dog*, p.95.

¹⁶⁸ *The Philosopher’s Dog*, p.93.

¹⁶⁹ *A Common Humanity*, p.67.

¹⁷⁰ *Elizabeth Costello*, p.70.

¹⁷¹ *The Wounded Animal*, p.41.

“Kafka’s ape”, Costello tells her son, “is embedded in life”¹⁷². He is, amongst other things, an imaginative exploration of the mode of being¹⁷³ of a real “ape that is followed through to the end”¹⁷⁴. Whether he knew it or not, Kafka the author “stays awake during the gaps when we are sleeping”¹⁷⁵. His treatment of Red Peter, Costello argues, may be contrasted with Wolfgang Kohler’s investigation of the mental capacities of apes, mostly chimpanzees. Kohler apparently published his *The Mentality of Apes* at the same time as Kafka’s *Report to an Academy*. Red Peter and Kohler’s chimps, such as his best pupil Sultan, were, Costello says,

captured on the African mainland by hunters specializing in the ape trade, and shipped across the sea to a scientific institute. Both Red Peter and Kohler’s apes then underwent a period of training intended to humanize them. Red Peter passed his course with flying colors, though at deep personal cost.¹⁷⁶

Costello then describes in her own words the experiment with Sultan, Red Peter’s “prototype”¹⁷⁷. In the test, strung-up bananas and crates were left in his pen. Costello continues:

Sultan knows: Now one is supposed to think. That is what the bananas up there are about. The bananas are there to make one think, to spur one to the limits of one’s thinking. But what must one think? One thinks: Why is he starving me? One thinks: What have I done? Why has he stopped liking me? One thinks: Why does he not want these crates any more? But none of these is the right thought...

¹⁷² *Elizabeth Costello*, p.32.

¹⁷³ *Elizabeth Costello*, p.188.

¹⁷⁴ *Elizabeth Costello*, p.32.

¹⁷⁵ *Elizabeth Costello*, p.32.

¹⁷⁶ *Elizabeth Costello*, p.72.

¹⁷⁷ *Elizabeth Costello*, p.72.

At every turn Sultan is driven to think the less interesting thought. From the purity of speculation (Why do men behave like this?) he is relentless propelled towards lower, practical, instrumental reason (How does one use this to get that?) and thus towards acceptance of himself as primarily an organism with an appetite that needs to be satisfied. Although his entire history, from the time his mother was shot and he was captured, through his voyage in a cage to imprisonment on this island camp and the sadistic games that are played around food here, leads him to ask questions about the justice of the universe and the place of this penal colony in it, a carefully plotted psychological regimen conducts him away from ethics and metaphysics towards the humbler reaches of practical reason. And somehow, as he inches through this labyrinth of constraint, manipulation, and duplicity, he must realize that on no account dare he give up, for on his shoulders rests the responsibility of representing apedom. The fate of his brothers and sisters may be determined by how well he performs.¹⁷⁸

In the book, someone is puzzled by Costello's critique of "benign psychological experiments like Kohler's"¹⁷⁹. Others will surely be puzzled by what appears to be Costello's susceptibility to overt, Kafkaesque anthropomorphism. However, there are possibly two ideas imaginatively presented in this passage. One is Diamond's notion of inventively hearing an echo in animals of the uncomprehending human cry for justice. This cry is, one might argue, conceptually linked with Sultan's ape intelligence, including particular thoughts and feelings that are intelligibly part of his mode of being: fear and confusion at his treatment, a possible desire for companionship and intimacy with apes or humans, a wish to escape the pen for the jungle, and so on. One could then read Coetzee and Costello as trying to evoke this mode of life. This may be done successfully or not. But the important point is that it is an attempt which is made in a particular domain of critical thought.

¹⁷⁸ *Elizabeth Costello*, pp.73-74.

¹⁷⁹ *Elizabeth Costello*, p.81.

The second idea Coetzee gives voice to is that the Kohler type of treatment is “imbecile”, because it is conducted in a spirit that treats the animals as “imbeciles”¹⁸⁰. For example O’Hearne, Costello’s real philosopher debating opponent, argues that even the best performing higher apes do not do well in thinking strategically, holding general concepts, and communicating symbolically¹⁸¹. “We understand”, Costello counters, “by immersing ourselves and our intelligence in complexity”¹⁸². By contrast, “scientific behaviorism recoils from the complexity of life”¹⁸³.

Once again, Costello appears to refer both to the mode of living of creatures and to our imaginative responses to it or to central parts of it. If Kohler were more of a poet, she says, he “would have made something of the moment when the captive chimpanzees lope around the compound in a circle, for all the world like a military band, some of them as naked as the day they were born, some draped in cords or old strips of cloth that they have picked up, some carrying pieces of rubbish”¹⁸⁴. The more poetic Kohler would have a stronger “feel for the ape’s experience”¹⁸⁵ - which is something we get a glimpse of in his perception (as Costello/Coetzee reports it) that their use of the ribbons and junk is not for its visual effect but for “the kinetic effect, because they make you *feel* different – anything to relieve the boredom”¹⁸⁶.

In her paper “Experimenting on Animals: A Problem in Ethics”¹⁸⁷, Diamond supplies an example of a possible infliction of indignity. She discusses a way in which animal experimentation can desensitize or brutalize the experimenters. She explains that this process involves callousness or cruelty towards animals, but not in the sense of encouraging such behavior towards animals outside the experiments themselves. Nor is it the kind of callousness that need involve insensitivity to pain, though it might also

¹⁸⁰ *Elizabeth Costello*, p.108.

¹⁸¹ *Elizabeth Costello*, p.107.

¹⁸² *Elizabeth Costello*, p.108.

¹⁸³ *Elizabeth Costello*, p.108.

¹⁸⁴ *Elizabeth Costello*, p.74.

¹⁸⁵ *Elizabeth Costello*, p.74.

¹⁸⁶ *Elizabeth Costello*, p.74.

¹⁸⁷ *The Realistic Spirit*, pp.335-365.

involve that. Here is the testimony, which Diamond cites, of the scientist Sir Lauder Brunton who

was concerned to bring out that much experimentation involves no pain to speak of, and to illustrate his point he described a dog on whom he had made a gastric fistula, and ‘which never showed the slightest sign of pain’. Brunton went on that whenever he went to examine the dog it showed great delight – just like a dog that has been sitting about the house, and wants to run for a walk. When it saw that I was going to look into its stomach, it frisked about in the same way as if I was going to take it out for a walk.¹⁸⁸

It is obvious, says Diamond, that Brunton could not see “the pathos of the case, the possibility of its eliciting not, ‘Oh good, no pain’, but, ‘What a miserable life for an animal’”¹⁸⁹. Though he might appreciate that outside the laboratory it would be “deplorable” to “deprive a dog of a normal sort of dog’s life”¹⁹⁰, he was blind to the significance of what he did to the dog and of its “pathetic” response to him¹⁹¹. Brunton, as Diamond says, evidently compartmentalized his moral responses and failed to “bring to full imaginative realization what [he]...was doing”¹⁹², not just what the animals were feeling. If he had done so, he would have seen that the spirit of his actions betrayed a total lack of recognition of his subjects as “individual animals with their own lives”¹⁹³. That is to say, Brunton showed, perhaps, the deadness of fibre (as Lawrence put it) that amounts to blindness to meaning.

I will discuss one final example in this chapter. As we have seen, Gaita thinks our need for others, manifested in various bodily behavior, is a fundamental determinant of the “uniqueness and irreplaceability” of human beings. Rush Rhees says: “If one wants to

¹⁸⁸ *The Realistic Spirit*, p.354.

¹⁸⁹ *The Realistic Spirit*, p.354.

¹⁹⁰ *The Realistic Spirit*, p.354.

¹⁹¹ *The Realistic Spirit*, p.354.

¹⁹² *The Realistic Spirit*, p.356.

¹⁹³ *The Realistic Spirit*, p.356.

speak of ‘individuality’, all right. It means little more than ‘something that can be loved’, I think. In any case, one must speak of it in animals no less than in human beings”¹⁹⁴. In Gaita’s opinion, Rhees overlooks here what he had elsewhere implied: that love is “answerable to standards which distinguish it from its many false semblances”¹⁹⁵. And in the case of humans, what is central is that it is a disciplined love which partly constitutes the idea of, and is also responsive to, something which is unique and irreplaceable. Rhees himself, Gaita also thinks¹⁹⁶, provided a fine literary example of a critical and unsentimental form of response to an animal: to the animal’s dignity, moral capacity, and mode of life. The diary entries and letters that make up “The Death of a Dog” in *Moral Questions* reveal Rhees to be thinking from out of a certain lived experience, under a certain expressive pressure, about the possibilities of our relations with animals. Gaita observes how it seems that “Rhees grieved for his dog as though for a person”¹⁹⁷. The question naturally arises as to whether Rhees’ grief is ruined by sentimentality or anthropomorphism. Consider his depiction of “who” Danny his dog was:

I have never been glad that Danny had the crazy nervous temperament he did have. No more than I’ve been glad of my stupid impatience with him. But...we came to know each other. And what I mean by knowing him – or, if you like, what I mean by *him* – is not something that I can separate from being face to face, again and again, with his crazy excitability, with his absolute obstinacy and refusal, with his cussedness in a dozen different ways: trying to meet these, trying to get round them, and generally ending up worse tempered than he and throwing the lead at him so that he ran into the house, and when I got in he was looking at me scared from behind the chair. Scared; but only waiting for the first chance I’d give him to come and press his head between my knees hard enough to break his skull and wag his whole backside. – Gradually, *very* gradually (over a long slog) we came to know one another in all this. He had come to know where he was

¹⁹⁴ R Rhees, *Moral Questions*, ed. D.Z. Phillips (Basingstoke: Macmillan, 1999), p.196.

¹⁹⁵ *The Philosopher’s Dog*, p.81.

¹⁹⁶ *The Philosopher’s Dog*, p.118.

¹⁹⁷ *The Philosopher’s Dog*, p.119.

with me; and I had come to know where I was with him. And each of us knew this.¹⁹⁸

As in the Hearne example, Rhees finds over time a kind of language and understanding with the dog, one that is formed from interaction and mutual response to the “surfaces”. He also feels compelled to speak of the dog in moral terms, even though, as we saw earlier, he has said that the lives of animals can have no depth, direction, or meaning:

Danny would never have allowed anyone to do to me what I allowed them to do to him. I speak from what I have seen him do¹⁹⁹

I have felt put to shame by Danny...He never showed ingratitude, nor harbored resentment – (though God knows he had ground enough) – and this was not because he was placid and indifferent.²⁰⁰

Again, Rhees’ comments may be disputed, but only in a way that responds to the spirit and sense in which they uttered. They are not merely empirical claims. But this creature also haunts him, and nearly two years after the dog’s death (in a routine dental procedure) he can write: “I do not recover from this loss...Even the word ‘recover’ jars, for I do not know what I’d imagine in it”²⁰¹. Earlier he wrote this: “I covered half my life with earth when I left him. That half that moves now – has no point but to pray and to call often – Danny”²⁰²; and then this:

Asking questions, trying to get on with this or that side, aspect, of the matter – all of this was something I was doing with him, even if he was asleep in the corner. He belonged to, was part of every move I was making. And I do not know how to move in that way now.²⁰³

¹⁹⁸ *Moral Questions*, pp.204-205.

¹⁹⁹ *Moral Questions*, p.198.

²⁰⁰ *Moral Questions*, p.199.

²⁰¹ *Moral Questions*, p.225.

²⁰² *Moral Questions*, p.201.

²⁰³ *Moral Questions*, p.209.

One way in which his grief resembles mourning for a human being is in his need to avoid “falsification”²⁰⁴ and “superficiality”²⁰⁵, partly by being true to Danny. The standards internal to proper grief are for him standards that include moral necessity, and he perceives the need for devotion to the dead as intensely as he does the need for “devotion to the living”²⁰⁶.

Rhees believes that one kind of false move away from the dead Danny is to try to bring about “closure” whilst learning “to keep the memories of him vivid”²⁰⁷, as if it were like “remembering a wonderful holiday we had”²⁰⁸. He feels that finding “remedies”²⁰⁹ for grief would be a second leaving behind, and he resists the “tendency to some sort of *erasing*”²¹⁰ of the dead individual. In *some* respects, his reflections are like those of C.S. Lewis in *A Grief Observed*²¹¹, and there is also *some* resemblance with these thoughts of Simone Weil’s about grief for the human dead:

...in the case of the absence or death of someone we love, the irreducible part of the sorrow is akin to physical pain, a difficulty in breathing, a constriction of the heart, an unsatisfied need, hunger, or the almost biological disorder caused by the brutal liberation of some energy, hitherto directed by an attachment and now left without a guide. A sorrow which is not centered around an irreducible core of such a nature is mere romanticism.²¹²

Rhees says of Danny after the dog’s death: “What is hard is to stay with him and go on living”²¹³; and again, “When I am turned towards him, this life is something going on in a

²⁰⁴ *Moral Questions*, p.202.

²⁰⁵ *Moral Questions*, p.202.

²⁰⁶ *Moral Questions*, p.223.

²⁰⁷ *Moral Questions*, p.211.

²⁰⁸ *Moral Questions*, p.202.

²⁰⁹ *Moral Questions*, p.224.

²¹⁰ *Moral Questions*, p.227.

²¹¹ Lewis, C.S., *A Grief Observed* (Great Britain: Faber, 1976), for example on p.48.

²¹² Weil, S *Waiting on God*, trans. Crauford, E (Routledge, 1951), p77.

²¹³ *Moral Questions*, p.203.

room, I am standing in the open doorway with my back to these happenings”²¹⁴. To avoid a second abandonment - “To learn to walk in such a way that I do not leave him”²¹⁵ - Rhees, like Lewis, talks of “staying with him, turning to him”²¹⁶. He believes that there is sense in which it is not “silly” to say that “he needs me”²¹⁷. He even speaks of “joining him”, not in life, but rather in no “other sense than being dead”²¹⁸, as if there were a certain meaningful way of finding fellowship in death.

Rhees is puzzled by the nature of death. He feels Danny’s “death makes no sense”²¹⁹:

I don’t understand it; I don’t understand what’s happened. Ever and again that last scene: Danny standing up and leaning against my knee while I patted his side and pressed him closer to me; he making his half-grunt of contentment and assurance, even though he was already feeling groggy. Taking him to the next room where the operating table is, he walking unsteadily; but then when I said ‘sit’ and ‘down’ he lay down with perfect confidence and trust...- The last thing he understood from me was ‘Down’. I’ve called him and called him since then. But if ‘Down’ was the last thing he understood, then...I cannot get it straight nor understand it.²²⁰

There is essential bewilderment about the dead dog’s continuing presence and felt reality: “I know he is gone; but I do not – cannot – understand the ‘is gone’; cannot compare it with anything in any way”²²¹:

And this sense in which he is present – or the sense in which half my head and half my body is where he is – this is something which I cannot make articulate...- *Memories* of how he would be here and of things he did:

²¹⁴ *Moral Questions*, p.225.

²¹⁵ *Moral Questions*, p.208.

²¹⁶ *Moral Questions*, p.211.

²¹⁷ *Moral Questions*, p.212.

²¹⁸ *Moral Questions*, p.222.

²¹⁹ *Moral Questions*, p.200.

²²⁰ *Moral Questions*, pp.206-207.

²²¹ *Moral Questions*, pp.224-225.

these can be articulate. But the sense in which he is there – not living, as he lived in all those scenes and times I remember – but there, and that I am half turned towards him. That I cannot make clear or articulate...although I do not know what clarification I seek.²²²

He considers the claim that: ‘What you do in “calling him” is just deluding yourself’²²³ . If someone were to say to him, “Now *you’re* forgetting that he has died”²²⁴, he thinks, they might be making a familiar philosophical point about the implications of death for our ethical responses. One reason for thinking that we cannot, as Gaita puts it, act for the sake of the dead or consider “the dead the irreducible objects of our love”²²⁵ and obligations, is that there is no life of any kind, and so no possibility of flourishing or of living well. But another reason is that it seems irrational or meaningless to think there is an irreducible object, and that this talk of the need to turn to them and of their need for us is “the grammatical shadow play of the psychological”²²⁶. The “metaphysical emphasis”²²⁷, Gaita says, pushes us to insist that the dead cannot be the objects of our moral responses because they *do not exist*; or they exist only in psychologically reducible ways, such as in “memories”. As Gaita says, there is pressure to give an account of the sense in which the dead still “exist”. It is pressure he believes we should resist.

“The Death of a Dog” suggests two possible replies to the skeptic or reductivist who believes that the dead only exist in our memory of them. One reply is that there is no need to try to show that the dead “exist” in some unobvious way that can be demonstrated by rational argument or by clearing away grammatical obstacles to clarity²²⁸. Rhee himself suspects that attempting to “show” that he has not succumbed to a delusion is to have “fallen” into a similar “misunderstanding”²²⁹ as his imagined critics. He might agree that it should be enough to say that the “non-existent things” like the dead are the

²²² *Moral Questions*, p.215.

²²³ *Moral Questions*, pp.214-215.

²²⁴ *Moral Questions*, p.214.

²²⁵ *Good and Evil*, p.136.

²²⁶ *Good and Evil*, p.138.

²²⁷ *Good and Evil*, p.136.

²²⁸ Compared to *Good and Evil*, pp.136-137.

²²⁹ *Moral Questions*, p.215.

object of ethical relations - all that needs to be said is that they are “objects” in a way that is connected to the uncontroversial fact that they were once living and now are not. (It is obvious that they are not “non-existent” in the same sense in which imaginary individuals or future generations do not exist. One might say that it makes no sense to pray for the forgiveness of these “people” in the way that a person might for the dead, or perhaps even in the way Rhees does, when he prays for the deceased Danny’s “forgiveness for having let him be too seldom in my thoughts”²³⁰.) In any case, Rhees does not deny what his imaginary critic insists upon.

In fact, Rhees *emphasizes* that the dead no longer exist: “I do not want any shift which dims the gulf that is referred to by ‘He’s dead’ – leaving it little more than words on paper”²³¹. He would stress the deadness or non-existence of the dead to those who reckon him delusional or ignorant of their non-existence. This is because he feels their arguments are deflections from the meaning of what it is for someone to be dead, and that includes deflections from its strangeness and mystery. This mystery is connected with a sense he had of the dog’s presence in life: he claims that “he cannot think of the ‘gulf’ without thinking of him”²³². The meaning of Danny’s death – as he says, of what he “means” not just of what is “meant”²³³ - is for him fundamentally connected with “the sense of loss”²³⁴ and with his moral relations to him in death.

These responses are connected with what Rhees means by the dog’s “presence” and “reality”, and by what he means by “him” even after he has gone. It is a presence which Rhees recognizes before *and* after his death; perhaps the one in the light of the other. It appears that for Rhees, his understanding of the individual’s presence or reality is enlarged by what he can mean to him both when alive and when no longer living. Gaita has argued that our “acknowledgement of need can enable us to see things more truly” and avoid “foolish condescension to both human beings and animals”, by making us

²³⁰ *Moral Questions*, p.227.

²³¹ *Moral Questions*, p.214.

²³² *Moral Questions*, p.214.

²³³ *Moral Questions*, p.218.

²³⁴ *Moral Questions*, p.218.

“better placed to understand the real possibilities in relations between human beings and animals”²³⁵.

Rhees’ account of his relationship with Danny and its suggestiveness about animal individuality, may be contrasted with Singer’s reply to Coetzee’s *The Lives of Animals*. In fictional guise, Peter Singer depicts a breakfast encounter between the moral philosopher “Peter”, who is to reply to Coetzee’s lecture at Princeton, and Peter’s young adult daughter “Naomi”. The story criticizes Costello for her “radical egalitarianism” and Coetzee, too, for hiding his own position behind his character’s half-baked arguments (though Singer in provides evidence that Coetzee really does agree on the whole with Costello). The story Singer tells recapitulates his other work on the moral significance of Lockean personhood and future-directed desires, and on the associated idea of ethical “replaceability”.²³⁶

“Peter” and his daughter, who seem to be vegetarians, are discussing the ethics of who to rescue from a burning house: their dog Max or the young child Naomi. Peter tries to reassure Naomi by giving two reasons for saving her first. One is that her

whole life is future-orientated to a degree that is inconceivable for Max.
That gives you much more to lose, and gives an objective reason for
anyone – not just your father – to save you rather than Max.²³⁷

The second reason applies even before Naomi had developed this type and range of interests: “I’m your father, of course I would have saved my lovely baby daughter”²³⁸. At

²³⁵ *The Philosopher’s Dog*, p.16.

²³⁶ Diamond and other commentators have noticed that Singer and most of the fellow respondents in *The Lives of Animals* misperceive Coetzee’s work as a fictional vehicle for extractable rational arguments – “therefore-arguments” as she calls them. Such readings, Diamond thinks, miss the potentially game-changing ethical ramifications of the central figure and wounded animal which is Elizabeth Costello. It is also the case that, in his reply, Singer chose not even to see in Coetzee’s paper – which he says is at the same time really interesting and hopelessly muddled - a riveting fictional account of the isolating effects of radical ethical beliefs, such as his own about animals. Singer’s interpretation of the stubbornness of many of those who have read him to accept the rightness of his conclusions on animals is, of course, very different from Diamond’s and Costello’s understanding of such refusal. See *The Lives of Animals*, p.85.

²³⁷ *The Lives of Animals*, pp.87-88.

this stage, the child was strictly (ethically) replaceable. This means that, all things being equal, killing and replacing her with another child might have been (depending on the wider circumstances) ethically allowable. But Peter thinks the partial feelings of the father would have to be taken into account in determining what is permissible.

The situation with Max is comparable to that of the child at the level of development where she is conceivably strictly replaceable, but receives indirect ethical protection via considerations of side-effects. Peter says that even an anti-speciesist can say that species “membership may point to things that are morally significant”²³⁹, and “normal humans have capacities that far exceed those of nonhuman animals, and some of these capacities are morally significant in particular contexts”²⁴⁰. Peter criticizes Costello for seeming “to say that their fullness of being is more important than whether it is bat-being or human-being”²⁴¹. He then compares both human value and animal value to, respectively, a Kahlua container and a soymilk container. The point, which Singer has made elsewhere, is that it is not the receptacle, but the value or interests it holds which is ethically significant. And, Singer has argued, the significance of that value is the significance of something we ought to maximize. As for Max, Peter says: “I’m sure you don’t think about what you will be doing next summer, or even next week”²⁴², and furthermore, “there are plenty of dog breeders out there who breed dogs to meet the demand”²⁴³.

Naomi objects to the suggestion that Max is replaceable, arguing that “if Max were to be killed, there would be no more doggy-joy of welcoming me home, being taken for a walk, chewing his bone...”²⁴⁴. Moreover, she accuses her father of too much “reasoning, not enough feeling. That’s a *horrible* thought”²⁴⁵. Peter’s reply is twofold. First, he argues that the use of the family dog as an example is distracting: “Let’s leave Max out of

²³⁸ *The Lives of Animals*, p.87.

²³⁹ *The Lives of Animals*, p.87.

²⁴⁰ *The Lives of Animals*, p.87.

²⁴¹ *The Lives of Animals*, p.90.

²⁴² *The Lives of Animals*, p.87.

²⁴³ *The Lives of Animals*, p.88.

²⁴⁴ *The Lives of Animals*, p.88.

²⁴⁵ *The Lives of Animals*, p.88.

it, since mentioning his name seems to excite him and distress you”²⁴⁶. He suggests it would make for greater clarity to discuss the ethical notion of replaceability in terms of anonymous pigs on farms, and reminds Naomi that:

I asked you why painlessly killing is wrong *in itself*. Our distress is a *side effect* of the killing, not something that makes it wrong in itself.²⁴⁷

Peter’s suggestion accords with Singer’s view that our “partial” relations and affections are only ethically relevant to calculations of side effects and not to basic ethical status.

His second reply is that these other consequences still matter:

I don’t mean that everything would be fine if Max were killed and replaced by a puppy. *We* love Max, and *for us* no puppy would replace him.²⁴⁸

At this point, indignation also enters his response:

You know very well that I care about Max, so lay off with the ‘You reason, so you don’t feel’ stuff, please. I feel, but I also think about what I feel.²⁴⁹

Stephen Mulhall, in his discussion of Singer’s piece, argues that Peter’s distress at the “all things being equal” killing and replacing of Max is “incoherent”, since:

if it were really the case that Max’s killing were not wrong in itself, there could be no rational basis for anyone, including Max’s owners, to feel distressed about it; if they reflected with the appropriate degree of rigor

²⁴⁶ *The Lives of Animals*, p.89.

²⁴⁷ *The Lives of Animals*, p.89.

²⁴⁸ *The Lives of Animals*, p.89.

²⁴⁹ *The Lives of Animals*, p.88.

upon their feelings, they would realize that they had nothing to be distressed about.²⁵⁰

This is part of Mulhall's claim that such feelings of distress and the like are modes of ethical response. Singer must surely reply that the (moral) rationality of his feelings have their basis in the wider circumstances – the pleasures of living with dogs without replacing them, for example. Feelings and attachments are subjective things we are prone as biological creatures, specifically as human primates, to having and can be considered neither rational nor irrational until the ethical sums are worked out. Those sums could go either way. So why does Singer have Peter show traces of indignation when he is accused of a lack of feeling?

One possible answer is that Peter takes Naomi's distress to imply that he is being "horrible" because he has overlooked the side effects on her of killing and replacing Max. But Naomi clearly means that her father does not care for or love *Max* well enough. So, another answer is that Peter is annoyed by the insinuation, not that he has made a rational error, or more strongly, is a moral failure, but that he is in some other sense inhuman. After all, Peter may think, the kind of model Impartial Observer who is above partial feelings and attachments may be ethically irreproachable, but he could hardly be seen, or feel himself to be, a family man who loves his daughter and his dog. This is an area, perhaps, that extends into what Singer (and Anton Leist) calls the "nonrational pockets of human life"²⁵¹.

In contrast to Rhees, the kinds of love, caring, friendship, and attachment defended by "Peter" and by Singer have no internal standards, no false or counterfeit forms, and require no thoughtfulness or lucidity in response. The idea that Rhees might replace Danny is unthinkable to him - not in Singer's sense of replaceability, but in the sense that another dog could ever take his place, insofar as that implied that he might ignore or

²⁵⁰ *The Wounded Animal*, p.65.

²⁵¹ A. Leist, & P. Singer, (eds.), *J. M Coetzee and Ethics: Philosophical Perspectives on Literature*, (New York: Columbia University Press, 2010), p.5.

forget Danny and what Danny meant to him. Also, it is unthinkable to him that he might straightway get another dog:

I may begin by thinking that I do not want to continue my life without a dog. – But then: to try to have *another* dog would mean: deserting him.²⁵²

It is important here to say that this does not imply that Rhees conceives of a dog as irreplaceable in the same way as a human being. Gaita's thought is apposite:

I know of no one whose dog would be treated as equal to a seriously sick infant. If someone did treat their dog like that I would not think of them as a pioneer of ethical thought, but as someone whose sentimentality had made them wicked.²⁵³

Although he treats his dog in many ways as if he were a person, none of what Rhees avows in his diary entries is inconsistent with these words.

²⁵² *Moral Questions*, p.211.

²⁵³ *The Philosopher's Dog*, p.205.

PART III

Chapter 8 Individuality

The realm of meaning offers a further way of reflecting, beyond the normal considerations of logical reasoning, on what is real and what only appears to be so. In the previous chapter, some examples of how such thought might apply to animals were given. Partly, these sorts of examples show why we can only clarify the nature of animals by attending to the ways we can respond to, and reflect upon, both human and animal life. In this chapter, I will further consider the contrast between humans and animals by focusing on the ways in which we might discover what kind of individuals humans and animals are, or what kind of “individuality” they have. This discussion continues an elaboration of one way in which we might determine the difference between “us and them”.

To prepare the ground for discussions about individuality, let us briefly review the nature of this mode of thought about meaning as Raimond Gaita has developed it. Such thought is distinguished strongly from the more impersonal and rational forms of thought, for amongst its requirements is that we think from the position of living, and having lived, our lives as a certain kind of creature. To think well like this we must think, not as uninvolved observers, but as affective creatures *in media res*, making use of our particular characters, imagination, experiences, languages, and cultural resources. A disciplined literary imagination has some resemblance (and continuity) with this kind of thinking.

The requirement of thinking in the midst of life is not at odds with the claim that when we think like this we are just as interested in reaching what is true or real as we are in other modes of enquiry, including those which are not markedly informed by feeling. Those philosophers who believe in a strictly rational approach – one not informed by the way we are moved and that aims for the sort of convergence in belief that exists in

science – cannot therefore lay claim to an exclusive method of telling what is fake or false from what is genuine or true. And with our particular subject matter – a subject matter that inevitably involves questions of meaning and value - thought that pays no attention to tone and resonance is no good way at all of finding out and reflecting upon things as they really are.

But thought in the realm of meaning is also distinguished from other personal forms of thought, and even cultural products and language, which, though they claim that cognitive activity is partly constituted by feeling, do not stress the *specific* cognitive character the “understanding of the heart” can have. This cognitive character is made up of critical responses that describe things variously as sentimental, banal, self-indulgent, hollow, pompous, and so on. The avoidance of qualities like sentimentality is usually associated with what we call depth or insight; the presence of such qualities may render something shallow and frivolous.

Further, these qualities are not merely causes of bad thinking or expression; they are forms that such cognitive failure can take. Sentimentality and banality, then, are what makes an idea false or untruthful. This means that ideas and thoughts cannot be assessed in this mode of thinking without attention to their particular forms. To dismantle the form or presentation, perhaps in order to rationally review it, would be necessarily to destroy or change its content and throw out the subject matter. That is because it would thereby dismantle its “tone”, “tenor”, or “resonance”, which is discerned in those critical responses that impart cognitive character to this form of reflection.

Thinking well in the way described is not so much to think purely rationally. Rationality - logic, clarity, coherence, factual accuracy, and the avoidance of disabling emotion and ego - are all vital constituents of thought informed by the critical categories. Without logic, consistency, and certain facts, moreover, those categories could hardly exist. Still, there is good reason to say that it is more appropriate to call someone who thinks well in the realm of meaning thoughtful, lucid, or perceptive, rather than rational, logical, or expert. Rosalind Hursthouse thinks that genuine ethical understanding, which for her

means wisdom, is not yet available to (say) a twelve year old child, unless it is unusually precocious. For there is, she says,

something absurd about attributing such deep, value-embodying reasons to children (or indeed mentally handicapped people) who, if they can be said to have values at all, do not have values which are yet their own.¹

Hursthouse says that children of a certain age may “have personalities, they may have the natural virtues, but they do not yet have character traits; their characters are forming but not yet formed and settled”². And if Gaita is right, wisdom is not possible until later in life because it requires inwardness, or a disciplined responsiveness, that involves trust in, and responsibility for, a critical conceptual vocabulary that is only established when we are properly or fittingly moved. In this manner, ordinary people are individuated in a more strikingly important way than an artistic genius, president, or movie star.

If this is right, then there appear to be, as Gaita has also argued, consequences for philosophy. In particular, this personal but disciplined mode of reflection seems to promise an enriched and altered conception of the discursive. Philosophical reflection within the realm of meaning is enriched because, while it remains methodical and expansive, and informed by the principles of rationality, a good part of its subject matter, its direction, and in some cases the value of its style, are recast by this form of thought. Chapter 7 contained examples of thinking within the realm of meaning from various philosophers, some of whom exemplified such reflection in their way of attending to their subject matter, and some who did not practice, or who rejected, this way of thinking.

From this perspective – which is shared implicitly by most people - much mainstream discursive activity appears to miss the *seriousness* of ethical thought. Sometimes it even appears comical or crude. A sense of the comic is evident in Cora Diamond’s comparison of Singer’s and Regan’s arguments concerning the rights of animals with those in

¹ R. Hursthouse, *On Virtue Ethics*. (Oxford: Oxford University Press, 1999), p.142.

² *On Virtue Ethics*, p.145.

Laurence Sterne's *Tristram Shandy* defending the "rights of homunculi"³. Great respect for "receptacles of value", or even "subjects-of-a-life", hardly seems the product of serious reflection.

It might be countered that philosophical "seriousness" cannot be determined outside of purely rational argument and justification. A person who thought this, might be impressed by the escalator-logic in Singer's foundationalism, much as Hobbes was awed when he studied the unlikely cogency of Euclid's proofs.⁴

However, we are not bound to regard Singer's understanding of ethical thought as more than a logical game played by some rational primates. Perhaps it is logically possible some creatures could think like this, while taking seriously the logic of such language. But given that no-one is logically compelled to take any notice of it, there seems to be no reason why, even in philosophy, they should be awed by it as Thomas Hobbes was by Euclid - though they might be grateful for philosophical reasons.

In their personal lives, (virtually) no-one uses moral language simply to justify themselves to other rational primates. In reality, we do speak as if some ways of responding are shallow and we try to avoid them. We try to be people who are thoughtful, where this does not mean merely being rigorously rational. As Gaita says, no-one is convinced by an argument in philosophy that something which is horrible or banal is after all morally and intellectually respectable. People may entertain such things, but usually they do so merely for the sake of discussion, or else because they are abnormally predisposed to those conclusions.⁵

We have looked at some reasons for saying that the way we are seriously engaged with meaning in our lives is itself, as Bernard Williams puts it, a form of "getting it right"⁶.

³ Diamond, C. *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, (Cambridge Mass.: MIT Press, 1995), p.333.

⁴ P. Singer, *The Expanding Circle, Ethics and Sociobiology* (Oxford: Clarendon Press, 1981), p.88.

⁵ R.Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999), p.178.

⁶ B. Williams, *Philosophy as a Humanistic Principle* (Moore, A.W ed.), (Princeton and Oxford: Princeton University Press, 2006), p.202.

Moral philosophy, Williams says, must attend to our serious concerns and to what speaks “in a real voice”, and so it should:

introduce our ordinary concerns in a humanly recognizable form. Of much philosophy purportedly about ethical or political subjects (and other kinds as well) one may reasonably ask: what if someone speaking to me actually sounded like that?⁷

In these words, Williams gestures toward a sort of thought and discussion in which people try to be serious and get others to be and stay serious, by appealing to certain standards of appraisal related to what “rings true” or “sounds right”. Singer believes that the form of these concerns can be relocated to a zone free of tone, style, or resonance. Either that, or if the content cannot be relocated without destroying real and peculiarly human *concerns*, then it belongs to important but “nonrational pockets of the private”⁸.

These pockets, Singer thinks, are not best treated by philosophy with its concern for truth, but by a literary domain in which form *is* crucial to “content” – a domain that is *noncognitive*. No-one would deny that in literature “form” is essential to the whole point and value of reading and writing of a poem or a novel. But Singer’s is a very different way of construing the nature of the cognitive content in literature.

The sort of serious face-to-face discussion alluded to by Williams is readily recognizable from ordinary life. For example, it occurs in conversations about crises or big events in life. And it occurs when people are greatly moved by something they have seen or read. Consider two friends, ordinary people, who have just read the same book – *Moby Dick* perhaps. Having both received from it “a kick like a mule”⁹, to quote Vicki Hearne, they are anxious to discuss with one another the way it has shed light on the meaning of

⁷ *Philosophy as a Humanistic Principle*, p.206.

⁸ A. Leist, & P. Singer, (eds.), *J. M Coetzee and Ethics: Philosophical Perspectives on Literature*, (New York: Columbia University Press, 2010), p.5.

⁹ V. Hearne, *Adam’s Task: Calling Animals by Name* (New York: Akadine Press, 2000), p.6.

certain things – say, the preciousness of human life and the strangeness of intelligent animals.

Some will say that what is of fundamental ethical and philosophical interest in this classic – such as its treatment of race, human equality, and nonhuman sentience – must be capable of being removed from the arrangement and tenor of Melville's words and given over to moral experts. Yet it does not enter the minds of these two friends that this would be appropriate to what they might learn from the book. In fact, they concentrate on the specific and stirring words Melville chooses, on the rhythm and tone of his sentences, and the way these affect them. They view each another as capable of responding, not simply with literary sophistication, but with genuine thoughtfulness to the book, seeing each other as capable of making judgments about sentimentality and cliché, and of avoiding the temptation to be sucked in by the book's literary status. Each of them responds to the book, and to one another, from out of their own lives and experience. Each sees the other as potentially having something serious to say (about this book and about other things) and is open to being moved and changed by their partner's personal contributions and revelations.

Although a serious discussion of this sort might not happen every day in a person's life, and may in fact arise infrequently, it is nevertheless a familiar sort of conversation. The question now arises: what concept of individuality is adequate to our understanding of what these two friends – two people who take forms of expression like *Moby Dick* (or whatever else) to have the right kind of seriousness for the revelation of things of real value and meaning – are doing? There is need, in other words, for further clarification of what it means for them to speak seriously from their experience and to be accountable to one another – that is, to be responsible for what they say and reveal.

The nature of their critical responses as individuals is connected with the ethical notion of individuality. But before we explore Gaita's conception of ethical individuality, let us review some of the ways in which a few of the other philosophers discussed in this thesis take individuals to be important.

In Singer's eyes, individuals are important because they are either of two possible kinds of "receptacles of value": non-persons, which are fully replaceable receptacles, and Lockean persons, which are not fully replaceable receptacles of value on account of their forward-looking preferences but which nevertheless have value as part of a utilitarian calculus. Reacting to the seeming injustice, or perhaps the indignity, of regarding beings as mere receptacles of value, rather than as individuals in a more ethically robust sense, Tom Regan argues that having the properties of a subject-of-a-life has anti-utilitarian consequences, and confers upon such subjects equal inherent value and rights. James Rachels argues that it is richness and complexity, provisioned by mental and relational sophistication, which gives individuals moral worth and importance¹⁰.

Despite Cora Diamond's warning that these sorts of arguments "attack significance in human life" to the detriment of our understanding of humans and animals, such philosophers persist with their criticism of the "doctrine" of human specialness, rejecting it as the remains of discredited religion and suspect philosophy. Such overtones they perceive in, for example, Kant's notion of "'intrinsic worth, i.e., *dignity*', which makes them [humans] valuable 'above all price'; while other animals '...are there merely as a means to an end [which] is man.'"¹¹ The general view that results from this criticism is encapsulated in James Rachels' term, "moral individualism". According to this term, Rachels says,

what matters is the individual characteristics of organisms, and not the classes to which they are assigned. The heart of moral individualism is an equal concern for the welfare of all beings, with distinctions made among them only where there are relevant differences that justify differences in treatment.¹²

¹⁰ J.Rachels, *Created from Animals: The Moral Implications of Darwinism*, (Oxford: Oxford University Press, 1991), p.189.

¹¹ *Created from Animals*, p.221.

¹² *Created from Animals*, p.222.

According to Singer, Regan, and Rachels, it may happen, and in fact it is the case, that humans *often* warrant greater protection in some circumstances, but not on account of their being of a human kind.

James Rachels helpfully summarizes these views on what has come to be known as *speciesism*, first by quoting Singer:

The racist violates the principle of equality by giving greater weight to the interests of members of his own race when there is a clash between their interests and the interests of another race. The sexist violates the principle of equality by favoring the interests of his own sex. Similarly the speciesist allows the interests of his own species to override the greater interests of members of other species. The pattern is identical in each case.¹³

Rachels then distinguishes between unqualified speciesism, which takes the “bare fact that an individual is a member of a certain species”¹⁴ as relevant moral grounds for recognizing inequality, and the somewhat less implausible varieties of qualified speciesism, which ground species membership in “*other* differences that *are* significant”¹⁵.

No matter how logically or conceptually sophisticated, qualified speciesism seems to be vulnerable to the so-called argument from marginal cases. For, as it is argued, there is no obvious reason why mere membership in a group characterized by morally relevant properties should *ground* equality when the individual in question lacks those properties. That is so even for McNaughton’s contention¹⁶ that it is only of mentally incompetent human beings (not chimpanzees) that we can intelligibly say they have suffered the misfortune of failing to acquire certain capacities. For it is only because they belong to

¹³ *Created from Animals*, p.181.

¹⁴ *Created from Animals*, p.183.

¹⁵ *Created from Animals*, p.184.

¹⁶ David McNaughton, ‘The Importance of Being Human’ in D. Cockburn (ed.), *Human Beings* (Cambridge: Cambridge University Press, 1991), p. 79.

our kind that there is this conceptual difference. And what, it is said, is the deeper relevance of belonging to this group?

In a science fiction vein, Rachels argues that it is absurd to exclude from the province of equality an “unusually gifted chimpanzee [who] learned to read and speak English”¹⁷. Nor does it seem very plausible, he argues, to consider morally unequal someone who has a very different body to ours. To illustrate the point, Rachels cites the example of Eando Binder’s story “The Teacher from Mars”, in which the alien person was “seven feet tall, thin, with tentacles and leathery skin”¹⁸. The example recalls Bentham’s famous comment upon the moral irrelevance of “the number of legs, the villosity of the skin, or the termination of the os sacrum”¹⁹.

Rosalind Hursthouse has raised two possible replies to the Singer/Bentham line of argument. The first is Mary Midgley’s “moderate form of specieisism”²⁰ which, Hursthouse explains, claims all of the following: “race in humans is not a significant grouping at all...species in animals certainly is”; the “preference for one’s own family and one’s own species is a natural preference, and not, like race-prejudice, a product of culture”; and these two preferences, unlike racial preferences, are an “‘absolutely central element in human happiness’ without which we could not live a full human life”²¹.

This “moderate” form of speciesism is the kind that is modeled on “familyism”. Most people, of course, would find it natural to say that, while all human beings are equal, it is not wrong to give preference (in a way not necessarily sanctioned by two-level utilitarianism) to the well being of family members over strangers. If “moderate” specieisism is taken to be essentially analogous to this, then it seems to imply that humans and animals are moral equals, and that what justifies our preferential treatment of humans over animals is a kind of “family-like” relation.

¹⁷ *Created from Animals*, p.187.

¹⁸ *Created from Animals*, p.183.

¹⁹ P.Singer, *Practical Ethics* (2nd ed.), (New York: Cambridge University Press, 1993), pp.56-57.

²⁰ R.Hursthouse, *Ethics, Humans and Other Animals: An Introduction with Readings*(*Philosophy and the Human Situation*), (London: Routledge, 2000), p.117.

²¹ *Ethics, Humans and Other Animals*, p.128.

It is conceivable that this view might find it morally permissible to treat the family dog (whose relation implies special moral duties) as the moral equal of a non-family human stranger, and even find it morally acceptable to save the dog over a human stranger in a life-boat situation. If there is no such entailment, then it must be that “species” is a more powerful ethical relation than “family”, even though it is no basis for any other and deeper kind of inequality.

It is not clear that someone like Tom Regan should be much worried by this line of argument, given that he accepts the existence of special ethical ties. For one thing, he himself has said that it is not only permissible, but obligatory, to give preference to a normal human being over a dog in a life-boat situation; and moreover, that it is a duty to allow a *million* dogs to perish in order to save just a few normal human beings from drowning.²² This follows from the “worse-off principle”²³, conjoined with the assumption that the dog is harmed less than normal humans by death. But the main reason Regan’s theory need not be too troubled by “moderate” speciesism is that it can continue to claim that (certain) animals and humans are equal in the more basic sense of having the same “inherent value”²⁴, a value which, Regan concludes, grounds their possession of moral rights.

On the other hand, even “moderate” speciesism is a form of speciesism, and so arguably exposed to the various counterarguments that have been well rehearsed. Rachels, for example, would ask the proponents of moderate speciesism why it is morally unacceptable, and inherently opposed to human happiness and fullness of life, to look upon a teacher who just happens to come from another planet as in every way our moral equal. This observation leads to the next reply to the familiar kind of argument against speciesism.

²² T. Regan, *The Case for Animal Rights*, (Berkeley: University of California Press, 1985), p.325.

²³ *The Case for Animal Rights*, p.308.

²⁴ *The Case for Animal Rights*, p.236.

The second reply, rejecting the accusation of speciesism altogether, is developed by Hursthouse herself. In *Beginning Lives*, she claims that indeed it “would be viciously speciesist” to treat aliens as “a source of food and energy, as though they were just like plants or hens or cattle”²⁵ just because “they are not *human beings*”²⁶. Suppose, she says, the aliens are “persons” like us and that not “every member of the species is a person throughout its life”²⁷. Assuming that “infanticide and the extermination of the senile” is wrong in the case of humans, then it would surely be “vicious speciesism”²⁸ to kill infant or senile aliens if the aliens “*as a species* are persons”²⁹.

The aliens-as-persons thought experiment makes it clear, Hursthouse believes, that “*having two legs or being warm-blooded*” are not “morally relevant”³⁰. And it also allows us to see, she contends, that it is not speciesist to link species to some morally relevant conception of personhood. It is being a “species of *persons*” that counts³¹. The kind of speciesism that is objectionable might well be, to use her words from a different context, just like “interplanetary or interstellar racism”³².

Clearly, this will not do as a complete reply to Singer and Rachels, because although it avoids one instance of (interstellar) prejudice, it does so by virtue of what they would see as speciesist prejudice against the rest of the earth’s sensitive inhabitants. However, the other component of her argument in *Beginning Lives* concerns the importance of being a “person”. Though Hursthouse supports Kant in thinking that personhood captures something “really important” about human beings which sets them apart from “most [?] other things living on this planet”³³ – such as the fact that humans are “rational and self-conscious”³⁴ – she rejects narrow or overly technical conceptions in ethics of “person”.

²⁵ R. Hursthouse, *Beginning Lives* (Oxford: Basil Blackwell, 1987), p.103.

²⁶ *Beginning Lives*, p.103.

²⁷ *Beginning Lives*, p.104.

²⁸ *Beginning Lives*, p.104.

²⁹ *Beginning Lives*, p.104.

³⁰ *Beginning Lives*, p.247.

³¹ *Beginning Lives*, p.95.

³² *Beginning Lives*, p.102.

³³ *Beginning Lives*, pp.94-95 and 221.

³⁴ *Beginning Lives*, p.95.

Furthermore, she argues, surely “no one can have thought that the person/non-person distinction could solve” questions about the treatment of animals, infants, fetuses, the senile, and the retarded³⁵. The category of “person”, as it used in philosophical and bioethical debates is, while initially helpful, too limited for this task. It is very difficult to feel that individuals like fetuses are “part of our moral community”³⁶ or are our “moral equals”³⁷.

Could we think it viciously speciesist to treat the aliens as we now treat animals - wicked in the same way it would be wicked to eat human infants? Only if, she says, their

members are naturally prone to the same sorts of emotions and tendencies; if they want, enjoy and find satisfying the same sorts of things, if they are subject to the same sorts of temptations, fears and failings, if they respond to the world and each other in the same sorts of ways as we do.³⁸

The narrow conceptions of “person”, and perhaps “subject”, badly miss the “central importance to morality”, Hursthouse argues, of the “neo-Aristotelian emphasis on the complex ways we feel, act, and react (in relation to ourselves and to others and to the rest of the world)”³⁹.

But neo-Aristotelianism raises a further complication, she claims. For while we can see sense in saying that “having two legs” (and much more besides of a biological sort) is morally irrelevant, we are “led to reflect on the role that these biological facts about us play in our physical *and* psychological life, the extent to which they determine what flourishing is for us”⁴⁰. The conceptual part the body plays in the kind of lives and thought that we seem to have will be taken up shortly.

³⁵ *Beginning Lives*, p.127.

³⁶ *Beginning Lives*, p.253.

³⁷ *Beginning Lives*, p.257.

³⁸ *Beginning Lives*, p.249.

³⁹ *Beginning Lives*, p.250.

⁴⁰ *Beginning Lives*, p.255.

Hursthouse dubs the stage in a human life in which flourishing is possible “our major stage”⁴¹. The major stage approximates to what most of us naturally think of as becoming or being a person.⁴² This is a stage, one might say, that children are developing towards and that the senile are receding from. Specifying the major stage, or what it is to be a person, “would form a very significant part of moral philosophy, for it would involve specifying what is needed for *maturity*”⁴³:

Maturity is emotional or psychological as well as intellectual, and it is part of our concept of it that with maturity comes wisdom. The sort of wisdom it brings is not the sort that can be learnt entirely from books or lectures, but the sort that comes from experience of life, and it is wisdom *about* life. And this is precisely the wisdom which, according to neo-Aristotelianism, is fully possessed only by the fully virtuous human being.⁴⁴

This does not mean that only the fully virtuous pass through the major stage and are persons. It does mean, on her account, that the concept of the major stage, and thus of human life, is dependent on considerations that are “what we call moral considerations”⁴⁵. On her account, flourishing is both conceptually and causally connected partly with the exercise of virtue and therefore the possession of ethical understanding. The major stage of maturity “distinguishes us as a species from most if not all terrestrial animals”⁴⁶: “We think our entering it and persisting in it is of the greatest importance and significance, to the point where, when human beings do not go through it, or decline from it before they die, we think this is a tragedy, even if they do not suffer at all.”⁴⁷ This is a kind of tragedy that does not and cannot occur in animal life.

Although some of the points Hursthouse makes allow for (and are occasionally suggestive of) the possibility of exploring notions of “individuality” and ways of talking

⁴¹ *Beginning Lives*, p.256.

⁴² *Beginning Lives*, p.257.

⁴³ *Beginning Lives*, p.257.

⁴⁴ *Beginning Lives*, p.258.

⁴⁵ *Beginning Lives*, p.258.

⁴⁶ *Beginning Lives*, p.257.

⁴⁷ *Beginning Lives*, p.257.

about kinds of individuals in Gaita's "realm of meaning", Hursthouse does little to develop them in that way. Despite her more humanly engaged position, therefore, she does not in the same way account for the seriousness we encounter in ethical reflection only in the mature stage of a human life. She may well be, however, right to say that gaining a better understanding of the "mature" stage of human life – what it is to think as adults who can speak seriously with one another – is a very significant part of moral philosophy.

We have previously noted the tendency of naturalism or neo-Aristotelianism - sometimes by contestable recourse to theory - to restrict through its emphasis on flourishing the sense we can make of moral understanding and the importance of individuals. But we are not obliged by naturalistic argument to accept that the exercise of our best judgment about what is significant must be tied so strongly to our flourishing as morally mature thinkers or seen in the light of the flourishing of others. So, for example, we might have a conception (or conceptions) of "us and them" that is determined fully without being subject to any naturalistic constraints.

The idea now to be explored is that Raimond Gaita's work offers a more serious conception of "individuality". The initial point to make is that this conception of individuality is not reducible to numerical distinctness, to individual features and histories, or to charismatic or creative personalities that might impress us with a "star quality". Instead, it is the

individuality we express when we say that each human being is unique and irreplaceable, in a sense that can never be conveyed by appealing to individual features, and not just to those who care for them, but unique and irreplaceable period.⁴⁸

⁴⁸ R. Gaita, *The Philosophers Dog* (New York: Random House, 2005), p.78.

This sort of individuality is connected with what Hursthouse calls the mature and “major stage” in an individual’s life. And yet how this is worked out is vital to a proper understanding of individuality in its most important form.

One thing that Gaita hopes to show is that there is a better conception of a fully mature individual which we can recognize - one in fact, which is entirely familiar to us as soon as we reflect on it. He performs this task by reminding us of what we know implicitly, by way of several examples. The thrust of these examples is readily graspable, even if the cases are hardly everyday occurrences in our own lives. One of them is an example of a woman he calls M, who was in mourning for her dead child. In describing the case of M and other cases, Gaita aims to show that moral philosophers routinely overlook, and even tacitly rely upon without realizing it, this particular conception of individuality. They therefore fail to see, as Diamond has also pointed out, what “sets the stage” for more overt moral considerations.⁴⁹ Gaita sets up his example in this way:

M was watching a television documentary on the Vietnam War which showed the grief of Vietnamese women whose children were killed in bombing raids. At first she responded as though she and the Vietnamese women shared a common affliction. Within minutes, however, she drew back and said, ‘But it is different for them. They can simply have more.’...M did not mean that whereas she was sterile they were not. Nor did she mean that as a matter of fact Vietnamese tended to have many children. She meant that they could replace their children more or less as we replace pets.⁵⁰

Gaita does not want to make any empirical claims about the ubiquity of this kind of racism or about racism’s causes. Nor is his focus the complex variety within what we call racism, including those instances of racism which have something in common with more mundane kinds of blindness to individuality and meaning. For example, it may well be

⁴⁹ R. Gaita, *Good and Evil: An Absolute Conception* (2nd ed.), (London: Routledge, 2004), p.340.

⁵⁰ *A Common Humanity*, p.58.

true and important that we are often prone to forget or ignore the individuality of foreigners or refugees in a way that has resemblances to cases of racism. Or again, we may be similarly tempted, when we confront shallow or dim-witted people, to occasionally forget that they are essentially no different to ourselves in a more fundamental sense. That is certainly important, Gaita would say, to our ability to treat others as our equals.

Yet Gaita's special interest is in the way philosophy is illuminated by cases in which nothing has been ignored, suppressed, or temporarily lost sight of. For M's particular brand of racist blindness implies that it is in the essential nature of the Vietnamese to have impoverished inner lives. This means M thinks that everything they do and think is different, even when at a superficial level their emotions, thoughts, and reflection look the same as they do to her in people of her own kind. Presumably, that was why M at first responded as she did, before drawing back - a reaction which would be inconceivable both to her and to us if she were confronting instead the emotional expression of a nonhuman ape. Gaita puts M's position like this:

'They' can do and feel almost anything we can except not as we do, not as deeply as we do. We grieve, but they 'grieve', we are joyful, they are 'joyful', we love and they 'love', we feel remorse, they feel 'remorse' and so on. And through this denigration of their inner lives runs a denigration of how it is possible for them to think and reflect, because central to our conception of the states that compose the inner life is a distinction between their real and false semblances. We distinguish real love from infatuation, real grief from maudlin self-indulgence, and that we do so is fundamental to our sense of the kinds of states they are - to their very existence. The inner lives of blacks and Asians are placed in inverted commas by white racists because they cannot believe there could be any depth in them.⁵¹

⁵¹ *A Common Humanity*, p.63.

From M's point of view, the Vietnamese can have powerful emotions and responses but they are not able to be incisively moved by anything. They have no access to the terms of appraisal which we use to ascertain when we are moved in a fitting and proper way. They are incapable of saying with a certain meaning that they have misjudged something as perceptive that is really romantic or pompous. For M, this kind of human has no ear for tone, timbre, or well-pitched expressions, and is necessarily oblivious to ideas that can "ring true" when articulated in certain ways. She could not see any point in ever asking one of "them" for serious counsel, or in giving it to them. While she can talk, laugh, and perhaps even cry with them, M cannot view them as participants in a domain where significances can be discussed; she cannot view them as individuals who can ever be genuinely insightful about things that really matter.

Therefore, as Gaita says, she does not think that they are shallow.⁵² As natural as that thought is, it could make no sense to her to say that they are frivolous. To be shallow or frivolous; to have a chance of being worth listening to when certain questions arise; to be someone with whom one might share valuable intimacies; to be a person you might talk to at the risk of appearing superficial – to be all such things implies that M finds it conceivable that they can use a range of expressive responses that make a person serious and thoughtful, or superficial and dull, about matters of significance.

What this means is that M could not think that the limitations in the inner lives of Vietnamese people are a tragic misfortune or a cause for pity. In her eyes, they have lost nothing; in her eyes, this is just how they are and how all of them are born. Necessarily, she would see no point at all in discussing *Moby Dick* with them, as the two friends did when they treated one another as potentially (which is a condition of them being let down) clear-headed and serious conversational partners from whom they could learn by being moved. We can have no such discussions with "them", M would think, because these others essentially lack a unique perspective on the world, of a kind that requires the possibility of certain forms of expressive and critical response.

⁵² *A Common Humanity*, p59.

Gaita asks how it is that M sees the Vietnamese as different and answers that her essential mistake in understanding is not an empirical one caused by faulty observation, information, or generalization. Furthermore, hers is not the logical mistake of failing to apply psychological predicates consistently from case to case; nor is her mistake a straightforward psychologically motivated one, even though it might have psychological causes. In Gaita's opinion, most people assume that racism of this kind involves powerful emotions that distort or disable rational thought. Singer, for example, does not so much think that racists have made a mistake about the nature of blacks (or Vietnamese), as that they are psychologically unable or unwilling to apply moral principles consistently to what is obviously true – that blacks have for all intents and purposes the same interests and inner lives as whites do. It is hardly likely that he would present racists with the sort of empirical-philosophical argument that he presents “speciesists” with in *Animal Liberation* – showing that blacks are sentient - in the course of his argument for the equal consideration of interests. Instead, what he aims to do is show that the racist mistake is essentially a mistake of rational thought.

The essential nature of M's failure to understand, Gaita argues, is that she finds it *unintelligible*⁵³ that the Vietnamese could express any lucidity or depth of understanding in their thoughts, their actions, and their lives. She is incapable of perceiving the fullness of their behavior. She gives their behavior the wrong complexion. The sense of her finding it “unintelligible” must be distinguished from the sense in which it is unintelligible that rocks feel pain or that Clever Hans horses can do advanced mathematics. As we shall see, the type of unintelligibility that applies to M's thought has to do with her finding it impossible or senseless that the Vietnamese could be thoughtful and expressive as we are about meaning and the concepts that define meaning's realm.

The lives of the Vietnamese have a kind of meaning, M thinks, but not the kind of meaning that is associated with the tragedy and comedy we find in our lives. They can possess understanding, but not the ever-deepening sort. Her sense of all this being impossible in the lives of these other humans is of a conceptual kind, but it is the kind of

⁵³ *Good and Evil*, p.334.

unintelligibility that can only be grasped by someone who has an implicit sense of what goes on in the “realm of meaning”. It is not, therefore, any kind of “rational” error. For M, the sense in which the Vietnamese could not unintelligibly have her kind of understanding occurs only inside the realm of meaning. It is the same sense in which we would find it unintelligible that a “face that looked like the Black and White Minstrel Show’s caricature of an Afro-American face could express the magnificence and misery of Othello”⁵⁴. Gaita summarizes the situation of the Vietnamese, as they appear to M, by saying that for her they exist in a very different “conceptual space”⁵⁵ in which some things are not seen as possibilities. However smart they may be, whatever the complexity of their inner lives of reflection and emotion, they move only in tone-free, style-free zones. They are, then, necessarily on the outside of a certain community of thought, discussion, and interaction.

Commenting upon a thought of Stanley Cavell’s, Gaita argues that this kind of racist would not say that blacks or Asians are not human beings⁵⁶. A slave owner, too, could consider his slave to be a human being and not just in a narrow biological sense – say, in the meaning scientists give to *homo sapiens*. As in the case of M, the slave owner does not deny that the slave has sophisticated emotions, or that she can reflect on and shape her life and projects, or that she can have conversations in a human language, or that she can have certain strong and complex relationships. Because she can talk and argue and take up an attitude to various things she can, the slave owner thinks, “mean” things when she says them. In this sense, her life can have “meaning”. Yet her life, from his point of view, cannot have the other kind of meaning that Rush Rhees identified and which Gaita has explored at length – the kind of meaning that arises from a responsiveness to life that is disciplined by range of critical concepts like sentimentality.

At best, then, the slave’s life has for this kind of slave-owner an “attenuated meaning”, and she is naturally thought by people who think like this as not quite human, or less than

⁵⁴ *Good and Evil*, p.334.

⁵⁵ *Good and Evil*, p.341.

⁵⁶ *Good and Evil*, p.158.

fully human⁵⁷. Both the slave owner and M, in Gaita's words, suffer from "meaning-blindness"⁵⁸. And while it is true that we can all ignore or suppress the fact that others by nature have full access to a life of disciplined responsiveness, M and the slave-owner have forgotten nothing, for the obvious reason that they never could see some races of human beings as possessing such a life in the first place.

Philosophers often do not recognize the fundamental importance of Rhees' distinction between "meaning" and meaning – that is, meaning in the reduced or attenuated sense and meaning in the richer, full-blown, absolutely mature sense. Nor do they adequately distinguish, as Gaita says, between rationality on the one side and lucidity on the other. Kant is one of his key examples. But even when a more humanly engaged form of understanding is centre stage, as it is in virtue theory, there may be a failure to bring out adequately the meaning of what Hursthouse referred to as the sort of "maturity" or "wisdom" which is only acquired in the major phase of a life.

Consider, in this respect, what MacIntyre says about the requirements of independent practical reason. To have this ability, he argues, we need to possess desires and directedness to the good, and be capable of "reasoning together with others"⁵⁹ and being put to the question. Each individual, MacIntyre says,

has a history that is peculiarly her or his own and to invite an individual to make her or himself intelligible to us, perhaps as a preliminary to justifying her or his actions, is to invite that individual to tell us as much of that history as is needed.⁶⁰

And, again, he says:

It is by having our reasoning put to the question by others, by being called to account for ourselves and our actions by others, that we learn how to

⁵⁷ *The Philosopher's Dog*, p.174.

⁵⁸ *The Philosopher's Dog*, p.174.

⁵⁹ A. MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (London: Duckworth, 1999), p.107.

⁶⁰ *Dependent Rational Animals*, p.149.

scrutinize ourselves as they scrutinize us and how to understand ourselves as they understand us. When others put us to the question and call us to account... [they] invite us to make ourselves intelligible to them... [and] intelligible to ourselves.⁶¹

What is it, in MacIntyre's view, to be put to the question and to meet the questioner by making ourselves intelligible to them? Well, in contrast to animals, the developing human child "moves beyond its initial animal state of *having reasons for acting in this way rather than that* towards its specifically human state of *being able to evaluate those reasons, to revise them or to abandon them and replace them with others*"⁶². When we have this kind of rationality, in combination with the directedness that comes from being an affective animal, we exhibit our "individuality"⁶³.

From Gaita's perspective, MacIntyre points to a significant part of the difference between human and animal behavior, but even so, he does not show just how great that difference is. For example, it is not just that animals are distinguished from mature human beings by lacking (amongst other abilities) an "ability to evaluate, modify, or reject our own practical judgments, to ask, that is, whether what we take to be good reasons for action really are significantly good reasons"⁶⁴. That sort of ability certainly does distinguish human beings from all nonhuman animals, but it does not distinguish human beings in the eyes of the racist – those that he sees as less than fully human or not human like us – from human beings of his own kind. What distinguishes the two kinds of human being is something which, as we saw, transforms MacIntyre's sort of reflective thought and action. Even if the slave-owner thought of the life-story of a black person as constituting a biography, insofar as the black person could give an account of herself and make her life and experiences intelligible, it would not be for him the sort of biography which revealed a distinctive character and view of life which is available to whites. Only the

⁶¹ *Dependent Rational Animals*, p.148.

⁶² *Dependent Rational Animals*, p.91(original italics).

⁶³ *Dependent Rational Animals*, p.143.

⁶⁴ *Dependent Rational Animals*, p.83.

possession of an ever-deepening and individuating responsiveness, according to Gaita, is connected with the recognition of individuals as unique and irreplaceable.

However, that is not all there is to the concept of being “unique and irreplaceable” on Gaita’s view. The way that M responds to the behavior and inner lives of the Vietnamese has further consequences for her view of their individuality. For a start, because (she believes) they cannot think about the deeper meanings of life, they necessarily lack an understanding of the essential *content* of the realm of meaning as we ordinarily perceive it. For example, humans who by constitution cannot be seriously thoughtful or sober, cannot grieve and love their children as irreplaceable. They cannot, as M can, be moved by the ethical necessity – where this sense of necessity is not merely a refusal or a moral sense of duty - of not replacing their children.

That is, M believes that the Vietnamese are unable to say, “I cannot and will not” replace my children with others with the same meaning as we can. And they cannot (to her way of thinking) be critically moved by the idea of withholding names from them, even though they do of course give their children names, and even though they consider naming an “important” activity associated with much feeling and discussion. What they cannot do is understand what it really means to give children names and not replace them with other children.

But also, although she regards herself as different in kind from them, someone like M cannot think it possible for her or any other person like her to grieve for, or love, the Vietnamese in certain ways. They cannot haunt her or fill her with joy as someone who can be a unique perspective on the world could haunt or delight her. When she uses their names or asks them “who” they are, she does not do so with the same expectation of response and engagement. Thus she cannot regard them as being unique and irreplaceable in the way she thinks that white people are.

Gaita thinks of this as the attachment-based element of individuality. He thinks it shows in the powerful and ungrounded need we have for each other; but in this case, it is a need

that is informed by our understanding of the way that others can cohabit the same space of dialogue. They are “one of us” to the extent we can recognize that they may be needed by others and responded to in myriad ways, but always as others who have in common the kind of a life in which an unreservedly thoughtful understanding can be sought and shared. They belong with us, we think, in a kind of community of equals or fellows.

Some people will think that this kind of inner life is a colorful projection of our attitudes onto the objective reality of human capacities and features. The sense of “objective” that applies here is Williams’ “convergent” or “vindicatory” sense that might in principle see all normal human beings agreeing on what is the case with respect to the reality of behavior, whatever their personalities or cultural backgrounds. However, the point of view we are pursuing claims that the reality of others, the kind of individuals they really are, has two distinct senses.

One sense is the previous one in which we non-inferentially identify “objective” but expressive properties and capacities. These might include conscious states, rationality, personhood, and practical reasoning. The other, is the sense in which these expressive features are completely changed by the critical make-up of our responses. When this happens, because of how it happens, the “objective” behavior does not provide “grounds” for a different perception of individuals. Rather, such expressive behavior is a part of this new perception, and therefore it is a conceptual aspect of the notion(s) of individuality. The way we understand behavior in each sense, on this view, is connected to the earlier discussion of Wittgenstein’s remark about an attitude to a soul, and to the associated interdependence of object and response in concept formation. To explain this, and its implications for animality or creatureliness, we will need to continue with Gaita’s development of this theme.

Gaita quotes Winch quoting Simone Weil:

The human beings around us exert just by their presence a power which belongs uniquely to themselves to stop, to diminish or modify each

movement which our bodies design. A person who crosses our path does not turn aside our steps in the same manner as a street sign, no one stands up, or moves about, or sits down again in quite the same fashion when he is alone in a room as when he has a visitor.⁶⁵

Weil also provides a contrary image in the form of Achilles pushing away Priam as if an “inert object were there touching his knee”⁶⁶. After citing these examples, Gaita argues that Weil has not illustrated what she thought she was illustrating, but rather something else. What she does illustrate very well, he thinks, is the kind of attitude towards a soul that is a part of the concept of human subjectivity and the understanding of it, because such attitudes are forms and conditions of recognition.

The outcome of this picture is one way in which human beings can be present to us – a way that through a kind of intersubjectivity distinguishes them from inert objects, of course, but also from bats and whales and other creatures with different forms of subjectivity. We do not generally respond to an animal that enters the room as we do a human being. But neither would we respond in the same way to an animal as to a human which we regarded as less than completely human. These represent different forms of intersubjective understanding.

There are many ways in which we would respond (built up from an indefinite array of cultural and natural elements bound together) to the less than fully individual human being as different from a nonhuman animal, even a sophisticated animal like a chimpanzee. These responses are conceptually connected with what we take the other – in this case a less-than-fully-individual-human other - to be like.

For example, these responses are the conditions of thinking it intelligible to ask the less than fully individual human beings whether they have made plans for their children after they die, or to feel that they have been trying to humiliate us, or to try to clarify what they

⁶⁵ *Good and Evil*, p.174.

⁶⁶ *Good and Evil*, p.174.

meant by a comment they made, or to explain to them a personal anecdote or joke or children's song, and so on. This could be one of the forms in which a sense of their "present-ness", or their "otherness" would take, and it is inseparable from the input of an "attitude towards a soul" in the sense that pertains to the Simone Weil quotation. It might be similar to the way we react, without active reflection, to children who have mastered a good deal of language - we do not respond to them as we do to children who are acquiring maturity as they move towards life's "major stage".

What Weil has not shown here, Gaita argues, is the sort of attitude to a soul that gives rise to concepts, and to understanding, in a richer sense. This is a kind of attitude to others that gives the meaning of "soul" a very different intonation. When we respond in this second way to human beings, the discussion continues, we discover a striking way in which they can be present to us. This is the way in which the two friends who were discussing questions of meaning responded to one another as community members of a shared "space of possibilities"⁶⁷. In that zone, the participants responded to one another as individuals who can not only make themselves intelligible to one another, or can clarify their meaning and ask for clarification, or can put others to the question and be put to the question themselves (as MacIntyre puts it) - in the way that this could happen between the kindly slave owner and his slave. More than this, it is the kind of shared, interactive space in which individuals can appeal to one another in a certain spirit, with words like, "Be serious, this is important", "Can't you see how this really matters?", "You can do better than that - don't be so shallow", and so on.

Gaita quotes Wiggins's reference to the "*alterity*, the otherness of the subjectivity of others"⁶⁸. An example used by Diamond and Gaita of a kind of gestalt shift in perception is an essay by George Orwell, in which Orwell reported being unable to "shoot an enemy soldier who was running holding up his trousers"⁶⁹. The changed apprehension, which had been forgotten or blacked out by the circumstances, was registered in the switch from seeing the soldier as a thing to be shot at, to seeing that "he is visibly a fellow creature,

⁶⁷ *A Common Humanity*, p.59.

⁶⁸ *Good and Evil*, p.171.

⁶⁹ *A Common Humanity*, p.48.

similar to yourself⁷⁰, and to be moved by a sense of moral necessity in which one cannot, will not shoot.

This is the same capacity of meaningful response, perhaps, which the Captain of the *Rachel*, whose son was lost at sea, appealed to in Ahab, without success; but in this case, the recognition of the onlookers that Ahab is in the same domain of life and understanding, came out in the despair and incredulity they felt towards Ahab's refusal to be touched by another person's humanity. They either knew (as Starbuck did) that Ahab had this active capacity – had in fact a vivid and impressive awareness of life's terrors – or else they saw him as someone who *could* be deeply touched by a father's desperate love and a son's mortal peril.

Another form of recognition is the sense of mystery we can experience at certain points in human life, perhaps most especially at human birth and death. This is a sense of irreducible mystery, perhaps bafflement, that does not demand an answer or a resolution because, rather than being an empirical or metaphysical response, it has a different structure and import. What it identifies is the emergence or departure of a fellow creature which can be seen as sharing with us a certain form of life through its own unique view of the world.

David Malouf's novel, *An Imaginary Life*, provides an illustration of how basic and arresting this response of ours to the reality of another's presence or, to the nature of their alterity, can be. The poet Ovid has been exiled from Roman civilization to a wild, harsh land inhabited by a primitive tribe. These uncivilized people are pre-occupied with survival and engage in very little art or play, lacking the freedom to transcend the laws of necessity and enter a new world of richer possibilities.⁷¹ But their limited though recognizably human lives are nothing like the life of the wild thing the poet encounters.

⁷⁰ *A Common Humanity*, p.48.

⁷¹ D. Malouf, *An Imaginary Life* (London: Chatto and Windus, 1978), p.67.

The Child, as Ovid calls him, has been raised by animals, probably wolves that “must have something in their nature which is kindly, and which connects with our kind”⁷².

When Ovid encounters him, the Child appears to be a creature that is not like other human children and yet is uncannily like them. What is it? For it seems to be human and animal at the same time. Perhaps because of this, the tribe is frightened of him, and violently so; partly for the same reason, Ovid is fascinated and protective of the creature, whatever it is. Ovid reports on his encounter shortly after the Child is caught:

I untie his hands and leave the bowl, listening at the door for him to drag himself over the rushes and sup it up, snuffling like an animal in his hunger. He whimpers but does not cry. His eyes remain dry and nothing like a human sobbing ever comes from him, none of that giving of oneself over to tears that might release the child in him...To comfort himself, quite shamelessly, as some children suck their thumb, he excites himself with his hand to a series of little shudders, as I have seen monkeys do.⁷³

At first, Ovid says,

We spend hours simply staring at one another. And I have no idea what feelings might be at work in him. He shows no sign of interest in anything I do...He stares but does not see.⁷⁴

The wolf-boy is an enigma:

What is his country? What is his parentage? At what moment did he push out into the world, under what star sign, with what planet in the ascendant,

⁷² *An Imaginary Life*, p.10.

⁷³ *An Imaginary Life*, p.73.

⁷⁴ *An Imaginary Life*, p.74.

in what ephemeris of the moon? And if he doesn't know these things can he ever know who he is or what his fate in to be?⁷⁵

Although the creature has a human form, his unknown origin and nature defeats Ovid's ability to determine the kind to which he belongs. For present purposes, it is important to see that the poet is not asking himself biological or taxonomical questions, or merely seeking to discover in the creature capacities for this or for that. If that were so, Ovid might wish he had some training in the natural science of the day. But he does not wish for expertise. Is the Child, he needs to know, a developing child on its way to full human maturity, or is he less-than-fully human?

Ovid asks these questions in a non-empirical spirit, and the uncertainty of his own responses is connected with his perplexity. It deeply troubles him. As he says: "I must know that he can dream. I must assure myself that he can smile, that he can weep"⁷⁶. Ovid then undertakes the task of finding out what sort of creature this is, not in a straightforward empirical way, but by seeing if it is possible to

reveal to him what our kindness is, what our kind is; and then to convince him that we belong to the same kind. It is out of this that he must discover what he is.⁷⁷

Ovid wants to know what space or community of possibilities this creature – who seems healthy enough – moves in.

Eventually (if unstably), Ovid is struck by the boy's emergent humanity:

I am aware of a separate centre of energy in the room that disturbs my thoughts, that sets up eddies that beat like waves of light towards me and break against the edge of my consciousness. The room, I know, is filled

⁷⁵ *An Imaginary Life*, p.89

⁷⁶ *An Imaginary Life*, p.74

⁷⁷ *An Imaginary Life*, p.77.

with emotions that are not mine only, thoughts, not mine, that leap into the still damp atmosphere of a late morning where I sit scribbling and the boy, taut as a spring, watches out of his corner – the beginnings of a restlessness of mind, of body, that is the stirring in him of renewed life.⁷⁸

Franz Kafka provides an even more bizarre example of a switching, shocking awareness of alterity. Its strangeness may be instructive in more ways than one. Like the example from David Malouf, Kafka suggests how patterns of attitude and response to another can make them present or real to us in different manners. Kafka's odd short story strains credulity by presenting us with a nonhuman body which has remarkable expressive powers. In Kafka's *A Report to an Academy*, Red Peter learns to speak and behave just like a normal human being in order, he tells us, to obtain a kind of freedom, albeit one that seriously changes his nature. When he reports to the Academy he shows an awareness of the conceptual impossibility of his task: to convey to the audience what it is like to be an ape - but in words, and from a critical perspective, that has a meaning which necessarily alters the nature of that animality. Indeed, Red Peter speaks, perhaps, with the subtle irony and knowingness of a person who could explore ad infinitum the meaning of the injustice perpetrated against him, the nature of his present and former animal selves, and so on.

At first, the men on the ship who have captured him treat him as people treat animals. They do not just treat him badly; they respond to him as a creature, an intelligent one, of a different kind. He does not have for them a human presence. Indeed, he lacks a less than fully human presence, the kind that M perceived in the Vietnamese. Kafka then conveys the astonishing change in the ape's otherness when from the cramped cage, and having drunk schnapps like a performing animal, Red Peter says of himself – he narrates his own tale – that he

⁷⁸ *An Imaginary Life*, pp.79-80

threw the bottle away, not this time in despair but as an artistic performer; forgot, indeed, to rub my belly; but instead of that, because I could not help it, because my senses were reeling, called a brief and unmistakable ‘Hallo!’ breaking into human speech, and with this outburst broke into the human community, and felt its echo; ‘Listen, he’s talking!’ like a caress over the whole of my sweat-drenched body.⁷⁹

While Kafka expresses, in this gestalt shift, something of the idea of the kind of creature that is “one of us”, as that perception is conceptually mediated through our responses, he raises in effect the question of the body’s role in this perception. The “body’s part in the constitution of our concepts and...what we have made of the body in the realm of meaning”⁸⁰ is of course one of Gaita’s themes. Gaita thinks that our expressiveness, which is linked to our creatureliness, is thoroughly informed by what we can make of it in the realm of meaning. Our sense of the body, of course, is interdependent with our responses to it, but not our responses to something that is inaccessible and can only be speculated about or passively inferred. He thinks, as we saw, that everything important is “on” the body’s surface, and that it is through a

kind of naturalism of the surfaces deepened by literature that we explore our creaturely nature. We make something deep of the surfaces.⁸¹

But just as our responses are involved in the conceptual construction of our sense of difference and kind, so too does the body place limits on the possibilities of intersubjective otherness. We have seen this already in the example of thinking it unintelligible that certain faces, like caricatures of black faces, could have any expressive depth. But that means it is not intelligible that a chimpanzee, with a chimpanzee body and face, could express the depth of understanding that Red Peter has of himself and of life – of the fact, for example, that he is, albeit a bizarre, outsider, a fellow in a common

⁷⁹ F.Kafka, *The Complete Stories* (Nahum Glatzer, ed.), (London: Vintage Books, 2005), p.257.

⁸⁰ *The Philosopher’s Dog*, pp.190-191.

⁸¹ *The Philosopher’s Dog*, pp.200-201.

domain of thought. The same goes *a fortiori* for a mouse or a machine⁸², neither of which can be full-blown subjects of a biography or called to seriousness.

If it were possible to treat Red Peter as one of “our kind”, we would necessarily not treat him as a super-intelligent member of the same “kind” as other chimpanzees. That does not imply that he must be reclassified from *pan troglodytes* to *homo sapiens*. In Kafka’s story, Red Peter is provided with a “half-trained little chimpanzee” and he takes “comfort from her as apes do”⁸³. We can glimpse why this is bestiality – and rather more like Diamond’s earlier mention of *chacun a son gout* with gorillas – without, in Red Peter’s case, necessarily thinking that it occurs between different species.

But we would not respond to Red Peter in the way that James Rachels implies - that is, as to an “unusually gifted chimpanzee”⁸⁴. Rather, our usual conception of this ape would be turned upside down should he express a “desire to attend university classes”⁸⁵, and our relation would be altered in as many ways as we can respond to what he now says and does. The indefinitely many ways our attitude to him could change would give rise to a different sense of his otherness – a sense which is formed from those attitudes - and a totally changed perception of what and who he is. That can be registered in the way we use and respond to his name, and feel the need to give him one that is suitable. The meaning of his sister’s name, Red Sally, the “dumb Red Sally”⁸⁶ as Costello says, who was shot in Africa, is quite different.

Gaita believes that

we cannot – necessarily cannot – tell in advance all that will count as looking and behaving like us. We have to see how we respond.⁸⁷

⁸² *A Common Humanity*, p.271.

⁸³ *The Complete Stories*, p.259.

⁸⁴ *Created from animals*, p.187

⁸⁵ *Created from animals*, p.187.

⁸⁶ J. M Coetzee, *Elizabeth Costello: Eight Lessons* (2nd ed.), (Melbourne: Knopf, 2003), p.69.

⁸⁷ *A Common Humanity*, p.269.

What he says implies we have to have a certain type of experience, interaction, or engagement with others and their creatureliness in order to be able to describe (not: “ascribe” things to) them. This is what Ovid experienced when he began to investigate face to face whether or not the Child was one of his own kind or other than that kind, by seeing if he could begin to laugh and weep and mature just as we do. It also means we cannot be sure whether aliens, like the teacher from Mars, are “one of us”, creatures who respond as we do, or whether they simply have highly sophisticated intelligences and emotions. We cannot be sure how many legs or how much “villosity of skin” will bear the conceptual weight we may try to place on them.

There are additional limits on what can count as “one of us” that relate to the content of the realm of meaning. The reason for this is that the matters we find serious in life are significantly tied to elements of the human condition, like our mortality and vulnerability. It would be impossible to think of these things as we do if, rather than being frail and short-lived animals, we typically lived comfortably for millions of years. And, as Gaita argues, our understanding of, say, sexuality and love must be able to be expressed in certain ways for it to count as understanding. For example, the expression of love in the realm of meaning requires tender caresses⁸⁸, and that requires that we have “surfaces” and the instinctive reactions with which to express and receive such love and affection.

Our animality or creatureliness, characterized by our participation in the realm of meaning and giving rise to a singular form of individuality, is on Gaita’s account the condition of its attachment-based component. Only by possessing a certain kind of body, it can be argued, is it possible to express the extraordinary need we have for other individuals; and it is a further condition of this expression that we can express it toward bodies that can acknowledge and return our neediness and emotional connection. No doubt, these relations are characterized by potential bodily responses to other bodies which can occur in countless ways, such as: the tender love, joyousness, and pity of a

⁸⁸ *The Philosopher’s Dog*, p.199.

woman for a newborn or unborn child ⁸⁹; the shocked compassion people have for parents with visibly aging hands and faces; the confusion and horror felt in the presence of human corpses and violence inflicted on human bodies; the pleasure of sharing a meal, laughter, or a joke; the bodily expressions of grief, commiseration, jealousy; and so on. As always, our judgment that these possibilities of need and attachment are rightly defining features of a conception of “one of us” and of “us and them” - of our distinctive individuality - will wait on our critical responses, created by cultural forms and the perspicuous judgment of others, and, at the same time, on the discriminating separation of sentimental relations from worthy and valuable ones.

One of the fundamental points made by Diamond in “Eating Meat and Eating People” is that the character of morality is determined thoroughly by its “sources” and by what lies in the background. In particular, the seriousness of its character is related to how we speak about the kind of thing a creature is, and principally to what counts as “one of us”. We have been looking in this chapter at some of the ways in which certain beings are “unique and irreplaceable”. Gaita’s view is that this conception fundamentally informs morality, without grounding it.

In other words, we must see individuals in a certain light if we are to recognize the evil of wronging them, or if we are to appreciate the way remorse alters our understanding of murder. To appreciate the dimensions of these aspects of morality, we need not only to see other people as unique perspectives on the world, but connected with that, to see them as appropriate objects of certain ungrounded and strong relations and responses (naming, not eating, loving, grieving) which humans have as the unusual animals that they are and which no-one can imagine rejecting. This helps explain and inform our feeling of morality’s seriousness, and our belief that it is more than just an activity for rational primates seeking fulfillment.

⁸⁹ *Good and Evil*, p.125; see also, C.Hamilton, *Living Philosophy: Reflections on Life, Meaning and Morality* (Edinburgh: Edinburgh University Press, 2001), p.19.

For morality, if Gaita is right, is not only informed by this highly complex notion of individuality, it is also vital in further deepening our conception of individuals as unique and irreplaceable, or indeed - in a way only possible through moral response - as unconditionally precious. This is the kind of otherness and preciousness that is illustrated by the Samaritan's compassionate sense of his neighbor.

Gaita's further point is that many moral philosophies covertly rely upon this notion of individuality. For example, the way MacIntyre and Hursthouse describe individuality has much of its force only if a great deal is taken for granted, such as what we are doing when we educate children into a mature and "individuated responsiveness". We may read and rely upon this background without knowing it. Philosophy which does not allow for it may then be exposed to Gaita's form of parody, which itself relies upon a tacit appeal to the common and often unnoticed acceptance of the "sources of morality":

‘My God what have I done? I have violated the social compact, agreed behind a veil of ignorance.’ ‘My God what have I done? I have violated rational nature in another.’ ‘My God what have I done? I have diminished the stock of happiness.’⁹⁰

The lampoon is not circumvented by language such as "receptacle of value", "subject of a life", and "creature with complex capacities". Even the more complex sense of "individual" possessed by meaning-ignorant philosophies, while not necessarily worthy of the kind of send-up found in *Tristram Shandy*, will not escape parody designed to bring out the full seriousness of our sense of other human beings.

Stanley Cavell, as Gaita notes, referred to the slave owner's sort of meaning-blindness as soul-blindness⁹¹ because the slave owner could not treat his slave on equal terms as a fellow creature or human being, even if she was treated as a human being and not an animal. That is, the slave owner could not see that the slave has full and equal

⁹⁰ *Good and Evil*, p.xxi

⁹¹ *Good and Evil*, p.156.

individuality. The meaning of “soul” in this context is not empirically or metaphysically based; the word also has a resonance that captures what human beings have and animals lack, namely, the sort of individuality that allows us to say “a man loses half his soul the day he becomes a slave”⁹².

Gaita’s philosophical approach is connected with an understanding of the individual not widely shared in animal ethics. In order to further flesh out this difference, we can review some common objections in the light of this alternative approach as it has been presented above.

The Diamond/Gaita approach denies that the category of species per se is part of our conception of individuality. Suppose, then, the objection to speciesism is amended so that instead of targeting *homo sapiens* it asserts the moral irrelevance of “bodies of a certain type”. That amended criticism would then point to the arbitrariness of having a certain sort of animal body and creaturely behavior within a vague range (which might or might not include Red Peter and the teacher from Mars). But the problem with this amended objection is that it still assumes that certain bodies and expressive capacities, conceived in a way all rational people can understand, are “grounds” for ethical conclusions. For the importance of these bodies and their expressiveness/creatureliness can only be determined in the realm of meaning. Indeed, that mode of understanding can greatly change our sense of the reality of those creaturely bodies and what they are capable of.

Imagine next an amended version of what Richard Arneson has called the “Singer Problem”⁹³. This amended version has two parts. The first, a version of the argument from marginal cases, claims that it is both obvious, and problematic for Gaita’s approach, that some human beings have not acquired, or will not acquire (e.g. due to brain damage), the capacity for lucidity, and are in no way unique perspectives on the world. In that way, they are like animals. It may also appear to some, like Tom Regan, that Gaita’s approach is an objectionable form of perfectionism.

⁹² *A Common Humanity*, p238.

⁹³ D. Jamieson, (ed.) *Singer and his Critics* (Oxford: Blackwell, 1999), p.105.

The second part of this version of the Singer Problem is that there are obviously people who have attained very different degrees of lucidity and wisdom. Some are simply shallow, some are virtuous peasants, and some are reflectively wise and innovative. Some are like Eichmann, some like Socrates or Jesus, and most are in between. Given the emphasis on being a unique perspective on the world, aren't we compelled to recognize differential tiers of moral value or individuality? So, Gaita's view appears to encourage elitism.

Martha Nussbaum argues in *Frontiers of Justice* that there is a big difference between retarded human beings and normal chimpanzees at similar mental levels⁹⁴. She says that in the case of the former, but not the latter, we can recognize that certain kinds of activity and flourishing have been lost due to misfortune. There are "species norms of flourishing"⁹⁵. That shows in the different attitude we have to retarded human beings when they, say, smile or react to music; and also in our inclination to try to get them to engage, as far as they can, in characteristic human activities. Retarded humans are unfortunate, normal chimpanzees are not.

Nussbaum is right to say that retarded humans are "not a lower kind that we set off from the human kind"⁹⁶. But the important thing is to correctly describe the way in which the retarded are "one of us" and not of a different or "lower" kind. It is not primarily that there are different species norms of flourishing defined in part by ethical evaluation.

Here, there seems to be a kind of attitude toward souls that marks a sense of "the difference". For example, our responses of shock and dismay at the relative inexpressiveness on the faces of the severely retarded, and also our joy when they do something recognizably "human" (as in the Ovid example), may be seen as forms of recognition of beings that may possess a certain kind of inner life. Clearly, there are

⁹⁴ M. C. Nussbaum *Frontiers of Justice. Disability Nationality Species Membership* (Cambridge Mass.: Harvard university Press, 2007), p.192.

⁹⁵ *Frontiers of Justice*, p.163.

⁹⁶ *Frontiers of Justice*, p.191.

certain biological/animal conditions of responses like this, such as having a certain kind of body and being born of human parents. (Ovid is unsure of the wild child's parentage and that is part of his confusion.)

But once again, these are responses which are made in a particular way to particular creatures – we have here responses that help determine the nature of a sort of inner life and, interdependently with that, responses to the indefinite and important ways we may relate to, and have need of, others. When such responses help determine the intelligible possessors of a rich inner life, even if contingently they have not attained it or cannot attain it, and when they are the intelligible recipients of the associated needs and attachments that are an essential part of a conception of individuality – then we are responding to them as beings who are unique and irreplaceable. Whatever their level of development, therefore, they are “one of us”.

This understanding of what the severely retarded essentially are is not in any way *grounded* in our sense of mature human beings who possess an ever-deepening responsiveness or in their presentness. On the contrary, that understanding is already there in our responses to certain creatures but not others – for example, in our critical responses to the retarded human versus the equally intelligent chimpanzee “inmates” in Singer’s Dutch institution. In a more imaginative setting, that understanding is also evident in Ovid’s confusion about the nature of the Child; it is there again (in a way) in Kafka’s puzzlingly “human” chimpanzee.

Our reactions to real and imaginary case are connected with the way we recognize the nature of creatureliness and bodily expressiveness – a recognition that is not grounded or inferred, but is conceptually built up in the realm of meaning from the mass of background responses to certain kinds of bodily forms.

James Rachels argues that the right way to see other individuals is described by ethical or moral “individualism”. This view, influenced by modern science, Darwinism, and a strand of Enlightenment reason, recommends that we turn upside down our understanding

of the earth's individuals, so that we begin to see them atomically - according to the "individual characteristics of organisms"⁹⁷ - not our sense of the kinds to which they belong. Yet the way we describe individuals in the fullest possible manner, shows why this will not result in the most serious understanding of their reality.

Bernard Williams argues the only question there is for us about other animals is how those animals should be treated:

This is not true of our relations to other human beings, and this already shows that we are not dealing with a prejudice like racism or sexism. Some white male who thinks that the only question about the relations between 'us', as he puts it, and other human beings such as women or people of color is how 'we' should treat 'them' is already prejudiced, but in the case of other animals that is the only question there could be.⁹⁸

Something in this is surely right. On the other hand, it needs to be stressed that how we are to treat others may depend crucially on what we are to make of "them". Our sense of how we should treat "them" may well be, as in the human case, interdependent with some more basic critical responses, such as those discussed in the last chapter.

Cora Diamond argues that we "cannot point and say, 'This *thing* (whatever concepts it may fall under) is at any rate capable of suffering, so we ought not to make it suffer'"⁹⁹. We have made more of animal life, she argues, than rules about harming "sentient *things*": we do not simply think it morally wrong to cause pain to things-capable-of suffering; rather, our sense of this moral wrongness emerges from and is characterized by other background conditions.

In contrast to Williams, Diamond wants to stress that moral claims about animals only make good sense when they are correctly placed in the mass of ways we have of

⁹⁷ *Created from Animals*, p.222.

⁹⁸ *Philosophy as an Humanistic Discipline*, p.148.

⁹⁹ *The Realistic Spirit*, p.325.

responding and living. For these “sources of morality” help determine, in a way not reducible to differences and properties (even while being partly conditioned by them), what various creatures “are”. And what animals are for us will be different from what the Vietnamese were for M. Additionally, a better understanding of “them”, or of what they might be, gives further detail to what “we” are through a contrast in the realm of meaning with “them”. For these reasons, we should look further at what we share and what sets us apart.

Gaita says that human beings are “individuals in a way that nothing else that we know in nature is”¹⁰⁰. The most fundamental reason for this is that the lives of animals have no meaning.¹⁰¹ What, then, could he mean when he admits that some animal lives have attenuated meaning?¹⁰² For animal lives do not have meaning in the same way as the lives of M’s less-than-fully humans might be said to have attenuated “meaning” - by way of their capacity for reflection, rationality, and so on.

However, Gaita does not mean that the sort of individuals which animals essentially are can be determined wholly outside the realm of meaning. Gaita’s claim that animal lives have an “attenuated meaning” is, perhaps, connected with his other claim that animals do “emerge from their species character”, albeit “in only an attenuated way”¹⁰³. He thinks that at least some animals have a kind of individuality that is to some degree like ours.¹⁰⁴

This type of animal individuality, he thinks, is also under-determined by species characteristics and capacities (even while being importantly and partly formed by them). Animal individuality also is not about animal cleverness and “personality”, such as people might see in a (real) Clever Hans, a Phar Lap, Tarzan’s chimpanzee, Cheetah, or in the ape who delights scientists by learning how to get more termites by modifying the tool making process. So what might animal individuality consist in?

¹⁰⁰ *The Philosopher’s Dog*, p.78.

¹⁰¹ *Good and Evil*, p.116.

¹⁰² *Good and Evil*, p.116.

¹⁰³ *Good and Evil*, p.118

¹⁰⁴ *The Philosopher’s Dog*, p.78.

Any meaning which can be found in animal life is not the sort which is fundamental to human individuality. Nevertheless, meaning may emerge from certain response-and-surface dependent descriptions, which allow animal individuals to begin to emerge from their species' characters. Something like this can be seen in the examples from Rhees, Coetzee, Melville and others.

Neither science nor traditional philosophy is the right mode of thought for such critical reflection. Both necessarily miss much of what may be most serious about "them", and our relations with them. They cannot tell us whether humans are simply more intelligent animals or whether there is an "abyssal distinction between human and nonhuman animals"¹⁰⁵. Nor can they illuminate, in Mulhall's words, our "uncanny intimacy" and fellowship with them.¹⁰⁶

Recognizing the expressiveness and creaturely potential of animals requires an "imaginatively rich sense of the surface"¹⁰⁷, and it is only out of recognitions and relations such as these that a substantial and irreducible conception of their individuality could come into view. Or perhaps it is better to say "conceptions" – first, because there are many different animals, even amongst the higher animals; and second, because there are no *prescriptive* rational limits on what we may make of the different "species", or better, of the different sorts of creatures - which does not mean there are no rational or factual limits at all, for there are many.

Reason has been given for thinking that serious reflection about meaning and value must be human-centered in a non-pejorative sense. And a reason has also been suggested for saying that our reflection about animal life must be in a sense anthropomorphic, again in a non-pejorative way. But this is a special sense of "anthropomorphic" – not the familiar, crude one that rests on illegitimate assimilation of animal to human life - which is needed

¹⁰⁵ *The Wounded Animal*, p.83.

¹⁰⁶ *The Wounded Animal*, p.83.

¹⁰⁷ *The Philosopher's Dog*, p.131.

precisely because our thinking well in this area must begin from “us”, *in media res*, from the kind of creatures we are.

The fundamental reason for recognizing a type of thinking which we do *as* human beings, and by reference to human life, is that it makes no sense at all to *think well* by abandoning the sense we make of things as particular animal beings. To abandon this position is to lose the very critical concepts we need to distinguish, where questions of meaning are concerned, what is real from what only appears to be real. This, in fact, is the most important point to agree with in Diamond’s argument: that the theories of Singer and Regan, in the way they attack significance in human life¹⁰⁸, also attack the only means we have of truly understanding nonhuman life.

So there is a case for saying that most of what is important about animals and their individuality must be seen in relation to us, and in the light of the special significance and nature of human life. “Humor” in animal behavior was a previous example of how this might work, but the general idea is more extensive. It applies to the concepts of animal dignity and moral behavior, and it runs through Diamond’s and Gaita’s writing on animals. Consider Gaita’s claim about “humanizing” his dog Gypsy by educating her into being a trustworthy family member¹⁰⁹. Practices like naming animals, befriending them, and burying them, only make sense against the backdrop of the human practices of naming, friendship, and burial. Consider also Diamond’s discussion of seeing certain animals as “fellow creatures”¹¹⁰. She reminds us that we sometimes see certain animals, not merely in biological terms, or as vermin, or as sources of entertainment but, for example, as fellow creatures that have an independent life of their own, and which “may be sought as *company*”¹¹¹. But whether or not we see them this way depends upon whether we can find ways of expressing a sense of them that is not sentimental or self-indulgent. That is why we may need, for example, to turn to literature and poetry.

¹⁰⁸ *The Realistic Spirit*, p.325.

¹⁰⁹ *The Philosopher’s Dog*, p.42.

¹¹⁰ *The Realistic Spirit*, p.328.

¹¹¹ *The Realistic Spirit*, p.329.

Unsentimental compassion for animals, perhaps like that expressed by Ishmael, need not just be for their pain and suffering, but for the fact that they are vulnerable and mortal. More precisely, we gain an awareness, through critical responses like Ishmael's to the animal world around him, of the fact that animals are vulnerable *like us*, and that we share part of our own creaturely condition with them. This thought illustrates one aspect of Williams' suggestion that our thinking (of this sort) must start "from here". In this case, "here" is our place as one animal amongst others, with respect to whom we can notice and form ideas which overlap, diverge, and intersect with our ideas about human life.

Another form of recognition of what "they" are, touched on in the previous chapter, is the sense of wonder and feeling of strangeness that they are both like us and unlike us. In *The Philosopher's Dog*, Gaita suggests that the sense of mystery that surrounds our perception of animals is not borne of philosophical skepticism about what they are like on the inside. It is more to the point, he thinks, to regard it as an intimation of surprise that arises by reflecting on the meaning of our respective lives. Here is Gaita talking about his dog Gypsy's love of ferociously attacking cats. He feels it is the:

apparent absence of a psychological dimension in Gypsy's drive to kill that is so disturbing and makes her seem so *other* to us, so much a different kind of being. The occasion for such perceptual shifts – from seeing her as one of us, a member of the family, to seeing her as wholly other in her animal nature – are not always dramatic. The sight of her sniffing another dog's urine could do it. Or the sight of her staring quite vacantly into space, clearly without a thought in her head. Or, as Yael [his wife] once put it, 'seeing this thing with a tail walking through the house.'¹¹²

Thomas Mann has a related sense of his dog, Bashan:

¹¹² *The Philosopher's Dog*, p.66.

Extraordinary creature! So close a friend and yet so remote; so different from us, in certain ways...I speak of these things only to show how under stress of circumstance the character of a near friend may reveal itself as strange and foreign. It is dark to me, it is mysterious; I observe it with head shakings and can only dimly guess at what it might mean. And in all other respects I understand Bashan so well I feel such a lively sympathy for all his manifestations!¹¹³

Discussing the bewildering “horror of what we do to animals”¹¹⁴, Cora Diamond makes a parallel point. She says that there can be:

equally a sense of astonishment and incomprehension that there should be beings so like us, so unlike us, so astonishingly capable of being companions of ours and so unfathomably distant. A sense of its being impossible that we should go and *eat* them may go with the feeling how powerfully strange it is that they and we should share as much as we do, and yet also not share; that they should be capable of incomparable beauty and delicacy and terrible ferocity; that some of them should be so mind-bogglingly weird or repulsive in their forms or in their lives.¹¹⁵

Perhaps the “extraordinary felt character of animal life in relation to our own”¹¹⁶ is discernable in the scientist E.O. Wilson’s report of his encounter with Kanzi, the young bonobo whose signing ability was studied by Sue Savage-Rumbaugh. Wilson’s presence initially scared the young ape, but then Kanzi, curious,

drifted back over to me. This time, having been coached by Sue Savage-Rumbaugh, I imitated the flute-like conciliatory call of the species, *wu-wu-wu*, *wu*, *wu*...with my lips pursed and what this time I believed to be a

¹¹³ T. Mann, *Stories of a Lifetime: The collected stories*, Vol. 2, (London: Mercury Books, 1961), p.93,96.

¹¹⁴ S. Cavell et al., *Philosophy and Animal Life* (New York: Columbia University Press, 2008), p. 60.

¹¹⁵ *Philosophy and Animal Life*, p.61.

¹¹⁶ *Philosophy and Animal Life*, p.61.

sincere, alert expression on my face. Now Kanzi reached out and touched my hand, nervously but gently, and stepped back a short distance to study me again (Wilson accepts a cup of grape juice.) I flourished a cup as if offering a toast and took a sip, whereupon Kanzi climbed into my lap, took the cup, and drank most of the juice...

The episode was unnerving. It wasn't the same as making friends with the neighbor's dog. I had to ask myself: was this really an animal? As Kanzi was led away (no farewells), I realized that I had responded to him almost exactly as I would to a two-year old child – same initial anxieties, same urge to communicate and please, same gestures and food-sharing ritual. Even the conciliatory call was not very far off from the sounds adults make to comfort an infant. I was pleased that I had been accepted, that I had proved adequately human (was that the word?) and sensitive enough to get along with Kanzi.¹¹⁷

Wilson's feeling of being unsettled involves a three-way contrast of this ape's life with human life and the life of certain intelligent animals that are not great apes. This seems to be a further way in which our sense of different beings intersects with, and is influenced by, their relation to other creatures. Wilson does not just portray a scene in which he encounters the chimpanzee as something more than an inert object – that is, as a particular sentient one. Rather, his “record of an engagement”¹¹⁸ with another creature, as Costello puts it, may be seen as emerging from richer possibilities of critical response. One might imagine someone who has had this experience going on to talk about things which arose in the previous chapter – perhaps dignity, moral capacity, and forms of attachment. These modes of response both reveal and are a part of an animal's “reality”, as Diamond explains:

¹¹⁷ Quoted in S. M. Wise, *Rattling the Cage: Toward Legal Rights for Animals* (New York: Perseus Publishing, 2000), p.155. Of course Wilson's sensitive description of his encounter with Kanzi is at odds with his general scientific view that philosophical ethics will eventually be replaced by sociobiology. His description demonstrates how our basic human responses to animals are prior to intellectual theory.

¹¹⁸ *Elizabeth Costello*, p.96.

To attend to the reality of animals, in this sense, involves seeing both the ways in which they are ‘with’ us (an expression of which is ‘one breath permeates us all’), and the ways in which they are strange and other. In discussing the Greek notion of what it is to ‘belong with’ some other being, Richard Sorabji notes a point from Plato: that to ‘treasure others because they are *like* us’; we can ‘belong with’ what is unlike us. Such a combination of awareness of animals as ‘other’ and recognition of their ‘belonging with’ us is strikingly found in D.H. Lawrence: animals, who have their strange unknown lives, are inhabitants of this earth, linked to us by the ‘strange planetary phenomenon’ of life. Lawrence remarks on the gift we are given when we are able to become aware of the ‘delicate realness’ of these other beings.¹¹⁹

There are, then, many possible “background sources” in our relation to our moral responses to nonhuman animals. A conception of their kind and their kinds of individuality, which arise in part from our responses to them, might be a requirement of making sense of morality as it applies to them, when it is more richly and imaginatively conceived than it is on traditional moral theories. As Diamond and Gaita have argued, these theories tend to distort our understanding of both human and animal life by overlooking the ways that this understanding is situated in contingent forms of human living and cultural life, while (because of the critical elements in that understanding) not being confined to any single form of living or culture. As in the human case, our conception of animal individuality informs, and is informed by, what we can take morally seriously in our relation to them.

¹¹⁹ C. Diamond, *Slow Cures and Bad Philosophers: Essays on Wittgenstein, Medicine, and Bioethics* (Elliot, C. ed.) (Durham, NC: Duke University Press, 2001), pp.139-140.

Conclusion

The fact that there cannot be, as we learn from Wittgenstein, any *a priori* constraints prescribed by philosophical theory on our ethical thinking (although, of course, the principles of rationality and “the facts” are important aspects of determinations of meaning) gives us reason to suppose that great innovation and creativity may be possible in ethical thought. That is why critics like O’Neill and Singer are wrong to say that the approach to ethical value adopted in this thesis is inherently conservative. As has been noted, there are limits on our moral thinking apart from rationality and ordinary facts that are provided by critical concepts like sentimentality; but these concepts exist from a point of view *inside* what Gaita has described as the realm of meaning.

This is the point of view which as human beings we ordinarily have, and it determines our conception of the nature of ethics at its most serious, at the same time as it defines our conception of what it is to think well about ethical questions. It is from within this outlook that we understand the importance to ethics of human individuality. But even from this viewpoint, there seems to be great freedom in the meaning and value we can find.

Effectively, this is the point made by Cora Diamond when she criticizes Bernard Williams’ attack on animal rights arguments.¹ She agrees with Williams that our thinking must be anthropocentric or human centered, in the particular sense that it must not “drive us to ‘get beyond humanity’”² and its resources for thinking well. The thrust of Diamond’s position on injustice and animals, however, is quite radical in its opposition to common beliefs about humaneness and animal welfare. So too (to a lesser extent) is Gaita’s suspicion that we may come to see that what was, and still is, distorted,

¹ C. Diamond, *Slow Cures and Bad Philosophers: Essays on Wittgenstein, Medicine, and Bioethics* (Elliot, C. ed.) (Durham, NC: Duke University Press, 2001), p.142.

² *Slow Cures and Bad Philosophers*, p.142.

unimaginative, and even revolting in our treatment of animals, was already present in the wide-spread conception our society has of what are called “humane” and kind practices.³

Diamond denies that any revisionist thoughts can only be found from the point of view of the universe. Just the opposite, for such innovative thoughts are fully “grounded in human moral thinking”⁴. Gaita makes a similar point, when he argues that even if we accept that our thinking about value depends upon the contingencies of human living, and even if (furthermore) we agree that human beings are like nothing else in nature, there is still great freedom for creative and progressive thinking about animals and the natural world:

Our concepts which mark the states of the inner life – in the thin sense that merely refers to states of consciousness and the richer sense which enables M to distinguish ‘us’ from ‘them’ – are therefore profoundly anthropocentric. I hope that my discussion has shown that that need not be a bad thing. It can be consistent with a disinterested love of the natural world and also with regarding species other than human beings as morally our equals. It is consistent with all that is edifying in the ringing rebuke by Enlightenment thinkers against the arrogance of supposing that we human beings are at the centre of the universe. It is consistent in other words with anything that is properly found edifying in the attacks on ‘speciesism’.⁵

As a matter of fact, such a view, which recognizes the fundamental significance of human life, has resources for creative discoveries about the meaning of the nonhuman world that are just not available to theoretical modes of thought. A dramatic recent example of this is Coetzee’s Elizabeth Costello and the “radical egalitarianism” that is implicit in her infamous comparison of the animal enterprise with the Holocaust. When Singer’s character “Peter” called Costello’s view a “more radical egalitarianism about humans and

³ R. Gaita, *The Philosophers Dog* (New York: Random House, 2005), p.37.

⁴ *Slow Cures and Bad Philosophers*, p.142.

⁵ R. Gaita, *A Common Humanity* (Melbourne: Text Publishing, 1999), p.269.

animals...than I would be prepared to defend”⁶, he was, in effect, criticizing as too radical a view which appears to be formed out of the very approach to ethics which Singer has criticized as inherently doomed to conservatism.

In many other ways, this alternative approach can be more, rather than less, radical than familiar theories about animals and humans. Although it is dependent on certain cultural resources, it can say things of an indefinitely complex and diverse variety. It can, more interestingly and deeply than “theory”, significantly change our understanding of the nonhuman world and elements of the human world too. Of course, that does not mean that what we actually discover in this sort of fully-fledged reflection will be radical and revisionist. It depends on what we can make thoughtful, perceptive sense of, when we are thinking in the more fully engaged fashion – that is, with a responsiveness to experience that is disciplined by the critical concepts. And what we can make sense of will hang substantially on our engagement with the animal world and on the particular forms of the ideas – their tone and style - which can be found in literature and philosophy, in the words and actions of other people, and in other places. Sometimes we may find that, as Rush Rhees found when writing about his dog, Danny, that our experience with animals demands that we speak of them, not just as our companions, but as our friends; at other times, we may find, as Ishmael found when confronted by the squid, that such terms simply do not fit the case because the kind of life present in the animal we are facing is too foreign to us and too limited. Or again, we may be struck as E.O. Wilson was struck by the strange otherness of some animals, in ways that can be deepened by exploring in the realm of meaning what it is for an intelligent animal to have a particular kind of individuality.

In the light of the preceding discussion, two points of contrast can be made between the traditional mode of thinking and theorizing, exemplified in the work of Singer and others, and in the work of many of their critics, and the alternative approach to humans and

⁶ J. M. Coetzee (et al), *The Lives of Animals* (New Jersey: Princeton University Press, 1999), p.86.

animals, developed by Diamond and most fully by Gaita. The traditional approach overlooks two things.

The first is the way we talk about humans and animals, not as different species or as creatures with certain properties which may or may not engage with moral principles (for example, as replaceable or non-replaceable “receptacles of sentience-value”), but as different sorts of creatures in a manner which is often encapsulated in a phrase like “us and them”. This sense can involve the “mass of ways” we have of critically responding to humans and animals. Such response-dependent conceptualizations are not merely feelings as “emotivism” might understand them; nor are they “relative” to, say, the art forms they may be responses to. Yet, from the point of view of Diamond and Gaita, speaking seriously of “us and them” is the only way in which we can see human life and animal life as it really is. Perhaps those who wish to attack the notion of human specialness have a point. But in order to make a fair judgment, it is necessary to understand the alternative position that Diamond and Gaita provide.

The second thing the traditional methodology does not seriously engage with is the particular way this alternative approach recasts our sense of thinking both anthropocentrically and (with that) anthropomorphically - from within human life, amongst other animals, and with many of the resources of various cultures at our disposal. Singer and others assume that such an approach is irrational, nonrational, or noncognitive; it cannot show us how things really are. As a result, they do not take seriously in their philosophy the possibility that there is a better and deeper way of thinking in and upon ethics and, furthermore, that this way of thinking will have certain consequences for the content of our thought about what matters.

This way of thinking has, as Gaita has argued more fully than anyone else, a cognitive character that is determined by a range of critical concepts, or forms of speaking and appraising, which we can all recognize from our own lives. These concepts pick out kinds of cognitive failure or success that only exist when the form of an idea is inseparable from its content. Such ideas have a tone or “quality” which can only be understood by

beings who are fully in touch with certain forms of expression, and living the kind of lives which, again, we can recognize (as M could not) as essentially accessible to all people.

This has certain consequences for the content of ethics and meaning because, when we allow for this other way of reflecting and understanding, we can reclaim our prior sense of what it is possible to take seriously, rather than trying to extract from it rational arguments or propositions which fatally distort it, or else relegating it to a “nonrational pocket” of the personal. And one thing we are forced to take seriously, from a position that stresses sobriety, perceptiveness, and thoughtfulness, is that human beings are a singular and irreplaceable sort of animal, and that, to a large extent, our sense of nonhuman animal life is serious and convincing only when we do not relinquish our peculiar creaturely vantage point.

Furthermore, the disciplined, critical elements that necessarily characterize this sort of lucidity or perceptiveness – that make this thought, in fact, lucid and perceptive rather than merely aesthetically “refined” – have a kind of universality, even if they do not allow for convergence in argument of a kind that can be vindicatory. These terms of critical appraisal, only identified in, and by, the “realm of meaning”, are present in a common area or community of understanding and discussion.

Despite the fact that such critical thought, compared to many familiar and disciplined forms of reflection that often serve as a model for reason as such, is internally dependent upon culture to a startling degree, it is not, as O’Neill and Singer tend to argue, merely “relative” to art, to specific discourses, or to cultural values. In fact, this distinctive form of thought in a sense transcends the cultures, with their multiform languages and ways of speaking, which must conceptually inform it. Gaita argued this case in *A Common Humanity*. There are, he said,

disciplines which look to science for a prototype of the kind of inquiry that will reveal things as they really are, and there are disciplines which look

more to art for a model for it...Reflection that always aspires to separate cognitive content from form that it takes to be rhetorical and emotive, and reflection that respects the inseparability of form and cognitive content both seek to be universal, but differently. The former will try to purify thought of everything that it takes to be local, which will, of course, be almost everything that resonates in a natural language.⁷

There are implications for detailed and philosophically expansive reflection about animals and humans. Such reflection must, if Gaita and Diamond are right, take into account a form of human thought which has seemed to be lacking in universality and objectivity. In fact, it has seemed to philosophy far too limited by culture and by our animal condition or creatureliness. That is the case for Singer. Singer, as we know, by stressing our primate heritage, has thought of us as apes who have chanced to step, albeit haphazardly, onto the escalator of reason, allowing us to do philosophy and ethics and create sophisticated cultures.

But Singer thinks our animality, and the ways we are moved by language and cultural forms, is a constant threat to the exercise of our reason. We are ever-ready to jump off the escalator and back into animal life. He thinks the essential sense in which a perspective discovered *in media res* is a threat is that reason is not, in any domain, constituted by our responses, even though it is often affected and conspicuously driven by them. Thus, he and many other philosophers aspire to a kind of philosophy that is best carried out, as Gaita has well put it, in a tone-free zone.

Bernard Williams succinctly expressed the way in which philosophy typically does not take seriously the tone, “quality”, or “effect” of words or of various forms of expression when he wrote of

⁷ *A Common Humanity*, pp.283-284.

the spirit of one analytic philosopher who (in actual fact) said to another when they were trying to write a book together, 'Let's get it right first and you can put in the style afterwards'.⁸

The problem with that, of course, is that not taking seriously - in the right way - how something sounds or strikes us will not allow us to identify what is at stake in discussions about humans and animals. We must think in this way, not because we are doomed to remain enclosed in a perspective limited by our affective human condition and culture, but because a culturally informed and creaturely perspective is the only one which gives us the critical mode of reflection adequate to investigations of this sort.

⁸ B. Williams, *Philosophy as a Humanistic Principle*, (Moore, A.W. ed.) (Princeton and Oxford: Princeton University Press, 2006), p.205.

Bibliography

- Bekoff, M. 'Animal Passions and Bestly Virtues: Cognitive Ethology as the unifying science for understanding the subjective, emotional, empathic, and moral lives of animals' in *Zygon*, Vol. 41, No 1 (March 2006)
- Calarco, M. & Atterton, P. (ed.) *Animal Philosophy: Essential Readings in Continental Thought*, (Cornwall: Continuum, 2004)
- Cavalieri, P. *The Great Ape Project*, & Peter Singer (ed.) (London: Fourth Estate, 1993)
- Cavell, S. et al *Philosophy and Animal Life*, (New York: Columbia University press, 2008)
- Chappell, T. *Ethics and Experience: Life Beyond Moral Theory*, Acumen, 2009
- Clark, S. Good Dogs and other Animals: Singer, P. ed., *In Defence of Animals* (Oxford: Blackwells 1985), pp.41-51
- Clark, S. *The Moral Status of Animals* (Gloucestershire: Clarendon Press, 1977)
- Clark, S. *The Nature of the Beast* (Oxford: Oxford University Press 1982)
- Cockburn, D. (ed.) *Human Beings*, (Cambridge: Cambridge University Press, 1991)
- Coetzee, J. M. *Elizabeth Costello: Eight Lessons*, (2nd ed.), (Melbourne, Knopf, 2003)
- Coetzee, J. M (et al), *The Lives of Animals*, (New Jersey: Princeton University Press, 1999)
- Coetzee, J. M. *Disgrace*, (Australia: Vintage, 2000)
- Cordner, C. *Ethical Encounter: The Depth of Moral Meaning* (Wiltshire: Palgrave, 2002)
- Cordner, C. (ed.) *Philosophy, Ethics and a Common Humanity: Essays in honour of Raimond Gaita* (London: Routledge, 2011)
- Crary, A. 'J.M. Coetzee, Moral Thinker' in A. Leist & P. Singer (eds.), *J.M. Coetzee and Ethics: Philosophical Perspectives on Literature* (New York: Columbia University Press, 2010)
- Diamond, C. 'Moral Difference and Distances: Some Questions in Commonality and Particularity' in *Ethics*, Alanen, L. Heinamaa, S. Wallgren, T. eds. (London: Macmillan 1997)
- Diamond, C. *Slow Cures and Bad Philosophers: Essays on Wittgenstein, Medicine, and Bioethics*, Elliot, C. ed., (Durham, NC: Duke University Press, 2001)
- Diamond, C. *The Realistic Spirit: Wittgenstein, Philosophy and the Mind*, (Cambridge Mass.: MIT Press, 1995)
- De Waal, F. *The Ape and the Sushi Master*, (London: Penguin, 2002)
- Dostoyevsky, F. *Crime and Punishment* trans. Magarshack, D. (Harmondsworth: Penguin, 1968)
- Foot, P. *Natural Goodness*, (Oxford: Clarendon Press, 2001)
- Gaita, R. (ed.) *Value and Understanding: Essays for Peter Winch*, (London: Routledge, 1990)
- Gaita, R. *A Common Humanity*, (Melbourne: Text Publishing, 1999)

- Gaita, R. *The Philosophers Dog*, (New York: Random House, 2005)
- Gaita, R. *Romulus, My Father*, (Melbourne: Text Publishing, 2002)
- Gaita, R. *Breach of Trust: Truth Morality and Politics*, Quarterly Essay, Vol. 16, ed. Feik, C., (Melbourne: Black Inc, 2004)
- Gaita, R. *Good and Evil: An Absolute Conception, 2nd Ed*, (London: Routledge, 2004)
- Griffiths, A.P. *Wittgenstein Centenary Essays*, (Cambridge: Cambridge University Press, 1991)
- Hamilton, C. *Living Philosophy: Reflections on Life, Meaning and Morality* (Edinburgh: Edinburgh University Press, 2001)
- Hearne, V. *Adam's Task: Calling Animals by Name* (New York: Akadine Press, 2000)
- Hertzberg, L. 'Gaita on Recognizing the Human' in Cordner C. (ed.) *Philosophy, Ethics and a Common Humanity: Essays in honour of Raimond Gaita* (London: Routledge, 2011)
- Hills A. *Do Animals Have Rights?* (London: Icon Books, 2005)
- Hughes, T. (ed.), *Poetry in the Making*, (London: Faber and Faber, 1986)
- Hume, D. *Treatise of Human Nature*, (Cambridge: Cambridge University Press, 2009)
- Hursthouse, R. *On Virtue Ethics*. (Oxford: Oxford University Press, 1999)
- Hursthouse, R. *Beginning Lives* (Oxford: Basil Blackwell, 1987)
- Hursthouse, R. *Ethics, Humans and Other Animals: An Introduction with Readings (Philosophy and the Human Situation)*, (London: Routledge, 2000)
- Jamieson, D. (ed.) *Singer and his Critics*, (Oxford: Blackwell Publishing, 1999)
- Kafka, F. *The Complete Stories*, Nahum Glatzer (ed.), (London: Vintage Books, 2005)
- Leahy, M. P. T. *Against Animal Liberation: Putting Animals in Perspective* (London: Routledge, 1993)
- Leist, A. & Singer, P. (eds.), *J. M Coetzee and Ethics: Philosophical Perspectives on Literature*, (New York: Columbia University Press, 2010)
- Lewis, C.S. *A Grief Observed* (London: Faber, 1976)
- MacIntyre, A. *Dependent Rational Animals: Why Human Beings Need the Virtues*, (London: Duckworth, 1999)
- Malouf, D. *An Imaginary Life*, (United Kingdom : Chatto and Windus, 1978)
- Mann, T. *Stories of a Lifetime: The collected stories*, Vol. 2, (London: Mercury Books, 1961)
- Masson, J. & McCarthy, S. *When Animals Weep: The Emotional Lives of Animals*, (London: Vintage, 1996)
- Melville, H. *Moby Dick*, (New York: Signet, 1961)

- Midgley, M. *Animals and Why They Matter*, (Harmondsworth: Penguin Books, 1983)
- Moss, C. *Elephant Memories*, (Chicago :University of Chicago, 2000)
- Murdoch, I. *The Sovereignty of Good* (London: Routledge and Kegan Paul, 1970).
- Mulhall, S. *The Wounded Animal, J.M. Coetzee & the Difficulty of Reality in Literature & Philosophy*, (Princeton: Princeton University Press, 2009)
- Nagel, T. 'What is it like to be a bat?' in *Mortal Questions*, (Cambridge: Cambridge University Press, 1979)
- Nussbaum, M. C. *Upheavals of Thought. The Intelligence of Emotions*, (New York: Cambridge University Press, 2001)
- Nussbaum, M. C. *Frontiers of Justice. Disability Nationality Species Membership* (USA: First Harvard university Press, pbk, 2007)
- O'Neill, O. 'The Power of Example', in *Philosophy*, 61, 1986
- O'Neill, O. review of Stephen Clark, *The Moral Status of Animals* in the *Journal of Philosophy* LXXVII, 7 (July 1980)
- Rachels, J. *Created from Animals: The Moral Implications of Darwinism*, (Oxford: Oxford University Press, 1991)
- Regan, T. *The Case for Animal Rights*, (Berkeley: University of California Press, 1985)
- Rhees, R. *Moral Questions*, ed. Phillips, D.Z, (Basingstoke: Macmillan, 1999)
- Rollin, B. E. *The Unheeded Cry*, expanded edition (Ames: Iowa State University Press, 1998)
- Rollin, B. E. *An Introduction to Veterinary Medical Ethics: Theory and Cases*, (Ames: Iowa State University Press, 1999)
- Rowlands, M. *The Philosopher and the Wolf*, (Great Britain: Granta, 2008)
- Scruton, R. *Animal Rights and Wrongs*, 3rd ed. (New York: Metro Books in assoc. Demos, 2000)
- Siebert, C. *Roger's World, toward a new understanding of animals*, (Australia : Scribe, 2009)
- Singer, P. *Animal Liberation* (London: Pimlico, 1995)
- Singer, P. (ed.), *Ethics*, (Oxford: Oxford University Press, 1994)
- Singer, P. *Practical Ethics* (2nd ed.), (New York: Cambridge University Press, 1993)
- Singer, P., *Rethinking Life and Death*, (Melbourne: Text Publishing, 1994)
- Singer, P. *Writings on an Ethical Life* (Salisbury South: Griffin Press 2000)
- Singer, P. *The Expanding Circle, Ethics and Sociobiology*, (Oxford: Clarendon Press, 1981)
- Singer, P. *How are we to live? Ethics in an Age of Self-Interest*, (Melbourne: Mandarin, 1994)

- Singer, P. (ed.) *A Companion to Ethics*, (Oxford: Blackwell Publishers, 2000)
- Singer, P. 'Utilitarianism and Vegetarianism' in *Philosophy and Public Affairs* 9, no. 4 1980
- Singer, P. & Singer, R. (eds.) *The Moral of the Story: An Anthology of Ethics Through Literature*, (Wiley & Sons, 2004)
- Singer, P. (website), www.princeton.edu/~psinger/
- Swift, J. *Selected Prose and Poetry*, ed. Rosenheim, E. ((New York: Holt, Reinhart and Winston, 1959)
- Tolstoy, L. *Anna Karenin*, trans. Constance Garnett, (London: Bookclub Associates, 1972)
- Weil, S. *Waiting on God*, trans Crauford, E (London: Routledge and Kegan Read, 1951), p77
- Williams, B. *Ethics and the Limits of Philosophy* (London: Fontana Press, 1985)
- Williams, B. *Philosophy as a Humanistic Principle*, Moore, A.W ed. (Princeton and Oxford: Princeton University Press, 2006)
- Winch, P, *Trying to Make Sense*, (London: Blackwell, 1987)
- Wise, S. M. *Drawing the Line: Science and the case for Animal Rights*, (Cambridge: Perseus Publishing, 2003)
- Wise, S. M, *Rattling the Cage: Toward Legal Rights for Animal* (New York: Perseus Publishing, 2000)
- Wittgenstein, L. *Philosophical Investigations*, Anscombe, G. E. M, (trans.), (Oxford: Blackwell, 2001)