

‘AND WHO IS MY NEIGHBOR?’: READING ANIMAL ETHICS THROUGH THE
LENS OF THE GOOD SAMARITAN

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ABSTRACT

In this thesis I argue that the major philosophical arguments in the field of animal ethics, as it has developed in the twentieth century, are inadequate without a robust theological foundation. While these arguments for greater moral respect for animals have acquired some cultural purchase in relation to systematic abuses of animals in factory farming and some forms of hunting, they lack the resources for articulating the many complexities inherent in human relationships with other animals. These positions, expounded most prominently by Peter Singer and Tom Regan, seek to extend to animals the moral frames of earlier Enlightenment thinkers and are thus bound by the same concerns and constraints; they therefore do not sufficiently problematise the modern distinction between humans and other animals that has advanced the modern mistreatment of animals to a degree of systematic cruelty unknown in human history. I argue that the Christian tradition has richer resources for articulating human moral relationships with other animals – and for problematising the modern framing of the human-animal distinction – than these secular theories possess on their own. This is by no means the first theological foray into the field of animal ethics. Previous theological accounts, however, still work predominantly within the confines set by secular philosophers. For example, Andrew Linzey clearly articulates his concept of “Theos-rights” for animals from within the conceptual framework of deontological categories. I will argue instead that a richer theological account of human relationships with other animals can be made by embracing the foundational love ethic found in Christianity. The Christian category of neighborly love represents a normative moral position in its own right rather than a simple addition to or reinterpretation of earlier consequentialist or deontological accounts. Using the parable of the Good Samaritan (Luke 10:25-37), I outline a theologically informed animal ethic in which animals are seen as potential neighbors. My argument proceeds in two stages. The first and largest section identifies and explores three themes key to interpreting the parable with a view toward animal ethics. First, I explore the theme of *responsibility* and employ the thought of Emil Brunner and Karl Barth in asking to what degree humans, as *imago Dei*, are responsible for their relationships with animals. Second, I argue for the importance of *caring* in human moral encounters with animals. Here, I explore the similarities and deficiencies of feminist theory in relation to the Christian concept of neighborly love. Third, I consider the moral relevance of *nearness*, or proximity, in human relationships with animals. Here, I outline the different responsibilities inherent in human relationships with wild, domestic working, and pet animals. After expounding these three themes, the second stage of my thesis employs them in critiquing two specific theological issues. I first compare the Christian concept of dominion over animals found in Genesis 1:28 with competing claims from Christian stewardship ethics and environmental land ethics. Then, primarily in conversation with Barth, I conclude with a discussion of the theological arguments for and against Christian vegetarianism.

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INTRODUCTION

In a brief digression in his *Histories*, the ancient Greek historian Herodotus tells the tale of Arion and the dolphin. Arion, the famous poet and lyrist, boarded a boat journeying from Tarsus to Corinth. On the way, the sailors plotted to kill him and steal his money. After singing one last song, Arion jumped overboard into the sea. “But according to what they say, a dolphin took up Arion on its back and brought him to shore at Tainaron.”¹ Arion then made his way to Corinth and confronted the shocked sailors when they arrived.

In 2006 a beagle named Belle became the first nonhuman animal to receive the annual VITA Wireless Samaritan Award. This award recognizes individuals in the United States who use their “wireless phones to save lives, stop crime and help in other emergency situations.”² Belle had received special training to recognize when her diabetic owner’s blood sugar dropped to dangerous levels and to respond. One morning when her owner slipped into a diabetic seizure, Belle retrieved his wireless phone and pushed the preprogrammed button to dial emergency medical services. “I am convinced that if Belle wasn’t with me that morning, I wouldn’t be alive today,” her owner claimed. “Belle is more than just a life-saver; she’s my best friend.”³

Narratives, whether based in fact or fiction, possess a unique ability to draw human attention to realities or individuals that other modes of thinking tend to overlook. While humans have long told stories where animals enjoy a place of prominence, until the twentieth century animals have been largely ignored by philosophical and ethical texts. Before this time period, philosophers and ethicists concerned themselves primarily with human-human relationships, or perhaps human-divine relationships. Human relationships with animals were treated on a largely piecemeal basis, if at all, and were often viewed as ancillary to those relationships truly

¹ Herodotus, *The Histories*, Book 1.23-4, in *The Landmark Herodotus: The Histories*, ed. Robert B. Strassler, trans. Andrea L. Purvis (New York: Anchor Books, 2009), 16. Augustine refers to this story as proof of the credibility of the biblical story of Jonah. Augustine, *City of God*, Book 1.4, trans. Henry Bettenson (London: Penguin Books, 2003).

² “Beagle Wins 2006 VITA Wireless Samaritan Award for Saving Owner’s Life,” *Wireless News* (2006). http://www.accessmylibrary.com/coms2/summary_0286-15413636_ITM (accessed Nov. 2009). This story is also referenced in Barbara Brown Taylor, “The Dominion of Love,” *Journal For Preachers* 31, no. 4 (2008): 27.

³ *Ibid.*

deserving our moral attention – those with other humans. In the twentieth century, however, we find a flowering of philosophical texts dedicated significantly, if not entirely, to the question of human moral relationships with animals. In this thesis I argue that, while these philosophical arguments for greater moral respect for animals have acquired some cultural purchase in relation to systematic abuses of animals in factory farming⁴ and some forms of hunting, they lack the resources for articulating the many complexities inherent in human relationships with other animals. The most prominent of these arguments, expounded by Peter Singer and Tom Regan, represent an extension of earlier Enlightenment moral frames and are thus bound by the same Enlightenment concerns and constraints. They do not sufficiently problematise the modern distinction between humans and animals that has advanced the modern mistreatment of animals to a degree of systematic cruelty unknown in human history. I argue in this thesis that the Christian tradition has richer resources for articulating human moral relationships with other animals – and for problematising the modern framing of the human-animal distinction – than these secular theories possess on their own.

In this way, I offer an answer to David Clough's recent charge: "Theologians should note the shaky foundations of the secular arguments in favour of better standards of non-human animal welfare, and work on developing a better theological account of non-human animals in order to ground a new theological ethical approach to their treatment by humans."⁵ My thesis is by no means the first theological foray into the field of animal ethics. Previous theological accounts, however, still tend to work predominantly within the confines set by secular philosophers. For example, Andrew Linzey clearly articulates his concept of "Theos-rights" for animals from within the conceptual framework of deontological categories. I will argue instead that a richer theological account of human relationships with other animals can be made by embracing the foundational love ethic found in Christianity. The Christian category of

⁴ Ruth Harrison coined the phrase "factory farm" in her 1964 exposé of such systems in Britain. This method of "farming" has taken the mechanical exploitation of animals "to the degree where the animal is not allowed to live before it dies," she writes. Ruth Harrison, *Animal Machines* (London: Vincent Stuart LTD, 1964), 3.

⁵ David Clough, "Playing Chicken: Theology, Economics, Politics and Ethics in the Campaign for Better Conditions for Poultry," *Epworth Review* 35, no. 4 (2008): 47. Yet, this does not mean that a theological account cannot benefit from conversation with secular arguments. Clough states that it is not "inappropriate for Christians to make strategic alliance with those who oppose this cruelty to non-human animals for whatever reason." Theologians, however, must take care to establish their theories in scripture and Church teachings; thus, even when their interests do coincide these secular accounts will be afforded a conversational, supportive role rather than foundational one.

neighborly love represents a normative moral position in its own right rather than a simple addition to or reinterpretation of earlier consequentialist or deontological accounts. I use Jesus' parabolic narrative of the Good Samaritan (Luke 10:25-37) to open up a new way of thinking theologically about animals as potential neighbors. This Introduction will proceed in three stages. I first provide a tour of the major philosophical and theological contributions to animal ethics in the twentieth century. Second, I introduce my theological case for placing animals in the ethical category of neighbor. I conclude thirdly by outlining the questions my main chapters will address as I further explicate this idea.

Yet, before we embark, a note on terminology is appropriate. Our moral thinking is influenced by the complex interaction between linguistic and conceptual spheres and this necessitates a brief comment. The terms that I use to describe something will necessarily affect the concepts that I form of it. Conversely, the concepts I have will likely have an influence on the descriptive language I choose. Thus, the term *animal*, as referring to nonhuman creatures that are neither plants nor inanimate natural phenomena like rocks, cannot be spoken without some trepidation and qualification. I do not believe we must contrive completely new terminology in this regard; we need only be aware of the potential problems in our current usage. I want to draw attention to three specific hazards with this language. First, by naming these creatures, and not ourselves, as "animal" we are in danger of obscuring or forgetting our own deep connection to these creatures. Humans are fond of imagining ourselves as other than animal. Alasdair MacIntyre notes, "Such defective modes of self-understanding and imagination at the level of everyday thought and practice" are still prominent even in light of a modern theoretical acknowledgement of our shared evolutionary history with animals.⁶ Human moral thinking, he believes, requires a "reassertion of human animality."⁷ Accordingly, his own position in *Dependent Rational Animals* draws upon Aristotle, who he believes takes human animality more seriously than most modern philosophers. Aristotelian influence, he points out, caused Thomas Aquinas often to refer to nonhuman animals as "other animals." This phrase is significant for our concepts of both humans and animals (perhaps even more so after Darwin) and one that I will attempt to imitate throughout my later discussions. The second danger is closely aligned with the first. By placing humans as separate and in distinction from other

⁶ Alasdair MacIntyre, *Dependent Rational Animals: Why Human Beings Need the Virtues* (London: Gerald Duckworth & Co. Ltd., 1999), 4.

⁷ *Ibid.*, 5.

animals, we are able to more easily place them outside the scope of our moral thinking. Paul Waldau is especially concerned with this danger: “It causes humans as moral agents not to notice other animals.”⁸ Yet, even when we do speak explicitly of animals, it is possible to do so without truly noticing them as morally considerable. Outlining the various ways humans have conceived of their relationship with animals in the Judeo-Christian tradition, Clough notes that many prominent thinkers simply talk about animals in order to talk about humans. They “have used ‘animal’ to prop up constructions of the human, and are usually not discussing ‘animals’ even when they appear to be doing so.”⁹ Finally, the third problem with this term lies in its broad application. As Waldau notes, it implies sameness between all other animals and thereby obscures significant differences among them.¹⁰ Similarly, Mary Midgley writes that “it is vacuous to talk of ‘the difference between man and animal’ without saying *which* animal.”¹¹ In naming these *other* animals as *neighbors*, I am less concerned with the differing mental abilities that many philosophers find significant for distinguishing between different animal species.¹² I show in chapters two-four that dependency and nearness prove more significant for establishing relationships of neighborly care with other animals. With these dangers now articulated and in mind we now turn to the major philosophical and theological contributions to animal ethics in the twentieth century.

⁸ Paul Waldau, *The Specter of Speciesism: Buddhist and Christian Views of Animals* (Oxford: Oxford University Press, 2002), 91.

⁹ David Clough, “Angels, Beasts, Machines and Men: Configuring the Human and Nonhuman in Judeo-Christian Tradition,” in *Eating and Believing: Interdisciplinary Perspective on Vegetarianism and Theology*, ed. David Grumett and Rachel Muers (London: T & T Clark, 2008), 68. Clough reviews the thought of Philo, Talmudic and Midrashic texts, Moses Maimonides, Thomas Aquinas, and René Descartes.

¹⁰ Waldau, *Specter of Speciesism*, 91.

¹¹ Mary Midgley, *Beast and Man*, Rev. Ed. (New York: Routledge, 1995), 323.

¹² For example: MacIntyre focuses on dolphins because of their complex mental and social natures; Peter Singer finds greater opportunities for experiences of pleasure and pain for his utilitarian calculus as species progress from sentience to self-awareness; Stephen M. Wise, making a legal rather than philosophical case, proposes that animals like gorillas, dolphins, and some parrots should be granted similar dignity rights as humans, but that “as the minds of nonhuman animals resemble less and less the minds of human preschoolers, toddlers, and infants, either because they become simpler or just different...the argument for equality rights weakens.” Stephen M. Wise, *Drawing the Line: Science and the Case for Animal Rights* (Cambridge, MA: Perseus Books, 2002), 236.

Tour of Animal Ethics in the 20th Century

Although the twentieth century has witnessed the most explicit and prolific ethical treatments on other animals, philosophical and theological moral discourse regarding them is not limited to this century. We do well to heed Karl Barth's qualifying remarks in this regard in his own discussion of Protestant theology in the nineteenth century: "But make no mistake, there are in reality no completely closed periods of history that are not in the course of development; this only seems to be the case when, as a result of adequate source material, living men cease to play any part as subjects of history and therefore fail to gain a hearing and fall from view."¹³ Many of the ethical views of animals developed in the twentieth century, as we will see, involve revisions of earlier ideas about animals proposed in previous centuries. Many modern theories are, in part, a reaction against René Descartes's now infamous theory, or rather lack there of, of animal minds. In 1646 Descartes wrote a letter to the Marquess of New Castle expressing his opinion that because animals lack linguistic abilities they must also lack minds. "This seems to me a very strong argument to prove that the reason why animals do not speak as we do is not that they lack the organs but that they have no thoughts."¹⁴ Animals, he later repeats, are "natural automata" which move without thought.¹⁵ In the eighteenth century, questions about the ethical treatment of animals were notably taken up by Immanuel Kant and Jeremy Bentham. Although these figures only discussed animals as an aside to their larger concern for proper moral relationships between fellow humans, their thinking has proved especially influential for animal ethics in the twentieth century. Kant's deontological approach to ethics provides the

¹³ Karl Barth, *Protestant Theology in the Nineteenth Century: It's Background and History*, trans. Brian Cozenst and John Bowden (London: SCM Press 1972), 18.

¹⁴ René Descartes, *Letter to the Marquess*, in *The Animal Reader: The Essential Classic and Contemporary Writings*, eds. Linda Kalof & Amy Fitzgerald (Oxford: Berg, 2007), 60.

¹⁵ René Descartes, *Letter to Moore*, 61.

Some philosophers in the twentieth century appear to follow Descartes's denial of language, and thus concepts or interests to animals, notably R.G. Frey, *Interests and Rights* (1980) and Anthony Kenny, *Aquinas on Mind* (1993). Others, however, have mounted cogent and lengthy defenses of the continuity between human and animal mental abilities and I refer the reader to their arguments for further consideration. Notable works include: Mary Midgley, *Beast and Man* (1979); Peter Singer, *Animal Liberation* (1975); Tom Regan, *The Case for Animal Rights* (1983) (especially chapters 1-3); Bernard E. Rollin, *The Unheeded Cry* (1990); Richard Sorabji, *Animal Minds and Human Morals* (1993); David DeGrazia, *Taking Animals Seriously* (1996) (especially chapters 5-7); For an introduction to the philosophy and methods of the growing field of cognitive ethology, see Allen and Bekoff, *Species of Mind* (1997); See also Goodall, *In the Shadow of Man* (1971); Donald R. Griffin, *Animal Minds* (1992); Bekoff, *The Emotional Lives of Animals* (2007).

As the questions of animal consciousness, intentionality, communication, etc., are not the primary area of concern in my thesis I will engage them where they prove relevant to my immediate arguments.

philosophical foundation for many advocates of animal rights, like Tom Regan, despite the fact that Kant himself denied direct duties to animals. In a footnote in his *An Introduction to the Principles of Morals and Legislation* (first printed in 1780), Bentham intuited the possibility of his utilitarian ethics extending to encompass both humans and other animals. “The question,” he writes, “is not, Can they *reason*? Nor, Can they *talk*? But, Can they *suffer*?”¹⁶ This question marks the starting point for Peter Singer’s later work in *Animal Liberation*. We further cannot over emphasize the enduring influence on animal ethics of Charles Darwin’s work in the nineteenth century. Although we would be mistaken to assume that before Darwin humans failed to see a connection between human and animal life, the significance of Darwin’s work lies in the scientific support he gives to the idea that the difference between “man and the higher animals, great as it is, certainly is one of degree and not of kind.”¹⁷ This observation has provided considerable influence and strength to modern philosophical and theological conceptions of human relationships with other animals. With this brief sketch of their significant predecessors and influences, we can now proceed in our tour of animal ethics in the twentieth century.

Albert Schweitzer’s ethic of respect for life marks the first explicit attempt in the twentieth century to include nonhuman creatures in normal human ethical thinking. In a short article Schweitzer notes the novelty of his proposal. “The movement for the protection of animals has received no support from European philosophy,” he asserts.¹⁸ Instead, he finds human moral responsibility for animals playing a much greater role in Chinese and Indian thought. He directs his criticisms here explicitly at Kant and Bentham. Neither, he claims, regarded kindness to animals as anything more than practice for kindness to humans. Although his assessment of Bentham is questionable, he is surely correct in his criticism of Kant. Earlier in the second volume of his uncompleted *Philosophy of Civilization*, he asserts that Kant “never gets beyond an utterly limited conception of the ethical. He obstinately persists in drawing the boundary of his ethics as narrow as possible, making them concerned with no duties beyond

¹⁶ Jeremy Bentham, *An Introduction to the Principles of Morals and Legislation*, ed. J.H. Burns and H.L. Hart (London: University of London Athlone Press, 1970), 283.

¹⁷ Charles Darwin, *The Descent of Man and Selection in Relation to Sex*, 2nd Ed. (London: John Murray, 1875), 126.

¹⁸ “Die Tierschutzbewegung hat von der europäischen Philosophie keine Unterstützung erfahren.” Albert Schweitzer, “Philosophy and the Movement for the Protection of Animals,” *International Journal of Animal Protection* 1, no. 2 (May 1936): 5, 9.

those of man to man.”¹⁹ In this and the previous volume, Schweitzer looks for a grand theory of life or worldview (*Weltanschauung*) that he feels has eluded earlier thinkers. Such a theory, Schweitzer claims, must view life as possessing value in itself.²⁰ “If there really is a basic principle for the moral, it must be concerned in some way or other with the relations between man and life as such in all its manifestations.”²¹ While sitting in a canoe surrounded by a herd of hippopotamuses in Africa, he conceived of the solution to this problem in the concept “reverence for life.”²² In sum, the ethic of reverence for life means: “It is good to maintain and to encourage life; it is bad to destroy life or to obstruct it.”²³ With this principle, Schweitzer topples the narrow, anthropocentric walls within which he believes earlier philosophers had bound human moral thinking. “Ethics are responsibility without limit towards all that lives,” he writes.²⁴ Schweitzer in this way makes the possession of life, rather than human nature, reason, or language, the final criteria for direct moral consideration.

Schweitzer’s principle may represent a step forward by pushing ethics outside the narrow sphere of human-human relationships, but this broad extension also proves to be problematic both theoretically and practically. This is because respect for life provides no means of distinguishing between respectful treatment of different forms of life. It is not only responsibility without limit; it is responsibility without direction. The ethics of reverence for life insist that “only the maintenance and promotion of life rank as good. All destruction of and injury to life, under whatever circumstance they take place, they condemn as evil.”²⁵ This holds true for all forms of life from humans to animals, insects, plants, and even bacteria. The problem with Schweitzer’s universal ethic, Andrew Linzey notes, is that “even if we do our best most of the time, we are guilty, and guilty most of the time.”²⁶ Even though Schweitzer acknowledges that humans must destroy other forms of life in order to continue living themselves, he only accepts actions that uphold life as morally good. The ethics of respect for life compel the human

¹⁹ Albert Schweitzer, *Civilization and Ethics* in *The Philosophy of Civilization*, Part II, trans. C.T. Campion (New York: The Macmillan Company, 1960), 183.

²⁰ Albert Schweitzer, *The Decay and Restoration of Civilization* in *The Philosophy of Civilization*, Part I, trans. C.T. Campion (New York: The Macmillan Company, 1960), 57.

²¹ Schweitzer, *Civilization and Ethics*, 184.

²² Charles R. Joy, trans. and ed., *The Animal World of Albert Schweitzer: Jungle Insights into Reverence for Life* (Boston: Beacon Press, 1950), 30.

²³ Schweitzer, *Civilization and Ethics*, 309.

²⁴ *Ibid.*, 311.

²⁵ *Ibid.*, 317.

²⁶ Andrew Linzey, *Animal Theology* (Chicago: University of Illinois Press, 1995), 6.

“to decide for himself in each case how far he can remain ethical and how far he must submit himself to the necessity for destruction of and injury to life, and therewith incur guilt.”²⁷ The problem with this indiscriminant ethic is that it makes human life itself an immoral endeavor. We need instead an ethic that takes nonhuman life into account while still allowing humans to pursue their own life in a morally credible manner. Later thinkers, as we will see, accomplish this by distinguishing between those living creatures that possess sentience or the capacity to feel pain and those creatures that do not. For example, in an article aptly titled “Painism,” philosopher Richard D. Ryder insists that humans need not incur guilt from our use and consumption of plants because plants cannot feel pain. We can, thus, “confidently draw the circumference of our moral circle around consciousness and yet still be able to live comfortably.”²⁸ Karl Barth also issues a notable criticism of Schweitzer’s ethic that I will reserve for fuller discussion in chapter six.

In his survey of recent texts on animal ethics, David DeGrazia writes, “More than any other work, Peter Singer’s *Animal Liberation* brought questions about the moral status of animals into intellectual respectability.”²⁹ In this book, first published in 1975, Singer elaborates Bentham’s earlier intuition that an utilitarian ethic based on the capacity to suffer must include nonhuman animals. Singer asserts, “If a being suffers there can be no moral justification for refusing to take that suffering into consideration.”³⁰ Sentience, Singer’s shorthand for the capacity to experience suffering or enjoyment, therefore, marks the boundary in our moral consideration of the interests of other creatures. Singer couples this boundary with a principle of equality to argue that similar interests possess equal moral weight regardless of whose interests they are.³¹ Anything less, he claims, amounts to *speciesism*, a term he adopts from Ryder.³² Singer defines speciesism as “a prejudice or attitude of bias in favor of the interests of members

²⁷ Schweitzer, *Civilization and Ethics*, 317.

²⁸ Richard D. Ryder, “Painism: The Ethics of Animal Rights and the Environment,” in *Animal Welfare and the Environment*, ed. Richard D. Ryder (London: Duckworth, 1992), 197.

²⁹ David DeGrazia, *Taking Animals Seriously: Mental Life and Moral Status* (Cambridge: Cambridge University Press, 1996), 2.

³⁰ Peter Singer, *Animal Liberation*, 2nd Ed. (London: Pimlico, 1995), 8.

³¹ Singer elucidates this idea in later writings: “The principle of equal consideration of interests acts like a pair of scales, weighing interests impartially. True scales favour the side where the interest is stronger or where several interests combine to outweigh a smaller number of similar interests; but they take no account of whose interests they are weighing.” Peter Singer, *Practical Ethics*, 2nd Ed. (Cambridge: Cambridge University Press, 2005), 22.

³² Ryder coined this term in 1970 “as a parallel with racism and sexism.” Ryder, “Painism,” 197.

of one's own species and against those of members of other species."³³ To avoid this charge, therefore, the utilitarian must take into account all comparable interests equally before determining the overall good or evil of a given course of action.

While it introduces a helpful discriminatory element that Schweitzer's ethic lacks, this utilitarian system is not without its own problems. The primary difficulty with the utilitarian approach lies in its emphasis on the experiences of individuals rather than on the actual individuals who do the experiencing. The problem with the hedonistic utilitarianism of Bentham, Tom Regan writes, is that it reduces moral agents and patients to "*mere receptacles*" of pleasure and pain.³⁴ The utilitarian does not value these individuals for their own sakes, but rather for the pleasure and pain they aggregate. This kind of calculus, Regan notes, offers no way to distinguish between victims and persecutors. The pleasure one individual receives from inflicting pain must be weighed equally with the suffering another individual receives from inflicting pain. Regan uses slavery as an example: "*The interests of those who profit from slavery should play no role whatsoever in deciding whether to abolish the institution that furthers those interests.*"³⁵ Similarly, Regan argues, those who profit by exploiting animals do not deserve to have their interests counted with those of the animals they cause to suffer. This emphasis on experiences over individuals also leads to the problem of replaceability. Singer modifies Bentham's hedonistic approach by introducing preferences into the utilitarian calculus. "Preference utilitarians count the killing of a being with a preference for continued life as worse than the killing of a being without any such preference," he writes.³⁶ Therefore, killing those animals, and presumably humans, that lack self-consciousness presents no moral qualms provided that we replace their lives with other unself-conscious beings that will experience an equal amount of pleasure or pain. Michael Lockwood's adaptation of Christina Hoff's "Disposapup Ltd" provides a striking illustration of the counterintuitive implications of Singer's position.³⁷ The utilitarian reduction of all the diverse aspects of life into experienced pleasure

³³ Singer, *Animal Liberation*, 6.

³⁴ Tom Regan, *The Case for Animal Rights*, 2nd Ed. (Berkeley, CA: University of California Press, 2004), 205.

³⁵ Tom Regan, "Animal Liberation: What's in a Name?" in *Defending Animal Rights* (Chicago: University of Illinois Press, 2001), 37. Italics original.

³⁶ Peter Singer, "Killing Humans and Killing Animals," *Inquiry* 22 (1979): 152.

³⁷ In the example, a family realizes that, while a puppy adds pleasure to their lives, it presents an inconvenience when the family wants to go on vacation and becomes an increasing liability as it grows older and loses its youthful allure. A company, Disposapup Ltd., capitalizes on this state of affairs and

and pain presents an additional difficulty in this approach. Martha Nussbaum draws attention to this problem: “But we might think that a good life, for an animal as for a human, has many different aspects: movement, affection, health, community, dignity, bodily integrity, as well as the avoidance of pain.”³⁸ The utilitarian’s inability to account for the differences in these goods and the kinds of pleasure and pain they produce represents a clear shortcoming. The utilitarian calculus, furthermore, makes no room for the moral value of social relationships among individuals. I address this final criticism in chapters two-four where we will find that humans and other animals exist in a series of complex, dependent, and historic relationships that entail unique ethical concern and responsibilities.

In an attempt to overcome these difficulties in utilitarianism, Tom Regan looks to Kant’s deontological ethical approach as the foundation for his theory of animal rights. A moral response is right, in this approach, “because it is right,”³⁹ rather than because it aggregates pleasant experiences or results in beneficial consequences. “A good will is good not because of what it performs or effects, . . . but simply by virtue of the volition; that is, it is good in itself,” Kant claims.⁴⁰ Regan states approvingly that a deontological approach “denies that moral right, wrong, and duty depend *only* on the value of consequences of what we do, either for ourselves individually (ethical egoism) or for everyone affected by the outcome (utilitarianism).”⁴¹ The deontological approach has an obvious advantage over consequentialist approaches in that humans, as finite creatures, lack an ability to consistently and reliably predict what the consequences of their actions will be. This is a particularly relevant concern with regard to human actions toward wild animals.⁴² I do not attempt to argue that a consideration of effects

raises puppies, “house-trains them, supplies them to any willing purchaser, takes them back, [painlessly] exterminates them and supplies replacements, on demand.” Michael Lockwood, “Singer on Killing and the Preference for Life,” *Inquiry* 22 (1979), 169. Rights gets us around the Disposapup problem by insisting on the intrinsic value of individual animals rather than on their aggregated experiences of pleasure and pain. The feminist ethics of care discussed in chapters two and three addresses this problem in a different way by placing value on the relationships that exist between the human family and the adopted pet animal so that simply exchanging it for another is a violation of the responsibility inherent in the relationship.

³⁸ Martha Nussbaum, “The Moral Status of Animals,” in Linda Kalof & Amy Fitzgerald, eds., *The Animal Reader: The Essential Classic and Contemporary Writings* (Oxford: Berg, 2007), 32.

³⁹ Phillip Stratta-Lake, *Kant, Duty and Moral Worth* (London: Routledge, 2000), 11.

⁴⁰ Immanuel Kant, *Fundamental Principles of the Metaphysics of Morals*, trans. Thomas Kingmill Abbott (London: Longmans, Green, and Co., 1900), 9.

⁴¹ Regan, *The Case*, 143.

⁴² Human manipulation of wild ecosystems is problematic, Michael Northcott writes, because they are “affected dramatically by human actions but these actions frequently produce consequences which are

and planning are of no value in the raising of domestic animals or wildlife preservation. I wish only to draw attention to the fact that these cannot be the sole conditions on which the good or evil of such intention is judged. Additionally, as I will demonstrate in chapter three, both consequentialist and rights based positions are unable to adequately account for the spontaneous type of neighborly care sometimes necessitated under a Christian neighborly love ethic.

In developing his theory of animal rights, Regan makes a significant revision of Kant's original thought.⁴³ Kant denies direct duties to animals because animals, as irrational, lack full moral autonomy. Kant writes, "Our duties to animals are indirect duties to humanity."⁴⁴ We have already noted Schweitzer's criticism of Kant's ethics as being too narrowly focused on humanity and we see a similar, though more developed, criticism in Regan. Kant's position, Regan insists, "rests on an impoverished understanding of what animals are."⁴⁵ Just like non-rational human "moral patients," animals possess lives of their own that fare better or worse for them, independently of their utility for rational moral agents. "To deny that we have direct duties to those animals who have an experiential welfare, but to affirm this in the case of human moral patients like these animals in the relevant respects, *would* be symptomatic of an unsupported, and unsupportable, speciesist understanding of morality," Regan insists.⁴⁶ Regan then develops a theory of equal inherent value in which all "subjects-of-a-life" possess value that is independent of their usefulness to others or their aggregation of pleasurable and painful experiences.⁴⁷ He initially limits subjects-of-a-life to "mentally normal mammals of a year or more,"⁴⁸ but he later extends this to include birds and possibly fish.⁴⁹ Thus, because both moral

entirely unforeseen by their human progenitors." Michael Northcott, *The Environment and Christian Ethics* (Cambridge: Cambridge University Press, 1996), 129.

⁴³ Barth also notes the difficulty later philosophers have when attempting to appropriate Kant's thinking into their own. Kant stands as a stumbling block, he claims – "someone determinedly pursuing his own course, more feared than loved, a prophet whom almost everyone even among those who wanted to go forward with him had first to re-interpret before they could do anything with him." Barth, *Protestant Theology*, 266.

⁴⁴ Immanuel Kant, "Duties to Animals and Spirits," in *Lectures on Ethics*, Cambridge Ed., ed. Peter Heath and J.B. Schneewind, trans. Peter Heath (Cambridge: Cambridge University Press, 1997), 213.

⁴⁵ Regan, *The Case*, 193.

⁴⁶ *Ibid.*, 184.

⁴⁷ In sum, "individuals are subjects-of-a-life if they have beliefs and desires; perception, memory, and a sense of the future, including their own future; an emotional life together with feelings of pleasure and pain; preference- and welfare-interests; the ability to take action in pursuit of their desires and goals; a psychophysical identity over time; and an individual welfare in the sense that their experiential life fares well or ill for them." *Ibid.*, 243.

⁴⁸ *Ibid.*, 78.

agents and moral patients possess equal inherent value, they possess the same moral right to respectful treatment.⁵⁰

Theologian Andrew Linzey argues for animal rights from a theological perspective in his influential book *Christianity and the Rights of Animals*. This represents a substantial shift from his earlier book on animal rights which was published several years before Regan's classic *The Case for Animal Rights*, but whose arguments would find happy company in Regan's text. In this first book, Linzey names sentiency as the most appropriate qualification for a rights holder. His primary claim here also rests on a similar equality principle that we find in Regan – that it is inconsistent to grant rights to human children or mental patients who are not fully rational while denying rights to animals of similar mental capacity.⁵¹ Yet, in his later, more mature writing Linzey largely abandons this line of argument in favor of a more theologically robust account. In his proposal of “Theos-rights” Linzey states that God, as Creator, has primary rights over creatures. “All creation, large and small, intelligent and unintelligent, sentient and non-sentient has worth because God values it.”⁵² This basic worth, however, does not mean that all creatures should possess rights. Linzey admits here that sentiency, or the ability to suffer, is an insufficient theological criterion for rights possession. He finds more appropriate biblical grounds in the possession of “spirit, flesh, and blood.”⁵³ Creatures possessing these qualities, he claims, possess an additional “inherent value.”⁵⁴ Although I do not articulate this in the same way, I agree with Linzey that while the bible clearly finds value in all creatures as created by God, it also expresses a unique concern for humans and other animals. The unique way that the bible describes other animals gives us reason, I argue, for viewing them as potential neighbors. We find examples of this in the creation of humans and land animals on the same day in Gen. 1, the covenant with humans and all animals in Gen. 9, and the explicit inclusion of domestic

⁴⁹ Tom Regan, *Empty Cages: Facing the Challenge of Animal Rights* (Landham, MD: Rowman and Littlefield, 2004), 59, 61.

⁵⁰ Joel Feinberg makes a similar argument for animal rights based on a comparison with human “marginal cases.” For Feinberg, the possession of interests does not automatically confer rights on an individual, but it does prove that the individual in question is “the kind of being to whom moral or legal rights can be ascribed without conceptual absurdity.” Joel Feinberg, “Human Duties and Animal Rights,” in *On the Fifth Day: Animal Rights and Human Ethics*, ed. Richard Knowles Morris and Michael W. Fox (Washington, D.C.: Acropolis Books, 1978), 55.

⁵¹ Andrew Linzey, *Animal Rights: A Christian Assessment of Man's Treatment of Animals* (London: SCM Press, 1976), 27, 24.

⁵² Andrew Linzey, *Christianity and the Rights of Animals* (London: SPCK, 1987), 9.

⁵³ *Ibid.*, 79.

⁵⁴ *Ibid.*, 80.

animals in the Mosaic covenant of Ex. 20. I develop this idea in greater detail in chapter five. Linzey and Regan's accounts of animal rights also possess similarity with my own proposal in their emphasis on the moral significance of the individual rather than on his/her experiences of suffering or pleasure as in utilitarianism. As I demonstrate in chapters two-four, however, the major shortcomings of rights language lies in its inability to account for the moral significance of emotions or relationships of dependency and nearness.

These concerns are addressed in part by Alasdair MacIntyre in his *Dependent Rational Animals*. Here MacIntyre critiques his own previous work in *After Virtue* along with most of Western philosophy influenced by Aristotle for paying inadequate attention to the reality and moral relevance of dependency. He argues, "The virtues of independent rational agency need for their adequate exercise to be accompanied by what I shall call the virtues of acknowledged dependence."⁵⁵ In contrast to the "continuously rational, healthy, and untroubled" moral agents populating the pages of many past philosophy books,⁵⁶ MacIntyre draws attention to the reality of human life as characterized by vulnerability and dependency throughout, from infancy, sickness, injury, to old age. He also notes that in this regard humans are no different from other intelligent animals and he spends a sizeable portion of his book looking at the similarities between humans and dolphins. In this way, MacIntyre offers a compelling revisionary critique of virtue ethics. Although my thesis will not follow his close Aristotelian and Thomistic line of thinking, I do acknowledge the significance of this observation for human moral relationships with animals. In chapter two particularly, I bring his arguments into conversation with feminist ethics in order to address the moral significance of dependency in human care for other animals.

Beginning in the late twentieth century feminist ethicists have also mounted critiques of both modern systematic abuses of animals and earlier utilitarian and deontological attempts at addressing these abuses. Partly because of the decentralized nature of feminist methodology, we cannot specify *the* feminist position or critique of animal ethics. Broadly speaking, however, feminist writers criticize these previous positions for their dismissal of human emotion as significant for moral thinking, their preference for universal categories and norms over specific individuals and situations, and the general, patriarchal neglect of women's cultural experiences and points of view in the development of moral theories. Carol Gilligan's book, *In A Different*

⁵⁵ MacIntyre, *Dependent Rational Animals*, 8.

⁵⁶ *Ibid.*, 2.

Voice, published in 1982, has been widely influential in articulating the different moral priorities prevalent in men and women. In distinction from Kant and his later interpreters, Gilligan writes, “The morality of rights differs from the morality of responsibility in its emphasis on separation rather than connection, in its consideration of the individual rather than the relationship as primary.”⁵⁷ Gilligan argues that traditionally masculine ethical theories, like Kant’s, tend to overlook the significance that relationships between individuals play in human, especially feminine, moral thinking. Two years later, Nel Noddings developed Gilligan’s basic observations and ideas into a distinct ethical perspective in *Caring*. In this book, Noddings addresses both human relationships with other humans and other animals. With respect to animals, she claims, “I must resist [Singer’s] charge that we are guilty of ‘speciesism’ in our failure to accord rights to animals, because I shall locate the very wellspring of ethical behavior in human affective response.”⁵⁸ Noddings makes a clear moral distinction between humans and other animals, but this does not prevent her from including animals in her circle of care. Although they have been subject to criticism and revision since their first inception, these foundational works by Gilligan and Noddings “nevertheless, remain central to understanding the origins of, and many directions within, feminist ethics today.”⁵⁹ I develop and critique these theories in relation to their extension to animals and the Christian neighborly love ethic in chapters two and three.

Although we could mention several additional feminist writers here, two thinkers particularly noteworthy in the field of animal ethics are Mary Midgley and Carol J. Adams. Midgley claims that the major problem with utilitarianism is its “hedonistic framework. Pain and pleasure are indeed very important for certain purposes, but they cannot possibly be the only things that matter in life.”⁶⁰ She shares with Gilligan and Noddings an insistence that emotional and social bonds are morally relevant. In her book, *Animals and Why They Matter*, Midgley argues that “all human societies have involved animals” and that this closeness places unique responsibilities on humans for those animals with whom we have shared a historic relationship. Midgley’s thesis is significant in that, contrary to Singer and Regan, she envisages a moral

⁵⁷ Carol Gilligan, *In a Different Voice* (Cambridge, MA: Harvard University Press, 1982), 19.

⁵⁸ Nel Noddings, *Caring: A Feminine Approach to Ethics and Moral Education* (Berkeley, CA: University of California Press, 1984), 3.

⁵⁹ Eve Browning Cole and Susan Coultrap-McQuin, “Toward a Feminist Conception of Moral Life,” in *Explorations in Feminist Ethics: Theory and Practice*, ed. Eve Browning Cole and Susan Coultrap-McQuin (Bloomington, IN: Indiana University Press, 1992), 3.

⁶⁰ Mary Midgley, *Animals and Why They Matter* (Athens, GA: University of Georgia Press, 1983), 96.

community between humans and other animals that permits compassionate animal keeping rather than a total abolition of human-animal working relationships. As theologian, Michael Northcott observes, philosophical positions that simply believe these animals “should not *be* in such places” offer little relevance or guidance to scientists and farmers who might also be concerned about animal welfare.⁶¹ I explore this idea more fully in chapter four. In her earliest, and perhaps most influential and provocative, book, *The Sexual Politics of Meat*, Adams links feminist theory and vegetarianism. “Feminist theory logically contains a vegetarian critique that has gone unperceived, just as vegetarianism covertly challenges a patriarchal society.”⁶² She examines several diverse sources, from cookbooks to literature, to make the case for a historic link between the slaughtering and eating of animals and the patriarchal control and abuse of women in many societies. I will consider Adams’s arguments, particularly those of her later book, *Neither Man Nor Beast*, in my final chapter where I articulate a theologically informed vegetarianism.

The Parable of the Good Samaritan and Animal Neighbors

My own contribution to the growing field of animal ethics in the twenty-first century involves a theological critique of these earlier positions by placing animals in the ethical category of neighbor, as informed by Jesus’ parable of the Good Samaritan (Luke 10:25-37). Before I explicate my position, however, a stronger articulation of the methodological uses of scripture and insights from non-theological disciplines as well their interaction with Christian ethics in this treatment warrants attention. A defense of the mere use of the bible as a primary source for Christian ethics hardly seems necessary. As Thomas W. Ogletree observes, “Given the role of the Bible in Western Civilization, almost any of our moral notions will reflect its impact in some fashion.”⁶³ The concepts and language found in scripture have contributed to the shape and development of moral discourse in the West in ways that simply cannot be overlooked. Zenon Bańkowski, for example, articulates the legal interaction between love and

⁶¹ Michael Northcott, “‘They Shall Not Hurt or Destroy in All My Holy Mountain’ (Isaiah 65:25): Killing for Philosophy and a Creaturely Theology of Non-Violence,” in *Creaturely Theology: On God, Humans and Other Animals*, ed. Celia Deane-Drummond and David Clough (London: SCM Press, 2009), 238.

⁶² Carol J. Adams, *The Sexual Politics of Meat: A Feminist-Vegetarian Critical Theory*, 10th Anniversary Ed. (New York: Continuum International Pub, 2006), 27.

⁶³ Thomas W. Ogletree, *The Use of the Bible in Christian Ethics* (Oxford: Basil Blackwell, 1984), 5.

law through an explication of biblical parables such as the Good Samaritan.⁶⁴ Furthermore, we may affirm along with J.I.H. McDonald that although Christian ethics itself as a discipline has emerged from a number of sources such as philosophy, theology, exegesis, and social science, “it is unlikely to lose sight of its compound nature, one element of which is its biblical base.”⁶⁵ Thus, “the area of difficulty lies not in the general principle [of a relationship between the bible and Christian ethics], but in the practicalities of this interaction.”⁶⁶ The question is not whether the bible has something to say to Christian ethics, but in what way Christian ethics uses the bible in its own moral discourse.

One potential way forward would be to take an historical perspective and trace the place of animals in ancient Israelite and early Christian communities. Laura Hobgood-Oster does this to a certain extent with the Christian tradition in her recent book.⁶⁷ In as much as the bible is comprised of human documents written in a specific time and place, historical study and reconstruction are invaluable to the exegete. Yet, the Christian ethicist must also move beyond historical criticism to ask new questions of the text. Ogletree writes that interpretation “does not consist simply in the exposition of original meanings. It finally involves an enlargement of the understanding of the interpreter concerning that about which the texts speak as a result of an encounter with the text.”⁶⁸ An awareness of the original writers’ concerns and unique cultural situations are important for ensuring that our modern readings do not violate the ethical thrust of the text, yet we must also remain open to what the text may say to us in our own unique setting. This complex exchange is necessary because of the historical distance between the two groups of readers. Because of the differences in worldviews, McDonald claims, “at best, one could hope to join in the process of Christian moral decision-making which clearly exercised the minds of the apostles . . . and perhaps share, however remotely, in the moral integrity of Jesus.”⁶⁹ In my own reading of Jesus’ parable of the Good Samaritan and other relevant biblical texts I utilize the

⁶⁴ Zenon Bańkowski, *Living Lawfully: Love in Law and Law in Love* (Dordrecht, The Netherlands: Kluwer Academic Pub., 2001). See especially chapter six. Robert Spaemann also notes the continued relevance of this parable in German penal law. Robert Spaemann, *Happiness and Benevolence*, trans. Jeremiah Alberg (Notre Dame, IN: University of Notre Dame Press, 2000), 111.

⁶⁵ J.I.H. McDonald, *Biblical Interpretation and Christian Ethics* (Cambridge: Cambridge University Press, 1993), 2.

⁶⁶ *Ibid.*

⁶⁷ Laura Hobgood-Oster, *Holy Dogs and Asses: Animals in the Christian Tradition* (Chicago: University of Illinois Press, 2008).

⁶⁸ Ogletree, 2.

⁶⁹ McDonald, 3.

insights of textual critics like Crossan, Von Rad, and Westermann. Yet I do so in a way that still allows for a fresh encounter with these texts. I ask what the ethical thrust of these passages might mean for the new situations humans find themselves in with relation to other animals.⁷⁰

Ogletree writes, “Interpretation requires us to formulate the questions lying behind the texts in ways that are real to us. A real question is one capable of shaking the hold of our taken-for-granted opinions. It is a question which places our own opinions in question.”⁷¹ As I alluded to earlier in this Introduction, narratives possess a unique ability to draw in a reader and open up new questions and ways of relating. This is precisely what Jesus does for the lawyer in Luke 10. The lawyer asks Jesus to expound the meaning of neighbor in the law and Jesus responds by telling a parable about neighborly love. The lawyer can discover the answer to his question only by entering into the story and encountering another as neighbor. Rowan Williams asserts that Christian language takes it for granted that meanings are learned and produced rather than given in iconic or ahistorical form. “Christian interpretation,” he claims, “is unavoidably engaged in ‘dramatic’ modes of reading: we are invited to identify ourselves in the story being contemplated, to re-appropriate who we are now, and who we shall or can be, in terms of the story.”⁷² Biblical narratives offer to transform the life of the reader rather than simply proposing a set of rules or iconic moral exemplars. Williams notes that this is especially significant of the “parabolic mode of Jesus’ teaching.”⁷³ Stanley Hauerwas and David Burrell also remark on the significance of narrative for ethical reflection. To reject narrative, they claim, is to reject an accurate account of moral experience.

Stories, then, help us, as we hold them, to relate to our world and our destiny: the origins and goals of our lives, as they embody in narrative form specific ways of acting out that relatedness. So in allowing ourselves to adopt and be adopted by a particular story, we are in fact assuming a set of practices which will shape the ways we relate to our world and destiny.⁷⁴

⁷⁰ In chapter six I take a similar approach to a close reading of a particular passage from Barth’s *Church Dogmatics*.

⁷¹ Ogletree, 3.

⁷² Rowan Williams, *On Christian Doctrine* (Oxford, Blackwell Pub., 2000), 50.

⁷³ *Ibid.*

⁷⁴ Stanley Hauerwas and David Burrell, “From System to Story: An Alternative Pattern for Rationality in Ethics,” in *Why Narrative: Reading Narrative Theology*, ed. Stanley Hauerwas and L. Gregory Jones, 158-190 (Grand Rapids, MI: William B. Eerdmans, 1989), 186.

In this thesis I take up a narrative approach to animal ethics through the particular narrative of Jesus' parable of the Good Samaritan. I demonstrate that a narrative ethics arising from this text involves an approach to human relationships with animals which is not simply arbitrary. This parable is unique in the way it upturns the lawyer's conventional opinions and offers an answer that can only be fully known when experienced. As Crossan points out, the original cultural situation of the parable prevents an interpretation that amounts to a simple, blind following of the Samaritan's example. If this were all that was expected, Jesus would have done much better to name the man as a fellow Jew than a despised Samaritan.⁷⁵ The lawyer can only "Go and do likewise" (Luke 10:37)⁷⁶ by transforming his preconceptions and being truly open to an encounter with the other. By adopting this particular story I hope to open up new questions with regard to our relationships with animal others and allow it to shape this often neglected dimension of human moral relatedness.

This approach proves significant for my use of knowledge gained from scientific and other philosophical studies. The narrativist approach I am adopting by using the parable paradigm "seeks to fit the world into the story of God rather than God into the story of the world."⁷⁷ Scientific knowledge and study are important for Christian ethics, but they are not foundational to Christian ethics. The foundation is the divine story; it is in this story that Christians discover who they are and what it means to exist as creatures in relationship. Truth for the Christian is ultimately based in the life-story of Jesus Christ.⁷⁸ It is only because the divine Word has first become neighbor to creatures that we are then able to both be and know what it means to be neighbor to others. Once we have entered into this story and open ourselves up to the other as neighbor we are then freed to use our knowledge of the other and her specific needs in order to inform and discern the most appropriate response. This is why, for example, my first chapter takes a close look at the insights gained from the scientific field of animal ethology but finds its real ethical force in its discussion of humans created in the *imago Dei*.

Speaking from a more Thomistic theological perspective, Servais Pinckaers also offers insightful observations into this complex interaction. He asks,

⁷⁵ John Dominic Crossan, "Parable and Example in the Teaching of Jesus," *Semeia*, no. 1 (1974): 76.

⁷⁶ Unless otherwise noted, all biblical quotations come from the New Revised Standard Version.

⁷⁷ Gerard Loughlin, *Telling God's Story: Bible, Church and Narrative Theology* (Cambridge: Cambridge University Press, 1996), 34.

⁷⁸ *Ibid.*, 22. This point is elaborated in chapter 4.1c.

Should ethics, understood in a theological context, claim autonomy as a science based exclusively on rational norms? In this case, revelation's role would be simply one of confirmation and external inspiration. Or rather, should Christian ethics consider revelation as its principle and direct source?⁷⁹

“Without a moment's hesitation,” he asserts, “I choose the second alternative.” For Pinckaers the priority of scripture and faith for Christian ethics in no way fetters the use of reason. Reason, rather, is viewed as “the power of human intelligence simultaneously open to spiritual enlightenment and faithful to the rigorous discipline of thought.”⁸⁰ Reason may direct the shape our moral action takes, but it cannot serve as an adequate origin for that moral action. For that we require revelation. We require an alternative story. Pinckaers goes on to outline three dangers in the relation of moral theology to the behavioral sciences. It is possible to view these points in the frame of two competing narratives. First is the danger of abdicating ethics to scientific explanation. “Carried away by the success of the behavioral sciences, [we] will be limited to a ‘shifting morality’ adapted to the prevailing opinions of a given time or milieu.”⁸¹ Yet if kept to their proper descriptive methods the sciences have no directly normative function for human behavior. Second, he refers to the “high-handedness” of science. Science may be tempted but it cannot explain everything. This is rather a philosophical leap resulting from a kind of faith in science and scientific reasoning. Third is the danger of creating a one-dimensional world. Science “concentrates on phenomena, whatever can be perceived by the senses or scientific instruments.”⁸² In such a world morality has no role to play. Because of the descriptive power of scientific observation the Christian ethicist cannot overlook this source of knowledge, but neither should she abdicate her judgment to serve as a mere theological affirmation of scientific explanation. She must rather seek to incorporate this knowledge into the wider story of God in which we and all other creatures participate.

We turn now to the central thesis of this dissertation – the consideration of nonhuman animals in the ethical category of neighbor as explicated through the parable of the Good Samaritan. I have stated above that I agree with Linzey's intuition that all aspects of creation

⁷⁹ Servais Pinckaers, *The Sources of Christian Ethics*, trans. Sr. Mary Thomas Noble (Edinburgh: T&T Clark, 1995), 13.

⁸⁰ *Ibid.*

⁸¹ *Ibid.*, 75.

⁸² *Ibid.*, 78.

possess a basic value deriving from their creation by God as “good” and even “very good” (Gen. 1). Humans, in this way, cannot simply disregard any aspect of the created world as possessing no value for our ethical thinking. Yet, this does not mean that all creatures possess the same value. I disagree with Schweitzer that the correct Christian response to the world is a flat respect for life. When we encounter another creature, we must respect the kind of creature that it is in order to generate an appropriate moral response. We value some creatures, like plants, inanimate natural phenomena, and possibly even ecosystems as a whole, aesthetically and instrumentally as habitat. Yet their basic, derivative value as created and valued by God also dictates the character with which we value and interact with these creatures. They demand the kind of respect typified in stewardship ethics.⁸³ As I will demonstrate in later chapters, because of the many commonalities between human and animal natures, animals demand an additional, uniquely relational kind of moral response. They, like humans, are the kinds of creatures that deserve to be treated as neighbors.⁸⁴ For now I want to demonstrate that the biblical concept of neighbor as expressed in our parable can in fact extend itself to include other animals as apposite subjects of neighborly concern.

⁸³ A full exposition of stewardship ethics is beyond the scope of this thesis, although I do address it in relation to animal ethics in chapter five. For a cogent description of the stewardship position see Robin Attfield, *The Ethics of Environmental Concern* (Oxford: Basil Blackwell Pub., 1983). He argues that the Christian tradition, especially through John Calvin, possesses a strong metaphor of stewardship that provides a ready foundation on which to develop an environmental ethic. His extension of intrinsic value to plants, however, is problematic. This creates similar difficulties as we saw in Schweitzer of how human life itself can be lived ethically given our need to consume other forms of life. Attfield attempts to overcome this dilemma by resorting to a kind of utilitarian argument. “Moral standing should not be confused with moral significance” and, therefore, plants and bacteria “could have a moral standing and yet have an almost infinitesimal moral significance, so that even large aggregations of them did not outweigh the significance of sentient beings in cases of conflict.” Ibid., 154. I have already addressed some of the difficulties with an utilitarian ethic, but Attfield’s argument here is problematic even on utilitarian grounds. We are faced here with the problem of equal comparisons. Singer takes pain as the common denominator for moral significance because it is an experience all sentient creatures share and share equally. Yet, it is difficult to see how we might compare the good of a tree with the good of a rabbit or a human. A creature’s good is dependent on the kind of being that it is and these different kinds of good do not easily translate. Furthermore, we might ask why Attfield does not go the way of Aldo Leopold and consider the good of a mountain?

⁸⁴ While this thesis confines itself to viewing animals rather than insects as neighbors, the moral placement of insects does pose an interesting question. For example, from a legal point of view, Stephen M. Wise entertains the idea that honeybees, because of their complex communicative dances, might possess a low level of practical autonomy. Biologist Edward O. Wilson, on the other hand, describes a colony of leafcutter ants as “an organic machine” or “superorganism.” “The superorganism’s brain is the entire society; the workers are the crude analogy of its nerve cells. Seen from a distance, the leafcutter colony resembles a gigantic amoeba.” Edward O. Wilson, *Biophilia* (Cambridge, MA: Harvard University Press, 1984), 34.

The parable of the Good Samaritan readily embraces nonhuman animals as neighbors because it focuses on the action rather than recipient of neighborly love. American theologian Paul Ramsey elucidates, “The parable actually shows the nature and meaning of Christian love which alone of all ethical standpoints discovers the neighbor because it alone begins with neighborly love and not with discriminating between worthy and unworthy people according to the qualities they possess.”⁸⁵ Although Ramsey speaks only of humans in his exposition of the parable, his line of thinking needs not stop there. The lawyer in the story “asked for a definition of ‘my neighbor’; Jesus told a story defining instead the meaning of ‘neighborly love.’”⁸⁶ The impetus of Christian neighborly love, in this way, lays not in defining those individuals that are deserving of our care, but rather in providing care. “Animals are generally speaking, less intelligent, less valuable, less highly esteemed, and less important than human beings,” C.W. Hume claims; but in choosing a Samaritan as the hero, Jesus indicates that “the duty of good-neighbourliness is not conditioned by the esteem in which its object is held.”⁸⁷ Neighborly love does not care for the high or low regard with which we hold an individual or whether that regard is based on social or species discriminations. From the perspective of the parable of the Good Samaritan, it is the act of loving, rather than the status of the one loved, that counts.

Zenon Bańkowski, in his legal exposition of Luke 10, correctly perceives the ethical thrust of the parable’s message: “One must go further than applying the legal definition, one must connect with those who in terms of the law are not your neighbours.”⁸⁸ Neighborhood, he observes, is based on action rather than legal description. “The Good Samaritan applies the rule ‘love thy neighbour’ to someone who only becomes a neighbour in that application.”⁸⁹ In other words, the act of loving creates neighborhood between two individuals. As Karl Barth observes, “my neighbour is an event.”⁹⁰ We cannot always expect to know ahead of time who our neighbor will be nor to whom we ourselves may be called to be neighbors. This idea will be explored in more depth in chapter four. For now we can simply note the significance of Jesus’ counter question to the lawyer at the conclusion of the parable: “Which of these three seems to

⁸⁵ Paul Ramsey, *Basic Christian Ethics* (New York: Charles Scribner's Sons, 1950), 93.

⁸⁶ *Ibid.*, 92.

⁸⁷ C. W. Hume, *The Status of Animals in the Christian Religion* (London: UFAW, 1956), 52.

⁸⁸ Bańkowski, *Living Lawfully*, 100.

⁸⁹ *Ibid.*

⁹⁰ Karl Barth, *Church Dogmatics* I.2, ed. Geoffrey William Bromiley and Thomas Forsyth Torrance (Edinburgh: T. & T. Clark, 1956–1975) in The Digital Karl Barth Library, 419. All future references to the *Church Dogmatics* will be noted with *CD*.

you to have become [γεγονέναι] a neighbor?”⁹¹ Jesus’ question concerns itself with the *subject* of neighborliness rather than the *object* of neighborly concern like the lawyer’s.⁹² It is in the act of loving, of pausing and taking notice of the needs of others, regardless of their station or taxonomy, that the parable focuses our attention.

Thus, for Jesus the question of neighborly love “is not a cry for limitation but for an opportunity.”⁹³ Caring for animals presents an opportunity to demonstrate the unlimited bounds of neighborly love. Love in this sense is not a limited resource that must be cautiously reserved for a narrowly defined group. Whether one chooses to stop at the boundary of one’s own community or the human species, neighborly love need not restrict itself to such limitations. Moreover, granting neighborly love to animals does not lead to a diminishment of the Christian’s capacity to love human neighbors. Historian Keith Thomas reports, for example, that in 17th and 18th century England “the concern for animal welfare was part of a much wider movement which involved the spread of humane feelings towards previously despised human beings, like the criminal, the insane or the enslaved.”⁹⁴ Theologian Robert Wennberg calls this the “logic of the line” fallacy – “the charge that moral concern for animals will unacceptably divert moral energy from human beings.”⁹⁵ We would be hard pressed to find such logic in the bible. For a counter example, Midgley cites the Old Testament prophet Nathan’s story of a man who had a lamb that “grew up with him and with his children, it used to eat of his meager fare, and drink from his cup, and lie in his bosom, and it was like a daughter to him” (2 Sam. 12:3). This story strikes

⁹¹ My translation. The NRSV reads: “Which of these three do you think was a neighbor...?” I feel the phrase ‘to have become’ conveys a truer sense of γεγονέναι in the context of this parable; γεγονέναι, a perfect active infinitive, as Mounce observes, denotes “a completed action with ongoing implications.” William D. Mounce, *Basics of Biblical Greek Grammar*, 2nd Ed. (Grand Rapids, MI, Zondervan: 2003), 302. Similarly, Nolland argues that “It is probably justified to press the perfect tense form of γεγονέναι, ‘to have become,’ and to say that the Samaritan became neighbor in his compassionate actions.” John Nolland, “Luke 9:21-18:34,” in *Word Biblical Commentary*, vol. 35b, ed. David A. Hubbard and Glenn W. Baker *et al* (Dallas, TX: Word Books, 1993), 59.

⁹² Charles A. Kimball, *Jesus’ Exposition of the Old Testament in Luke’s Gospel* (Sheffield: Sheffield Academic Press, 1994), 132.

⁹³ Taylor C. Smith, “Parable of the Samaritan,” *Review and Expositor*, 47, no. 4 (1950), 441.

⁹⁴ Keith Thomas, *Man and the Natural World: Changing Attitudes in England 1500-1800* (New York: Penguin Books, 1983), 184.

Kathryn Shevelov, among others, has also noted that the early animal welfare movement “was inextricably tied to other humanitarian causes: it was part of a larger wave of reform that swept England in the later eighteenth century.” Kathryn Shevelov, *For the Love of Animals: The Rise of the Animal Protection Movement* (New York: Henry Holt & Co., 2008), 5.

⁹⁵ Robert N. Wennberg, *God, Humans, and Animals: An Invitation to Enlarge Our Moral Universe* (Grand Rapids, MI: William B. Eerdmans Pub., 2003), 27.

against the opinion that “no creature ought seriously to concern us which is not of our own species,” Midgley claims.⁹⁶ The man’s care for his lamb took nothing away from his love for his human children. “It is time,” Midgley asserts, “that some reason was offered for this extraordinary assumption” that love for animals detracts from our love for humans.⁹⁷ The so-called “species-barrier” fails to provide adequate grounds for limiting human care.⁹⁸ In the New Testament we find quite the opposite to be true. Luke 13:10-17 provides an example of love for animals actually encouraging love for humans. Here Jesus heals a woman from a sickness on the Sabbath day. When the leader of the synagogue objects, Jesus justifies his action by referring to the care that animals are granted on the Sabbath: “Does not each of you on the sabbath untie his ox or his donkey from the manger, and lead it away to give it water?” (13:15). Rather than negating our care for humans, caring for animals reveals the unrestrictive love that should characterize all our interactions. This example is, thus, in line with the trust of Luke’s parable in chapter 10. Christian teaching on neighborly love is concerned primarily with the act of loving or with proving neighbor to the one in need. All other concerns, like the status of the one in need or even the demands of Sabbath, are secondary to the fundamental act of love. Therefore, we can see that whether it be a sickly woman on the Sabbath, an animal in need of water, or a pet lamb and one’s children, neighborly love does not falter at the species line.

Outline of Main Chapters

The body of my thesis proceeds in two stages. The first and largest section identifies and explores three themes key to interpreting the parable with a view toward animal ethics: *responsibility*, *care*, and *nearness*. After expounding these three themes, I then employ them in the second section to examine two specific theological issues: *dominion* and *vegetarianism*. The theme of responsibility occupies my first chapter. I address this issue from two sides. From the animal side, I first ask to what degree, if any, can nonhuman animals be held responsible for their actions toward humans. In other words, if the traveler on the road from Jerusalem to Jericho had been attacked by wild animals rather than human robbers, would we hold the

⁹⁶ Mary Midgley, “Brutality and Sentimentality,” *Philosophy* 54, no. 209 (1979), 389.

⁹⁷ *Ibid.*

⁹⁸ Although he is not speaking from a philosophical or theological perspective, ethologist Marc Bekoff makes a similar point: “Respecting, protecting, and loving animals wouldn’t compromise science, nor would it mean we’d respect, protect, and love humans less.” Marc Bekoff, *The Emotional Lives of Animals* (Novato, CA: New World Library, 2007), 23.

animals morally accountable for this action? Would they be subject to punishment due to guilt? From the human side, I then ask what responsibilities we may have for animals as neighbors. To answer these questions I draw on contemporary studies in animal ethnology as well as the primary theological distinction between humans and other animals, that of the *imago Dei*. The thought of Emil Brunner and Karl Barth proves crucial for my definition of responsibility as a property that only human creatures, as freely responsive to God and others, truly possess. In drawing on these two theologians, I acknowledge a certain dependence on the Kantian conception of responsibility as a property resulting from freedom of choice. Nonetheless, I argue that it is humanity as created in unique relationship with God and other creatures that truly grounds their freedom of response, and thus their responsibility.

The second theme of caring, or sympathy, occupies chapters two and three. Although the priest or the Levite, as fellow Jews, may have had a greater duty to aid the fallen traveler, it is the Samaritan who finally cares for him. The Samaritan did this, the text says, because he “was moved with pity” (*ἔσπλαγγίσθη*) (Luke10:33), not because he felt obligated. In these chapters I question whether the Kantian sense of duty alone, as adopted in justice-based rights theories, is sufficient motivating force for benevolent moral action toward animals. Instead I suggest along the critical lines of feminist care theory, that sympathy represents a valid basis for moral action. The caring perspective, as its theoretical founder Carol Gilligan observes, de-emphasizes the abstract, universality of ethical rules in favor of particular relationships between actual individuals. This idea coincides with the first chapter’s analysis of the *imago Dei* as human responsible relationship with God and other creatures. In chapter two I am primarily preoccupied with the question of sympathetic extension – are other animals fitting subjects of human care? In chapter three I investigate different levels of care and answer a potential weakness of the feminist ethics of care that can be overcome with an appeal to the Christian concept of neighborly love.

We arrive at the final theme of nearness in chapter four. Closely aligned with the previous chapters, this theme asks how far we can extend our care. Must we care equally for all neighbors wherever they may be, or do we show greater care for those neighbors closer to us? The Samaritan, the parable says, is the one who “came near” (*ἦλθεν κατ’*) (Luke10:33). This proximity is the whole point of the parable, theologian Robert Spaemann claims. “The Samaritan is a foreigner who comes by chance across a man who needs his help. He is the one

who happens to be close by.”⁹⁹ This chapter proceeds in two stages. I first investigate the significance of nearness for Christian neighborly love. Second, I apply this insight to human relationships with animal neighbors. I argue that human responsibility for animals is not monolithic, but varies in degree according to the nearness of the animal to human society. In doing so I modify a phrase by Clare Palmer to outline a *taxonomy of nearness* in which responsibilities to wild, domestic working, and pet animals can be established and differentiated.¹⁰⁰

In the final two chapters I explore the implications of a Good Samaritan animal ethic on specific moral issues related to human relationships with animals. In chapter five I ask what the Christian notion of human dominion over animals might look like when animals are viewed as neighbors. I argue that the command in Gen. 1:28 for humans to have dominion (*rādā*) over animals can be distinguished from the subsequent command to subdue (*kābaš*) the earth. Human dominion, I contend, describes a relationship between two relational subjects, like that of the ancient shepherd king, or Martin Buber’s more contemporary I and Thou. In light of this distinction I then critique a common tendency in both Christian stewardship ethics and environmental land ethics of lumping together animals, plants, and inanimate natural phenomena into a singular other to which humans have a singular responsibility. Such a compilation is inappropriate because it ignores important differences between these different kinds of creatures and, therefore, the differing levels of respect apposite to them. In chapter six I ask whether dominion, viewed in light of neighborly love for animals, is consistent with a normative practice of human consumption of other animals. In other words, can we consistently view other animals as both neighbors and food? This chapter primarily takes the form of a dialogue with Karl Barth and his discussion of killing animals in *Church Dogmatics* III/4. In the first half of the chapter I critique the comparisons between human hunting and animal predation often made by environmental philosophers in light of Barth’s concept of human sin and violent struggle for life existing only in the present, historical “caveat” (*Vorbehalt*). In the second half of the chapter I compare the human killing of animal neighbors to Barth’s exposition of the *Grenzfall*, extreme case, of killing human neighbors. I argue that the *Grenzfall* is a conceptual category that offers

⁹⁹ Spaemann, *Happiness and Benevolence*, 112.

¹⁰⁰ Palmer’s original phrase is “taxonomy of relationship.” Clare Palmer, *Animal Liberation, Environmental Ethics and Domestication*, OCEES Research Paper No. 1 (Oxford: Oxford Center for the Environment, Ethics, and Society, 1995), 9. I discuss the reasons for my adoption and modification of this idea further in chapter four.

richer and more appropriate resources for discussing the human killing of animals for food than the substitutionary, sacrificial language Barth actually employs for this subject.

CHAPTER 1: RESPONSIBILITY, *IMAGO DEI*, AND ANIMAL NEIGHBORS

“A man was going down from Jerusalem to Jericho, and fell into the hands of robbers, who stripped him, beat him, and went away, leaving him half dead” (Luke 10:30).

Roughly thirty years after its establishment as a US national park in 1872, Yellowstone documented its first human fatality due to grizzly bear attack. A male tourist chased a grizzly cub up a tree. The cub’s mother “attacked the man and, in doing so, ripped out his breastbone and one lung.”¹⁰¹ On another occasion in 1961, a three-year-old male grizzly gradually lost his shyness of humans after spending time near a park crew’s encampment. He unearthed the remains of buried lunch trash and even accepted food scraps thrown to him by humans. Two years later “this thoroughly man-conditioned grizzly was shot in June 1963 by Park rangers after molesting visitors camped in wilderness country near Lewis Lake.”¹⁰² Although grizzly bear attacks are extremely rare in national parks, and fatalities even rarer,¹⁰³ these cases do pose an interesting question: To what degree, if any, may we hold nonhuman animals morally accountable for the injuries they inflict on humans? If in our parable, for example, bears rather than men had left the traveler for dead along the side of the road, would we proceed to label these animals “robbers” (*λησταις*) – a title possessing a clearly negative moral connotation?

As we saw in the Introduction, we can readily extend the Good Samaritan love ethic to animals as neighbors; yet, because of important differences between humans and other animals, this human neighborly relationship with animals will possess a certain unequal or one-sided quality. I argue in this chapter that the answer to the above question is a qualified “No.” Using modern ethological and philosophical evidence and the theological insight of Emil Brunner and Karl Barth, I demonstrate that humans represent the only creature, *as far as we can know*,¹⁰⁴ to

¹⁰¹ Stephen Herrero, “Human Injury Inflicted by Grizzly Bears,” *Science*, New Series, 170, no. 3958 (Nov. 6, 1970), 594.

¹⁰² John J. Craighead and Frank C. Craighead, Jr., “Grizzly Bear - Man Relationships in Yellowstone National Park,” *BioScience*, 21, no. 16 (Aug. 15, 1971), 849.

¹⁰³ For example, Herrero claims that a human is far more likely to be injured or killed in a motor vehicle accident than by a grizzly in a national park. Up to 1970, “only 77 persons have been injured by grizzly bears in 66 separate incidents. This gives an injury rate of about 1 person per 2 million visitors. The death rate is 1 person per 30 million visitors. This may be compared to the 1.9 million human beings injured in motor vehicle accidents in the United States during 1967 alone. This was about 1 percent of the total population of the United States, or 1 out of 100 people.” Herrero, “Human Injury,” 597.

¹⁰⁴ As we will see, this is an important qualification for Barth.

possess true responsibility before God, other humans, and other animals. My argument proceeds in two stages. In the first section I investigate the degree to which, if any, we may assign moral responsibility to nonhuman animals. I begin this inquiry by noting the medieval practice of putting animals on trial for criminal offenses. The justifications for these trials prove skeptical or at best ambiguous with regard to animal moral responsibility. I then review modern ethological studies to show that, while animals are not biological automata as Descartes famously argued,¹⁰⁵ they do not ultimately possess the level of intentionality and understanding of right and wrong necessary for truly responsible action. As environmental philosopher Holmes Rolston claims, “Animals are not morally deficient, much less immoral; they are amoral.”¹⁰⁶ In making the argument that animals lack moral responsibility, I do not deny the goodness of animal creation (Gen. 1:21, 25), or that animals do pursue their own goods or even the divine in their own species-specific ways (Ps. 104; Eph. 1:10). I only deny that moral responsibility, as far as humans can know, is one of those goods. In the second section I argue that, while we may find “incipient” morality in some animal species,¹⁰⁷ it is only in humans, as created in the *imago Dei*, that true moral responsibility exists. Here I follow the thinking of Brunner and Barth in contending that human responsibility derives from our existence as those creatures that exist in a relationship of free “call” and “response” to God and other creatures. The argument, in this way, is teleologically rather than biologically driven. The human capacity for moral responsibility derives from our unique destiny as the divine “counterpart”¹⁰⁸ capable of giving a truly free response to the call of the other.

1.1 ANIMAL RESPONSIBILITY?

1.1a Medieval Animal Trials

¹⁰⁵ “It seems reasonable, since art copies nature, and men can make various automata which move without thought, that nature should produce its own automata, much more splendid than artificial ones. These natural automata are the animals.” Descartes, *Letter to Moore*, 61.

¹⁰⁶ “It is pointless to blame a blue jay for ‘selfishly’ stealing seeds at the feeder while praising a child who shares her cookies. Animals have all the capacities they need for the niches they fill; to disvalue them because they are not moral or civil is out of place.” Holmes Rolston, III, *Environmental Ethics: Duties to and Values in the Natural World* (Philadelphia: Temple University Press, 1988), 67.

¹⁰⁷ Frans de Waal, *Good Natured: The Origins of Right and Wrong in Humans and Other Animals* (Cambridge, MA: Harvard University Press, 1996), 214.

¹⁰⁸ Barth, *CD III/1*, 184.

Before we discuss modern arguments into the question of animal morality, it is worthwhile to note the peculiar medieval practice of putting animals on trial for their supposed crimes against human communities and individuals. On the surface the existence of these trials seems to indicate that medievals believed animals could be held morally culpable for their offences against humans. As Kathryn Shevelow writes, “The prosecution, conviction (or exoneration), and execution of beasts implicitly endowed animals with humanlike characteristics, assigning them legal and moral responsibility for their actions.”¹⁰⁹ I argue in this subsection, however, that a belief in animals as morally responsible agents need not necessarily follow from their presence in criminal trials. There are indications from the trials themselves and among medieval writers, particularly Thomas Aquinas, that medievals were aware of the logical ambiguity and inconsistencies inherent in these trials.

A survey of the relevant literature on medieval animal trials uncovers at least five reasons for their existence. First, there is the possibility that the people truly believed animals were morally responsible, and thus culpable, for their “crimes” against humans. Shevelow lists two examples that point in this direction. In one instance a male dog was tried and executed for bestiality; in another a female donkey was acquitted for the same crime. She claims that these contrasting examples clearly demonstrate an anthropomorphic blurring of the line between humans and other animals. These animals were attributed the same gender stereotypes as their human counterparts: “criminal male lust and honest female virtue. The male dog was presumably a willing, active partner, the she-ass presumably an unwilling, passive victim.”¹¹⁰ In a similar manner, those animals that killed humans were thought to have homicidal intent similar to that of human murderers. Yet, philosopher J.J. Finkelstein argues, “however crude the popular perception of the condemned animal as having killed with homicidal intent may have been, the learned sector of society, largely ecclesiastical, was under no such delusion.”¹¹¹ A look at the defense tactics of some medieval animal lawyers and the writings of prominent medieval

¹⁰⁹ Shevelow, *Love of Animals*, 92.

¹¹⁰ *Ibid.*, 98.

¹¹¹ J.J. Finkelstein, “The Ox that Gored,” *Transactions of the American Philosophical Society* 71, no. 2 (1981): 70. Finkelstein cites examples from E. P. Evans, *The Criminal Prosecution and Capital Punishment of Animals* (London: Faber and Faber, 1906), 170.

Graeme Newman also argues against the likelihood of a mere personification of animals based on the fact that medieval animal defense lawyers often appealed to animals’ lack of reason as cause for not holding them morally responsible for their offending actions. Graeme Newman, *The Punishment Response*, 2nd Ed. (Albany, NY: Harrow and Heston, 1985), 92.

theologian Thomas Aquinas prove Finkelstein's assessment correct. If criminal intent was anthropomorphized to animals at a folk level, it was also challenged by more learned members of medieval society. In Berne in 1666 an insane human man was tried for murder. The prosecutor attempted to prove the man's liability by appealing to the biblical law of the goring ox (Ex. 21:28-32). The absence of moral responsibility, the prosecutor argued, failed to defend the offending animal against the charge of capital punishment. "In short," Finkelstein observes, "the court clearly perceived that the execution of the ox is not grounded on any idea that the animal was 'morally' guilty or that it committed a crime in the normal legal sense, since as an unreasoning being it was incapable of doing so."¹¹² The ox was to be executed because the act of killing a human had rendered it "an object of public horror." Furthermore Thomas Aquinas writes that "to curse irrational beings, considered as creatures of God, is a sin of blasphemy; while to curse them considered in themselves is idle and vain and consequently unlawful."¹¹³ The first instance, cursing an animal as a creature of God, is blasphemy because it is possible that the animal is simply an instrument of God for delivering punishment upon human sin. Thus to condemn the animal is to condemn God. The second instance, cursing an animal in itself, is vain and unlawful because "benediction and malediction, properly speaking, regard things to which good or evil may happen, viz. rational creatures."¹¹⁴ Aquinas believes that because animals lack reason, they also lack moral responsibility.

This logic leads us to the second rationale for animal prosecution in the middle ages. In killing or injuring a human, the animal did not act of its own volition, but as the instrument of a divine or demonic agent. Of the latter, "the commonest were pigs, which freely ran the streets of medieval towns, and which, following the example of their ancestors from Gadara [Matt. 8:28-32], seemed most attractive to the devil and most easily possessed."¹¹⁵ In this case, the condemnation of the animal was really a condemnation of the devil. E.P. Evans proposes a third possible reason for animal trials. He claims criminal proceedings were used by the Church to strengthen its influence in people's lives by extending its authority even to animals and

¹¹² Finkelstein, "Ox that Gored," 70.

¹¹³ Aquinas, *Summa Theologica* II-II, 76. 2. Second and Revised Ed., trans. Fathers of the English Dominican Province, 1920. <http://www.op.org/summa/> (accessed Nov 2008). All future references to Aquinas's *Summa Theologica* will be noted with *ST*.

¹¹⁴ *Ibid*.

¹¹⁵ Walter Woodburn Hyde, "The Prosecution and Punishment of Animals and Lifeless Things in the Middle Ages and Modern Times," *University of Pennsylvania Law Review and American Law Register* 64, no. 7 (May 1916): 708.

insects.¹¹⁶ As a collector of records of medieval animal trials, Evans's work is invaluable; yet, as an interpreter of the reasoning behind these trials, his explanations leave much to be desired. Finkelstein, for example, makes a more convincing case for the ecclesiastical proceedings against "infesting pests" like snakes, mice, and locusts as "ritual appeals for non-human intervention to rescue a helpless society from an enemy beyond human reach."¹¹⁷ Furthermore, Evans's explanation accounts for only the ecclesiastical trials that had the authority merely to curse or banish offending animals. Yet, it was in the secular, civil courts where the more serious capital punishments were issued against animals.

Our fourth and fifth explanations come from Finkelstein. He argues that the killing of an animal that had fatally wounded a human was done not on the suspicion that the animal was guilty of any wrong but rather because "it had violated the hierarchical order of the universe."¹¹⁸ This explanation accords with the hierarchical thinking of Aquinas who teaches that the lower creatures exist for the service of the higher. Aquinas writes, "The plants make use of the earth for their nourishment, and animals make use of plants, and man makes use of both plants and animals. Therefore it is in keeping with the order of nature, that man should be master over animals."¹¹⁹ Humans were permitted to kill and use the "lower" animals, but animals were not permitted to *use* humans. The animal that killed a human, therefore, was not executed because it was morally culpable; rather, it was executed in order to preserve the "the divinely-ordained hierarchy of God's creation."¹²⁰ Lastly, the existence of animal trials can be explained as a vivid form of instruction and warning to the human public. For example, in 1386 a tribunal in Falaise sentenced a sow to be hanged for the killing of a human child. The sow was dressed in human clothing and executed in the public square by the civil executioner.¹²¹ Finkelstein claims that such pageantry served "as a kind of drama, in certain respects not so far removed from the simple morality plays enacted in medieval Europe for the unlettered folk on other occasions."¹²² The animal was executed as a vivid representation and reminder of the gravity of murder rather

¹¹⁶ Evans, *Criminal Prosecution*, 41. Evans work represents the first attempt to collect and popularize the records of these trials in English.

¹¹⁷ Finkelstein, "Ox that Gored," 65.

¹¹⁸ *Ibid.*, 47.

¹¹⁹ Aquinas *ST I*, 96. 1.

¹²⁰ Piers Beirnes, "The Law is an Ass: Reading E.P. Evan's *The Medieval Prosecution and Capital Punishment of Animals*," *Society & Animals* 2, no. 1 (1994): 30.

¹²¹ Evans, *Criminal Prosecution*, 140.

¹²² Finkelstein, "Ox that Gored," 72.

than as a truly guilty criminal. Another scholar adds that such trials might have served to “intimidate those who were responsible for an offending animal’s dangerous actions.”¹²³ In either case, the trials served more of a cautionary than punishing role.

As we have seen, many explanations have been offered for the existence of medieval animal trials. In reality, no single theory is likely to fully explain this phenomenon. Different classes of society may have had different rationales for these trials at different times. It is also possible for them to have entertained more than one of these explanations at once. For example, it is not inconceivable for a homicidal animal to be executed both as an instrument of the devil and a deterrent to potential anthropogenic homicides. The significant point to draw out for my purposes in this chapter is that the existence of animal criminal trials does not unequivocally indicate that humans believed animals to be morally responsible for their actions against humans. Although criminal animal trials have largely become an historical relic, humans often still speak of animals, especially carnivores, with morally charged language.¹²⁴ Everyday, vernacular language about animals, then as now, is not above ambiguities or inconsistencies. Animals are still described as evil, vicious, or even virtuous. Philosopher Mary Midgley argues that this tendency is more than simply a case of confusing the use of animals as symbols for vice and actually attributing vice to them. For example, she lists a documentary that describes sharks as “the world’s most vicious killers” and a crocodile hunter who speaks of a baby crocodile as having “the morality of a laser beam” and snapping at anything that moves, from a leach to a human leg.¹²⁵ This morally charged language is common despite the absurdity of expecting crocodiles to distinguish between the legs of humans or other creatures because for crocodiles, “as for all carnivores, prey is simply food, not an enemy or a victim.”¹²⁶ In the following two subsections we consider modern philosophical and ethological evaluations of animals in our attempt to speak clearly about animals as neither moral nor immoral, but rather as amoral agents.

¹²³ Beirnes, “The Law,” 38.

¹²⁴ We find a notable exception in the recent Swiss referendum to decide whether animals should be appointed publicly financed defence lawyers. This example, however, possesses a significant difference from its medieval counterpart. The Swiss referendum would have applied to cases in which humans were accused of abusing animals. The animal was viewed, ipso facto, as innocent. The referendum ultimately failed to secure enough votes to pass. Deborah Ball, “Scales of Justice: In Zurich, Even Fish Have a Lawyer,” *The Wall Street Journal*, 6 March 2010, 1. Available from <http://online.wsj.com/article/SB10001424052748703915204575103520836794314.html>.

¹²⁵ Midgley, *Beast and Man*, 31-32.

¹²⁶ *Ibid.*

In section two we then consider a rich theological resource for distinguishing human moral responsibility.

1.1b Animal Intentionality

As we saw above, part of our problem is linguistic – what do we mean when we say animals are or are not “moral”? In a recent book, ethologist Marc Bekoff and philosopher Jessica Pierce argue for the appropriateness of the term “moral” in describing certain nonhuman animal behaviors. In making their case they acknowledge that their definition of morality is somewhat novel. They are “quite explicit that the meaning of morality is itself under consideration, and we’re suggesting a shift in meaning. How we define morality will, of course, determine whether and to what extent animals have it.”¹²⁷ Yet in order to include animals within this concept, they are forced to form a rather general, “species-relative” definition of morality. “We believe that the most appropriate definition of morality is an expansive one that includes under its umbrella a suite of behaviors common among a number of species.”¹²⁸ In my own discussion below I am sympathetic to their desire to accept and take seriously the emotional, social, and cognitive lives of animals. I am not, however, convinced by their use of the term “moral” to describe nonhuman animals. The general way in which morality must be defined in order to accommodate other animals leaves its significance as a philosophical concept ambiguous. Yet by using qualifiers such as “animal morality” or “wild justice,” they seem to show an awareness of this difficulty. On one occasion, they even admit: “human morality is unique.”¹²⁹ “For humans, it may not be enough simply to claim that morality is the set of social arrangements that maintain social harmony.”¹³⁰ For morality to maintain significance for human relationships and behavior it must possess a level of intentional responsibility and accountability not found among other animals. Thus, while we may concede that other animals possess abilities that approximate human moral capacities, we may nevertheless maintain that they are not responsible in the same way that we consider normal human adults to be as moral agents.

¹²⁷ Marc Bekoff and Jessica Pierce, *Wild Justice: The Moral Lives of Animals* (Chicago: University of Chicago Press, 2009), 11.

¹²⁸ *Ibid.*, 32. “This suite of behaviors includes cooperation, empathy, and justice, as well as the social, cognitive, and emotional intelligences that make such behaviors possible.” *Ibid.*, 54.

¹²⁹ *Ibid.*, 132.

¹³⁰ *Ibid.*, 148.

Philosopher Dale Jamieson defines moral agents as those “individuals who can act from a sense of right and wrong, who can deliberate about what they ought to do, who can act and not merely react, and who can thus be held accountable or responsible for what they do or fail to do.”¹³¹ Under this definition, he concludes, animals cannot be considered morally responsible. We can articulate this linguistic confusion by drawing a distinction between a weak definition of morality, describing general social behaviors found in many animal species, and a strong definition of morality, requiring deliberative, abstract reflection about one’s social relationships and actions. I emphasize in chapters two and three that those emotional, caring sympathies we share with other animals still hold moral value even if they do not suffice for the strong sense of moral responsibility that we understand normal human adults to possess. I argue there that both emotions and reason are essential for a fully embodied human morality. In the rest of this chapter, however, I am concerned primarily with the strong definition of morality represented by Jamieson’s definition rather than that of Bekoff and Pierce. In the following two subsections I break Jamieson’s definition into two component parts in order to judge the philosophical arguments and ethological evidence concerning animal morality. I first ask whether animals possess the level of intentionality adequate to classify their behavior as morally responsible. I do this by considering three specific behaviors: communication/warning cries, play, and deception. Second, I contrast knowledge of good and evil with obedience to species-specific social rules. I conclude ultimately that nonhuman animals are not fully responsible in the sense that we consider humans to be. Accordingly, they are not culpable in the strong sense of possessing guilt, although we may want to say they are culpable in a weaker sense of overstepping socially acceptable rules or boundaries.

Yet, this conclusion does not mean that we must abandon the Darwinian conception of differences in degree rather than kind between humans and other animals. Darwin writes:

The following proposition seems to me in a high degree probable – namely, that any animal whatever, endowed with well-marked social instincts, the parental and filial affections being here included, would inevitably acquire a moral sense or consciousness, as soon as its intellectual powers had become as well, or nearly as well developed, as in man.¹³²

¹³¹ Dale Jamieson, *Morality's Progress: Essays on Humans, Other Animals, and the Rest of Nature* (Oxford: Clarendon Press, 2002), 120.

¹³² Darwin, *Descent of Man*, 98.

It is not inconsistent to follow Darwin in claiming that some animals can acquire a “moral sense” of a lesser degree than humans and maintain, nevertheless, that animals are not strictly speaking moral agents. Primatologist Frans de Waal prefers to describe the complex social and intellectual abilities of higher mammals as “incipient morality”¹³³ rather than actual morality. The question of whether animals have morality, he explains, is similar to asking whether they possess culture or language. “If we take the full-blown human phenomenon as a yardstick, they most definitely do not. On the other hand, if we break the relevant human abilities into their component parts, some are recognizable in other animals.”¹³⁴ Thus, it is possible for us to limit full moral responsibility to humans without necessarily making a category break between humans and other animals.

Intentionality is significant in this regard because it defines the degree to which an individual’s actions are based on free deliberation vs. instinct. If all animal actions derive wholly from instinct, then no deliberation occurs and they merely react rather than act. Some species, such as sharks or crocodiles, rely heavily on instinct while others, such as primates, approach more closely the lower boundary of human free will. Midgley’s notion of “closed and open instincts” articulates this point well. “Closed instincts are behavior patterns fixed genetically in every detail. . . . Open instincts on the other hand are programs with a gap. Parts of the behavior pattern are innately determined, but others are left to be filled in by experience.”¹³⁵ Examples of closed instincts include bees’ honey dance, some birdsong, and the nest-building pattern of weaver birds. Open instincts, in contrast, are general tendencies toward certain behaviors, such as hunting, tree-climbing, singing, and caring for young. Animals possessing a disposition toward these skills refine them with time, practice, and often some instructive example. Hunting, for example, “like most activities of higher mammals, is both innate and learned,” Midgley claims.¹³⁶ Along these lines, we can see different animal species existing along a continuum of intentionality as we move from those species that are more dependent on closed instinct like weaver birds and those that enjoy greater degrees of openness like humans.

¹³³ De Waal, *Good Natured*, 214.

¹³⁴ *Ibid.*, 210.

¹³⁵ Midgley, *Beast and Man*, 51

¹³⁶ *Ibid.*, 52.

Without a high level of intentionality, however, moral responsibility is impossible. In his book, *The Intentional Stance*, philosopher Daniel Dennett proposes a system for categorizing different degrees, or orders, of intentionality. He uses the cries of vervet monkeys as an example. Vervet monkeys give different alarm calls for different predators. They give one call when they sense a leopard, another for snakes, and still another for eagles.¹³⁷ Depending on what the monkeys actually intend in their calls, Dennett proposes, will determine what order of intentionality they are capable of.¹³⁸ An extremely negative position would hold that the monkeys possess zero intentionality, i.e., they are mechanically driven by instinct to give one call when they see a leopard and another for an eagle. On the other hand, an extremely positive position would grant vervet monkeys a “third order” intentionality. This would mean that in giving a leopard alarm call, scout monkey *x* wants monkey *y* to believe that *x* thinks *x* saw a leopard. Normal, adult humans easily pass this “third-order” and are capable of much higher orders of intentionality. For example, *x* wants *y* to think that *x* understood *y* to be requesting *x* to leave (forth-order). In principle, Dennett claims, humans could continue on infinitely, “but in fact I suspect that . . . most of us can keep track of only about five or six orders, under the best circumstance.”¹³⁹ Scientists who study vervet monkeys place them within a first-order of intentionality – *x* wants that *y*.¹⁴⁰ The scout monkey clearly intends to change the other monkeys’ behavior, but it is less clear that he intends that the other monkeys believe this is his intent. In other words, the scout monkey does not need the others to believe that he sees a leopard (second-order). The leopard call is effective if the other monkeys stop foraging and run up a tree, regardless of what, if any, beliefs they have about the scout.¹⁴¹

If animals possess only first-order intentionality, they cannot be considered responsible agents. In his Gifford Lectures, Holmes Rolston makes a similar point: “To become a reflective agent interacting with a society of similar reflective agents, knowing that other actors (if

¹³⁷ Dorothy L. Cheney and Robert M. Seyfarth, *How Monkeys See the World: Inside the Mind of Another Species* (Chicago: University of Chicago Press, 1990), 102.

¹³⁸ Daniel Dennett, *The Intentional Stance* (Cambridge, MA: MIT Press, 1987), 243.

¹³⁹ *Ibid.*

¹⁴⁰ Cheney and Seyfarth, *How Monkeys See*, 174.

¹⁴¹ Primates are not the only species to exhibit levels of intentionality in their warning cries. For example, Con Slobodchikoff has performed similar experiments on prairie dogs in the American Southwest. The results of his studies demonstrate that this close relative of the squirrel discriminates between such predators as snakes, badgers, coyotes, and eagles and varies its alarm calls accordingly. Stephen Dunleavy, prod., *Prairie Dogs – Talk of the Town*, part 12 of *Natural World: 2009-2010*, Video Recording (BBC: February 3, 2010).

normal), like oneself, are able to choose between options and are responsible for their behavior - this is not within the animal capacity.”¹⁴² Vervet monkeys and other animals clearly intend to change the behaviors of others, but not necessarily the beliefs of others.¹⁴³ In other words, many animals have desires, but they do not likely possess a concept of other minds. Without such understanding, moral responsibility cannot occur. One cannot hold oneself responsible to others, much less others to oneself, if one does not understand that others have similar or competing interests. As such, Rolston describes animal intentionality and social behavior as “more pre-ethical than ethical.”¹⁴⁴ Their actions, therefore, are neither morally culpable nor praiseworthy. If we take the warning calls of vervet monkey as our model for animal communication then it is not likely that they surpass first-order intentionality.

Animal play behavior, on the other hand, presents a stronger model than warning calls from which to assert a high level of animal intentionality. Yet, like the vervet monkeys’ calls, animal play behavior ultimately fails to provide sufficient evidence for responsible moral agency. Marc Bekoff, who has written extensively on animal play, especially among canids, believes that study of animal play allows us to “make a stronger claim that some animals might be moral beings.”¹⁴⁵ Yet as we have already noted, in order to incorporate animal behavior Bekoff’s definition of “moral” must remain quite general and superficial. “In the context of animals,” he writes, “morality refers to a wide-ranging suite of social behaviors; it is an internalized set of rules for how to act within a community.”¹⁴⁶ Morality in this broad sense requires only a minimal level of intentionality. For example, canids indicate a desire to play with a play “bow.”¹⁴⁷ If the other animal responds accordingly, play commences. When one animal becomes too aggressive or attempts to mate, the playmate shows signs of confusion and further communicative gestures, such as the bow, are required before play can continue.¹⁴⁸

¹⁴² Holmes Rolston, III, *Genes, Genesis and God: Values and Their Origins in Natural and Human History* (Cambridge: University of Cambridge Press, 1999), 222.

¹⁴³ *Ibid.*, 110.

¹⁴⁴ *Ibid.*, 212, note 1.

¹⁴⁵ Bekoff, *Emotional Lives*, 86.

¹⁴⁶ *Ibid.*, 88.

¹⁴⁷ Play indicators and rules are by no means universal for all animal species. Ravens, for example, do not engage in play fighting like canids and therefore do not require or exhibit a specific, clear signal like bowing to distinguish between play behavior and actually fighting. Bernard Heinrich and Rachel Smolker, “Play in Common Ravens,” in *Animal Play: Evolutionary, Comparative, and Ecological Perspectives*, ed. Marc Bekoff and John A. Byers (Cambridge: Cambridge University Press, 1998), 42.

¹⁴⁸ Bekoff, *Emotional Lives*, 89.

Animal play indicates clear behavioral or “social expectations,”¹⁴⁹ but this can hardly be described as true moral accountability. Play halts because similar behavioral expectations are not met, not because an individual recognizes an obligation to act according to custom or for the good of the other. Neither do animal playmates understand each other’s missteps as wrong or wicked. Questions of good and evil never come into play, so to speak. For these reasons, Bekoff is on surer ground when he describes animal play as “a rudimentary form of social morality” – “a forerunner of more complex and more sophisticated human moral systems.”¹⁵⁰ Animal play maintains social codes of behavior, but it lacks a strong moral sense.¹⁵¹

While play does not indicate full responsible agency, it does pose a seeming anomaly for categorizing animal intentionality. Dennett observes that animals sometimes exhibit “mixed and confusing symptoms of higher-order intentionality.”¹⁵² On the one hand, play could indicate only first-order intentionality. By bowing one animal intends to change the behavior of another so that play ensues. On the other hand, play could reflect second-order or potentially even third-order intentionality. By bowing animal *x* believes that animal *y* believes that *x* desires to play. Bekoff and Allen answer this problem by suggesting that such higher order intentionality in animals is context specific.¹⁵³ Along these lines, *x* believes that *y* believes that *x* desires to play only when *x* actually desires to play. Higher-order intentionality, in this way, only becomes active under certain context specific triggers. “It may be reasonable to attribute a very specific second-order inference of the form ‘when I bow I want to play so when you bow you want also to play’ without being committed to a general capacity for the possession of second-order mental states in these animals,” they argue.¹⁵⁴ *X* does not always have to believe that *y* always has beliefs. Animal play, therefore, does not unambiguously indicate responsible intention on the part of animals.¹⁵⁵ With regard to animals, Bekoff and Pierce argue, “Moral agency is species-

¹⁴⁹ Marc Bekoff, “The Evolution of Animal Play, Emotions, and Social Morality: On Science, Theology, Spirituality, Personhood, and Love,” *Zygon* 36, no. 4 (Dec. 2001): 624.

¹⁵⁰ Bekoff, *Emotional Lives*, 109.

¹⁵¹ Bekoff appears to admit as much in his statement: “Ethics suggests the contemplative study of subtle questions of rightness or fairness. . . . I don’t think [animals] are contemplating ‘why good is good.’” *Ibid.*, 88.

¹⁵² Dennett, *Intentional Stance*, 255.

¹⁵³ Marc Bekoff and Colin Allen, “Intentional Communication and Social Play: How and Why Animal Negotiate and Agree to Play,” in *Animal Play: Evolutionary, Comparative, and Ecological Perspectives*, ed. Marc Bekoff and John A. Byers (Cambridge: Cambridge University Press, 1998), 103.

¹⁵⁴ *Ibid.*, 110.

¹⁵⁵ If we allow that it does, then we are forced to deal with the troubling problem of how to treat a creature that is capable of only *sometimes* acting as a moral agent. Richard Watson raises this question in

specific and context-specific. Furthermore, animals are moral agents *within the limited context of their own communities*.¹⁵⁶ In other words, the behavior that is appropriate in one pack of wolves may not be appropriate in another. Moreover, they assert that the predatory behavior of a wolf towards an elk is clearly “*amoral* – it is not subject to condemnation or accolades.”¹⁵⁷ We can note here a unique contrast with human morality in our ready ability to enter into moral relationships outside our immediate group and even species. Human moral agency is, thus, continuous in a way that *wild justice* is not. This is a significant point to keep in mind for my later articulation of humans as *imago Dei* – those creatures that exist in responsible relationships with God, other humans, and other animals.

Evidence of deceptive behavior in animals provides a third and potentially the strongest evidence for responsible intentionality in animals. Because planned deception in animals would seem to require higher-order intentionality, it has received growing attention in recent decades. De Waal defines deception as “the deliberative projection, to one’s own advantage, of a false image of past behavior, knowledge, or intention.”¹⁵⁸ This requires, at the very least, an understanding that others have beliefs. It likely also involves some awareness that the other believes I have beliefs. Although deceptive-like behavior has been observed in other species, most studies of deception in animals focus on primates.¹⁵⁹ Within primate species, studies show that the great apes are more likely than monkeys to possess a conception of another’s state of mind.¹⁶⁰ The following three examples, all involving chimpanzees, indicate in varying degrees that higher-order intentionality is possible among some highly complex animals. The first two demonstrate, at the very least, a belief in other minds and the third provides possible evidence for third-order intentionality.

his assertion that some animals are sometimes capable of intending to act with respect to moral principles, but he fails to work out a satisfactory solution. Richard A. Watson, “Self-Consciousness and the Rights of Nonhumans Animals and Nature,” in *The Animal Rights/Environmental Ethics Debate*, ed. Eugene C. Hargrove (Albany, NY: State University of New York Press, 1992), 33.

¹⁵⁶ Bekoff and Pierce, *Wild Justice*, 144.

¹⁵⁷ *Ibid.*, 145.

¹⁵⁸ De Waal, *Good Natured*, 75.

¹⁵⁹ For example, two different species of African fly-catching birds, which act as sentinels for larger multispecies flocks, will give false predator warning calls in order to distract the other birds and increase their own chances of capturing choice insects. Charles A. Munn, “Birds that ‘Cry Wolf,’” *Nature* 319, no. 9 (Jan 1986): 143.

¹⁶⁰ Richard W. Byrne, “Social and Technical Forms of Primate Intelligence,” in *Tree of Origin: What Primate Behavior Can Tell Us about Human Social Evolution*, ed. Frans B. M. de Waal (Cambridge, MA: Harvard University Press, 2001), 159.

In the 1970s scientists performed an experiment to test the level of intentional communication in chimpanzees.¹⁶¹ In the trials, chimpanzee-human pairs communicated about the location of hidden food. Each member of the pair served alternately as ‘sender’ and ‘recipient’ of information. When the human cooperated with the chimpanzee the chimpanzees were able to produce and comprehend behavioral cues to accurately convey the food’s location. When the human competed with the chimpanzee by keeping the found food for him or herself, some chimpanzees learned (after dozens of trials) to withhold information or mislead the human. When the human was the sender of deceptive information, some chimpanzees even learned to discount or controvert the misleading cues. The results of this experiment indicated that some chimpanzees have a stronger grasp of the communication system than others. One chimpanzee both engaged in deception and adjusted to the deception of the competitive human. Two others adjusted to the misleading cues from the human, but failed to give deceptive cues themselves. Another failed to adjust to received false cues, but succeeded in providing deceptive cues. This experiment, along with others, the experimenters conclude, “suggests that a chimpanzee . . . can make some kinds of inferences, for example, about the purposes of another individual.”¹⁶² More recently scientists developed an experiment to test “whether chimpanzees are not only capable of assessing when a competitor can and cannot see things, but also whether they use this same ability to intentionally manipulate another individual’s visual information.”¹⁶³ In the course of the experiment the chimpanzees chose to approach a contested food item via a route hidden from a competitor human’s view (sometimes using a circuitous path to do so). The results of the experiment demonstrate that chimpanzees are able to understand when others have a restricted view and manipulate this ignorance for personal gain. Their hiding behavior “also provides some of the strongest evidence that chimpanzees are capable of intentional deception.”¹⁶⁴

Our final example comes from De Waal’s observation of two male chimpanzees in the Arnhem zoo chimpanzee colony. In this episode, one male, Luit, attempted to hide his grinning

¹⁶¹ Guy Woodruff and David Premack, “Intentional Communication in the Chimpanzee: The Development of Deception,” *Cognition* 7 (1979): 333-62.

¹⁶² *Ibid.*, 360.

¹⁶³ Brian Hare, Josep Call, and Michael Tomasello, “Chimpanzees Deceive a Human Competitor by Hiding,” *Cognition* 101 (2006): 497.

¹⁶⁴ *Ibid.*, 511. For another, similar experiment see Alicia P. Melis, Joseph Call, and Michael Tomasello, “Chimpanzees (*Pan troglodytes*) Conceal Visual and Auditory Information From Others,” *Journal of Comparative Psychology* 120, no. 2 (May 2006): 154-162.

behavior, a sign of nervousness in chimpanzees, before responding to the threatening displays of a rival male:

When he heard the renewed sounds of provocation he bared his teeth but immediately put his hand over his mouth and pressed his lips together. . . . I saw the nervous grin appear on his face again and once more he used his fingers to press his lips together. The third time Luit finally succeeded in wiping the grin off his face; only then did he turn around [to face his rival].¹⁶⁵

The most complete sense of deception, De Waal asserts, “requires awareness of how one’s actions come across and what the outside world is likely to read into them.”¹⁶⁶ Such awareness would present a clear example of third-order intentionality – x believes that y believes that x believes. While this last example is more anecdotal observation than planned, quantifiable experimentation, it does appear to provide convincing evidence for at least rudimentary higher-order intentionality in chimpanzees. Whether such intentionality is consistent or context-specific, as Bekoff and Allen suggest, has yet to be studied. Still, to be considered truly responsible, intentionality must be met with a concept of right and wrong. Evidence for the presence of the latter in nonhuman animals is much less convincing.

1.1c The Knowledge of Good and Evil

“The crucial question for moral decision-making is how far and to what extent animals might be aware or conscious that an action is wrong or right,” writes theologian Celia Deane-Drummond.¹⁶⁷ Deane-Drummond is surely correct on this point. Yet, in order to include animal behavior in the sphere of moral action she must define “moral” in a general, ambiguous manner. Her assessment is similar to that of Bekoff’s in this regard. She writes that “as long as we define morality in terms of judgments about right and wrong, and as long as this is perceived in the context of the *specific* social life of non-human animals, then it is entirely possible to attribute

¹⁶⁵ Frans De Waal, *Chimpanzee Politics: Power and Sex Among Apes* (London: Unwin Paperbacks, 1982), 133.

¹⁶⁶ De Waal, *Good Natured*, 75.

¹⁶⁷ Celia Deane-Drummond, “Are Animals Moral? Taking Soundings through Vice, Virtue, Consciousness and *Imago Dei*,” in *Creaturely Theology: On God, Humans and Other Animals*, ed. Celia Deane-Drummond and David Clough (London: SCM Press, 2009), 204. She accepts that, while not capable of the kind of sophisticated moral reasoning of normal human adults, we might still charge human children and presumably some animals with some level of moral culpability. This marks an apparent development of her thought away from the more critical position she once held, asserting that varying degrees of intentionality in animals does not amount to moral culpability. She once described these behaviors as mere “precursors” to what later become sophisticated moral action in humans. Celia Deane-Drummond, *The Ethics of Nature* (Oxford: Blackwell Pub., 2004), 84, note 123.

‘morality’ of a sort to some animals.”¹⁶⁸ Deane-Drummond wants to insist, along with Darwin, that the differences between humans and other animals are differences of degree rather than kind. She is, therefore, wary of attempts to relegate morality to the realm of abstraction in such a way that isolates it from bodily, physical realities. In my present account, I do not want to imply that only those actions done purely out of duty, totally devoid of emotion, can count as moral. In this way, I agree with Deane-Drummond in as much as she includes emotions in her concept of morality. In the following chapter I argue against a strong Kantian rejection of emotions as significant for moral decision making. Yet, I believe her diluted model of morality also comes up short. Some conscious awareness that one’s actions are done because they are good or evil is necessary for them to be considered moral – whether this awareness and the actions that follow from it derive from a sense of duty or an emotional response is not in question here. As we will see in chapter three it is possible to argue from a feminist care perspective that animal caring is continuous with human caring in its emotional content, but that it is only with the combination of conscious reflection that this natural caring becomes truly ethical. Reflection, however, is not necessary for the kind of animal morality, or more properly *moralties*,¹⁶⁹ that Deane-Drummond or Bekoff discuss.

It is true that social animals modify their actions in accordance with their own species-specific social customs and hierarchical group dynamics, but this does not necessarily amount to true moral behavior. “The degree to which even higher animals have opinions among which they can reflectively choose is minimal,” Holmes Rolston claims. “Animals are capable of performative self-actualizing, but absent such considered options, they cannot choose either right or wrong.”¹⁷⁰ Animals enact their intentions within a very limited sphere. In the present subsection I consider the mechanisms present in some animal groups for rebuking offending

¹⁶⁸ Deane-Drummond, “Are Animals Moral?” 207.

¹⁶⁹ Different species adhere to different social customs. Therefore, when one makes an analogy between human morality and the social rules of animals, it is most appropriate to refer to these rules as animal “moralties.” For example, bonobos, a species of ape that so resembles chimpanzees that they were once called “pigmy chimpanzees,” possess a matriarchal social structure while chimpanzee society is male dominated. Additionally, “whereas in most other species sexual behavior is a fairly distinct category, in the bonobo it has become part and parcel of social relationships - and not just between males and females.” Frans de Waal, “Apes from Venus: Bonobos and Human Social Evolution,” in *Tree of Origin: What Primate Behavior Can Tell Us about Human Social Evolution*, ed. Frans B. M. de Waal (Cambridge, MA: Harvard University Press, 2001), 52. Bekoff and Pierce make a similar point: “wolf morality is different from human morality and also from elephant morality and chimpanzee morality.” Bekoff and Pierce, *Wild Justice*, 19.

¹⁷⁰ Rolston, *Genes, Genesis, God*, 221-22.

members as a possible indication of moral reflection. I conclude, however, that these procedures fail to indicate true moral reflection on the good or evil of a given action. For example, Jane Goodall's report of the Gombe chimpanzees' "four-year war" shows that their brutality and violence should not be understood as evils, but rather as a way of maintaining social hierarchies on a group scale. I conclude this subsection by drawing a comparison between animal punishment and appeasement behaviors and the distinction in Catholic moral theology between attrition and contrition for sin. This proves significant theologically for, as we will see later in the Protestant thinking of Emil Brunner and Karl Barth, a creature that lacks the freedom to choose between good and evil also lacks the freedom to choose the Good. It is this spiritual freedom, the choice for or against God that distinguishes animal intentional social behavior from human responsibility.

Social animals possess ways of "punishing" behavior that breaks the group's social rules. Clutton-Brock and Parker list five social contexts in which punishment commonly occurs: the establishment and maintenance of dominance relationships, discouragement of cheats, establishment of mating bonds, disciplining of offspring, and enforcement of cooperative behavior.¹⁷¹ These punishments do not, however, "imply either a conscious decision or a moral sense on the part of the punisher."¹⁷² For example, "from time to time, subordinates will test dominants, probably because this allows them to check for changes in the dominant's fighting ability, which would permit them to reverse the relationship."¹⁷³ Unsuccessful challenges will elicit attacks from the dominant animal and for a period thereafter the dominant will often be highly sensitive to subordinates' failures to respond appropriately to even mild threats. Again, as a way of enforcing cooperative behavior among chimpanzees, group members often treat individuals that fail to share food with less generosity and greater hostility.¹⁷⁴ As a kind of sanction against lying behavior, coyotes that follow a play bow with an attack have difficulty getting others to play and are unlikely to be chosen by others as play partners. This makes them more likely to leave the group and, consequently, lowers their reproductive fitness.¹⁷⁵ Animals have also been known to punish others for violating human imposed rules. To reduce fighting at

¹⁷¹ T. H. Clutton-Brock and G. A. Parker, "Punishment in Animal Societies," *Nature* 373, no. 19 (Jan 1995): 211-214. The authors do not impose any ethical implications or allusions on these behaviors.

¹⁷² *Ibid.*, 209.

¹⁷³ *Ibid.*, 211.

¹⁷⁴ De Waal, *Good Natured*, 160.

¹⁷⁵ Bekoff, *Emotional Lives*, 98. Clutton-Brock and Parker point out as well that punishments often tend to favor the evolutionary fitness of the dominants. Clutton-Brock and Parker, "Punishment," 209.

the Arnhem Zoo, chimpanzees are not fed until all of them have moved from their island to their sleeping quarters at the end of the day. Violators of this rule are met with hostility from the other apes. On one occasion two adolescent chimpanzees retired to their sleeping quarters two hours late and thereby prevented the other apes from receiving their food on time. Handlers separated the two adolescents for fear the other chimpanzees would greet them with hostility. The next morning, however, the entire colony chased and beat the two latecomers. That night, the two adolescents were the first to come inside.¹⁷⁶

Although such punishments uphold social rules and expectations, they do not necessarily punish the behavior because the behavior itself is wrong. Jane Goodall's observations of cannibalism and "war" among the wild chimpanzees of Gombe powerfully illustrate this point. In the case of cannibalism, for four years the mother and daughter pair, Passion and Pom, preyed on the infants of females within their same community.¹⁷⁷ When they attempted to steal away an infant in the presence of a dominant male, the male would attack and chase them away. Yet, they were never systematically punished for their actions. Dominants, for example, never ostracized them from the group. Goodall also observed a four-year "war" among the chimpanzees that she studied. A small number of males and females split and relocated to the south of the former larger group's territory. Slowly each of the southern chimpanzees, when found alone, was attacked by groups of patrolling northern males. Each of the victims either died from their wounds or was never seen again and presumed dead. The northern males violently attacked their former group members, twisting their limbs, tearing their skin, and even drinking their blood. Such behaviors more closely resembled the way chimpanzees kill prey animals of another species than anything observed during in-group fighting. Goodall reflects on this phenomenon:

For although the basic aggressive patterns of the chimpanzees are remarkably similar to some of our own, their comprehension of the suffering they inflict on their victims is very different from ours. Chimpanzees, it is true, are able to empathize, to understand at least to some extent the wants and needs of their companions. But only humans, I believe, are capable of *deliberate* cruelty - acting with the intention of causing pain and suffering.¹⁷⁸

¹⁷⁶ De Waal, *Good Natured*, 89.

¹⁷⁷ Jane Goodall, *Through a Window: My Thirty Years with the Chimpanzees of Gombe* (Boston, Houghton Mifflin Company, 1990), 73.

¹⁷⁸ *Ibid.*, 109.

While human readers may cringe at the seeming brutality of these behaviors, we would be mistaken to assign moral culpability to the chimpanzees. Animal punishments and even group-group conflicts are enacted for the maintenance of social rules and hierarchies but not for the sake of moral uprightness or justice. “Only we, surely, are capable of evil.”¹⁷⁹

In addition to the punishment of offences, some animals, like the domestic dog, seem to show signs of shame and appeasement when they have done something wrong. Yet, this behavior in dogs after a transgression is best regarded as “the typical attitude of a hierarchical species in the presence of a potentially angry dominant: a mixture of submission and appeasement that serves to reduce the probability of attack.”¹⁸⁰ Thus, by bowing its head or rolling over on its back the dog is enacting species-specific behaviors aimed at appeasing a dominant group member rather than expressing guilt or moral responsibility for his actions. The dog may be punished for breaking a social rule, but not because he acted immorally. Moral responsibility only comes into the picture when an agent understands why a wrong action is wrong. For example, in an experiment scientists taught two human-language-using bonobos and one chimpanzee to use the terms “good” and “bad.” The apes could label an action “bad,” like breaking a pen, but they could not express why such an action was bad.¹⁸¹ On one occasion, after being asked by her caregiver to climb down from a forbidden part of the enclosure, one bonobo “answered that she had been BAD, as though she knew what she had done was wrong, but not why. She seemed puzzled and sad.”¹⁸² The apes sometimes even announced when they were about to misbehave. Augustine’s account of stealing from a neighbor’s pear tree in his *Confessions*, provides a striking contrast to the misbehavior of the apes. Here, he recalls, “I had a desire to commit robbery, and did so, compelled to it by neither hunger nor poverty, but through a contempt for well-doing and a strong impulse for iniquity. . . . I loved my error – not

¹⁷⁹ Ibid., 215.

¹⁸⁰ De Waal, *Good Natured*, 108. For this reason, we might suspect even less capacity for remorse in animals that lack complex social structures.

¹⁸¹ The scientists observed that the apes’ use of these terms seemed to be greatly influenced by the value judgments of their human caregivers. It is hard to imagine a situation in wild bonobo society in which breaking objects would be considered “bad,” the researchers claim; yet, in the “Pan/Homo culture in which the apes were reared, breaking objects is ‘bad’, and therefore, to these apes, it is labeled ‘bad.’” Heidi Lyn, Becca Franks, E. Sue Savage-Rumbaugh, “Precursors of Morality in the Use of the Symbols ‘Good’ and ‘Bad’ in Two Bonobos (*Pan paniscus*) and a Chimpanzee (*Pan troglodytes*),” *Language and Communication* 28 (2008): 220.

¹⁸² Ibid.

that for which I erred but the error itself.”¹⁸³ Humans, unlike animals, are able to not only understand why a particular action is wrong but to even go beyond this knowledge and perform an action precisely because it is wrong.

An analogy may here be drawn between animal appeasement and the distinction in Catholic moral theology between attrition and contrition. According to Thomas Aquinas, “attrition signifies a certain but not a perfect displeasure for sins, whereas contrition denotes perfect displeasure.”¹⁸⁴ The Council of Trent defines contrition as sorrow that includes “detestation for the sin committed” and a resolve to not sin again.¹⁸⁵ Attrition, on the other hand, arises not from the hatred of sin as sin, but from the fear of punishment.¹⁸⁶ Similarly in animals, submissive and appeasement behaviors often serve to reduce the probability of an attack by a dominant. Animals do not possess the capacities for hating the transgression itself rather than simply the punishment it might provoke. An animal may understand that a certain action is bad in the sense that it will result in a painful retaliation from a dominant, but not that it is bad because it disrupts the good of the community or opposes the divine will. In humans, attrition, or “imperfect contrition,” prompted by grace, may initiate an interior process that disposes one to contrition and to seek Penance.¹⁸⁷ Yet, the ability for nonhuman animals to feel remorse comparable to human contrition is unlikely. Feinberg writes, animals “have a concept perhaps of the *mala prohibita* - the act that is wrong because it is prohibited, but they have no notion of the *mala in se* - the act that is prohibited because it is wrong.”¹⁸⁸ Aquinas affords a degree of voluntariness to animal behavior. They are not like rocks or plants that must rely on outside forces to move them.¹⁸⁹ Both humans and animals possess an internal origin for their actions,

¹⁸³ Augustine, *The Confessions* 1.4, trans. Maria Boulding (New York: Vintage Spiritual Classics, 1997).

¹⁸⁴ Aquinas, *Supplem.* III, I.2, ad 2, trans. Fathers of the English Dominican Province (Second and Revised Edition, 1920), <http://www.op.org/summa/letter/summa.pdf> (accessed May 2009).

¹⁸⁵ *The Council of Trent*, Session 14, Chap 4, ed. and trans. J. Waterworth (London: Dolman, 1848), 95. <http://history.hanover.edu/texts/trent/ct14.html> (accessed April 2009).

¹⁸⁶ Edward Hanna, “Attrition,” in *The Catholic Encyclopedia*, vol. 2. (New York: Robert Appleton Company, 1907), <http://www.newadvent.org/cathen/02065a.htm> (accessed April 2009).

¹⁸⁷ *Catechism of the Catholic Church*, chap 2, article 4, no. 1453, <http://www.usccb.org/catechism/text/pt2sect2chpt2.shtml#51> (accessed April 2009).

¹⁸⁸ Feinberg, “Human Duties,” 50.

¹⁸⁹ Aquinas distinguishes the generative, growing power found in plants, animals, and humans from the locomotive power found only in animals and humans (*ST* I-II, 78.1). Therefore, “animals can perform voluntary acts to a limited extent, because their actions come from within and are accompanied by a partial knowledge of their goals.” Judith A. Barad, *Aquinas on the Nature and Treatment of Animals* (San Francisco: International Scholars Pub., 1995), 101.

but he does not believe they can possess, like humans, a perfect knowledge of the ends of their actions. Consequently, Aquinas claims, “perfect knowledge of the end leads to the perfect voluntary; . . . but imperfect knowledge of the end leads to the imperfect voluntary; . . . [wherefore] the imperfect voluntary is within the competency of even irrational animals.”¹⁹⁰ As we have observed, animals possess varying degrees of intentionality, with some bordering on the abilities of humans. Yet, their imperfect knowledge of ends – in this case the ends of good and evil – means they can aspire to only an imperfect voluntary. This precludes us from assigning evil intent to an animal. In another place, Aquinas maintains that animals are naturally inclined to their own respective goods and that evil consequences sometimes derive from their pursuit of those goods. Yet, we must not attribute evil to the animal itself. The evil is only “accidentally connected.”¹⁹¹ Thus, “it is not evil for the fox to be sly.”¹⁹²

1.2 THE *IMAGO DEI* AND HUMAN RESPONSIBILITY

In this second section I add a theological assessment of the moral distinction between humans and animals. The distinction is not where the Enlightenment would place it – in the sovereignty of reason – , but in the Christian concept of humans being created in the image of God. Humans, like other animals, are intentional creatures that form complex social relationships with others. The question of morality comes when we consider the particularity of those relationships. In doing so we find that humans do not simply exist in relationship, but in responsible relationship to God and others. We can phrase this in another way by saying that humans exist actively in relationship while other animals exist in relationship passively. I am naming this uniquely active way of being in relationship the *imago Dei*. This relational interpretation possesses a marked contrast to a more ancient, yet still very influential, view that locates the *imago Dei* in some substantial attribute of human beings.¹⁹³ Against this view Emil Brunner claims that the boundary between humans and animals does not lay in any superior physical or intellectual capacity of humans. “The boundary is placed rather where the Bible sees it: in being created in the image of God, in the spiritual-responsible personal being of

¹⁹⁰ Aquinas, *ST* I-II, 6.2. For example, “though gnawing bones and sleeping by the fire are both among [a dog’s] ends, he has no means of expressing the possession of a common concept under which both these ends fall.” Anthony Kenny, *Aquinas on Mind* (New York: Routledge, 1993), 83.

¹⁹¹ Aquinas, *ST* I, 46.4 ad 1.

¹⁹² *Ibid.*, ad 3.

¹⁹³ For more on this see Appendix 2.

humans.”¹⁹⁴ In describing the *imago Dei* as relational rather than substantial, we do not deny animal nature its social character, but neither can we ascribe to animal nature a responsible social quality. The human person alone is responsible for her answer to the call for relationship from the ‘other,’ whether that other be divine or creaturely.¹⁹⁵ Thus, whatever social relationship animals have with God, humans, or even other animals, it is not a relationship that possesses the freedom of response, and thus responsibility, that defines human relationships.

1.2a Relational *imago Dei* and Animals

Although they did not always agree on specific theological matters, Brunner and Barth both consistently describe the *imago Dei* as consisting in human relationality and responsibility, rather than substance.¹⁹⁶ The chief source of Brunner’s teaching on this subject is *Man in Revolt*.¹⁹⁷ Here Brunner writes that it is the human responsibility before God rather than superior intellectual abilities that distinguishes human beings.¹⁹⁸ Barth’s thoughts on the image of God develop through several stages and find their most mature expression in *Church Dogmatics III*.¹⁹⁹ For Barth, “man is the being that is for God. It is as such that he surpasses all other creatures. At any rate, we do not know any other creature of which this can be said.”²⁰⁰ The biblical creation saga, he notes, makes no mention “of his [the human’s] rationality as a feature

¹⁹⁴ “Die Grenze legit vielmehr genau dort, wo die Bibel sie sieght: in der Gottebenbildlichkeit, im geistig-verantwortlichen Personsein des Menschen.” Emil Brunner, *Der Mensch im Widerspruch: dei christliche Lehre vom wahren und vom wirklichen Menschen* (Zurich: Zwingli-Verlag, 1941), 434.

¹⁹⁵ Brunner and Barth both focus their discussions of the *imago Dei* around human responsible relationship with God and other humans, leaving very little relative space for human relationship with other animals. However, as I argue in the following chapters there is no convincing reason why human responsible relationships should not also include other animals.

¹⁹⁶ Their differences often erupted into very public disagreements, most notably Barth’s now infamous pamphlet, “No! Answer to Emil Brunner.” Both this pamphlet and Brunner’s “Nature and Grace” to which it is a response are available in *Natural Theology*, trans. Peter Fraenkel (London: Geoffrey Bles, 1946). John W. Hart also provides an extensive investigation of their theological relationship. Hart concludes that “viewed from the context of the history of theology, it would be difficult to find any theologian closer to Barth than Brunner, or closer to Brunner than Barth. Nonetheless, they are separated by a decisive gulf, revealing how differently theology can be done given a common commitment to revelation, the Reformation, the authority of Scripture, and Kutter’s ‘God is God.’” John W. Hart, *Karl Barth vs. Emil Brunner: The Formation and Dissolution of a Theological Alliance, 1916-1936* (New York: Peter Lang Pub., 2001), 218.

¹⁹⁷ David Cairns, *The Image of God in Man* (London: Collins, 1973), 152.

¹⁹⁸ Emil Brunner, *Man in Revolt: A Christian Anthropology*, trans. Olive Wyon (London: Lutterworth Press, 1939), 418.

¹⁹⁹ Cairns, *Image of God*, 170.

²⁰⁰ Barth, *CD III/2*, 71.

which distinguishes him from them [the animals].”²⁰¹ Commenting on Barth’s teaching, Torrance writes, “The continuity between the [human] creature and God and his likeness to God do not belong to the creature in virtue of some property that he possesses in himself but . . . in his continuing contingent relation to the grace of the Creator.”²⁰² Old Testament scholar Claus Westermann, also references Barth’s relational interpretation approvingly.²⁰³ This conception of humanity is significant in that it provides a specifically theological distinction between humans and other animals. As we will see, it defines human capacities from a teleological perspective rather than the other way around. Characterizing human nature as responsible relationship also grants theological weight to the idea that animals are intentional and social, but not fully responsible.

Yet, despite his rejection of the image consisting in human capacities, Brunner’s thought at times displays a tendency to “elaborate the formal *imago* in terms of material capacities of knowing God’s nature and will,” as Joan O’Donovan notes.²⁰⁴ His teachings on the inclusion of infants and severely mentally disabled humans as *imago Dei*, for instance, are ambiguous at best.²⁰⁵ Regarding the difference between humans and animals Brunner writes, “But culture, the creation of significant works, which are intended to manifest, and do manifest the spirit, is alien to the animals, and is unconditionally characteristic of man as man. . . . The same might be said

²⁰¹ Ibid., CD III/1, 188.

²⁰² Thomas F. Torrance, *Karl Barth, Biblical and Evangelical Theologian* (Edinburgh: T. & T. Clark, 1990), 186.

²⁰³ Claus Westermann, *Creation*, trans. John J. Scullion (London: SPCK, 1971), 58. The image of God, he writes, “is not a quality of man, it is not his spiritual nature, his personality, or his upright stance; it is human existence as such. God created man to correspond to him, to stand before him” (158).

In doing so Westermann notably breaks with a third possible interpretation of the image of God favored by some modern Old Testament scholars. This view, first suggested by Johannes Hehn in 1915 and later adopted by scholars like von Rad, is based on the ancient Near Eastern idea that kings were the image, or representative of god on earth. J. Maxwell Miller, “In the ‘Image’ and ‘Likeness’ of God,” *Journal of Biblical Literature* 91, no. 3 (1972): 296. Hehn claims that, as the “*Bild Gottes*,” the kings of ancient Sumer and Babylon were viewed as “representatives and procurators of the divinity” (“*Stellvertreter und Sachwalter der Gottheit*”). Johannes Hehn, “Zum Terminus ‘Bild Gottes,’” in *Festschrift Eduard Sachau zum siebzigsten Geburtstag gewidmet von Freunden und Schülern*, ed. Gotthold Weil (Berlin: Verlag von Georg Reimer, 1915), 48. The king, in this sense, was the earthly representative of the divine rule. The biblical text, however, is unique in that it bestows the image of God upon *all* humanity rather than solely the king. This view may have some historical precedent, but if it is the only sense in which we understand the *imago Dei*, we are in danger of implying a level of divine absence in the world. God is denied a direct presence with other creatures if the divine rule must be mediated through human representatives.

²⁰⁴ Joan E. O’Donovan, “Man in the Image of God: The Disagreement Between Barth and Brunner Reconsidered,” *Scottish Journal of Theology* 39, no. 4 (1986): 451.

²⁰⁵ Ibid., 453-54.

of speech.”²⁰⁶ If Brunner is equating human uniqueness with our abilities to create complex culture, religion, or speech, then we must disagree with his statement here. An earlier passage, however, clarifies Brunner’s thought: in humans “the God-relation is not understood from reason, but reason from the God-relation.”²⁰⁷ In other words, “reason is, so to speak, only the organ of God-relation.”²⁰⁸ Barth makes a similar assessment. He insists that the human “does not first have some kind of nature in which he is then addressed by God. He does not have something different and earlier and more intrinsic.”²⁰⁹ Rather, it is because God addresses humans in a particular way that we possess the particular capacities we do. “He is a man as he is summoned, and his endowment merely follows as part of the summons, his constitution being his equipment.”²¹⁰ Human capacities represent the equipment (*Ausstattung*) that enables us to relate to God. In this way, we may view them as means, but not ends.²¹¹

The difference, therefore, between a substantial and a relational view of the image of God lies in where one begins one’s anthropology – with biology or teleology. Biographer and former student of Barth, Eberhard Busch, notes that for Barth, “the problem with Darwinism is not that it sees the relation between humans and animals, but that it defines humanity in terms of the animal.”²¹² If anthropology begins with biology, human responsibility is seen as resulting out of the human’s highly complex mental abilities. Yet Barth asserts that for theologians to do this, they must defer too much to the current state of scientific research, which is always subject to change. “No definition of human nature can meet our present need if it is merely an assertion and description of immediately accessible and knowable characteristics of the nature which man thinks he can regard as that of his fellows and therefore of man in general.”²¹³ A mere comparing and contrasting of humans to other animals can never give a complete picture of real humanity. Barth insists that real humanity can only be defined by our relationship and end in

²⁰⁶ Brunner, *Man in Revolt*, 420.

²⁰⁷ “Nicht von der Vernunft aus ist die Gottesbeziehung, sondern von der Gottesbeziehung aus ist die Vernunft zu verstehen.” Brunner, *Mensch im Widerspruch*, 93.

²⁰⁸ “Die Vernunft ist sozusagen nur das Organ der Gottesbeziehung,…” Ibid.

²⁰⁹ Barth, *CD III/2*, 150.

²¹⁰ Ibid., 152.

²¹¹ “We have been taught to value most the qualities of mind and will that are exemplified by the most self-possessed members of our species, rather than the relationships for which such qualities may equip a human being.” Hall, *Imaging God*, 116.

²¹² Eberhard Busch, *The Great Passion: An Introduction to Karl Barth's Theology*, trans. Geoffrey W. Bromiley, ed. Darrell L. Guder and Judith J. Guder (Grand Rapids, MI: William B. Eerdmans Pub., 2004), 179.

²¹³ Barth, *CD III/2*, 75.

God. “The real human exists, whether as animal or as rational being, in a definite history established in God’s attitude to him.”²¹⁴ Humans are not defined primarily by their capacity for reason because the possession of reason alone does not lead us necessarily to the conclusion that humanity’s being derives from our particular relationship with God. Barth sees human being represented most fully in Christ and he lists six points, based on Jesus’ humanity, for how we might form a theological definition of humanity in general. In part these include humanity coming from and belonging to God, participating in the deliverance enacted by Christ, and being “in active participation in what God does and means for him, . . . an event in which he renders God service.”²¹⁵ Our understanding of humanity as elected for a particular relationship with God, however, does not “require any unbecoming deprecation of our fellow-creatures,” Barth insists.

We do not know what particular attitude God may have to them, and therefore what may be their decisive particularity within the cosmos. We are not in a position either to ascribe or to deny any such particularity to them. We can and must accept them as our fellow-creatures [*Mitkreaturen*] with all the due regard for the mystery in which God has veiled them.²¹⁶

This is a significant point that I alluded to in the second paragraph of this chapter. As creatures, we possess a natural limitation in our understanding of God and other creatures. We cannot talk definitively about the ways other creatures relate to God because we simply do not know what it is like to be another creature in relation to God. We only know what it is like to be a *human* creature in relation to God and we know that for human creatures, this relationship involves a particular history and address. The human “is the being among all others of whom we know that God has directly made Himself known to him, revealing Himself and His will . . . Man *is* the being which is addressed in this way by God.”²¹⁷ Whether and in what way God addresses other animals is shrouded in mystery. Only by divine revelation can we, as human creatures, glimpse the divine address and relationship to other creatures. I return to this idea in relation to phenomenology in chapter 4.1c and again in 6.2a.

²¹⁴ “*Der wirkliche Mensch existiert, ob als animalisches oder ob als rationales Wesen in einer bestimmten, in Gottes Verhalten zu ihm begründeten Geschichte.*” Karl Barth, *Die Kirchliche Dogmatik* III/2 (Zürich: Theologischer Verlag Zürich, 1980) in The Digital Karl Barth Library, 90. All future references to Barth’s *Kirchliche Dogmatik* will be noted with *KD*; *CD* III/2, 77.

²¹⁵ *Ibid.*, 74.

²¹⁶ *Ibid.*, 78.

²¹⁷ *Ibid.*, 149.

In a recent article, David Clough argues against what he calls “human-separatist” interpretations of Genesis.²¹⁸ These are interpretations that place humans and other creatures in different theological categories. Similar to the reticence Christian theologians once displayed in acknowledging Copernicus’s displacement of Earth from the center of the universe, Clough argues that Christians today tend to retain a pre-Darwinian reading of the Genesis creation narrative with regard to human distinction from other animals. Space does not permit me to discuss the merits of Clough’s article, so I focus on one specific argument he makes that poses a potential problem for my own case for the *imago Dei* as a distinguishing mark between humans and other animals. As an example of the human-separatist interpretation, Clough cites Walter Bruggemann’s statement that in Genesis 1 the human creature “has a different, intimate relationship with the creator. . . . This is the one to whom God has made a peculiarly intense commitment (by speaking) and to whom marvelous freedom has been granted (in responding).”²¹⁹ Clough rightly notes Barth’s obvious influence on Brueggemann’s statement.²²⁰ Yet, he dismisses Barth’s concept of God electing humans to a particular relationship because of Barth’s limited view of Christ’s incarnation. Barth’s concept of election is dependent on his concept of the incarnation and Clough believes “the doctrine of the incarnation need not and should not be interpreted in such a way as to establish a discontinuity between human beings and other creatures.”²²¹ In other words, Christ’s incarnation has broader implications than Barth readily admits. In this I agree with Clough; yet, I question whether a rejection of the language of election is possible from a theological perspective and whether it is even necessary in order to articulate a theological anthropology that takes Darwin seriously. It is not obvious why we must use election in the strong sense of marking a qualitative difference between humans and other

²¹⁸ David Clough, “All God’s Creatures: Reading Genesis on Human and Nonhuman Animals,” in *Reading Genesis After Darwin*, ed. Stephen C. Barton and David Wilkinson (Oxford: Oxford University Press, 2009).

²¹⁹ Walter Brueggemann, *Genesis* (Atlanta: John Knox Press, 1982), 31.

²²⁰ Despite Barth’s influence Brueggemann’s position is not incompatible with other modern interpreters who understand the *imago Dei* as a governing task that God has assigned to humans with respect to other creatures. For example, Brueggeman claims that the image means human “power exercised as God exercises power. The image images the creative use of power which invites, evokes, and permits. There is nothing here of coercive or tyrannical power, either for God or for humankind.” *Ibid.*, 32. For more on the implications a relational interpretation of the *imago Dei* has for human dominion over animals see chapter five.

²²¹ Clough, “All God’s Creatures,” 156.

animals. Election can also constitute a particularity among a common class of creatures.²²² As I elaborate in chapter five, the bible's primary distinction between creatures is not between humans and animals, but between humans *and* animals and their creaturely habitat of plants and inanimate natural phenomena. Humans and other animals are spoken of together as one kind of being – “living creatures (*nephesh chayah*)” (Gen. 1:20, 24; 2:7; 9:10). The *imago Dei*, then marks the specific relationship that God establishes amongst a particular group of these living creatures. Of course this weaker understanding of election requires a more inclusive understanding of the significance of the incarnation than Barth obviously allows.

I will not belabor this criticism here as I elaborate it more fully in chapter 4.1c. I will, however, briefly demonstrate that, for Barth, the significance of the incarnation is at least open to the inclusion of nonhuman creatures, however underdeveloped this topic is in his writings. Barth maintains that humans have a definite relationship with God. “This does not mean, of course, that we must rush to the perverse conclusion that the particular thing which is so basically true of man is not also true of other creatures in their way, namely, that they are originally and decisively with Jesus, and in this way with God their Creator, and thus participate in being.”²²³ Barth cites John 1, Col. 1, and Heb. 1 in support of this view. Simply because we know the particularity in which God summons humans to be in relation does not mean that other animals have no relationship with God or other creatures. Barth does not deny that the incarnation has implications for other creatures; he simply refuses to speculate about what exactly these implications are. Because God in Christ became a human rather than another creature, we cannot know exactly what it means for other creatures to also be in Christ.²²⁴ We can locate, therefore, the incarnation's primary distinguishing factor in the fact that because God became human, as humans, we *do* know what the incarnation means for us. Barth writes,

²²² Clough confusingly states that election does and does not mark a qualitative difference. On the one hand, he claims that God's election of the nation of Israel “sets it apart and places it in a unique relationship with God that is a good parallel with the special relationship Brueggemann pictures between God and humankind.” On the other hand, he writes that “there was no qualitative distinction between Abraham and his fellow human beings, but through blessing him, God chose to elect the nation of Israel as the people of God.” *Ibid.*, 152-3.

²²³ Barth, *CD III/2*, 137.

²²⁴ In chapter 4.1c I take up the significance of Barth's statement: “God did not need to become an animal, a plant, or a stone because when He became man everything necessary was done for animals, plants and stones to be with Him as their Creator” (*CD III/2*, 138). There I compare Barth's concept of humanity existing in the middle of the cosmos to Gregory of Nazianzus' concept of humanity as a microcosm of the cosmos.

And it is the fact that human being is revealed as being with God which constitutes its particularity. If we affirm and stress this fact, it is not in arrogance towards other creatures, but as an act of humility in face of the secret of God in other spheres and its revelation in our human sphere. . . . The glory of other creatures lies in the concealment of their being with God, no less than ours in its disclosure.²²⁵

Thus, if the language of election is based on the incarnation, when we acknowledge the (unknown) significance of the incarnation for all creatures, the argument that God's election of humans to a particular relationship necessitates a qualitative break between humans and other animals loses much of its force. Clough is concerned that in light of Darwin, "it is necessary for us to recognize that God's purposes are not exhausted in the creation and redemption of human beings . . . there are other creatures over which God's providential care also extends"²²⁶ As we have seen, however, our knowledge of God's particular address and purposes for human creatures does not "require any unbecoming deprecation of our fellow creatures."²²⁷ Furthermore, as has just been demonstrated, Barth leaves the significance of the incarnation open to other creatures. We do not need to look far beyond the Barthian concept of election and the *imago Dei* as denoting a particular relationship to find language for articulating the responsibility of humanity without also implying a qualitative break between humans and our fellow animal creatures.

This relational interpretation of the *imago Dei* allows us to overcome a problem that some theologians have with the way this concept is used to distinguish humans from other animals. David Cunningham has recently argued that differences between creatures "will always be a matter of degree rather than a simple opposition of inclusion and exclusion from the attribution 'created in the image of God.'"²²⁸ Cunningham correctly states that the abilities of humans and animals are differentiated more by degree than kind. His concern that the *imago Dei* places an arbitrary distinction on the human species, however, leads him to suggest that "the *imago Dei* can also describe other elements of the created order – and that, in fact, the entire

²²⁵ *CD* III/2, 138.

²²⁶ Clough, "All God's Creatures," 158.

²²⁷ To insure that we do not become too prideful in our knowledge that God became a specifically human creature in the incarnation, Barth comments, "For all we know, their glory may well be the greater. We do not really know that the outer circle of all other creatures exists for the sake of the inner circle of humanity. The very opposite may well be the case." Barth, *CD* III/2, 138.

²²⁸ David Cunningham, "The Way of All Flesh: Rethinking the *Imago Dei*," in *Creaturely Theology: On God, Humans and Other Animals*, ed. Celia Deane-Drummond and David Clough (London: SCM Press, 2009), 100.

creation bears the ‘mark of the Maker’ to at least some degree.”²²⁹ Yet, by ascribing elements of the image of God to all aspects of creation, the idea becomes too diffuse and consequently meaningless. Cunningham’s proposal also severs the *imago Dei* from its biblical setting in Gen. 1:26-27. It can no longer provide a meaningful distinction between humans and other creatures, nor, as we will see in chapter five, can it anymore serve as the grounds for human dominion. Cunningham’s drastic suggestion supplies a solution to a problem that is only caused by insisting on a substantialist interpretation of the *imago Dei*. If we equate the *imago Dei* with superior human capacities, then we might agree with Cunningham’s solution. Yet by interpreting the image relationally, we effectively avoid this whole dilemma. If we see the *imago Dei* as denoting a particular relationship rather than a special capacity, we should have no trouble accepting the differences in capacities between creatures as differences of degree rather than kind. Furthermore, as we noted above, we do not belittle other animals by excluding them from the designation, *imago Dei*. With regard to their capacities, Barth admits that some animals possess abilities “which put those of man in the shade.”²³⁰ The image of God distinguishes humans not as those creatures that have uniquely superior capacities, but as those creatures that exist in a particular relationship of responsibility with regard to God and others.²³¹

1.2b Human Responsibility and Animals

“One of Brunner’s favourite words is responsibility (*Verantwortlichkeit*).”²³² In creating humanity, he claims, God created a uniquely responsible, creature. “Thus we are not concerned with an ‘image’ and a ‘reflection’ but with a ‘word’ and an ‘answer;’ this is the exposition which the New Testament gives to the Old Testament story of Creation, the idea of *imago Dei*.”²³³ In this way, Brunner explains, “the being of humanity, at its core, is to be understood: responsible being.”²³⁴ Humans’ responsibility derives from the particularity of our relationships – humans

²²⁹ Ibid.

²³⁰ Barth, *CD* III/2, 89.

²³¹ If we must acknowledge some manner in which all creation bears “the mark of the Maker,” we would do better by looking to Thomas Aquinas’s theory of how all creatures bear the “traces” of the Trinity (*ST* I.45.6). For more on this idea see my article “The Doctrine of the Trinity and Christian Environmental Action,” *New Blackfriars*, forthcoming.

²³² William Lillie, “Brunner’s Anthropology and Recent Christian Ethics,” *Scottish Journal of Theology* 20, no. 4 (1967): 476.

²³³ Brunner, *Man in Revolt*, 98.

²³⁴ “...das Sein des Menschen ist so, nach seinem Kern verstanden: verantwortliches Sein.” Brunner, *Mensch im Widerspruch*, 87.

are those creatures that knowingly and freely respond to God's word.²³⁵ In defining humanity "as an act of response to God" Brunner explicitly rejects all other anthropologies that do not take into account this relationship to God as the very essence of humanity's being.²³⁶ Human uniqueness, according to Brunner, lies in our creation as creatures that are responsible for accepting or rejecting our relationships with the others, both divine and creaturely. Brunner describes this human responsiveness in terms of the "formal" and "material" image of God. This language marks one of the primary disagreements Barth had with Brunner over the *imago Dei*. The particulars of this disagreement are beyond the scope of this chapter.²³⁷ Yet despite their differences, both Barth and Brunner agree on how this responsible nature of humanity distinguishes humans from other animals.

"Figuratively speaking," Brunner claims, "God produces the other creatures in a finished state; they are what they ought to be, and this they remain."²³⁸ Humanity, on the other hand, remains, in a sense, unfinished or free.²³⁹ As relational, responsible creatures humans provide a free answer to God's word. This responsibility is a gift, Brunner insists. God "does not fling it at him [the human] – for that would mean that he was a 'finished article' – but He offers it to him through His call."²⁴⁰ In this, humans are unique. Cairns explains: "The beasts and God have no responsibility, the beasts because they have no freedom, God because He has unconditioned

²³⁵ Paul G. Schrotenboer, "Emil Brunner," in *Creative Minds in Contemporary Theology*, 2nd Revised Ed., ed. Philip Edgcumbe Hughes (Grand Rapids, MI: Wm. B. Eerdmans Pub., 1969), 103.

²³⁶ David Cairns, "The Theology of Emil Brunner," *Scottish Journal of Theology* 1, no.3 (1948): 302.

²³⁷ Summarizing Brunner's position, Cairns writes, "We have seen that the formal image is to be equated with man's universal humanity, while the material image is to be equated with the true life of man by faith." David Cairns, "Brunner's Conception of Man As Responsive, Responsible Being," in *The Theology of Emil Brunner*, ed. Charles W. Kegley (New York: Macmillan, 1962), 83. Brunner believes the material image to be lost because of human sin. For this reason humans cannot know God on their own. Brunner also calls the formal image, not lost in sin, the "point of contact" between the redeeming Word of God and humanity. Dale Moody, "An Introduction to Emil Brunner," *Review and Expositor* 44, no. 3 (1947): 319. Barth's strong rejection of natural theology causes him to reject the language of formal and material image as well as point of contact. Trevor Hart, however, argues that even if Barth was correct in suspecting Brunner of ascribing to humanity a material, rather than purely formal, capacity for receptiveness to God, "this does not mean that such a distinction cannot be made and maintained. . . . Barth *does not deny* the existence of a 'point of contact' between God and creation. He denies that such a point of contact exists *naturally* within the creature." Trevor A. Hart, *Regarding Karl Barth: Essays Toward a Reading of his Theology* (Carlisle, UK: Paternoster Press, 1999), 171. Brunner, himself, later abandons this language, though not necessarily its meaning, because he sees it as inviting confusion and misunderstanding. O'Donovan, "Man in Image of God," 443.

²³⁸ Brunner, *Man in Revolt*, 97.

²³⁹ J. Edward Humphrey, *Emil Brunner* (Waco, TX: Word Book Pub., 1976), 68.

²⁴⁰ Brunner, *Man in Revolt*, 98.

freedom.”²⁴¹ Thus, the question is not whether animals *have* a relationship with God, but whether animals have a *choice* in that relationship. Brunner would clearly answer this question in the negative. Only in humans, who have a limited freedom, can real responsibility arise.²⁴²

Barth makes a similar assessment. God’s Word “does not first summon the animal to a decision, but accomplishes this by its utterance. It takes place in such a way that there can be no question of disobedience on the part of the animal.”²⁴³ Barth finds examples of this absolute divine address to animals in various biblical passages, such as the giant fish that carries Jonah, the ravens that feed Elijah, and the various psalms that depict animals praising God. There are certain advantages in both the absoluteness of the divine call to animals and the openness of the divine call to humans, Barth admits. On the one hand, “the goal and final triumph of the divine Word are much clearer in the address to beast than to man.”²⁴⁴ On the other hand, humans have the privilege of actively participating in that Word, whereas animals can only do so “passively.”²⁴⁵ The significant difference is not *that* humans and animals respond to God, but *how* humans and animals respond to God – passively or actively. Barth writes,

The meaning and basis for this distinction [between humans and other animals] consists in the fact that he [the human] is the animal creature to whom God reveals, entrusts and binds Himself within the rest of creation, with whom He makes common cause in the course of a particular history which is neither that of an animal nor of a plant, *and in whose life-activity He expects a conscious and deliberate recognition of His honour, mercy and power.*²⁴⁶

It is the human’s election as active respondent that makes her responsible.²⁴⁷

²⁴¹ Cairns, “Brunner’s Conception of Man,” 81.

²⁴² Ruth Page, *God and the Web of Creation* (London: SCM Press, 1996), 115.

²⁴³ Barth, *CD III/1*, 175.

²⁴⁴ *Ibid.*

²⁴⁵ While the divine address summons humans to a decision, it is a revelation “that the animal can attend only as passive, but not as active participating witness” (*der das Tier nur als passiver, aber nicht als aktiv beteiligter Zeuge beiwohnen kann*).” *KD III.1*, 195.

²⁴⁶ Barth, *CD III/4*, 351. Italics mine.

²⁴⁷ It is perhaps interesting to note that from a very different theological perspective, process philosopher Charles Hartshorne makes a very similar judgment about this distinction between passive and active relationship with God as does Barth. Hartshorne writes, “For while the other animals cannot be conscious trustees for cosmic ends, they very well can and, I hold, *do* serve these ends unconsciously, and it is even reasonable to say that, compared to human beings, the lesser creatures are infallible servants of the cosmic cause. . . . But the price of these powers is the capacity to reject the duty as well as to perform it. We can refuse our implied trusteeship. The other animals cannot.” Charles Hartshorne, “Foundations for a Humane Ethics,” in *On the Fifth Day: Animal Rights and Human Ethics*, ed. Richard Knowles Morris and Michael W. Fox (Washington, D.C.: Acropolis Books, 1978), 160-170.

Part of humanity's active response to the Word of God consists in our gratitude to God. Yet, gratitude, like any response to God, applies in some way to both humans and other animals. "As we must say that he [the human] is what he is only in gratitude towards God, we shall have to say the same of all other creatures," Barth claims.²⁴⁸ Animals too owe their creation and sustained existence to the grace of God and, therefore, "they belong with us as they too are in their own way thankful to God."²⁴⁹ Yet when he asks what exactly grace and thankfulness mean for animals, Barth must admit ignorance.²⁵⁰ Whatever the life of gratitude may mean for other animals, the form in which it is demanded of humanity is peculiar to humanity alone.²⁵¹ Other animals "can only exist in thankfulness. They share this characteristic with us," Barth explains, "[But the human's] thanks and his thanks alone consist in the fact that he is not bound and engaged to the divine Benefactor, but that he freely engages himself to this Benefactor, and has in this fact his being."²⁵² In other words, animals are not held responsible for their being grateful to God. This is consistent with Barth's previous statement about animals' passive obedience vs. the active response of humans. "It is this being in responsibility for gratitude towards God which isolates the being of man from that of all other creatures."²⁵³ We know that both humans and animals exist in gratitude to God; yet, we do not know how the other animals thank God, nor do we know of any other animals besides humans that are *responsible* for praising God.²⁵⁴

In this way, humanity's primary responsibility is one of answering God's call (Brunner) or freely giving gratitude to God (Barth). This distinction may appear too subtle to merit further exposition, but it does mark a basic impasse in their concept of humanity as a responsible being. Brunner and Barth disagree as to what it might mean for a human to reject the divine call. In his article, "The New Barth," Brunner writes that "likeness to God is the nature of man as God's creature in relation to which sin stands in a contradiction which is incomprehensible but on no

²⁴⁸ Barth, *CD III/2*, 172.

²⁴⁹ *Ibid.*

²⁵⁰ *Ibid.*, 171.

²⁵¹ "Barth's insistence that humans cannot know the specific ways other creatures express their gratitude means that we cannot engineer it, improve it, or substitute it for a supposedly equal proxy. We can only make room for creatures to perform their own thanks." Willis Jenkins, *Ecologies of Grace* (Oxford Scholarship Online, 2008), 173.

²⁵² Barth, *CD III/2*, 173-74.

²⁵³ *Ibid.*, 173.

²⁵⁴ See Cairns, *Image of God*, 177-78.

account inherent in that nature.”²⁵⁵ Sin is a contradiction because humanity is created for relationship with God. Brunner sees this as a point of agreement between himself and Barth, but later in the same article he expresses a concern that Barth may mean more by the contradiction of sin than Brunner, himself, intends.²⁵⁶ Brunner’s suspicion is correct. For Barth, sin is not only a contradiction of humanity’s nature, it is “an ontological impossibility” because Christ, as real man, has already answered “Yes” to God.²⁵⁷ “For Brunner,” Barth believes, “man is neutral: man can sin because man is free. For me man is not neutral: he can only obey. One cannot explain sin: it is an actuality without possibility.”²⁵⁸ For Barth, humans are already obedient to God in Jesus Christ.²⁵⁹ Willis aptly summarizes Barth’s position: “As Christ is both electing God and elected man, he exhibits conclusively both the freedom of God for man, and man’s corresponding freedom for God and his fellows.”²⁶⁰ Barth, in this way, does not see how Brunner can say both that humanity’s being is in Christ and that we can choose not to be so – “If man has his being in the Word of God, he can do only that which corresponds to the Word of God.”²⁶¹ Hart explains this disagreement as a difference in the way Brunner and Barth conceive of the temporality of God’s judgment and human responsibility. Brunner understands God’s judgment as taking place in the future and based on each human’s present responsible answer to the divine call. For Barth, God’s judgment lies in the past and is based on Christ’s pretemporal response to God.²⁶² It is also worth pointing out that Barth does not, theoretically, exclude nonhuman animals from his considerations here. He does not believe it is probable, but “if there were godlessness in nonhuman creatures, it would have to be understood as an ontological impossibility” as well.²⁶³ This is because all creatures are somehow with Jesus and therefore with God. He admits, however, that talk of sin truly makes sense only for creatures to which

²⁵⁵ Emil Brunner, “The New Barth: Observations on Karl Barth’s Doctrine of Man,” trans. John C. Campbell, *Scottish Journal of Theology* 7, no. 3 (1954): 125.

²⁵⁶ *Ibid.*, 128f.

²⁵⁷ Barth, *CD III/2*, 136.

²⁵⁸ Barth quote from Williams’s personal communication with Barth in John Rodman Williams, Jr., “The Doctrine of the *Imago Dei* in Contemporary Theology; A Study in Karl Barth, Emil Brunner, Reinhold Niebuhr, and Paul Tillich,” (Ph.D. diss., Columbia University, 1954), 159.

²⁵⁹ William Schweiker, *Responsibility and Christian Ethics* (Cambridge: Cambridge University Press, 1995), 98.

²⁶⁰ Robert E. Willis, *The Ethics of Karl Barth* (Leiden: E. J. Brill, 1971), 205.

²⁶¹ Barth, *CD III/2*, 131.

²⁶² Faith, for Barth, “simply makes one aware of what God has already done sufficiently on our part.” Hart, *Barth vs. Brunner*, 206.

²⁶³ Barth, *CD III/2*, 139.

God is revealed and which know themselves in confrontation with God, i.e. those made in the image of God.

1.3 CONCLUSION

Both Brunner and Barth agree that humanity's responsibility to God also includes a responsibility to other creatures. This is most obvious in our relationships with other humans. For Brunner this responsibility is manifest in neighborly love. Thus, "man cannot be man 'by himself'; he can only be man in community. For love can only operate in community, and only in this operation of love is man human," Brunner writes.²⁶⁴ Humans are responsible for answering the divine call in love and are similarly responsible for answering the call of the human community. Barth, for his part, emphasizes this human-human responsibility in his exposition of the biblical statement, "He created them male and female."²⁶⁵ Yet "in his anthropological teaching Barth very definitely declares that even in dealing with nonhuman creatures, we as creatures are always in relation, for in ourselves first of all we are destined for coexistence and are, therefore, *relational* beings."²⁶⁶ As I argue in the following chapters, the relational community in which neighborly love operates necessarily includes other animals. My main point in this chapter, however, has been to show that human responsibility for animals possesses an unequal or one-sided quality. We may hold humans responsible for their relationships and actions toward other creatures, but we would be mistaken to do the same with regard to animals. We first observed that while the existence of medieval animal trials appears to give support to the view that humans once believed animals to be morally culpable, a deeper look at these trials proves otherwise. We then surveyed philosophical and ethological arguments regarding animal moral responsibility and found that animals do not ultimately exhibit the levels of intentionality or understanding of good and evil necessary for truly responsible action. As Stephen R.L. Clark concludes, "They are not *moral*: for they do not, as far as we can see, have any occasion to moralize about themselves or to construct intellectual systems to accommodate their immediate responses."²⁶⁷ Finally, we looked at the issue theologically by articulating the

²⁶⁴ Brunner, *Man in Revolt*, 106.

²⁶⁵ Barth, *CD III/1*, 184f.

²⁶⁶ Busch, *Great Passion*, 194.

²⁶⁷ Stephen R.L. Clark, *The Nature of the Beast: Are Animals Moral?* (Oxford: Oxford University Press, 1982), 107. Clark makes a distinction between the terms "ethical" and "moral." For Clark, animals

distinction between animal and human responsibility with the use of the concept, *imago Dei*. Humans were seen here to be summoned to a particular relationship with God resulting in their responsibility for answering the call of the divine and creaturely others.

I would like to conclude by reiterating Barth's emphasis that denying the *imago Dei*, and thus responsibility, to other animals does necessarily constitute a deprecation of our fellow creatures. Other animals have the advantage of being unable to fail in answering the divine call. Responsibility comes with the ability to be other than what God has created us to be. A bear cannot of its own accord become less of a bear. Humans can manipulate bears and force them to act in ways contrary to their natures or restrict their environments to such a degree that the bear can no longer act out its beariness. Yet, moral fault in such circumstances falls on humans, not bears. Bears do not actively pursue beariness; they simply are bears. Humans, on the other hand, have an active role in being human. We choose to answer or reject the divine call or the call of creaturely neighbors. This "call" and "answer," to use Brunner's terminology, is what makes humans responsible. Animals are not similarly responsible for fulfilling their own being. Thus, it is a tragedy for humans to fail to be responsible; it is not for other animals.²⁶⁸ Far from separating humans from other animals, this unique responsibility actually depends upon our relationship with other animals and draws us into closer community with them. As we will see in the following two chapters, to respond responsibly with neighborly love for animals involves the whole human person – our reason and emotions.

might be considered "ethical" in the sense that "they respond to aspects of a situation and to features of their kindred, that a good man also would respect."

²⁶⁸ It is inappropriate to disparage a creature for being the kind of creature that it is rather than some other. In a similar vein, Rolston writes, "It is a tragedy for a human to be a vegetable, but it is not a tragedy for a vegetable to be a vegetable." Rolston, *Environmental Ethics*, 68.

CHAPTER 2: 'CARING' FOR ANIMAL NEIGHBORS, PART 1

“...and when he saw him, he was moved with pity.” (Luke 10:33b)

One fall Princeton philosophy professor, George Pitcher, noticed a dark colored creature creeping through the tall grass of his backyard. The animal was a feral dog, clearly pregnant and reticent of humans, who eventually nested in a hole under Pitcher’s backyard shed. “I couldn’t help being touched by this dark creature, alone in the world, with a gang of puppies to look after,” Pitcher recalls. “And winter coming on. Somewhere inside me the subversive, irrational hope was already forming that she would have her puppies on our property.”²⁶⁹ Pitcher’s moving memoir, *The Dogs Who Came to Stay*, tells the story of the deep connection that eventually develops between this professor, this abused and abandoned animal, who he names Lupa, and one of her pups. As the story progresses, Pitcher’s relationship with Lupa opens up a world of emotions that he had formerly been unable to fully express. Eventually in her death, she helped him overcome his lifelong inability to confront the reality of the death – “she taught me, at last, how to grieve.”²⁷⁰ All of this began with the sympathetic feeling the sight of this needy animal evoked in Pitcher and his decision to offer it care in the form of a bowl of dog food. Like the Samaritan in our parable, Pitcher was moved to care for this needy animal after being first moved emotionally by her. The Samaritan is not depicted as rationalizing his decision to care for the wounded traveler by appealing to an abstract, universal, ethical imperative. Jesus simply states that “when he saw him, he was moved with pity (or compassion, *ἔσπλαγγίσθη*). He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him” (Luke 10:33b-34). Accordingly, this chapter will argue that human moral responsibility, especially with regard to other animals, involves a necessarily emotional component.

In the previous chapter we focused on the reality of human moral responsibility and its derivative relationship to our summons as *imago Dei*. We found that other animals, while existing in hierarchical societies often with complex social rules, nevertheless lack the intentional and cognitive capacities to be considered truly responsible in a morally relevant sense. Cognitive autonomy, in the strong Kantian sense, however, forms only one piece in the

²⁶⁹ George Pitcher, *The Dogs Who Came to Stay* (London: Orion, 1997), 4.

²⁷⁰ *Ibid.*, 118.

larger tapestry of human moral action. It is important, therefore, that the present chapter immediately follow the previous in order to provide the missing thread. The relational interpretation of *imago Dei* taken in the previous chapter defined humans as those creatures that exist in free response to the call of God and other creatures. In the present chapter morality is shown to consist not simply in human existence *as* responsible creatures, but in human responsibility *for* specific others. The human reply to the call of the other demands a relationship between two relational subjects, between an I and a Thou.²⁷¹ In this chapter I use insights gained from feminist ethics of care to draw attention to both the essential emotional content of the human reply to animal neighbors and the concrete relationships that provide context for this reply. My argument proceeds in three stages. I first lay out an introduction to the ethics of care and its promise for a Christian animal ethic. Second, I ask questions regarding the proper objects of care and find that, while we may have concern for the health of plants and ecosystems, only other sentient creatures capable of a reply may be truly cared for. This claim leads me in the third section to investigate the importance that sympathetic emotions hold in providing a connection between human care and animals as proper recipient subjects of that care.

2.1 INTRODUCTION TO THE CARE PERSPECTIVE

2.1a Key Figures and Characteristics

As I noted in the Introduction, feminist ethicists began thinking seriously about animals in the late twentieth century. The specific branch of feminist theory that I turn to now, the ethics of care, “is an account of ethics that first began to be articulated in the early 1980s by thinkers such as Carol Gilligan and Nel Noddings.”²⁷² In 1982 Carol Gilligan published *In a Different Voice*, a book that provided the foundational vision for the development of an ethics of care. In this book Gilligan argues that traditional psychological models like those of Freud, Piaget, and

²⁷¹ Here I reference Martin Buber’s famous book *Ich und Du*. Buber’s thought greatly influenced the development of Nel Noddings’s feminist care ethic which occupies a significant portion of this chapter. An in depth look at the relevance of Buber’s I/Thou thought for human/animal relationships will take place later in chapter five.

²⁷² Ruth E. Groenhout, “Theological Echoes in an Ethic of Care,” *Erasmus Institute Occasional Papers* 2003, no. 2 (University of Notre Dame), 2. Rachel Muers also names Gilligan’s *In a Different Voice* (1982) and Noddings’s *Caring* (1984) as the two early key texts in this field. Rachel Muers, “Seeing, Choosing and Eating: Theology and the Feminist-Vegetarian Debate,” (London: T & T Clark, 2008), 194, note 4.

Kohlberg prioritize male tendencies like separation and universalizing and therefore see women's moral development, which emphasizes relationship and the particular, as deficient. Gilligan, contends, however, that the female caring perspective actually represents a separate and valid ethical perspective rather than a defective conception of justice. Although she associates male thinking with the rights or justice approach, which is characterized by abstract, rule-based, universalized principles, Gilligan does not believe the two perspectives are biologically determined. Gilligan writes in her introduction:

The different voice I describe is characterized not by gender but by theme. Its association with women is an empirical observation. . . . But this association is not absolute, and the contrasts between male and female voices are presented here to highlight a distinction between two modes of thought and to focus a problem of interpretation rather than to represent a generalization about either sex.²⁷³

The Swiss Christian physician Paul Tournier, who believed that emotions are bound up in the very constitution of human and animal being, also saw a discrepancy in male and female abilities to express emotion. He attributed this, like Gilligan, largely to cultural models of masculinity and femininity imposed in Western societies. "It is men, therefore, who are handicapped in this respect, deprived of one of the most human qualities of their nature, and that is why they are generally so impersonal," Tournier writes.²⁷⁴ Other cultures, he insists, have "preserved greater emotional warmth and a keener sense of community" than his own.²⁷⁵ Yet, despite Gilligan's cautionary remark in her introduction, some opponents have still criticized her methodology and justice/male, care/female association. Lawrence Walker, for example, writes that "the moral reasoning of men and women is remarkably similar."²⁷⁶ In a response to her critics Gilligan states, "No claims . . . are made about the origins of these voices or their distribution in a wider population, across cultures or time. Thus, the care perspective in my rendition is neither biologically determined nor unique to women."²⁷⁷ This is an important point to keep in mind if the insights gained from the ethics of care are to be used in the development of a Christian animal ethic. Both men and women have regular interactions with animals, whether that be

²⁷³ Gilligan, *Different Voice*, 2.

²⁷⁴ Paul Tournier, *The Gift of Feeling*, trans. Edwin Hudson (London, SCM Press, 1981), 36-37.

²⁷⁵ *Ibid.*, 39

²⁷⁶ Lawrence J. Walker, "Sex Differences in the Development of Moral Reasoning: A Critical Review," in *An Ethic of Care*, ed. Mary Jeanne Larrabee (New York: Routledge, 1993), 176.

²⁷⁷ Carol Gilligan, "Reply to Critics," in *An Ethic of Care*, ed. Mary Jeanne Larrabee (New York: Routledge, 1993), 209.

directly through keeping pets, working with animals, sharing wild places with animals, or more indirectly through consuming products made from animals. Therefore to provide adequate content to the human relationship to animals, such an ethic must prove viable for both sexes.

Two years later in 1984, Nel Noddings developed Gilligan's observations and vision into a more systematic ethical argument and position. As we will see in the following chapter, she outlines two levels of caring, natural and ethical. Both Gilligan and Noddings are highly critical of theories such as Kant's that focus on individuals, impartiality, and abstract, universal imperatives. Because its two foundational texts were published shortly over two decades ago, the ethics of care enjoys a certain novelty as an explicit ethical theory relative to the more traditional justice approaches espoused by thinkers like Rawls, Kant, Bentham, and even ancient Stoic philosophers as described by Martha Nussbaum. Therefore, before delving into a detailed analysis of the ethics of care and its insights for a Christian animal ethic, it is necessary to offer a brief sketch of the theory's main points.

Virginia Held concisely outlines five key characteristics of the ethics of care. First, it concerns itself with attending to the specific needs of those for whom we take responsibility. In other words, dependency rather than, or in addition to, autonomy is viewed as a fundamental reality of human existence. Childhood and old age are not viewed as aberrations to a normal human moral life. "Moralities built on the image of the independent, autonomous, rational individual largely overlook the reality of human dependence and the morality for which it calls," Held claims.²⁷⁸ I look more closely at the moral significance of dependence below in subsection 2.1c in conversation with Alasdair MacIntyre's theory of "virtues of acknowledged dependence." I later return to the issue of dependence in relation to domestic animals in chapter 4.2b. Second, the ethics of care values rather than rejects emotion. This is not to say that raw emotions need not be thoughtfully evaluated – reflection is a crucial move in Noddings's transition from natural to ethical caring. It simply means, "from the care perspective, moral inquiries that rely entirely on reason and rationalistic deductions or calculations are seen as deficient."²⁷⁹ Third, the ethics of care "rejects the view of the dominant moral theories that the more abstract the reasoning about a moral problem the better because the more likely to avoid

²⁷⁸ Virginia Held, *The Ethics of Care: Personal, Political, and Global* (Oxford Scholarship Online, 2006), 10.

²⁷⁹ *Ibid.*, 11.

bias and arbitrariness, the more nearly to achieve impartiality.”²⁸⁰ Closely related to the first characteristic, this attention to the particular needs and relationships that one has with others makes care ethicists wary of theories that attempt to consider humanity or animals in general or simplify human responsibility to a succinct set of abstract rules. Forth, “like much feminist thought in many areas, it reconceptualizes traditional notions about the public and the private.”²⁸¹ The ethics of care sees private, familiar, and community relationships that are often un-chosen and non-contractual as possessing moral significance. Fifth, again closely related to the first, “the ethics of care usually works with a conception of persons as relational, rather than as the self-sufficient independent individuals of the dominant moral theories.”²⁸² The autonomy sought in the ethics of care, Held claims, consists of a freedom to reshape and cultivate relationships rather than to create a separate, abstract self. Because of its commitment to particularity, the ethics of care cannot overlook individuals; yet, its interest in relationship draws attention to the fact that human nature and morality are constituted as such by the connections humans have with other humans and, from a Christian perspective, God and other creatures. This final characteristic possesses a particular resonance with the relational interpretation of the *imago Dei* in the previous chapter. We are concerned here with a call and a reply, or in Brunner’s words with “a ‘word’ and an ‘answer.’”²⁸³ Humanity is created in the image of God by existing as that creature that is uniquely responsible for its relationships with God and others. I turn now to this response and relationship as articulated in the ethics of care.

2.1b Relationship in Caring and Theological Ethics

Carol Gilligan first articulated the caring perspective’s sensitivity to relationship by studying female responses to tests designed to measure psychological and moral development. She employs Lawrence Kohlberg’s articulation of the Heinz dilemma as an example.²⁸⁴ In this hypothetical case, Heinz’s wife has a rare form of cancer. He is, however, unable to afford the cost the druggist charges for the only drug that can save her. When asked whether it would be right for Heinz to steal the drug, a young boy answered with a clear “Yes.” He saw the problem

²⁸⁰ Ibid.

²⁸¹ Ibid., 13.

²⁸² Ibid.

²⁸³ Brunner, *Man in Revolt*, 98.

²⁸⁴ Lawrence Kohlberg, *Essays on Moral Development*, Vol. I: *The Philosophy of Moral Development* (San Francisco: Harper & Row, Pub., 1981), 12.

as a conflict between the values of life and property with life superseding that of property. A young girl, in contrast, viewed the problem arising less as a conflict between competing rights and more as a *failure of response*. In “seeing the world comprised of relationships rather than of people standing alone, a world that coheres through human connection rather than through systems of rules, she found the puzzle in the dilemma to lie in the failure of the druggist to respond to the wife,” Gilligan concludes.²⁸⁵ A female college student answered the question in a similar manner. “They both equate responsibility with the need for response that arises from the recognition that others are counting on you and that you are in a position to help.”²⁸⁶ From this point of view moral action is dictated by the needs of those with whom one is in relationship. In contrast Kohlberg sees the highpoint of moral development in the application of “universal ethical principles that all humanity should follow.”²⁸⁷ The care perspective thus articulated possesses striking similarities to our previous interpretation of the *imago Dei* as responsible relationship. Like theological ethicists, care ethicists see relationship as basic to a conception of real humanity. Humans in both cases are seen as existing in a series of relationships, many of which are simply given, like the relations between parent and child, human and God, and, in many cases, human and animal. Morality, therefore, is concerned with how humans reply to the call of the other in these relationships.

“Taking *relation* as ontologically basic,” Noddings’s explains, “simply means that we recognize human encounter and affective response as a basic fact of human existence.”²⁸⁸ Humans are not isolated individuals; they are individuals in relationship. “My very individuality,” Noddings asserts, “is defined in a set of relations. This is my basic reality.”²⁸⁹ Without knowing the speaker, we could not be criticized for assuming statements such as these derive from the mouth of a theologian expressing a theological anthropology of relationship like we discussed in the previous chapter. The relational interpretation of humans as *imago Dei* would sit nicely alongside the relational understanding of humanity in the ethics of care except for one significant feature. Both agree on the moral and ontological significance of relationship, yet unlike theological ethicists, Noddings’s articulation of the ethics of care does not conceive

²⁸⁵ Gilligan, *Different Voice*, 29.

²⁸⁶ *Ibid.*, 54.

²⁸⁷ Kohlberg, *Essays*, 412. Kohlberg lists six stages of moral development with adherence to universal principles marking stage six. He places “being concerned about other people and their feelings, keeping loyalty and trust with partners” in category three. *Ibid.*, 410.

²⁸⁸ Noddings, *Caring*, 4.

²⁸⁹ *Ibid.*, 51.

the human relationship with God as significant or necessary to her understanding of humanity. It is not surprising that Noddings's language has a theological ring to it. In order to develop Gilligan's observations and theory into a complete ethical account she appropriates many ideas from the Jewish theologian Martin Buber. Yet, her refusal to allow a place for the human relationship with the divine in her explication of care leaves her use of Buber's thought wanting. Buber's conception of the I-Thou relation is inseparable from his belief in the all-encompassing presence of God. Buber writes, "In every sphere, through everything that becomes present to us, we gaze toward the train [hem or edge] of the eternal You; . . . in every You we address the eternal You, in every sphere according to its manner."²⁹⁰ Our own ability to be in relationship is contingent upon the divine decision to be in relationship with and create a world capable of being in relation. From a Christian perspective that sees God as Trinity, relationship is at the very heart of the divine being.²⁹¹ Human relationships can then be seen as a reflection of and participation in the eternal *perichoresis* of the Father, Son, and Holy Spirit. Space does not permit a full exposition of this key doctrine of Christian faith, but it suffices to note that ignoring the relationship between creature and Creator divests Noddings's account of a rich foundation for understanding the ontological significance of relationship. Human existence as a being in relation is simply one expression of an entire universe that exists in relationship with its divine creator. This idea proves particularly pertinent for an ethic of care that attempts to extend past the human sphere because it sees relationship as ontologically basic to all of Creation, not just humans.²⁹²

For many care ethicists, the parent/child relationship, particularly the care of a mother for her child, represents a central symbol in our understanding of the nature of the caring relationship.²⁹³ This is also an important, though sometimes overlooked, metaphor of the divine relationship with Creation in Jewish and Christian scriptures. Old Testament scholar John Goldingay picks up this imagery when he paraphrases Gen. 1:1: "In the beginning, God birthed

²⁹⁰ Martin Buber, *I and Thou*, trans. Walter Kaufmann (Edinburgh: T. & T. Clark, 1970), 57.

²⁹¹ For an excellent theological assessment of modernity and the significance of the Christian understanding of God as triune see Colin E. Gunton, *The One, the Three and the Many: God, Creation and Modernity* (Cambridge: Cambridge University Press, 1993).

²⁹² Groenhout notes a separate, though related, theological observation about human relationships relevant to caring: "The Christian awareness of fallenness is an important feature, I would argue, of ethical theories that hope to avoid utopian thinking. Care theory can run this risk because of its legitimate (though exclusive) focus on what is healthy and right in human relationships." Groenhout, "Theological Echoes," 27.

²⁹³ *Ibid.*, 12.

the heavens and the earth.”²⁹⁴ The metaphor of birth, he claims, is one of a number of key themes in the first chapters of Genesis. In Gen. 2:4, the “generations of the heavens and the earth” recall the familiar relationship of later generational lists in the book. Psalm 90:2, he observes, makes this association with divine creation and birth explicit. Here the mountains are quite literally “birthed” (*yalad*) from God. If scripture describes God’s relationship with the world as a relationship of motherly care, we should not be surprised that humanity’s own relationship to other responsive creatures, as *imago Dei*, also finds resonance with an ethic of care that extols the mother icon. This is surely a metaphor, Goldingay insists, but nevertheless, “birthing is an image that tells us something true about God’s relationship with the world.”²⁹⁵ It hints, for one, of the deep care and joys of motherhood. He compares the separating of the waters from the dry land in Genesis 1 to Job 38:8-11 where the confining of the sea “was no more problematic for Yhwh than keeping a newborn baby under control is problematic for its mother.”²⁹⁶ The divine pronouncements of “good” and “very good” in Genesis 1 may even be compared to the delight that a parent takes in her child.²⁹⁷ This analogy is even repeated in the New Testament when Jesus likens his care for Jerusalem to that of a mother hen for her chicks (Luke 13:34). This last analogy is particularly interesting for a care based animal ethic in that the care described is that of a mother animal rather than a human. As we will see in the following chapter, the ethics of care has no problem attributing a certain kind of caring capacity to nonhuman animals. It is in fact this natural caring impulse that humans share with other animals that forms the base upon which human ethical caring is built.

2.1c Care and Dependency

The dependency of a child on its mother provides a good example of the reality and significance of dependency in both human and animal relationships. As I noted in the introduction, Alasdair MacIntyre takes up this theme in his book *Dependent Rational Animals*.

²⁹⁴ John Goldingay, *Old Testament Theology: Israel's Gospel* (Downers Grove, IN: InterVarsity, 2003), 61.

²⁹⁵ Ibid.

²⁹⁶ “After the baby had emerged, yelling, from the womb, Yhwh confined it to its crib, provided it with its diapers and outer clothing, and made sure that in its self-assertiveness it could not crawl beyond the area that suited its mother.” Ibid., 73. “Or who shut the sea with door when it burst out from the womb? – when I made the clouds its garment, and think darkness its swaddling band, and proscribed bounds for it, and set bars and doors, and said, ‘Thus far shall you come, and no farther, and here shall your proud waves be stopped?’” (Job 38:8-9).

²⁹⁷ Ibid., 122.

Here he insists on “the moral importance of acknowledging not only our vulnerabilities and afflictions, but also our consequent dependence.”²⁹⁸ From infancy to old age, sickness to permanent disability, humans exist in varying degrees of dependency on others. MacIntyre argues that in this regard “we comport ourselves towards the world in much the same way as other intelligent animals.”²⁹⁹ Rather than widening the gap, this common fact of dependency connects the lives of humans with those of other animals. MacIntyre’s observation is significant because it prevents us from assuming that we exist essentially as autonomous, rational agents and that those relationships that are of most importance ethically are those that we voluntarily initiate with other autonomous, rational agents. In reality humans, like other animals, enter the world in dependent relationships that are not of our own making. For any ethical theory to represent a complete picture of human existence, therefore, it must acknowledge our essential vulnerability and dependence. In this way MacIntyre notes that the significant difference between humans and animals is that humans

have the possibility of understanding their animal identity through time from conception to death and with it their need at different past and future stages of life for the care of others, that is, as those who, having received care, will be from time to time called upon to give care, and who, having given, will from time to time themselves once more be in need of care by and from others.³⁰⁰

Humans are uniquely able to respond to the vulnerability of other creatures in a way that recognizes the common dependency that unites us all.

In criticizing past ethical theories for failing to adequately acknowledge dependency, MacIntyre hits upon an important, though not always strongly articulated, theme in Christian theology. Both the Old and New Testaments of Christian scripture attest to the reality and moral significance of vulnerability. We find a surprising Old Testament example of this in the Leviticus dietary and sacrificial laws. Anthropologist Mary Douglas argues that one way of looking at the “unclean” animals in these laws is to see them as representative of “the endangered categories for whom Isaiah spoke, the oppressed, the fatherless, the widow (Isa.

²⁹⁸ MacIntyre, *Dependent Rational Animals*, 8.

²⁹⁹ *Ibid.*

³⁰⁰ *Ibid.*, 83.

1.17).”³⁰¹ She draws a parallel between these forbidden animals – the laboring ants, the blindness of bats, the vulnerability of fish without scales – and the vulnerability of human laborers, orphans, and widows. The text is not saying that these animals are to be shunned because of their unusual bodies any more than other passages teach that poor humans are to be shunned because of their vulnerability. The issue is not shunning but predation. Expounding the blood prohibition of Gen. 9:4, the writers of Leviticus understand holiness as incompatible with predatory behavior (Lev. 19:14). “Predation is wrong, eating is a form of predation and the poor are not to be prey.”³⁰² Respect for these animals that represent vulnerability becomes a way for the Israelites to symbolically remember their responsibility for the poor and the vulnerable in their own society.

While the forbidden animals in Leviticus are seen by Douglas to represent vulnerability, we saw from MacIntyre that vulnerability is a trait shared by both humans and animals. Species lines, therefore, need not bind the biblical concern for the poor. We see just such an extension of care for dependent animals in laws against boiling a calf in its mother’s milk or prematurely separating a newborn calf from its mother (Ex 23:19; Lev 22:27-28). Furthermore, as we noted in the Introduction, from the New Testament perspective of the parable of the Good Samaritan, neighborly love is concerned primarily with the act of caring for the one in need rather than their status. The man in the ditch is wholly dependent; he is in no position to reject the Samaritan’s aid.³⁰³ In this way, the fallen man is little different from the sheep that has fallen into a pit on the Sabbath (Matt. 12:11). Both are in positions of dependency and constitute objects of neighborly responsibility. In shifting focus away from the Samaritan to the man in the ditch,³⁰⁴ the work of New Testament scholar Robert Funk proves enlightening. “If the auditor, as Jew, understands what it means to be the victim in the ditch, in this story, he/she also understands what the kingdom is all about.”³⁰⁵ By placing ourselves in the ditch, a place of dependency where our differences from other animals lose significance, we open ourselves up to the true power of the

³⁰¹ Mary Douglas, “The Forbidden Animals in Leviticus,” *Journal for the Study of the Old Testament* 59 (1993): 23. Concern for the poor and vulnerable represents a common theme in many Old Testament books. See for example Deut. 17:19; Jer. 22:3; Ezek. 16:49.

³⁰² *Ibid.*, 22.

³⁰³ Jesus “is asking the lawyer to think of himself in need and dependent and to seek from those whose response might be unwelcome and unexpected.” Bańkowski, *Living Lawfully*, 103.

³⁰⁴ Mike Graves, “The Moral of the ‘Good Samaritan’ Story?” *Review and Expositor* 94, no. 2 (1997), 271.

³⁰⁵ Robert W. Funk, “Good Samaritan as Metaphor,” *Semeia*, no. 2 (1974), 79.

parable. Funk summarizes the parable's message: "In the Kingdom of God mercy comes only to those who have no right to expect it and who cannot resist it when it comes."³⁰⁶ One would be hard pressed to find a better description of the dependent natures of both human and animal neighbors.³⁰⁷

2.2 CARE FOR ANIMALS, CONCERN FOR PLANTS

This section distinguishes care for animals from a concern for the natural environment in general. I return to this distinction again in chapter five in relation to the biblical contrast between having *dominion* over living creatures and *subduing* the earth. It is worth introducing now, however, for it holds particular significance to our notion of caring for animals as neighbors. Human 'care' for plants "is not, strictly speaking, the true ethical ought. I cannot receive a plant as I can a human being, or even as I can certain animals," Noddings contends.³⁰⁸ While my analysis of caring for animals in this chapter differs from Noddings's at significant points,³⁰⁹ I concur with her basic instinct in regard to the distinction between animals and plants. Thus, both a Christian neighborly love ethic and the feminist ethics of care value other animals as uniquely suitable recipients of care. Unlike humans or animals, however, plants and other inanimate natural phenomena do not place a true call on humans that care is capable of receiving or replying to. In the following section I first discuss Noddings's conception of the "receptive mode" in human caring. The receptive mode is significant for animal ethics in that it puts humans in a position to receive the call of the animal as the call of a true subject. In the following subsections I explore questions concerning reciprocity in caring for animals, what criteria are necessary to establish a true *reply*, and finally whether caring is appropriate for the land or the natural environment in general.

³⁰⁶ Ibid., 80.

³⁰⁷ Bruggemann argues from references to the deaf, the blind, and the poor that even in its original Lev. 19 setting, the neighborly love command "addresses social obligations between members of the community who are not social 'equals.'" Walter Bruggemann, *Reverberations of the Faith* (Louisville: Westminster John Knox Press, 2002), 143.

³⁰⁸ Noddings, *Caring*, 160.

³⁰⁹ We saw the most obvious disagreement in Noddings's rejection of the divine in her ethics of care. Another concern with regard specifically to animals is Noddings's arbitrary exclusion of certain kinds of animals from her caring. She in effect does not allow herself to be receptive to them. For example she feels inclined to care for a stray cat that comes to her door, but not a rat, or conceivably a dog. Ibid., 157. I address this problem in the following chapter.

2.2a The “Receptive Mode”

Before we can respond ethically to the call of the other we must put ourselves in a position to receive that call. Caring, in this way, is not simply an acknowledgement that human life, biological, historical, and moral, is shaped by a series of relationships. Caring is about the reply that we give to the call of the other in these relationships. Noddings describes this “receptive mode” by explicitly borrowing language and concepts from Martin Buber’s *I and Thou*. “When I receive the other, I am totally with the other,” she claims.³¹⁰ The receptive mode consists of feeling rather than reason. This feeling will eventually lead to an assessment of the relationship and a course of action, but it does not begin there. “In the receptive mode itself, I am not thinking the other as object. I am not making claims to knowledge.”³¹¹ Buber speaks of this as an *encounter* rather than an experience of the other. “The You encounters me by grace,” he claims. “The relation is election and electing, passive and active at once: An action of the whole being must approach passivity, for it does away with all partial actions and thus with any sense of action, which always depends on limited exertions.”³¹² In other words, the encounter between the I and the Thou is primarily receptive. It begins without a prior intention, whether benevolent or otherwise. The Thou is not assessed as worthy or unworthy of care, he/she is simply encountered. The relation is direct or unmediated (*unmittelbar*) by rationale or motive. “Nothing conceptual intervenes between I and You, no prior knowledge and no imagination. . . . No purpose intervenes between I and You.”³¹³ We must shift, Noddings claims, from

an assimilatory mode to a receptive-intuitive mode. . . . In such a mode, we receive what-is-there as nearly as possible without evaluation or assessment. We are in the world of relation, having stepped out of the instrumental world, we have either not yet established goals or we have suspended striving for those already established.³¹⁴

³¹⁰ Noddings, *Caring*, 32.

³¹¹ Ibid.

³¹² Buber, *I and Thou*, 62.

³¹³ Ibid. Buber does posit an I-Thou relationship with a tree. This relationship, however, exists at the “pre-threshold” of mutuality. A detailed exposition of Buber’s hierarchy of I-Thou mutuality with humans, animals, and plants is carried out in chapter five.

³¹⁴ Noddings, *Caring*, 34.

As we will find in the following chapter, this non-rational receptivity causes problems for more rational, justice inclined thinkers like Martha Nussbaum. It is a vital concept for caring, however, in that the first response the one-caring³¹⁵ gives to the call of the other consists of a passive reception of that call. It does not project the one-caring's desires or beliefs on the one cared-for. Only after this initial disposition of open, receptivity does caring incorporate a cognitive element and become active. The receptive mode allows the one-caring to encounter the other first as a subject before seeing him/her as a problem that requires solving. We may desire for plants to actively respond to human care when they are in fact capable only of *reacting*. I use the term *react* to identify the specific kind of response that plants give to human manipulation. Reaction is characterized by passivity and a lack of cognition or emotion. Animals and humans, on the other hand, offer a true *reply* to the care of others. Reply is characterized actively and with some level of cognition or emotion. The human reply, as discussed in the previous chapter and developed further below, is then distinguished from the animal reply as a *responsible* reply. Thus, because plants only possess the capacity to react, they also lack the capacity to engage the receptive mode in caring, which is also passive.

2.2b Reciprocity

Noddings approaches the question of reciprocity by asking whether her houseplants respond to her care or simply to her “caretaking.” “Would they not do just as well if I did the right things at the right time with no engrossment and no displacement of motivation?” she asks.³¹⁶ In answering this question, she admits that her talking to her plants as if she ‘cares’ for them does more for her own well-being than that of her plants. Looking after her plants as if she were truly caring for them supports her own “best self,”³¹⁷ or conception that she has of herself as a caring individual, which she sees as important for ethical caring. But for the plant itself, caretaking is enough. When we consider the plant world, she asserts, something like caring can occur, but “there is no true relation between humans and plants because the relation is logically one-sided and there is no other consciousness to receive the caring.”³¹⁸ In a true caring relationship both parties must somehow contribute – “my caring must be somehow completed in

³¹⁵ “One-caring” and “cared-for” are terms Noddings uses to distinguish the two parties in the caring relationship. Ibid., 4.

³¹⁶ Ibid., 160.

³¹⁷ Ibid., 82.

³¹⁸ Ibid., 170.

the other if the relation is to be described as caring.”³¹⁹ This ability to reply is something that both humans and other animals share and a trait that unites them in the biblical creation story. “In blessing the creatures, God addresses them,” Goldingay claims. “God’s previous commands have been in the third person. For the first time God speaks in the imperative, overtly speaking *to* someone.”³²⁰ God pronounces the previous acts of creation, the water, the land, the vegetation, and the lights of the sky, “good,” but God does not address them with a further command or blessing. “Apparently the animal world is able to hear God speak and respond to it, as the cosmos and the plant world cannot. The animal world is created, blessed and addressed.”³²¹ That animals do not reply to God in the same responsible manner as humans was discussed in the previous chapter. What is important to note here is that animals, as opposed to plants, *do* reply. Animals similarly respond to human care with a reply, rather than a passive reaction, and are, therefore, appropriate subjects of human care.

Yet, this is not always clear in Noddings’s writing. Our obligation to care, she claims, is limited by the possibility of reciprocity. “We are not obliged to act as one-caring if there is no possibility of completion in the other.”³²² In humans caring can be completed through an acknowledgement via words or some other communicative action. While animals do not necessarily lack the capacity for some form of species-specific language or communicative behavior, their inability to express themselves with the complexity that comes with human language means their ability to reply to human caring is also much less complex. Caring, however, can be completed in animals at the level of response to pain. “Insofar as we can receive the pain of a creature and detect its relief as we remove the pain, we are both addressed and received,” Noddings claims.³²³ She concludes that at the very least, therefore, the human obligation of care toward animals means, “we may not inflict pain without justification.”³²⁴ When a human encounters pain in an animal, her responsive mode is first engaged. She encounters the animal as a distinct subject; when she then moves to address the animal’s pain, her care is completed in the animal’s relief. In humans we may enjoy a more complex, communicative reply from the one cared-for, but with animals we must be content with a pre-

³¹⁹ Ibid., 4.

³²⁰ Goldingay, *Old Testament Theology*, 55.

³²¹ Ibid.

³²² Noddings, *Caring*, 149.

³²³ Ibid., 150.

³²⁴ Ibid.

linguistic reply. This poses no problem for the animal's suitability as a proper subject of care, however, because as Noddings emphasizes, "this reciprocity is not contractual; that is, it is not characterized by mutuality."³²⁵ "What we seek in caring is not payment or reciprocity in kind but the special reciprocity that connotes completion."³²⁶ We do not expect animals, or even humans, to reciprocate our caring by caring for us in turn. We do expect our caring to find completion in the one cared-for. We expect that the one cared-for is capable of a reply rather than mere reaction. A Christian animal ethic informed by the parable of the Good Samaritan seems particularly ready to take advantage of this point. Clare Palmer points out that, although human relationships with pets or working animals may approach reciprocity, there is also "a long-standing Christian tradition that loving is not necessarily to be regarded as reciprocal."³²⁷ We find just such an example in our guiding parable. In caring for the fallen traveler, the Samaritan in the parable gives no indication that he expects to be repaid. The state of the traveler shows a great deal of resemblance to that of animals in this regard. Left for dead on the side of the road, the traveler's relief from pain is likely the only completion the Samaritan's care can find.

2.2c Two Criteria for a Reply?

So far we have been looking at a chapter in *Caring* where Noddings directly addresses the possibility of care for animals and other creatures; yet, before this section, she puzzlingly paints a much less agreeable picture of animals' ability to offer a sufficiently reciprocal reply. With regard to fellow humans, she claims, we cannot refuse the fact of relation. "In connection with animals, however, we may find it possible to refuse relation itself on the grounds of a species-specific impossibility of any form of reciprocity in caring."³²⁸ She bases this assessment on two criteria that constitute an obligation of caring: that there exist first, the reality "or potential for present relation," and second, the "dynamic potential for growth in relation, including the potential for increased reciprocity and, perhaps, mutuality."³²⁹ The first criterion poses no significant problem since we have already established that both humans and animals are

³²⁵ Ibid.

³²⁶ Ibid., 151.

³²⁷ Clare Palmer, "Animals in Christian Ethics: Developing a Relational Approach," *Ecotheology* 7.2 (2003): 181.

³²⁸ Noddings, *Caring*, 86.

³²⁹ Ibid.

capable of a reply rather than mere reaction. Thus, in the receptive mode a human may receive the animal as a true subject, a Thou. If we must also accept the second criterion of “potential for growth in relation,” however, we may be forced to exclude animals from our sphere of care. “The potential for response in animals, for example, is nearly static,” Noddings claims. “They cannot respond mutually, nor can the nature of their response change substantially. But a child’s potential for increased response is enormous.”³³⁰ “Growth in relation” as a criterion for care not only excludes animals from human care, it also contradicts Noddings’s later statement about animals’ responsiveness to pain as a fundamental kind of reply. If human caring can find completion in an animal by relieving its pain, adding a second criterion of potential growth seems unnecessarily restrictive. It is possible that Noddings does so because of her conscious efforts to distance her theory from that of justice-based animal ethicists like Peter Singer. She wants to establish an ethic that clearly distinguishes “between our obligation to human infants and, say, pigs.”³³¹

Yet, positing this as a criterion for the obligation to care causes problems not only for human care for animals but also human care for other humans. Held observes:

In normal cases, recipients of care sustain caring relations through their responsiveness—the look of satisfaction in the child, the smile of the patient. Where such responsiveness is not possible—with a severely mentally ill person, for instance—sustaining the relation may depend entirely on the caregiver, but it is still appropriate to think in terms of caring relations: The caregiver may be trying to form a relation or must imagine a relation.³³²

If we take the reality of dependency seriously, we find that Noddings’s mention of “growth in relation,” much less a growth in relation that possesses the potential for mutuality, constitutes an unnecessary stipulation for the establishment of the caring relation. We can potentially get around this problem with humans by imagining a relation, as Held suggests. Yet, if taken too far this solution runs up against the danger of abstraction. By imagining that the one cared-for possesses capacities for growth in response that he does not, we fail to pay sufficient attention to the particular individual and situation (another key principle for the ethics of care). We end up caring for an abstract, idealized individual that does not really exist. There is nothing inherently

³³⁰ Ibid., 87.

³³¹ Ibid.

³³² Held, *Ethics of Care*, 36.

wrong with recognizing that the one cared-for's potential for growth in response regulates the character and comprehensiveness of our caring. This is in fact vital for seeing the one cared-for as a specific individual. If this observation operates as a limiting criterion that excludes animals from the possibility of human care, however, it must be rejected. It is not only unnecessary; it overlooks the reality of human care being completed in animals as well as the real potential for growth, however limited, in human-animal relationships. Animals have a limited range of responsive behaviors, but like human children, animals develop these capacities over time. Veterinarian and animal behaviorist Michael W. Fox observes, for example, "that the developing brain of the dog, its unfolding pattern of socialization and other critical sensitive periods during development are very similar, and sometimes identical, to the same phenomena recognized in the human infant, although they develop on a different time base."³³³ Both puppies and human children experience growth in their relational capacities, although to differing degrees. Furthermore, the longer and more intimate the human and animal relationship becomes, the greater each participant is able to understand the other's communicative behaviors, however different they may at first appear. Such understanding on the part of animals is what makes training possible. Noddings herself even admits that though her relationship with her pet cat "does not possess the dynamic potential that characterizes [her] relation with infants,"³³⁴ a certain level of mutual understanding between human and cat cannot be denied. Accordingly, she does comment that "the first criterion establishes an absolute obligation and the second serves to put our obligations into an order of priority."³³⁵ Yet, her further statement that humans may then refuse relation itself with regard to animals confuses her position. Therefore we would do better to see "growth in relation" as a guideline rather than an absolute criterion for establishing obligations of care.

³³³ M. W. Fox, "Pet-Owner Relations," in *Pet Animals and Society*, ed. R. S. Anderson (London: Bailliere Tindall, 1975), 39. Fox also discusses the "critical period of socialization" in which isolation in the first several weeks after birth has negative behavioral and neurophysiological effects on young dogs. Michael W. Fox, *Integrative Development of Brain and Behavior in the Dog* (Chicago: University of Chicago Press, 1971), 243. We must remember, however, that, as other animals are distinct species, they also have species-specific developmental needs. Along these lines exclusive early socialization with humans apart from other dogs should be cautioned. Fox's experiments have shown that while hand-reared pups behave the same toward humans as normally weaned pups, "they show marked deficits in responsiveness to their own species." *Ibid.*, 253.

³³⁴ Noddings, *Caring*, 156.

³³⁵ *Ibid.*, 86. Her later acceptance of caring obligation to stray cats rather than rats on grounds other than the animals' capacities to respond adds to this confusion.

2.2d Care and the Land?

In our investigation so far, we have seen how vegetation's inability to engage the human receptive mode disqualifies it from a relationship with humans that can properly be described as care. We then found animals' responsiveness to pain as adequate grounds for their ability to receive human care and that a further criterion of growth in relation is unnecessary. We will now consider how the caring act's need to find completion in the one cared-for provides still further grounds for limiting the caring relation to humans and animals. Environmental philosopher J. Baird Callicott contends that a theory of moral sentiment is more adequate for an environmental ethic than a rational, justice based ethics along the lines of Kant, Rawls, Singer, and Regan. He traces the ideological heritage of Aldo Leopold's famous "land ethic" back to Charles Darwin and David Hume who both saw a positive connection between human emotions and moral sensibilities. Callicott says that the similarity of animals to humans appropriately stimulates our moral sympathy and therefore they "ought to be extended moral considerability."³³⁶ He even cites Carol Gilligan approvingly as emphasizing the moral importance of relationships and feelings of care. Leopold simply extended and directed these natural human sensibilities to the natural environment as a whole. "Aldo Leopold tried to persuade us that we ought to feel a sense of kinship with our fellow voyagers in the odyssey of evolution and love and respect for the land because ecology has reorganized our understanding of nature," Callicott claims.³³⁷ In other words, because ecology teaches that humans exist within a larger "biotic community," we should extend our sympathies and caring relationships to include ecosystems as well as individual humans and animals. A true caring relationship, however, cannot make this final step because care is limited by reciprocity. Care must be completed in the one cared-for.

Writing a decade before the emergence of care as an ethical tradition in its own right, philosopher Philip Mercer, made several observations about the relationship between what he called "sympathy" (a near equivalent to "care" in later feminist writings) and ethics that are relevant for our current discussion. Sympathy, he says, is "interpersonal." The "sympathetic

³³⁶ J. Baird Callicott, "Can a Theory of Moral Sentiments Support a Genuinely Normative Environmental Ethic?" in *Beyond the Land Ethic: More Essays in Environmental Philosophy* (Albany, NY: State University of New York Press, 1999), 113.

³³⁷ *Ibid.*, 114.

agent cannot just sympathize: he must sympathize ‘with another’ ” and “this other must be, or be believed by the agent to be, a sentient being - a being which can feel and suffer, be helped and be harmed.”³³⁸ Like Noddings several years later, Mercer insists that sympathy need not be contractual or mutual; “ ‘sympathy’ has regard for ‘the other’ solely in respect of his capacity to feel and suffer.”³³⁹ For this reason, he believes it perfectly appropriate to extend sympathetic feelings toward other animals. Callicott, so far, would appear to agree: “If plants are not conscious then we have no grounds for sympathizing with them, but if they are conative we may appropriately feel benevolent toward them.”³⁴⁰ What exactly feelings of benevolence toward vegetation entail, he does not say. It cannot, however, mean a relationship of care. This is because the caring act can find no completion in plant life. Humans do not find a sentient other with whom we can sympathize in plant life, much less the inanimate rivers, stones, and climate that make up an ecosystem. We can have moral obligations to those who do not, and cannot, know that they have claims upon us, Mercer states. Examples include children, the mentally handicapped, and animals. For Mercer, “our moral obligations extend as far as our capacity for sympathy extends. If we could sympathize with insects, trees, and stones then we could have moral obligations to them.”³⁴¹ While both Callicott and care ethicists may emphasize emotions and relationship, the moral sentiment described by caring ultimately cannot support a general environmental ethic. This is not to say that humans have no reasons to respect and protect the land. It simply means that basing such protection on sympathy or care for the land itself is inappropriate. One suggestion would be to care for the land for the sake of those sentient humans and animals that inhabit it. John Fisher writes along these lines: “Indeed, it is the existence of sympathetic animals that creates ecosystems that we care about. . . . The environments that we seek to protect, that we find beautiful, I suggest, are just those in which

³³⁸ Philip Mercer, *Sympathy and Ethics* (Oxford: Oxford University Press, 1972), 4. He defines “person” in this context to be equivalent to “sentient being.”

³³⁹ Ibid.

³⁴⁰ Callicott, “Moral Sentiments,” 115. Callicott here draws on Paul Taylor’s conception of plants as non-conscious “teleological centers of life.” “That a particular tree is a teleological center of life,” Taylor claims, “does not entail that it is intentionally aiming at preserving its existence, that it is exerting efforts to avoid death, or that it even cares whether it lives or dies.” It is a teleological center of life in that it “is a unified, coherently ordered system of goal-oriented activities that has a constant tendency to protect and maintain the organism’s existence.” Paul Taylor, *Respect for Nature: A Theory of Environmental Ethics* (Princeton: Princeton University Press, 1986), 122. This is opposed to a stone which has no goal or good of its own.

³⁴¹ Mercer, *Sympathy and Ethics*, 130.

sympathetic creatures live.”³⁴² Feelings of respect or loyalty to our biotic community because of our historic, evolutionary connection to it and our present aesthetic enjoyment of the land are surely appropriate sentiments and important motivators in our efforts to protect the natural environment. They are not, however, appropriate foundations for a relationship of care toward the land. Care or sympathy, in this sense, are not identical to concern. We may, for example, be concerned that a historic house is being torn down, but we do not feel sympathy for the building. In contrast, if a family is being evicted and their house torn down, we may feel sympathy for the family.³⁴³

2.3 HUMAN AND ANIMAL EMOTIONS

As noted in the introduction, emotions play an essential role in human moral decision-making and caring. So far we have shown that human care for animals is founded in concrete relationships rather than abstract principles and that animals’ ability to offer a true *reply* to human caring distinguishes our relationships with them from our relationships with plants and the natural environment as a whole. The reply that animals give, however, is often nonverbal and, for the most part, nonlinguistic.³⁴⁴ For this reason attention to animal emotions is of particular importance to ethical interactions and care for animals.³⁴⁵ In this following section I explore how the continuity of emotions that humans and animals share permits a strong critique of Immanuel Kant’s indirect duties approach to animal ethics. Here I find an unexpected ally in Thomas Aquinas and his embodied concept of human moral action. I then consider the practical limits of our understanding of animal experience and emotion. I find that animal emotions are

³⁴² John A. Fisher, “Taking Sympathy Seriously: A Defense of Our Moral Psychology Toward Animals,” in *The Animal Rights/Environmental Ethics Debate*, ed. Eugene C. Hargrove (Albany, NY: State University of New York Press, 1992), 237.

³⁴³ Example taken from *Ibid.*, 229.

³⁴⁴ Here I distinguish between animal communicative behavior and human language use. This is not to say, however, that humans and animals cannot learn to interpret one another’s differing communicative behaviors. Mark Bekoff, for example has researched and interpreted the meanings behind many postures of communicative behaviors among different canid species.

³⁴⁵ “Since animals cannot communicate in our language,” Thomas Kelch writes, “analysis by analogy to our feelings is even more crucial in the case of animals than in the case of humans. Thus, emotional responses are a necessary part of evaluation of the interests of animals and rights that may arise from these interests.” Thomas G. Kelch, “The Role of the Rational and the Emotive in a Theory of Animal Rights,” in *The Feminist Care Tradition in Animal Ethics*, ed. Josephine Donovan and Carol J. Adams (New York: Columbia University Press, 2007), 286.

unique but still analogous to human emotions in such a way that a true *fellow-feeling* between humans and animals is possible.

2.3a Emotional Continuity

In *The Descent of Man*, Charles Darwin famously asserts a similarity between the emotional natures of humans and other animals. “The lower animals, like man, manifestly feel pleasure and pain, happiness and misery,” he claims.³⁴⁶ In the higher animals this continuity is even more manifest.

All have the same senses, intuitions, and sensations - similar passions, affections, and emotions, even the more complex ones, such as jealousy, suspicion, emulation, gratitude, and magnanimity; they practice deceit and are revengeful; they are sometimes susceptible to ridicule, and even have a sense of humour; they feel wonder and curiosity; they possess the same faculties of imitation, attention, deliberation, choice, memory, imagination, the association of ideas, and reason, though in very different degrees.³⁴⁷

Modern ethological studies of animals have confirmed Darwin’s initial insight. Primatologist Frans de Waal recounts the time one of the chimpanzees in the colony he studied gave birth. Several other chimpanzees gathered around the pregnant female, Mai, and once she had given birth, “the crowd stirred, and Atlanta, Mai’s best friend, emerged with a scream, looking around and embracing a couple of other chimpanzees next to her, one of whom uttered a shrill bark.”³⁴⁸ It is entirely possible, he insists, that the emotional reaction of Atlanta, who had born children of her own, reflected empathy, or identification with the circumstance and feelings of her friend. Such observations lead De Waal, like Darwin before him, to assert a kind of emotional continuum within which different animal capacities fall. “It is hard to imagine empathy as an all-or-nothing phenomenon. Many forms of empathy exist intermediate between the extremes of mere agitation at the distress of others and a full understanding of their predicament.”³⁴⁹ Ethologist Marc Bekoff, who’s own work is littered with stories of animal emotions, also states that “behavioral and neurobiological studies have consistently shown, and it is now largely accepted as fact, that animals share the primary emotions, those instinctual reactions to the world

³⁴⁶ Darwin, *Descent of Man*, 69.

³⁴⁷ *Ibid.*, 79.

³⁴⁸ De Waal, *Good Natured*, 19.

³⁴⁹ *Ibid.*, 69.

we call fear, anger, surprise, sadness, disgust, and joy.”³⁵⁰ Consequently, he insists, attention to animal emotions must inform human moral relations with animals. “There’s no doubt whatsoever that, when it comes to what we can and cannot do to other animals, it’s their emotions that should inform our discussions and our action on their behalf.”³⁵¹ Such scientific conclusions only serve to support care ethicists’ intuition that our similar emotional capacities serve as a kind of bridge or connection between human moral relations with other humans and human moral relations with other animals. In observing animal emotions we find both appropriate and familiar territory within which our caring impulses may be initiated and extended.

2.3b Against a Kantian Rejection of Emotions

It is at this point, at the necessity of emotion for human moral action, that an animal ethic informed by insights from the parable of the Good Samaritan and feminist ethics of care makes a strong critique of traditional justice oriented Kantian ethics. Kant’s moral perspective relies on reason and engages only other rational agents. Emotions and nonhuman animals are relegated to the periphery of his moral concern as practice for real moral action. Humans, Kant claims, have “indirect duties” to animals that serve to “cultivate our duties to humanity.”³⁵² Thus, we treat animals kindly in order to encourage kind actions toward humans. Such an assumption and valuation, however, is not original to Kant. Thomas Aquinas, from a theological natural law perspective, similarly writes, “Now it is evident that if a man practice a pitiful affection for animals, he is all the more disposed to take pity on his fellow-men.”³⁵³ Animals in both instances are treated with kindness as a means to promoting kindness to humans.³⁵⁴ Against Kant, Tom Regan concludes, “This is certainly *a* reason to discourage cruelty to animals, but this cannot be the *only* reason, nor can it be the *main* one.”³⁵⁵ Against Aquinas, Judith Barad protests that if this does constitute our primary reason, “we are back to the point that animals are of only instrumental value for humans. . . . In short, cruelty and sadism towards animals is not *in itself*

³⁵⁰ Bekoff, *Emotional Lives*, 10.

³⁵¹ *Ibid.*, xxi.

³⁵² Kant, “Duties,” 212.

³⁵³ Aquinas, *ST I-II* 102.6, ad. 8.

³⁵⁴ Aquinas writes more strongly in another passage: “He that kills another’s ox, sins, not through killing the ox, but through injuring another man in his property.” *Ibid.*, II-II 64.1, ad 3.

³⁵⁵ Tom Regan, *Animal Rights, Human Wrong: An Introduction to Moral Philosophy* (Lanham, MD: Rowman & Littlefield Pub., 2003), 52.

wrong.”³⁵⁶ Thus, if we do not see animals as directly morally relevant, human kindness toward animals can only possess an instrumental value.

As we will see, however, Aquinas, permits a way out of this dilemma by acknowledging a moral resource that Kant denies – the emotions. Kant contrasts the person who helps others because he feels sympathy for them and the person who feels no sympathy but still helps others out of a sense of duty. Only the second of these two people, according to Kant, acts in a clearly moral way. True moral worth arises when a rational agent “is beneficent, not from inclination, but from duty.”³⁵⁷ Sympathy is, thus, rejected as a legitimate source for moral action.³⁵⁸ Even if humans and animals share similar sympathetic natures, this connection is insignificant for moral reasoning. Theologian Michael Northcott criticizes Kant along these lines: “Embodiment and sociability seem to play no part in Kant's categorical imperative. . . . [He] insufficiently considered the extent to which human reasoners are *embodied* reasoners.”³⁵⁹ Humans, in other words, do not practice reason as disembodied intellects. Human bodies, and all the powers that come with such bodies, add a crucial dynamic to human reasoning and action. Philosopher H. B. Acton suspects that if a creature did exist as a purely disembodied intellect, that creature could never truly comprehend the needs or sufferings of embodied creatures. Its attitude toward their “hunger and thirst, for example, would be more like the attitude of a mechanic towards an engine that was running out of fuel than of a man towards another man in trouble.”³⁶⁰ Only creatures with bodies and feelings can be cared for or know what it is to care. Any attempt to render aid on purely rational grounds without feelings of sympathy or pity would be “like an art critic who was born blind and carried out his profession on the basis of reports supplied to him by men who had actually seen the pictures under review.”³⁶¹ Acton insists that if humans could exist as

³⁵⁶ Judith Barad, “A Tension in Aquinas’ Accounts Between the Ontological and Ethical Status of Animals,” in *Greek and Medieval Studies in Honor of Leo Sweeney*, ed. William J. Carroll and John J. Furlong (New York, Peter Lang Pub, 1994), 138. Barad challenges this position in Aquinas by arguing that his ontological conception of animals does not permit the ethical statements he makes about them.

³⁵⁷ Immanuel Kant, *Fundamental Principles of the Metaphysic of Ethics*, 2nd Ed., trans. Thomas Kingmill Abbot (London: Longmans, Green, and Co., 1900), 17.

³⁵⁸ “Worse, it suggests that kind or loving feelings can get in the way of our achieving moral merit. If merit accrues only when we act from a sense of duty, it seems that human relations must be either unduly chilly or else without moral worth.” J.B. Schneewind, “Autonomy, obligation, and virtue: An overview of Kant's moral philosophy,” in *The Cambridge Companion to Kant*, ed. Paul Guyer (Cambridge: Cambridge University Press, 1992), 327.

³⁵⁹ Northcott, “They Shall Not,” 240.

³⁶⁰ H. B. Acton, “The Ethical Importance of Sympathy,” *Philosophy* 30, no. 112 (January 1955): 62.

³⁶¹ *Ibid.*, 63.

rational being in mere possession of bodies, but without emotions, as Kant would seem to prefer, they could never have “full insight into the moral significance” of their deeds.³⁶² This is a particularly important point for human caring with regard to animals that possess bodies and emotions but do not fully possess reason. Care that is directed toward creatures that lack reason can still be counted as moral. Even if reason plays a significant role in moral action, the possession of bodies and emotions alone suffices to make a creature the proper recipient of moral action.

Only by neglecting sympathy and the emotions can Kant claim that benevolent action toward animals presents merely an “analogy” of moral action toward other humans rather than *actual* moral action. This analogy is directed toward the goal of promoting benevolent human-human sympathies. Yet, if duty rather than sympathy provides the sole ground for moral action, then the analogy’s service towards this goal is of questionable value. Therefore, Kant’s appeal to human sympathies in this regard may be seen as a rare acknowledgement of the practical power of sympathy for moral action. In a lengthy, but insightful quotation, Paul Guyer observes:

It makes clear that although he thinks that the only morally estimable motivation is the pure respect for the moral law characteristic of a good will, he also recognizes that in real life we are moved to act by various sorts of feelings and predispositions, and thus that our overarching respect for the moral law requires us to mold the feelings that actually affect our actions, strengthening those that can move us in the direction of actions required by the moral law and constraining those that would lead us astray. In spite of his theoretical commitment to the utter freedom of choice of the noumenal will, here again Kant clearly recognizes that human beings are embodied wills, rational animals and not pure rational beings, who must exercise their freedom and reason *through* their nature and not independently of it.³⁶³

Guyer, at least in the last sentence, attributes to Kant an insight that he may not have actually sufficiently held. Even so, an important point of critique is still clear. It is possible to theorize a sharp mind and body dualism, but in reality such a theory breaks down. Actual human persons cannot be divided between their minds and bodies. Each represents an essential component of the human person as well as human moral action.

³⁶² Ibid.

³⁶³ Paul Guyer, *Kant* (London: Routledge, 2006), 253-254.

If, as Philip Mercer contends, “the Kantian notion of emotion is a restricted one...[and] presents us with only half the picture,”³⁶⁴ Aquinas’s integration of emotions into human moral reasoning presents a significant move toward supplying the other half. “Affection in man is twofold: it may be the affection of reason, or it may be an affection of passion. If a man’s affection be one of reason, it matters not how man behaves to animals . . . But if a man’s affection be one of passion, then it is moved also in regard to other animals,” Aquinas writes.³⁶⁵ If we put this idea in Kantian terms, the human relationship with animals, based on reason, results in no direct duties to them. Yet based on our common sympathetic natures, direct duties may be afforded them. “Since the passion of pity is caused by the afflictions of others; and since it happens that even irrational animals are sensible to pain, it is possible for the affection of pity to arise in a man with regard to the sufferings of animals.”³⁶⁶ Aquinas goes on to claim, like Kant, that human benevolent sympathy for animals serves to promote similar sympathy for other humans. Yet, unlike Kant, Aquinas’s “twofold” presentation of reason and sympathy preserves a meaningful connection between humans and animals. There is no reason, in this view, to deny that benevolent sentiment toward animals has value on its own even if it does serve a higher purpose. Aquinas retains a clearly hierarchical worldview.³⁶⁷ Yet, his insistence on the legitimacy of emotions for moral action provides reason to support benevolent action toward animals on grounds other than its influence on human-human actions.

2.3c The Limits of Emotional Consideration

If we allow that emotions can provide a potential bridge between human moral actions and our relationships to animals, the next problem we face is one of interpretation. In other words, we must consider whether it is possible for humans to correctly understand what an animal of another species is thinking or feeling. This is an important problem because an inability to correctly interpret another’s emotional state would result in inappropriate caring actions. Feminist ethicist Josephine Donovan answers this question by asserting that we read animal mental and emotional states in much the same way as we do similar states in other

³⁶⁴ Mercer, *Sympathy and Ethics*, 110.

³⁶⁵ Aquinas, *ST I-II* 102.6, ad. 8.

³⁶⁶ *Ibid.*

³⁶⁷ William P. George, “Regarding Future Neighbors: Thomas Aquinas and Concern for Posterity,” *Heythrop Journal* 33 (1992): 284.

humans.³⁶⁸ She does, however, admit to the greater possibility of humans misreading animal emotions and communicative behaviors. Philosopher Mary Midgley makes a similar argument. “Your fear is not my fear; all the same, you can have perfectly good grounds for drawing the conclusion that I am frightened. . . . Exactly the same thing is true of a horse, dog or elephant with which you are reasonably familiar.”³⁶⁹ Relationship is key. Our ability to understand the emotional states of animals increases with our familiarity with specific animal species. It increases even further when we develop a close relationship with an individual representative of that species.

Yet, American philosopher Thomas Nagel, in his influential article, “What is it Like to Be a Bat?”, is skeptical of answering a firm “Yes” to this question. Bats’ extreme behaviors and sensory apparatus, at least from the perspective of humans, provide vivid examples for his trepidation. If a human desires to know what it is like to be a bat, it will not suffice for her to simply imagine that she has webbing attached to her arms, has poor vision, catches insects in her mouth, or perceives the world through echolocation. “In so far as I can imagine this (which is not very far), [these] tell me only what it would be like for *me* to behave like a bat,” Nagel claims.³⁷⁰ We can ascribe general types of experience to bats based on our observations of their physiology and behavior, but bat pain, fear, desire, and hunger always possess a subjective character that is beyond our grasp, he insists. Nagel cautions that he is not “adverting here to the alleged privacy of experience to its possessor. The point of view in question is not one accessible only to a single individual. Rather it is a *type*.”³⁷¹ There is a type of bat perception and a type of human perception. We have the ability to take up the point of view of another so it is possible for us to comprehend the facts of fear, hunger, and other emotions or physical needs. Yet, carrying a comparable comprehension across the species line presets an insurmountable difficulty. There exist enough similarities for us to draw analogies about what the bat point of view is, but we, as human, can never truly have experiences from the view of a bat.

³⁶⁸ Josephine Donovan, “Caring to Dialogue: Feminism and the Treatment of Animals,” in *The Feminist Care Tradition in Animal Ethics*, ed. Josephine Donovan and Carol J. Adams (New York: Columbia University Press, 2007), 363.

³⁶⁹ Midgley, “Brutality and Sentimentality,” 386.

³⁷⁰ Thomas Nagel, “What Is It Like to Be a Bat?” *The Philosophical Review* 83, no. 4 (1974): 439.

³⁷¹ *Ibid.*, 441.

Our common embodied, relational natures allow humans to meet animals at an emotional level, but the real differences that exist between different species means that our consideration of animal emotions must remain at the level of analogy. Along these lines, professor of animal behavior Mary Stamp Dawkins cautions against two alternative extremes. On the one hand, we must not think that “the subjective feelings of other animals are identical to our own and that all we need to do to understand animals is to project our own feelings onto them.”³⁷² On the other hand, there exists “the danger of thinking of other species as so different from human beings that there is no analogy to be drawn at all.”³⁷³ We may look to Fisher’s emperor penguin example as a helpful illustration of Dawkins’s point. The male emperor penguin sits on an egg for many months through the cold, black Antarctic winter. We may feel empathy for this penguin if we compare its devotion to our own care for human children. But, Fisher asks, “would I be justified in feeling sympathy *for* the emperor penguin? . . . I must think of what is good for a penguin, and whether the penguin really suffers, and whether its suffering is avoidable.”³⁷⁴ In order to successfully judge what caring response a human may have if she encounters such an animal, she must consider the real differences that exist between a human’s and an emperor penguin’s experiences of the world. Standing in a single position outside in the Antarctic for many months is not an evil for male emperor penguins in the same way it would be for a human parent. Yet, the differences in the two experiences are not so extreme as to dissolve any emotional connection or understanding. We can draw analogies with basic parental feeling of care and other emotions like fear, joy, and the desire for companionship. Openness to animal pain and emotions at this analogical level makes us receptive to the animal in ways that real and appropriate care can take place.

We can describe this analogical emotional connection between humans and animals as a kind of *fellow-feeling*. Fellow-feeling does not require two rational agents, but it does require two responsive, sensitive agents. Along these lines, German philosopher Max Scheler states that “fellow-feeling (which can also be bestowed on animals) differs from love of humanity” or humanitarianism.³⁷⁵ Humanitarianism values all humans simply because they are human.

³⁷² Marian Stamp Dawkins, *Animal Suffering: The Science of Animal Welfare* (London: Chapman and Hall, 1980), 99.

³⁷³ *Ibid.*

³⁷⁴ Fisher, “Taking Sympathy Seriously,” 232.

³⁷⁵ Max Scheler, *The Nature of Sympathy*, trans. Peter Heath (London: Routledge and Kegan Paul LTD, 1954), 99.

Fellow feeling, however, extends to all creatures with whom we are capable of sympathizing. If, for example, “you suppose a man to be a corpse or a tree-stump it is just not *possible* for you to be brutal towards him,” Scheler states.³⁷⁶ We come again to the distinction between humans and animals as apposite subjects of care or sympathy against plants and other aspects of the natural world as objects of concern or respect, but not sympathy. Philip Mercer, building on Scheler’s thought, also insists that fellow-feeling is an essential component of true sympathy. Fellow-feeling, he says, “is an exercise in the imagination in that it involves imaginative representation of another’s feelings.”³⁷⁷ Like Nagel, Mercer is concerned with the distinction between experiencing another’s feelings and sympathizing with another. Mercer’s conception of fellow-feeling forms the first step of sympathy in which we are able to form an analogy of the other’s feeling in our mind.³⁷⁸ It does not mean, he emphatically states, that one feels the same feelings as another, or that one suffers in the same way as another. Furthermore, “it is not enough that *I* should imagine how I should feel were *I* in the other person’s place; I have to imagine how *he* feels, having the temperament and personality that *he* has.”³⁷⁹ This is of particular significance when we extend fellow-feeling to nonhuman animals. To continue Nagel’s example, a bat’s pain is not my pain, nor can I ever feel pain from the perspective of a bat; yet, I do know what it is to feel pain and can therefore imagine that the animal is experiencing something analogous.³⁸⁰

2.4 CONCLUSION

If relationship, rather than individual autonomy, is taken as the starting place for morality, then responsibility implies an examination of the actual reply that humans give to those they are in relationship with. Feminist scholar Karen Warren writes, “Humans and human moral conduct are properly understood essentially (and not merely accidentally) in terms of networks or webs of historical and concrete relationships.”³⁸¹ In this chapter we have seen that human

³⁷⁶ Ibid., 133.

³⁷⁷ Mercer, *Sympathy and Ethics*, 9.

³⁷⁸ The second step of sympathy, for Mercer, is the inclination to act on the behalf of the one for whom I have fellow-feeling.

³⁷⁹ Mercer, *Sympathy and Ethics*, 9.

³⁸⁰ Mercer writes, “Once I have grasped the full meaning of the word ‘pain’ I can sympathize with those who are in pain though I may never have experienced (and never shall) the particular pain they are experiencing.” He gives the example of a man sympathizing with a woman in childbirth, though his point holds for fellow-feeling with animals as well. Ibid.

³⁸¹ Karen J. Warren, “The Power and Promise of Ecological Feminism,” *Environmental Ethics* 12, no. 2 (1990): 141.

relationships with and emotional connection to other animals prove significant in both motivating and evaluating human ethical relationships with animals. In the first section we were introduced to the feminist ethic of care and its significance for animal ethics. From a theological perspective, we also addressed the shortcoming of an ethical approach based on relationship that fails to account for the basic relational nature of the cosmos as creatures in communion with their divine Creator. After noting the resources within Christian theology for addressing the reality of creaturely dependency, we moved on in the second section to articulate a distinction between caring for other animals and having a concern for the land as a whole. We found that animals, unlike plants and other inanimate natural phenomena, are capable of offering a true call and reply to human caring. Finally, in the third section we addressed the importance of emotions for human care for other animals. We found that, while we cannot put ourselves completely in the position of another animal, we still possess sufficient emotional continuity with animals to allow us to relate and care for them in a meaningful way. This is not to say that principles or justice-based approaches like animal rights are not important in the overall human relationship with animals. The feminist approach insists, however, “that what *makes* them relevant or important is that those to whom they apply are entities *in relationship with* others.”³⁸² As we will see in the following chapter, rights language can still play a positive, though limited, role within a larger ethic of neighborly care for animals.

³⁸² *Ibid.*, 142.

CHAPTER 3: 'CARING' FOR ANIMAL NEIGHBORS, PART 2

“Which of these three, do you think, was a neighbor to the man who fell into the hands of the robbers?” (Luke 10:36)

Old Man, the chimpanzee, was rescued from a lab at around the age of twelve and relocated to a zoo in Florida with three female chimpanzees. The human caretaker for the chimpanzees, Marc, built up Old Man’s trust by slowly approaching closer and closer when he brought them food. Eventually he was able to play with and even groom Old Man.³⁸³ One day while in the enclosure, Marc slipped and fell. This startled an infant, “who screamed, and his mother, her protective instinct aroused, at once leaped to attack Mark.” Soon the two other females joined in the attack. “And then Old Man charged to the rescue of this, his first human friend in years. He dragged each of the highly roused females off Mark and hurled them away. Then he stayed, close by, keeping them at bay, while Marc slowly dragged himself to . . . safety.”³⁸⁴

At a chimpanzee exhibit in the Detroit Zoo, Jojo attempted to escape the attacks of the top-ranking male by fleeing into the moat that surrounded the enclosure. As chimpanzees cannot swim, Jojo quickly began to sink in the deep water. A truck driver, Rick, who was visiting the zoo with his family, happened to be among the crowd of human onlookers that day and took notice of the chimpanzee’s plight.

As Jojo sank for the third time, Rick jumped in. The zoo staff yelled at him to get out, but he ignored them. . . . But when [Rick] pushed him onto the bank the slope was such that Jojo began to slip back into the water. At this point other chimpanzees, hair bristling, screaming, charged toward the scene. The people on the bank yelled even louder at Rick, telling him to ‘let the monkey drown!’ But Rick, despite the fierce approach of other chimpanzees, pushed Jojo back up and held him there until he raised his head, took a few groggy steps, and collapsed onto the level ground.³⁸⁵

³⁸³ Male, as opposed to female, bonding is a common feature of chimpanzee society. De Waal, “Apes from Venus,” 62.

³⁸⁴ Goodall, *Through a Window*, 234.

³⁸⁵ Jane Goodall, “Our Closest Living Relatives,” in *Animal Welfare and the Environment*, ed. Richard D. Ryder (London: Duckworth, 1992), 126.

When asked why he did what he did when he knew it was dangerous, Rick replied, “Well I looked into his eyes, and it was like looking into the eyes of a man, and the message was: Won’t anybody help me?”³⁸⁶

In the previous chapter we introduced the feminist ethics of care and explored its significance for animal ethics. We found care to play a vital role in human moral relationships with other animals especially in light of our emotional continuity and common states of dependency. In the present chapter I continue this investigation with a view towards connecting care more explicitly with the Christian concept of neighborly love in the parable of the Good Samaritan. Along the way I offer responses to criticisms of extending both care and the concept of neighbor to animals. The chapter proceeds in two stages. First, I examine Noddings’s differentiation between “natural” and “ethical” caring. This distinction proves important for connecting human responsibility and sympathy into a unified caring response. Second, by appealing to the parable of the Good Samaritan, I answer a criticism of caring put forward by the animal rights position and then consider a limited role for rights language within a larger ethic of neighborly care for animals.

3.1 TWO LEVELS OF CARE: NATURAL AND ETHICAL

So far we have looked at the role that emotions play in establishing caring relationships between humans and animals. We have implicitly assumed along the way that human reason also has a role to play in these relationships. It is now time to explicate more fully exactly how these two processes, emotion and reason, interact in order to construct a full picture of human ethical interactions with animals. The following three subsections look at the “twin sentiments” of natural and ethical caring that Nel Noddings proposes. First, natural caring is shown to comprise the emotional aspect of human relationships. This is a form of caring that humans share with other animals. Second, we find that ethical caring builds upon natural caring and involves a reflective, discriminatory element. Humans alone, Noddings claims, engage in ethical caring. The combination of these two levels of care brings together the previous chapter’s analysis of the moral relevance of emotions with chapter one’s emphasis on human

³⁸⁶ Ibid.

responsibility. In the third subsection, I show how this combination is able to defend against criticisms from philosophers like Martha Nussbaum.

3.1a Natural Caring

Noddings calls the first of the twin sentiments *natural caring*. The care of a mother for her child provides the paradigmatic example of this foundational level of care. “A mother’s caretaking efforts on behalf of her child are not usually considered ethical but natural,” Noddings claims.³⁸⁷ Along these lines, neglecting to care for one’s child is more properly considered a sickness rather than a failure of ethical deliberation on the part of the parent. “We feel that either she or the situation into which she has been thrust must be pathological.”³⁸⁸ The desire to care for one’s child is natural and does not require rational deliberation. Parents care for their children out of an *innate* impulse. “We share this impulse with other creatures in the animal kingdom,” Noddings claims.³⁸⁹ Examples of animal parents caring for their offspring abound in nature. We may even extend this natural caring to include similar events of care for other closely related family or group members. Jane Goodall’s observation of the adolescent chimpanzee Flint’s severe depression during and after his mother’s death provides an example of the first; her observation of the “four-year war” in which the members of the larger group defended themselves against and attacked the members of a smaller group that had broken away provides a gruesome example of the latter.³⁹⁰ A kind of natural affection and care can even occur between an animal and a closely associated human. For example, Darwin writes, “Everyone has seen how jealous a dog is of his master’s affection, if lavished on any other creature.” For Darwin, “this shews that animals not only love, but have desire to be loved.”³⁹¹ The above story of Old Man and Marc would also seem to fit this paradigm. Natural caring, therefore, is not bound by species lines. It is not a unidirectional encounter flowing from the human to the animal. Rather, natural care can occur between any two individual animals that are in close relationship with each other.³⁹²

³⁸⁷ Noddings, *Caring*, 79.

³⁸⁸ *Ibid.*, 83.

³⁸⁹ *Ibid.*

³⁹⁰ Goodall, *Through a Window*, 196f; 102f.

³⁹¹ Darwin, *Descent of Man*, 71.

³⁹² Examples of animals caring for members of other species have also been observed by many who study animal behavior. Marc Bekoff offers several such examples including one in which his dog

3.1b Ethical Caring

“The second sentiment occurs in response to a remembrance of the first,” Noddings asserts.³⁹³ Ethical caring is the responsible creature’s evaluation of her relationship with and emotional reaction to the one in need and deliberation about an appropriate response. This reflective element is added to the initial, emotional reaction in order to create a fully embodied ethical encounter with another human or animal. Ruth Groenhout, who explores the continuities between ethics of care and Christian theology, succinctly observes: “Without emotional impetus we cannot act, without reflection and experience we cannot act well.”³⁹⁴ This represents a clear modification of the rationalistic Kantian account of morality and Noddings acknowledges this. “Kant has identified the ethical with that which is done out of duty and not out of love, and that distinction in itself seems right,” she admits. “But an ethic built on caring strives to maintain the caring attitude and thus is dependent upon, and not superior to, natural caring.”³⁹⁵ This progression from natural to ethical is essential for the development of a fully embodied account of humanity and morality. Human moral action begins with natural caring and finds its completion in ethical caring. Thus, Kant’s example of the man who helps others out of duty rather than sympathy betrays a striking omission. Along these lines, H. B. Acton concludes that this man

could not have performed such an act of heroic beneficence if his heart had never warmed towards anybody. We may therefore say that although he does not at present sympathize with the man whom he is helping, he once sympathized with men in similar situations so that his present rational act is, as it were, an extension or revival of his past sympathetic ones.³⁹⁶

Human ethical caring with regard to animals is no different. Having once sympathized with an animal in pain, we need only recall that encounter to ethically care for an animal in a similar situation for whom we may not presently feel naturally inclined to care. Similarly, the universal reality of creaturely dependency means that when we encounter a dependent other we may

“adopted” an injured rabbit. Bekoff, *Emotional Lives*, 17-18. Darwin even includes a story of a captive baboon that adopts and cares for a kitten. Darwin, *Descent of Man*, 70.

³⁹³ Noddings, *Caring*, 79.

³⁹⁴ Groenhout, “Theological Echoes,” 11.

³⁹⁵ Noddings, *Caring*, 82.

³⁹⁶ Acton, “Ethical Importance,” 62.

immediately recognize our own past and present states of dependency. We fail to respond ethically, therefore, not by failing to initially feel sympathy for a specific animal that we encounter. We fail by not recalling or preventing the recollection of past sympathetic encounters with animals to inform a present encounter with an animal that meets us with a specific need. Our introductory story from chapter two demonstrates the power of such memory and reflection. George Pitcher's first sighting of Lupa, pregnant and desperately searching for shelter, brought back memories of past times when he had cared for stray, needy animals. "I found myself thinking about her and about the dogs I had owned in my youth," he writes.³⁹⁷ When later given the opportunity to respond to Lupa, after discovering her makeshift den under his shed, he responded with a combination of natural and ethical caring by presenting her with daily bowls of dog food.

Connections with the previous two chapters become apparent at this point. Humans share an emotional nature with other animals and this allows us to reply to the call that they make to us. But this reply is distinguished from natural, animal caring in that, as *imago Dei*, humans are responsible for their reply. This was noticeably brought out in the chapter one's discussion of the difference between attrition and contrition and the implications of animal amorality for animal punishment. We saw there a greater similarity between animal "moral" behavior and human attrition, the avoidance of sin because of fear of punishment, than human contrition, the avoidance of sin out of detestation for the sin itself. For Noddings "the genuine moral sentiment (our second sentiment) arises from an evaluation of the caring relation as good, as better than, superior to, other forms of relating."³⁹⁸ Humans, because they are created in responsible relationship with others, can reject abusive, neglective, or exploitative relationships because we judge relationships characterized by care as better for their own sakes as well as for all involved in the relationships. We can see the significance of this distinction in a quotation by Jane Goodall on the differences between human and chimpanzee caring. "While chimpanzees will, indeed, respond to the immediate need of a companion in distress, even when this involves risk to themselves, only humans are capable of performing acts of self-sacrifice with *full* knowledge of the costs that may have to be borne."³⁹⁹ The question of punishment brings out the

³⁹⁷ Pitcher, *The Dogs*, 4.

³⁹⁸ Noddings, *Caring*, 83.

³⁹⁹ Goodall, *Through a Window*, 215. Thus, Goodall concludes, "although our 'bad' is worse, immeasurably worse, than the worst conceivable actions of our closest living relatives, let us take comfort in the knowledge that our 'good' can be incomparably better." Ibid.

implications of this difference. We train both domestic animals and human children to adhere to certain social rules that make life together possible. We also expect children to eventually reflect on and understand these rules. We expect them to understand the relationship of the rules to the good of society or the maintenance of relationships, rather than simply that disobedience results in punishment. In other words, we normally expect children to develop from feelings of attrition to a position of contrition. We do not, however, normally have such expectations of animals. As we have observed previously, in human children there exists a “dynamic potential for growth in relation.”⁴⁰⁰ This potential allows us to distinguish between our punishing of children and animals. In both cases punishment possesses the aim of reinforcing socially constructive behaviors, but with children it has the additional aim of helping them understand why such behavior is constructive or destructive. For example, we may train a dog not to bite in the same way that we can train a child not to hit, but we do not expect the dog to eventually contemplate the merits of nonviolence or civil disobedience. In the same way, human caring has this further level of reflection that makes it truly ethical and responsible and distinguishes it from natural, animal caring.

A final point to make about ethical caring is that it necessarily leads to benevolent action on the part of the one-caring toward the one cared-for. The Samaritan in our parable became the wounded man’s neighbor by being “the one who showed him mercy” (*Ὁ ποιήσας τὸ ἔλεος μετ’ αὐτοῦ*) (Luke 10:37a). If an emotional response was elicited in the priest or Levite, it could not be called true ethical caring because it did not result in merciful action. “When we sympathize with another who is suffering,” Philip Mercer writes, “not only do we imaginatively participate in this suffering but we are also disposed to do something about it: we cannot sympathize with someone and yet remain indifferent to him.”⁴⁰¹ The sight of an injured or needy animal may strike an emotional cord in our hearts, yet until that initial emotional reaction is completed in some kind of benevolent action for the sake of the animal it is not true ethical caring. To have sympathy and yet remain inactive is a contradiction. Accordingly, Mercer proposes four conditions for the existence of true sympathy, or ethical caring, between the one-caring (*A*) and the one cared-for (*B*): “*A* is aware of the existence of *B* as a sentient subject; *A* knows or believes

⁴⁰⁰ Noddings, *Caring*, 86. See my longer discussion of “growth in relation” above in 2.2c. MacIntyre also notes the normal ability of human children to grow from dependent to independent practical reasoners. MacIntyre, *Dependent Rational Animals*, 91.

⁴⁰¹ Mercer, *Sympathy and Ethics*, 10.

that he knows *B*'s state of mind; there is fellow-feeling between *A* and *B* so that through his imagination *A* is able to realize *B*'s state of mind; and *A* is altruistically concerned for *B*'s welfare."⁴⁰² Ethical caring builds upon the similar emotional natures that connect humans morally to animals and allows for fellow-feeling between them. It then reflects upon the best course of action required to meet the animal's specific need. Writing nearly two decades before Mercer, and three before Noddings, H. B. Acton makes a similar, though less developed, observation. "Sympathy," he says, "is not a primitive animal feeling but is an exercise of the imagination involving self-consciousness and comparison. Hence it should not be contrasted with rationality but should be regarded as a form of it."⁴⁰³ Ethical caring, therefore, can be defined as the deliberative evaluation of *A*'s natural emotional impulses toward another sentient, emotional creature (*B*) that considers the unique needs of *B*, the nature of the relationship between *A* and *B*, and finally the most appropriate action *A* may make towards relieving *B*'s suffering or meeting *B*'s need. Ethical caring on the one hand takes a deontological approach to moral relationships and problems. The caring attitude, Mercer claims, "is always good. But the action it inspires is only conditionally good."⁴⁰⁴ Thus, while memory and reflection allow the one caring to see the independent goodness of the caring relationship, the goodness of the actions that this relationship inspires is dependent upon the specific needs and situation of the one cared for.

3.1c Noddings and Nussbaum

Advocates of the ethics of care clearly place it within the feminist tradition, but not all philosophers who write with feminist concerns evaluate it favorably. In this final subsection I will examine the criticisms one such critic, Martha Nussbaum, makes against the ethics of care. Nussbaum's liberalism makes for a particularly interesting contrast in that, while it possesses many practical similarities, it is ultimately derived from a different, justice-based foundation. Nussbaum's position appears to be aligned with the ethics of care in its acceptance of a place for the emotions in human ethical thinking. At a deeper level, however, it is incompatible in its basic assumption of individual, rational, autonomy as the starting place for any adequate ethical

⁴⁰² Ibid., 19.

⁴⁰³ Acton, "Ethical Importance," 66.

⁴⁰⁴ Ibid., 118. Writing in the 1970s, Mercer speaks of the attitude of "sympathy" rather than "care." He use of this term, however, is largely equivalent to the way in which later writers like Gilligan and Noddings use "care."

theory. In my discussion below, I show that the twin sentiments of natural and ethical caring do much to resolve Nussbaum's criticisms, but are not ultimately be able to reconcile the two contrasting foundations of these ethical theories.

In her book *Upheavals of Thought: The Intelligence of the Emotions*, Nussbaum argues that the value and importance of emotions must be taken into account in any adequate theory of ethics. Drawing upon ancient Stoic thought, Nussbaum argues that emotions constitute a form of judgment. "Although I believe that emotions are, like other mental processes, bodily, I also believe, and shall argue, that seeing them as in every case taking place in a living body does not give us reason to reduce their intentional/cognitive components to nonintentional bodily movements," she contends.⁴⁰⁵ Humans are, to recall Michael Northcott's phrase, *embodied reasoners* and our emotions make up an essential aspect of that reasoning. Thus far we find no significant disagreement with the ethics of care as it also grants the emotions a vital place in human moral thinking. Nussbaum's account also coincides with the ethics of care in its attention to particular others and concrete situations. Emotions, she claims, possess a rich perception of their object that is highly concrete and detailed. Simply thinking of a distant or abstract sorrow like the deaths of many people in an earthquake in a far away country a thousand years ago will not likely cause one to grieve, she claims. An emotion like grief "is very richly particular."⁴⁰⁶ Nussbaum even approves of the emotional continuity between humans and animals that we have previously discussed. Although she draws upon Stoic philosophy, she rejects their view that animals lack emotions because they lack complex language. Such a view "flies in the face of our experiences of commonality between ourselves and many animals. It also makes it impossible for us to give an adequate account of emotional development in infants and young children."⁴⁰⁷ Furthermore, she concludes that animal emotions have a cognitive element like human emotions, though they exist at a lower level of complexity. Most animals have "something that we may call conscious awareness: that is, there is something the world is like to them, and that intentional viewing of the world is significant in explaining their actions; but this need not imply that they study their own awareness."⁴⁰⁸

⁴⁰⁵ Martha C. Nussbaum, *Upheavals of Thought: The Intelligence of the Emotions* (Cambridge: Cambridge University Press, 2001), 25.

⁴⁰⁶ *Ibid.*, 65.

⁴⁰⁷ *Ibid.*, 91.

⁴⁰⁸ *Ibid.*, 126.

In her more recent book *Frontiers of Justice: Disability, Nationality, Species Membership*, Nussbaum dedicates a large section to the just treatment of animals. She agrees with the ethics of care that the emotions have a role to play in human moral deliberation and moral relationships with animals. Yet, she disagrees as to what place emotions have to play in those relationships. Like our relationships with mentally disabled humans or humans of another nationality, Nussbaum thinks that our relationships with nonhuman animals “ought to be regulated by justice.”⁴⁰⁹ She proposes a list that outlines the minimum qualities necessary for a dignified animal existence that humans must not intrude upon in our interactions with them. This list is later, perhaps unsurprisingly, sketched out as a species-specific modification of her capabilities list required for a dignified human life.⁴¹⁰ Emotions and sympathy provide only assisting roles in this scheme. Care, she says, “supports the capacity to play and enjoy life. It supports control over one’s material and political environment,”⁴¹¹ or with regard to animals, care supports their obtaining adequate nutrition and physical activity or freedom from cruelty. “We certainly should not deny that compassion is very important in thinking correctly about our duties to animals,” Nussbaum claims. “But compassion by itself is too indeterminate to capture our sense of what is wrong with the treatment of animals.”⁴¹² For Nussbaum, justice requires that we first consider animals as autonomous individuals who are the ends rather than means of our ethical thinking. Autonomy and equality are purported as prerequisites of caring. Virginia Held criticizes Nussbaum along these lines: Liberalism assumes “that we should start in our thinking with independent individuals who can form social relations and arrangements as they choose and that the latter only have value instrumentally to the extent that they serve the interests of individuals.”⁴¹³ The caring perspective, on the other hand, maintains that relationships themselves and the emotions that these relationships promote provide the ground upon which to build a system of justice and equality. In other words, emotional connections and caring relationships provide the source rather than mere support to a view of animals as also entitled to justice and the freedom to fulfill of certain species-specific capabilities. The point that a “view

⁴⁰⁹ Martha C. Nussbaum, *Frontiers of Justice: Disability, Nationality, and Species Membership* (Cambridge, MA, Belknap Press, 2006), 326.

⁴¹⁰ These capabilities include the following: 1) life, 2) bodily health, 3) bodily integrity, 4) senses, imagination, and thought, 5) emotions, 6) practical reason, 7) affiliation, 8) interaction with other species, 9) play, and 10) control over one’s environment. Animals are entitled, based on justice, to exercise these capabilities through their own characteristic species-specific forms of life and flourishing. *Ibid.*, 393-401.

⁴¹¹ *Ibid.*, 168.

⁴¹² *Ibid.*, 337.

⁴¹³ Held, *Ethics of Care*, 101.

such as Nussbaum's misses is the more fundamental one that turning everyone into a liberal individual leaves no one adequately attentive to relationships between persons,"⁴¹⁴ or, we should add, between humans and animals.

This emphasis on reason and justice leads Nussbaum in an earlier book, *Sex and Social Justice*, to misrepresent Noddings's description of caring. "Emotions," Nussbaum insists, "like other forms of thought and imagination, should be valued as elements in a life governed by critical reasoning."⁴¹⁵ She interprets Noddings as saying that "unless we give ourselves away to others without asking questions, we have not behaved in a fully moral way."⁴¹⁶ Obviously such a depiction of care cannot appeal to Nussbaum's insistence that emotions be subject to reason. She seems to misread Noddings, however, as saying that the *only* morally valuable form of caring is nonreflective. Noddings does insist that non-reflective mothering love possesses value. Yet, she does not think this is the only morally valuable form of caring. Rather, this is the natural caring that humans share with animals. Nussbaum appears to completely overlook Noddings's long discussion of ethical caring which includes reflection and memory. Against Noddings, Nussbaum asserts, "The liberal tradition is profoundly opposed to the idea that people should spontaneously give themselves without reflection, judgment, or reciprocity."⁴¹⁷ Noddings, clearly influenced by Martin Buber as we have seen, does speak in this way of the "receptive mode" where reason does not play a role and the pure encounter with the other is most intense. Yet, she also says that it is natural and appropriate not to remain in this mode. We must progress on to a mode of thinking in which we consider the specific problem with which the other encounters us and what action we may take to address it. Full human caring necessarily involves rational reflection. The point that must not be lost, however, is that caring also involves a foundational, pre-rational, emotional encounter. The receptive mode, in this way, marks the starting place for the ethics of care. It is not, however, the end. Natural caring prompts and orients the rational reflection that characterizes our ethical caring. Noddings's ethics of care and Nussbaum's justice based liberalism are in agreement, therefore, in insisting that an adequate ethical theory must incorporate both emotions and reason. They are

⁴¹⁴ Ibid., 95.

⁴¹⁵ Martha C. Nussbaum, *Sex and Social Justice* (Oxford: Oxford University Press, 1999), 74.

⁴¹⁶ Ibid.

⁴¹⁷ Ibid.

irreconcilable, however, as to whether emotions and caring perform foundational or merely supporting roles in an adequate ethical theory.

3.2 CRITICISM AND RESPONSE

Because care and justice are based on different foundations, we find ourselves in this chapter unable to fully accept a justice-based theory of animal rights. In practical application, however, both theories will often work together quite harmoniously. Yet, if we advocate for an animal ethic informed by an ethic of care and, as I argue below, neighborly love, we can only accept a limited application for animal rights theory. Feminist ethicist Marti Kheel argues that “the notion of *rights* can, in fact, be conceived only within an antagonistic or competitive environment. The concept of competition is inherent in the very definition of rights.”⁴¹⁸ The language of rights, therefore, can be helpful for talking about boundaries and the protection of individuals from the competing interests of others. Several years after the publication of his groundbreaking book, *The Case for Animal Rights*, Tom Regan even admits that “any fully credible ethic will have to find a place for both justice and care.”⁴¹⁹ Yet Regan, like Nussbaum, subordinates care to his theory of justice. He claims that, “morally speaking, care is not enough . . . because it is too limited.”⁴²⁰ He does not see how care can extend past preexisting familiar or friendly relationships. I take up this criticism in the first two subsections below. First I demonstrate that, as Noddings articulates it, ethical caring possesses resources that direct it toward an extension to the stranger but proves ultimately inadequate without a theological foundation. Therefore, in the second subsection I appeal to the concept of neighborly love as articulated in Jesus’ parable of the Good Samaritan to correct this problem. I interrupt my defense of neighborly care in the third subsection to respond to Celia Deane-Drummond’s criticism of using the neighbor concept with regard to animals. Finally, in the fourth subsection I return to the question of animal rights and propose that rights language may play a practical, though limited, role within a larger framework of care and relationship.

⁴¹⁸ Marti Kheel, “The Liberation of Nature: A Circular Affair,” in *Beyond Animal Rights: A Feminist Caring Ethic for the Treatment of Animals*, ed. Josephine Donovan and Carol J. Adams (New York: Continuum Pub., 1996), 29.

⁴¹⁹ Tom Regan, “The Case for Animal Rights: A Decade’s Passing,” in *Defending Animal Rights* (Chicago: University of Illinois Press, 2001), 61.

⁴²⁰ *Ibid.*

3.2a Extending Care to the Stranger

Regan sees an “insuperable dilemma” for a care based ethic: “either the ethic is grounded in the limited, partial care that people do have for others . . . or the ethic is grounded in an unlimited, impartial care for everyone.”⁴²¹ In the first case, the ethics of care would seem to be constricted by an emphasis on parental and friendly images of caring. In the second, it would appear to adopt the same universal, abstract principles that it criticizes in other ethical theories. Regan takes up this point in another article critical of caring by asking what resources this theory has for “people to consider the ethics of their dealings with individuals who *stand outside* the existing circle of their valued interpersonal relationships.”⁴²² If caring is unable to attend to the unexpected human, he finds it especially inadequate with regard to animals. Other than pets or “cuddly or rare specimens of wildlife” Regan does not find evidence that humans generally care very much about the needs of animals. “What, then, becomes of the animals toward whom people are indifferent, given the ethic of care?”⁴²³ Noddings’s own account of caring for unfamiliar animals appears to succumb to Regan’s criticism. Noddings states that because she has a caring relationship with her pet cat, she is able to extend that care to other members of the same species that she encounters. When we care for a pet “we will be addressed, and not only by this particular creature but also by others of its kind.”⁴²⁴ She does not, however, feel so inclined to care for a rat were it to show up at her door begging for food. “I am not prepared to care for it. I feel no relation to it. I would not torture it . . . , but I would shoot it cleanly if the opportunity arose,” she writes.⁴²⁵ At this point, the advocate of animal rights can step in and charge Noddings’s care for the stray cat over the stray rat as arbitrary. As individuals, both are unfamiliar and capable of experiencing similar levels of pain. Therefore, favoring one over the other fits Regan’s criticism of caring only for “cuddly” animals.

In an earlier passage Noddings describes the stranger as the “potentially cared-for.” Without the qualification we find in the later passage quoted above, Noddings’s account would appear quite amenable to an extension of care to the stranger.

⁴²¹ Ibid., 62.

⁴²² Tom Regan, “Feminism and Vivisection,” in *The Three Generation: Reflections on the Coming Revolution* (Philadelphia: Temple University Press, 1991), 95.

⁴²³ Ibid., 96.

⁴²⁴ Noddings, *Caring*, 157.

⁴²⁵ Ibid.

Indeed, the caring person, one who in this way is prepared to care, dreads the proximate stranger, for she cannot easily reject the claim he has on her. She would prefer that the stray cat not appear at the back door - or the stray teenager at the front. But if either presents himself, he must be received not by formula but as individual, Noddings insists.⁴²⁶

The stray cat at the door, however, is still an unknown individual. Noddings's familiarity with her own cat may aid her in being receptive to this stranger and in interpreting its needs, but it does not make *this* individual any less of a stranger. The animal rights advocate would be correct, therefore, in noting the inconsistency in caring for a stray cat rather than rat. As we will see in the following chapter, there are other historically relevant proximity factors relevant to differentiating our care for these two animals, such as the obligations that domestication places on human relationships with certain animals. Noddings, however, does not turn to these factors, but rather to the fact that she has a preexisting relationship with another member of the same species. Thus, she could just as easily refuse care to a stray dog that comes to her door. The animal rights advocate will find fault with this logic primarily in its inability to extend similar treatment to similar individuals. From the perspective of the ethics of care, however, this is most troubling because it marks a refusal to see each individual as an individual. In Noddings's statement about caring for the unexpected cat or teenager, she insisted that such strangers always be received as individuals rather than by formula. Yet, the method she uses to disregard certain unfamiliar animals is itself formulaic in its grouping of different species into general familiar/unfamiliar categories. In doing so it allows her to silence both the call of the particular animal that confronts her and her own receptivity to that animal. Regan is correct to assert that care cannot be abstracted to everyone. It only applies to those actual friends or strangers that meet us and to whom we can reply. The problem we find with Noddings's preference for stray cats, therefore, is ultimately not a failure of justice but of ethical caring. As we noted in the previous section, ethical caring can develop out of a natural impulse to care for another or from the recollection of such caring and the judgment that relationships characterized by care are better than those characterized by indifference or exploitation. The second of these origins is most relevant for extending care to an unfamiliar animal that we may encounter. The concept of neighborly love found in the parable of the Good Samaritan provides a strong foundation for this kind of caring extension. The Samaritan felt pity and cared for a man for whom under other

⁴²⁶ Ibid., 47.

circumstances he would likely have felt hatred rather than mere indifference.⁴²⁷ This social reality is part of what gives the parable such rhetorical power.

3.2b Good Samaritan Neighborly Care

The problems with Noddings's account of caring for unfamiliar, or stranger, animals can be overcome by an appeal to the parable of the Good Samaritan. I return in this subsection to Paul Ramsey's reflections on Christian neighborly love that we first took note of in the Introduction. According to the writer of the Gospel of Luke, a lawyer approaches Jesus with the question, "What must I do to obtain eternal life?" (10:25). Jesus answers this question by combining two Old Testament passages, Deut. 6:5 and Lev. 19:18: "You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbor as yourself" (Luke 10:27). Yet, another question remains for the lawyer: "And who is my neighbor?" (Luke 10:29). This second question, Ramsey asserts, "is in fact the most unanswered question in the entire New Testament!"⁴²⁸ While the Mosaic law laid down a clear definition of who constituted neighbor – those under the covenant – Jesus tells a story that defines instead the act of neighborly love. In its Old Testament context, neighbor referred to a fellow Israelite or proselyte.⁴²⁹ For this reason, Old Testament scholar Jacob Milgrom translates Lev. 19:18 as: "love your fellow as yourself." That love for the resident non-Israelite, i.e. non-neighbor, "is reserved for v. 34 implies that *rēa*' here means 'fellow Israelite.'⁴³⁰ Although on its own the Greek term for neighbor, *ὁ πλησίον*, admits a wider meaning, in its Luke 10 context the Leviticus definition takes priority; "this is how the lawyer could be expected to understand the phrase."⁴³¹ In this way, the lawyer's question seeks to draw a line between those to whom neighborly love is due and those to whom it can be denied. "The question really

⁴²⁷ Crossan notes how the parable challenged its original listeners to "to put together two impossible and contradictory words for the same person: Samaritan (10:33) and neighbour (10:36)." Crossan, "Parable and Example," 76.

⁴²⁸ Ramsey, *Basic Christian Ethics*, 92.

⁴²⁹ Arland J. Hultgren, *The Parables of Jesus: A Commentary* (Grand Rapids, MI: William B. Eerdmans Pub., 2000), 94.

⁴³⁰ Jacob Milgrom, *Leviticus 17-22: A New Translation with Introduction and Commentary* (New York: Doubleday, 2000), 1654.

⁴³¹ I. Howard Marshall, "The Gospel of Luke," in *The New International Greek Testament Commentary*, vol. 3, ed. I. Howard Marshall and W. Ward Gasque (Grand Rapids: William B. Eerdmans Pub., 1978), 444.

means: Where do I draw the line? How large must the circle be?”⁴³² The surprising insight of the Good Samaritan parable is that true neighborhood escapes such exacting definition. Ramsey observes that the parable’s most noteworthy quality lays in the fact that Jesus refuses to provide the lawyer with the strict taxonomy he desired.

Jesus took the weight off of concern for first knowing the neighbor. The question he really answered in this parable was not the one he was asked but the one which he himself addressed to the questioner: ‘Which of these three, do you think, *proved neighbor* to the man who fell among robbers?’ and promptly turned into a requirement: ‘Go and do likewise.’⁴³³

Jesus, in this parable, turns our attention to the loving act rather than the classification of its recipient. He radically reinterprets the “ethical summit . . . of [all of] Scripture,” as Milgrom calls it,⁴³⁴ in the Holiness Code, which demands a similar love for the fellow Israelite as for the foreigner, for the neighbor as for the stranger (Lev. 19:18, 34). In the parable Jesus declares that the very act of caring can transform two strangers into neighbors. Jesus shifts the burden of proof from the one in need of care to the one who is able to provide care. Thus, the stray animal that meets me at the doorstep, in Noddings’s example above, need not prove that it is a member of a specific species with which I already have an existing familiar relationship in order to qualify as a recipient of my care. Following the parable of the Good Samaritan, I must rather ask whether I can care for the specific animal that meets me in its need and thus prove neighbor to it.

This observation is significant and readily applicable to human relationships with animals because of the explicit presence of animals in the Mosaic covenant at Sinai. Exodus 20:8-10 reads:

Remember the sabbath day, and keep it holy. Six days you shall labor and do all your work. But the seventh day is a Sabbath to the lord your God; you shall not do any work – you, your son or your daughter, your male or female slave, your livestock, or the alien resident in your town.⁴³⁵

⁴³² Hultgren, *Parables of Jesus*, p. 94.

⁴³³ Ramsey, *Basic Christian Ethics*, 93.

⁴³⁴ Milgrom, *Leviticus 17-22*, 1403.

⁴³⁵ Although the Deuteronomist also discusses the Mosaic covenant (Deut. 5:6–21), I focus predominantly on the Priestly source material because P includes both the Noah and Sinai covenants as well as the reference “love your neighbor as yourself” (Lev. 19:18) that introduces Jesus’ parable of the Good Samaritan.

Although the other commandments concern themselves primarily with human-divine, and human-human relationships, here we find a clear concern for nonhuman animals. Anthropologist Mary Douglas observes, “The covenant with Moses on Sinai is the explicit assertion of God’s overlordship over the people of Israel and their livestock . . . From householder to children, servants to cattle, the animals come under the lines of authority drawn by the Sinai covenant.”⁴³⁶ The Sabbath commandment uniquely incorporates all three spheres in which humans exist in responsible relationship: divine, fellow human, and fellow animal. Yet, while it is inclusive of all these relationships, the Mosaic covenant also privileges a specific group of humans and animals. The line that distinguishes neighbor from foreigner or stranger is drawn not between humans and animals, but between those humans and animals within the covenant and those humans and animals outside the covenant. As one scholar writes, neighbors here are “conceived not geographically but in terms of identity as members of the community.”⁴³⁷ The Sabbath command states that domestic animals, as members of the covenant community and fellow workers, also deserve rest and an exemption from working on the seventh day. “They too need the opportunity to rest.”⁴³⁸

Linzey and Cohn-Sherbok have also observed the presence of animals within the Sabbath commandment: “Since the Sabbath Day was instituted for animals as well as human beings the admonition to rest extended to all animals within the care of humans.”⁴³⁹ The last few words of this quote are especially significant – “within the care of humans.” Although Linzey and Cohn-Sherbok do not elaborate on this fact, the only animals for which the command in Ex.10:8-10 explicitly demands care are the people’s domestic animals. Wild animals, existing outside the covenant community, require no such special concern. This is a point not lost on Stephen Webb in his examination of the same biblical passage. He states, “It is important to emphasize that while God cares about all life, the Hebrews were asked to worry about the animals who were dependent on them and upon whom they were dependent.”⁴⁴⁰ The definition

⁴³⁶ Mary Douglas, *Leviticus as Literature* (Oxford: Oxford University Press, 1999), 136.

⁴³⁷ Bernard S. Jackson, “Talion and Purity: Some Glosses on Mary Douglas,” in *Reading Leviticus: A Conversation with Mary Douglas*, ed. John F.A. Sawyer (Sheffield: Sheffield Academic Press, 1996), 121.

⁴³⁸ Norman Wirzba, *The Paradise of God: Renewing Religion in an Ecological Age* (Oxford: Oxford University Press, 2003), 39.

⁴³⁹ Andrew Linzey and Dan Cohn-Sherbok, *After Noah: Animals and the Liberation of Theology* (London: Mowbray, 1997), 24.

⁴⁴⁰ Stephen H. Webb, *On God and Dogs: A Christian Theology of Compassion for Animals* (Oxford: Oxford University Press, 1998), 23.

of neighbor, as understood within the context of the Mosaic covenant, restricts itself to the people of Israel and their domestic animals. This is further shown in the later instructions for the Sabbatical year in Ex. 23:10-12. Every seventh year the land itself requires a kind of Sabbath and must be allowed to remain fallow. On this year the wild animals are allowed to eat of whatever the land produces. The human responsibility and concern for wild animals here differs from that owed to domestics. The wild animals must be allowed merely the opportunity to secure their own food. They are neither afforded nor require the more intensive care granted to domestic animals. As neighbors in the covenant, however, the demands of caring for domestic animals may supersede the normal Sabbath regulations. As we saw in the Introduction, Jesus refers to the common practice of continuing to care for one's domestic animals on the Sabbath in order to justify his own act of healing a sick woman on the Sabbath.

Jesus' parable, however, opens up the bounds of our neighborly care for animals to include both domestic *and* wild animals. It is reminiscent in this way to the universal appeal of the Noahic covenant in Gen. 9. After the great flood of Genesis 7 God makes a covenant with all humans and animals that pays no regard to their clan or domestication status.

As for me, I am establishing my covenant with you [Noah] and your descendents after you, and with every living creature that is with you, the birds, the domestic animals, and every animal of the earth with you, as many as came out of the ark. . . . This [rainbow] is a sign of the covenant that I have established between me and all flesh that is on the earth (Gen. 9: 9-10, 17).

Milgrom claims that this covenant, along with the prefacing blood prohibition of 9:4, stands higher than the Ten Commandments in the priestly scale of virtues.⁴⁴¹ While the Decalogue provides the foundation for Israelite society, he maintains, this prohibition is given as the basis for a viable *human* society. I will revisit the blood prohibition and other dietary laws in more detail in chapter six. For now it is important to note the universal reach of the Noahic covenant. A sense of covenant community is established between all classes of humans and animals. Here, Robert Murray writes, "the partners are God, humankind and all animals. . . . God is seen as promising to care for both orders of creatures."⁴⁴² Murray also finds parallels between the universal scope of the covenant in Gen. 9 and the eschatologically minded covenant in Hos.

⁴⁴¹ Jacob Milgrom, *Leviticus 1-16: A New Translation with Introduction and Commentary* (New York: Doubleday, 1991), 705.

⁴⁴² Robert Murray, *The Cosmic Covenant* (London: Sheed & Ward, 1992), 34, 102.

2:18. “The concept of covenant here is the cosmic one, not that associated with Sinai.”⁴⁴³ The Mosaic covenant, in this way, marks a restriction in the cosmic scope of the Noahic covenant. The Mosaic covenant does not replace the Noahic; it still imagines a basic community between humans and animals and the various food laws that develop in Leviticus still fundamentally respect the blood prohibition. Yet, the inclusive nature of the human-animal community has become more limited in the Mosaic covenant.⁴⁴⁴

The restrictive nature of the Mosaic covenant is quite practical on the one hand because it allows for a more particular level of care. By limiting the scope of neighbor to include only those humans and animals within the covenant, the Mosaic covenant is able to see these human and animal neighbors as individuals in a way that would seem more difficult from the cosmic, universal perspective of the Noahic covenant. From an ethics of care perspective, this increased particularity must be seen as an advantage. On the other hand, according to the rights-based criticism of care, such a restriction can appear to lay unfair prejudice against the needs of the stranger. The innovation that Jesus’ parable brings to this problem involves an integration of the universal concerns of the Noahic covenant with the particular level of care in the Mosaic covenant. The parable is able to do this by utilizing different criteria for limiting care. Ramsey writes of neighborly love: “Since this man may be *any* man, such love is, of course, universal in compass, but only implicitly universal. It begins by loving ‘the neighbor,’ not mankind or manhood.”⁴⁴⁵ Neighborly love is not applicable to a general concept of fellow humanity or fellow creatureliness. As long as we are concerned with general classes or groups of humans and animals neighborly love remains only a potentiality. It becomes actual when we encounter individuals.⁴⁴⁶ The issue is one of *nearness* rather than group membership. A fuller exploration of nearness and neighborly love must await the following chapter, but we may still briefly note its import for our immediate concern. Nearness can be understood in two ways. It can refer to existing familiar or friendly relationships. I can in this sense consider certain family members

⁴⁴³ Ibid., 32.

⁴⁴⁴ “In P’s scheme, the covenant with Noah remains in effect even after the other covenants with Abraham and Moses are instituted. . . . [They] are more limited and apply only Israelites or Jews. But the latter two covenants do not replace the one with Noah.” Steven McKenzie, *Covenant* (St. Louis, MI: Chalice Press, 2000), 48.

⁴⁴⁵ Ramsey, *Basic Christian Ethics*, 95.

⁴⁴⁶ Groenhout also likens this aspect of Ramsey’s articulation of Christian neighborly love to similar concerns for particularity in the ethics of care. “It is the particular person that demands an ethical response from me, not some form of humanity present underneath all the particularities.” Groenhout, “Theological Echoes,” 19.

near to me even though we reside in separate states or countries. The moral responsibilities established in our previous relationships of care (previous to a physical relocation) do not simply dissolve for a lack of physical proximity, although they may become weaker. Nearness can also be understood as physical proximity.⁴⁴⁷ The establishment of a relationship is still important here, but it is founded on presently recognized need rather than on preexisting care. The Samaritan in the parable happened upon a needy stranger and offered him aid, thus becoming his neighbor, in a way that the priest and Levite failed to do even though they also came physically near the fallen traveler. Both of these aspects of nearness are important for a Christian understanding of neighbor and neighborly love. We cannot dismiss our responsibilities to family and friends, but neither can we limit our care to those in this circle. Care can be extended in a particular manner to those individuals that encounter us with their need, regardless of their domestic/wild or familiar/stranger status.

3.2c Animal Neighbors and Animal Friends

We have seen how an ethic of care for animals, modeled on the parable of the Good Samaritan, can overcome the rights-based criticism of care as arbitrarily parochial. In this subsection I address a criticism of the concept of neighbor from the other direction. Celia Deane-Drummond criticizes the association of animals with neighbors in favor of a more intimate, though restricted, category – friendship. Deane-Drummond writes, “The context in which moral consideration of non-humans needs to take place is that of friendship set in a cosmic covenant between God and all creatures.”⁴⁴⁸ She is unhappy with the ethical category of neighbor because, as she claims, “to act as neighbour puts rather less ethical demand on humanity than does the notion of friendship.”⁴⁴⁹ Yet, this is not always the case. The needs of the neighbor may demand a far higher level of care than I am naturally inclined to give a stranger. The fallen traveler in the parable required a significant dedication of the Samaritan’s time and resources. The Samaritan “went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him. The next day he took out two denarii, gave them to the innkeeper, and said, ‘Take care of

⁴⁴⁷ The equivalence of neighbor with physical proximity is itself a complicated issue and one that I explore in more depth in chapter 4.1c.

⁴⁴⁸ Celia Deane-Drummond, *Genetics and Christian Ethics* (Cambridge: Cambridge University Press, 2006), 234.

⁴⁴⁹ *Ibid.*, 232.

him; and when I come back, I will repay you whatever more you spend” (Luke 10:34-35).⁴⁵⁰ If the friend normally demands greater obligations than the neighbor it is only because of the time and consistency required for the creation and sustenance of friendship. Practically, Deane-Drummond admits, “friendship will be most easily realized towards those creatures that are significant in human communities.”⁴⁵¹ In other words, friendships will develop among humans and those animals with which humans have sustained and regular contact.⁴⁵²

Furthermore, Deane-Drummond asserts, “Neighbourliness seems to imply a lack of reciprocity, which might be truer of some creatures than of others.”⁴⁵³ The capacity of an animal to reciprocate human care appears to determine its eligibility for friendship. As we saw previously in chapter 2.2, the caring relationship requires some level of actual reply. The concept of care is inappropriate for those creatures, like plants, that merely respond to human concern and action. Yet, the lack of a need for full reciprocity is precisely what makes neighborly love such a helpful concept with regard to animals. Paul Ramsey clearly articulates the danger in caring for another out of a desire or need for reciprocity. “In the case of a friendly neighbor it is possible in loving him to love only his friendliness toward us in return. Then he is not loved *for his own sake*. He is loved for the sake of his friendliness, for the sake of the benefits to be gained from reciprocal friendship.”⁴⁵⁴ Very often, he says, love for a friend shows up as “enlightened selfishness.” This is better than a crude selfishness, but it is not neighborly love. The “full particularity of neighborly love” demands that we find “the neighbor out by first requiring nothing of him.”⁴⁵⁵ Love for neighbor in this sense requires a certain level of disinterest. It cannot be concerned with whether or not the neighbor in turn reciprocates care. This is significant for human relationships with animals, because, as we saw in the previous chapter, the realities of dependency mean that even the most intimate relationships of care, such as between a mother and child, will not always involve reciprocation. Similarly, in caring for an

⁴⁵⁰ Depending on the quality and price of the lodging, two denarii would have been sufficient for room and board for several days. Hultgren, *Parables of Jesus*, 99.

⁴⁵¹ Deane-Drummond, *Genetics*, 232.

⁴⁵² This fact has even been observed by marketing and consumer researchers. Elizabeth Hirschman, for example, has found that animal companions commonly serve humans as friends. “Much like long-term human friends,” Hirschman reports, “[animals and humans] ‘grow into’ one another’s lives through daily rituals and habits of behavior.” Elizabeth C. Hirschman, “Consumers and Their Animal Companions,” *The Journal of Consumer Research* 20, no. 4 (1994), 620.

⁴⁵³ Deane-Drummond, *Genetics*, 232.

⁴⁵⁴ Ramsey, *Basic Christian Ethics*, 96.

⁴⁵⁵ *Ibid.*, 94.

animal, reciprocation cannot be our primary concern. Ramsey concludes that the true test of disinterested love comes in our relationship to our enemies rather than our friends. “If a person loves his enemy-neighbor from whom he can expect no good return but only hostility and persecution, then alone does it become certain that he does not simply love himself in loving his neighbor.”⁴⁵⁶ On the other hand, he insists that in friendships there is always the hope and prospect of requital. The impetus of the parable of the Good Samaritan lies simply in proving neighborly, not in first deciding whether the one in need is my friend who will reciprocate my love at a later date. I do not want to argue that animals may never reciprocate human care. We saw a touching example of this in our introductory story of Old Man and Marc. I want to emphasize, however, that the realities of vulnerability and need do not discriminate between individuals that have friends and those that do not. Neighborly love understands this and is therefore ready to act whether the need we encounter derives from a friend, stranger, or even enemy. The actions of Rick toward Jojo in our other introductory story demonstrate that a neighbor can require just as much, if not more, risk and care than a friend, despite his inability to reciprocate.

In contrast to Deane-Drummond’s view, Ruth Page rejects the concept of friendship precisely because of the high level of intimacy and ethical demand usually associated with friendship. Page prefers the term *companion* because “one could scarcely ask a farmer to be friend of every sheep, cow, or chicken on the farm. But a sense of companionship with the creatures, as opposed to thinking of them as incipient commodities, or even only as stock, seems a possible fruitful way to behave for their good and the farmers.”⁴⁵⁷ In another place, Page additionally uses the concept of *neighbor*, though not necessarily as articulated through Jesus’ parable in Luke 10, to describe human relationships with and care for animals.⁴⁵⁸ These two categories, however, need not be seen as mutually exclusive. One can be both friend to certain animals and neighbor to others. To refer again to Noddings’s example, there is no reason why I cannot accept the high level of responsibility entailed in friendship with my housecat while still being open to the possibility of providing neighborly care to the stranger animal that meets me at

⁴⁵⁶ Ibid., 98-99.

⁴⁵⁷ Page, *God*, 156. Deane-Drummond’s argument for friendship is in part a reaction to Page’s rejection of the concept.

⁴⁵⁸ Ruth Page, “The Animal Kingdom and the Kingdom of God,” in *The Animal Kingdom and the Kingdom of God*, Occasional Paper No. 26 (Edinburgh: Church and Nation Committee of the Church of Scotland and the Center for Theology and Public Issues at New College University of Edinburgh, 1991): 7.

the back door. The underlying problem with setting friend and neighbor in opposition as Deane-Drummond and Page do is the assumption that these concepts are static or that any single category can effectively encompass all human relationships with animals. Firstly, there is no reason why a relationship that begins with neighborly care cannot develop over time into a friendship. We saw an example of this in the story of Pitcher and Lupa in the previous chapter. Secondly, just as the categories of friend or neighbor/companion do not exhaust all human-human relationships, human relationships with animals operate at several levels. Similar to the way in which the Mosaic covenant did not replace the Noahic covenant, the concern for friends need not displace openness to the stranger. One key insight of the parable of the Good Samaritan, as we saw above, lays in the moral significance it gives to relationships of nearness. This idea will be explored at length in the following chapter's discussion of human relationships with wild, domestic working, and pet animals.

3.2d Protective Animal Rights

In this last subsection I return to the question of animal rights and consider its compatibility with the neighborly caring ethic we have been developing. Rights language presupposes an antagonistic or competitive environment between individuals. In as much as an ethic of neighborly care presumes mutual dependency and relationship to be the fundamental realities of creaturely existence, it must reject the rights premise. Yet, in light of existing competition between humans and animals, we may find a helpful, though limited, place for rights language *within* an ethic of neighborly care for animals. Although he does not entertain the idea of animal rights, Karl Barth's discussion in *Ethics* of the neighbor as a bearer of rights helps clarify this idea. "The Thou of the neighbor," he claims, "becomes an authority to us from the standpoint of the right (or law) which protects him and which is represented by him."⁴⁵⁹ The very existence of the neighbor constitutes an authoritative presence in one's moral deliberations. Barth's concept of right also assumes an adversarial state of affairs. "The problem of right begins where the collision of my own activity with the social order begins; where this collision cannot be eliminated;...where [the neighbor] claims publically acknowledged and protected right for himself against me."⁴⁶⁰ Rights, in this way, help to protect individuals in situations of conflict and competing interests. So far Barth's description is similar to other secular rights

⁴⁵⁹ Karl Barth, *Ethics*, trans. by Geoffrey W. Bromiley (Edinburgh: T. & T. Clark, 1981), 376.

⁴⁶⁰ *Ibid.*, 377.

theories and appears to offer no significant advantage for our own caring perspective. The significant insight Barth brings to the discussion comes in his theological assessment of the adversarial basis for rights. Public legislation and the punishment of parties who violate the right of others “makes sense only if man is a sinner against whom others have to be protected.”⁴⁶¹ The theological presupposition for rights is not simply individuals existing in competition with one another, but “fallen Adam expelled from paradise.”⁴⁶² That we require rights to protect other humans or animals from ourselves acknowledges that human relationships are not what they should be. Barth writes, “Wittingly or unwittingly it [societal law] accepts thereby a theological presupposition. We are forced to say that the dogma of original sin is much better preserved by the police than by teachers or even by modern pastors.”⁴⁶³ The need for rights arises because humans find themselves in a historical reality that is different from either the ideal relationships depicted in the Genesis creation narratives where humans and animals live together peaceably on a diet of plant food or the prophetic visions of an eschatological peace between all creatures (for example Isaiah 11). To use Barth’s later terminology in the *Church Dogmatics*, rights are necessary under the present “caveat” (*Vorbehalt*) between God’s original plan and final goal for creation.⁴⁶⁴ Rights, therefore, must be seen as a temporary protective measure for the interim period between creation and recreation. They serve to remind us of the present reality of broken relationships and our need for the renewal made possible through grace rather than as an ideal or foundation for human existence.⁴⁶⁵

Stephen Webb puts forth a criticism of animal rights that holds particular import for our present discussion. He begins with an acknowledgement that the language of rights “emerges from a social situation of mistrust and opposition.”⁴⁶⁶ He then observes, “Ironically and tragically, giving animals rights could only result in giving humans even more power over the animals, because humans would be the ones determining what those rights are and how they

⁴⁶¹ *Ibid.*, 378.

⁴⁶² *Ibid.*

⁴⁶³ *Ibid.*

⁴⁶⁴ Barth, *CD* III.4, 353; *KD* III.4, 402.

⁴⁶⁵ I am using “historical” in the way that Barth uses it to describe the present reality of sin and the covenant of grace. The peace depicted in the opening chapters of the Genesis “saga” in this sense is not to be understood as some “golden age” to which we should hope for a return. In a similar manner the prophetic expectations represent a “post-historical era” of peaceful relationships. I am, thus, outlining a specifically theological limitation for rights language as appropriate for the time in between “creation and perfection.” See Barth, *CD* III/1, 211-212. I explore this notion of historical caveat in which violence and competition are possible in greater detail in chapter 6.2c.

⁴⁶⁶ Webb, *God and Dogs*, 55.

should be enforced.”⁴⁶⁷ Animals are unable to speak out for any protections they might demand. The best humans can do is represent animal interests, similar to the interests of human children, by some kind of proxy. Philosopher Joel Feinberg has made this very suggestion.⁴⁶⁸ Granting animals rights does not free them from human control or management; it simply stipulates the kind or degree of management. Webb’s most shrewd criticism, however, is the observation that “if we are the ones who give rights to animals, then the act of giving precedes the acquisition of rights. We will only give rights to animals if we act out of love and compassion toward them.”⁴⁶⁹ Therefore, he contends, the most important task for humanity is to reform those institutions that promote compassion rather than relying on the legislative protection of rights. Andrew Linzey’s concept of “theos-rights” for animals rests on an explicit, theological pillar in addition to the basic presumption of adversarial relationships between individuals; yet, it is susceptible to a similar criticism. In sum, Linzey argues that God, as Creator, has absolute right over God’s creation. Animal life has inherent value to God and therefore by granting animals rights, we are simply respecting the divine right and valuation of God’s creatures.⁴⁷⁰ Even this articulation of rights, however, is based more fundamentally on care and relationship. We respect God’s creatures because we respect God. The assignment of derivative rights for animals, therefore, arises out of humanity’s prior relationship with God. Love and relationship still proceeds the granting of rights.

The best candidate for a relationship where rights language would appear appropriate lays in human relationships with wild animals. This is because human responsibility for wild animals is characterized primarily by a position of restraint. Grace Clement points out that, “just as the ethic of justice would say, it seems that they *do* need only that their space be protected from others’ intrusions.”⁴⁷¹ Such an idea seems clearly in line with Barth’s suspicion that without the protection of rights “the exercise of [one man’s] own specific right in life will be unpleasant for his fellows.”⁴⁷² Thus, for humans and wild animals to flourish and live together

⁴⁶⁷ Ibid., 56.

⁴⁶⁸ Joel Feinberg, “The Rights of Animals and Unborn Generations,” in *Today’s Moral Problems*, 2nd ed., ed. Richard A. Wasserstrom (New York: Macmillan Publishing Co., 1979), 584.

⁴⁶⁹ Webb, *God and Dogs*, 57.

⁴⁷⁰ Linzey, *Christianity*, 69.

⁴⁷¹ Grace Clement, “The Ethic of Care and the Problem of Wild Animals,” in *The Feminist Care Tradition in Animal Ethics*, ed. Josephine Donovan and Carol J. Adams (New York: Columbia University Press, 2007), 305.

⁴⁷² Barth, *Ethics*, 378.

the drawing of certain restrictions and boundaries could prove beneficial. Accordingly, Andrew Linzey states that “the language of rights is indispensable as the provider of markers and pointers to the minimum obligations we should extend to animals, such as not harming, not causing suffering, not wantonly destroying.”⁴⁷³ Respecting the ‘rights’ of wild animals, therefore, would mean allowing them space and opportunity to remain free from human interference. It would mean, essentially, following the guidance of the Sabbatical year command in Ex. 23:10-12 that we observed above in section 3.2b. Tom Regan’s notion of duties of assistance can be placed within this framework. By duties of assistance, he means that justice imposes the duty to assist those who suffer from injustice in addition to regular duties of nonharm. Regan writes, “If you have a right to noninterference, then my duty to you in this regard does not consist merely in my minding my own business; I also have a *prima facie* duty to assist you if others deny you the exercise of this right.”⁴⁷⁴ Protection remains the underlying theme – I must protect you from myself as well as others. Yet, outside of these minimal, protective obligations, rights language falls short.⁴⁷⁵ Rights language possesses no way to articulate other circumstances where nurture and growth in relationship are called for rather than autonomy and protection. Rights, therefore prove less appropriate for those domestic and pet animals that are *dependent* on humans and thus demand more than protective noninterference.

With regard to wild animals rights also lose traction when we face situations where harm has been caused but rights have not been violated. Such situations would include accidental harms or harms caused by natural disasters or amoral agents (“moral patients” in Regan’s terminology) such as wild predators. In these cases, strictly speaking, no injustice has been done and therefore no protective duties of assistance are required. Dale Jamieson notes this problem with rights language.⁴⁷⁶ In response, Regan states, “I do not maintain that we owe nothing to those in need who are not victims of injustice. What I do maintain is that we do not owe anything to such individuals *on the grounds of justice*.”⁴⁷⁷ He admits that rights theory in this regard is not a complete theory and is open to the possibility of providing aid for reasons other

⁴⁷³ Andrew Linzey, “The Moral Priority of the Weak,” in *The Animal Kingdom and the Kingdom of God*, Occasional Paper No. 26 (Edinburgh: Church and Nation Committee and the Church of Scotland and the Center for Theology and Public Issues at New College University of Edinburgh, 1991): 37.

⁴⁷⁴ Regan, *The Case*, 282.

⁴⁷⁵ This is a point that Linzey admits in “Moral Priority.”

⁴⁷⁶ Dale Jamieson, “Rights, Justice, and Duties to Provide Assistance: A Critique of Regan’s Theory of Rights,” *Ethics* 100, no. 2 (1990), 353-4.

⁴⁷⁷ Regan, “A Decade’s Passing,” 50.

than the demands of justice. Clement provides an example, surprisingly similar to that of our parable, of how incorporating rights language into a larger caring framework will help correct this problem. Under normal circumstance, humans should follow, as much as possible, a policy of noninterference toward wild animals and their habitats. But when we encounter an individual wild animal with a specific need that we can meet, caring is possible and even necessary. Clement's example: A human is hiking through the woods and happens upon a wounded bird lying by the side of the path. The hiker feels pity on the bird and gives it aid. She insists, "This is not to claim that there ought to be public policy devoted to the alleviation of wild animal suffering, only that when an *individual* human being is confronted by the suffering of an *individual* animal, it would be morally unacceptable to say that we have a moral obligation *not* to relieve that suffering."⁴⁷⁸ We find a striking example of this interaction between rights and caring as a legal precedent in Britain. Humans are largely forbidden from keeping or killing certain protected animal species. If however, a human happens upon a representative of one of these protected species that is injured she may care for it with the intent to release it when it has recovered or kill it if no hope of recovery exists.⁴⁷⁹ I am not suggesting that British legislators had these two ethical theories in mind when framing this law. I am only citing it as an example of how a limited, protective understanding of animal rights might fit into a larger caring ethic in a real world situation.

3.6 CONCLUSION

Humans answer the call of the other as whole human creatures. In other words, while the human response to the neighbor possesses a cognitive element, it also contains an essential emotional, or sympathetic, component. Human mental capacities may provide the instruments allowing us to respond responsibly, but our sympathies provide essential motivation and content to that answer. In this chapter we have described this interaction between emotion and reason as the twin sentiments of natural and ethical caring. By appealing to the parable of the Good Samaritan, we then took up a critique of caring made by the animal rights position. We found that an ethics of care for animals can readily extend to the stranger animals if informed by the Christian concept of neighborly love. Nevertheless, we observed finally that the language of

⁴⁷⁸ Clement, "Ethic of Care," 312.

⁴⁷⁹ *Wildlife and Countryside Act* 1981, Part 1.10.3. <http://www.jncc.gov.uk/page-3614>.

justice and rights can have a limited role to play within a larger context of care for animals. Commenting on the relationship between care and justice Virginia Held writes:

This relational view is the better view of human beings, of persons engaged in developing human morality. We can decide to treat such persons *as* individuals, to be the bearers of individual rights, for the sake of constructing just political and legal and other institutions. But we should not forget the reality and the morality this view obscures. . . . We should embed this picture, I think, in the wider tapestry of human care.⁴⁸⁰

Care is primary, she claims, because human life simply cannot exist without it. Parental care for children, for example, marks a prerequisite for the very existence, much less flourishing, of human life and society. It is possible to have relationships of care without justice, but not justice without care. This point is particularly relevant for the theological account of animal ethics I am proposing. We saw in chapter one that humans, as being created in the image of God, exist fundamentally as creatures in relationship rather than as the autonomous, individuals stipulated by a justice or rights theory. It is within relationships of dependency and responsibility with God, other humans, and other animals that we express a truly human life. The language of rights may be helpful in constructing just relationships between humans and animals; however, we must remember that such language is suitable only if the more primary relationships of responsibility and care have given way to indifference or exploitation. Caring seeks to avoid such outcomes, but in our present historical 'caveat' to speak in a limited way of rights may be appropriate.

⁴⁸⁰ Held, *Ethics of Care*, 72.

CHAPTER 4: DRAWING NEAR TO ANIMAL NEIGHBORS

“But a Samaritan while traveling came near him” (Luke 10:33)

“When I go off on an excursion perching along the river banks or lakes near a village, as I fly up over the banks, the children cry, ‘Look, there’s the Doctor’s pelican!’ And they escort me on my way.”⁴⁸¹ In a short book, told from the perspective of the bird, Albert Schweitzer tells the story of his pelican. Over time Schweitzer and his pelican develop a mutual respect and the bird becomes his constant companion. The pelican perches on guard outside Schweitzer’s room at night, greeting any intruders with a hiss and slap from his beak. He even accompanies the doctor on his daily rounds at the hospital. “The friendship between the Doctor and me gives me the right to be his companion wherever he goes. I walk along beside him when we meet on the hospital street or down by the river. I join in the conversations he has.”⁴⁸² Schweitzer never cared for the pelican with the idea of making him a pet. At the beginning of their relationship Schweitzer often wished that the bird would leave because of the strain he put on the hospital’s resources – particularly fish. Yet, what would develop into a lasting friendship between man and bird began with a chance encounter. The pelican, one of the numerous animals that Schweitzer took in at his hospital in Africa, was captured by traders from its nest as a chick. Fearing that he would be sold to someone who would not care for him, Schweitzer bought the bird from the traders with the intent of releasing him back into the jungle when he was old enough to fend for himself. This particular pelican, however, never flew off like the other animals. He chose instead to spend his days near the good doctor. Although Jesus never indicates that the Samaritan developed a lasting relationship with the fallen traveler, like Schweitzer and his pelican, the Samaritan was put in a position to respond to the traveler and provide care when he first, by chance, “came near him” (*ἤλθεν κατ’*) (Luke 10:33). Along these lines this chapter will explore the many senses in which humans draw near to animals and become their neighbors, from helping an injured wild animal, working alongside a domestic animal, to befriending a pet.

In the previous chapters we saw the essential role that caring plays in human moral relationships and asked whether animals were fitting subjects of human sympathy. Having

⁴⁸¹ Albert Schweitzer, *The Story of My Pelican*, trans. Martha Wardenburg (London: Souvenir Press, 1964), 44.

⁴⁸² *Ibid.*, 56.

established that humans can in fact care for other animals, we must now ask how far our care must extend to the countless animals species with which we share the planet. Does the universal Noahic covenant mean that our care must also be universal and extend equally to all animals? We worked toward an answer to this question in the previous chapter with our emphasis on establishing caring relationships with concrete animal neighbors rather than with animals or species in general. I will suggest in this chapter that attention to nearness, or the proximity of the neighbor, also contains particular relevance for an animal ethic. The Samaritan in our parable was not “moved with pity” by an abstract thought of a distant fallen traveler. He could only offer the traveler true care after first “drawing near” (*προσελθῶν*) (10:34). This chapter will proceed in two stages. I demonstrate in the first section the important role that nearness plays in human care for animals as neighbors. I argue here that relationships of nearness provide essential order to human moral relationships with other animals. I argue in the second section that human responsibility for animals is not monolithic, but varies in degree according to the nearness of the animal to human society. In other words we require a *taxonomy of nearness*, to adapt Clare Palmer’s phrase, in which duties to wild, domestic, and pet animals can be established and differentiated.⁴⁸³ In this way I articulate two strands in which neighborhood with animals is understood: First, animals are neighbors in that they exist in relationships of proximity and encounter with humans; second, these neighborly relationships possess a historical quality that we can and should account for in our dealings with them.

4.1 THE ETHICAL IMPORTANCE OF PROXIMITY

4.1a Similar Capacities ≠ Similar Care

A justice-based animal ethic that begins with values like equality will tend to treat all encounters with similar animals on a similar playing field. For example, if the capacity to suffer

⁴⁸³ I am here adapting Clare Palmer’s phrase “taxonomy of relationship.” She keenly observes that “if *relationship* is the key ethical behavior towards animals, this opens up the possibility that humans might have different ethical obligations towards animals with whom they have different relationships.” Palmer, *Animal Liberation*, 3. I have modified this phrase in order to emphasize the role of nearness in relationship. I want to emphasize that what distinguishes and defines the different relationships humans have with animals is the concept of nearness. The characteristic that defines human relationships with wild animals, for example, is a lack of nearness. Wording the phrase in this way also allows me to discuss the significance of the human-pet relationship, which can encompass both wild and domestic animals, and which Palmer leaves largely unarticulated.

is the qualification a creature must possess to count morally, then all creatures with this capacity will possess equal moral consideration. This is the basic utilitarian position expounded by Peter Singer. On these grounds, one cannot dismiss the interests of an animal simply because they derive from a member of a different species. This is the very meaning of speciesism. But rejecting speciesism, Singer argues, does not necessarily imply that all lives are of equal moral worth.⁴⁸⁴ In choices that do not involve simply the infliction of pain, other capacities become relevant. When faced with the necessity of killing a dog or a normal adult human, the human's greater capacities such as self-awareness, planning for the future, and engaging in complex communication, take precedence.⁴⁸⁵ Along these lines we can assume that the same principle would hold true for choosing between the life of two animals with differing capacities, such as a dog and a mouse. While both are capable of suffering, the dog has a greater capacity for self-awareness, etc. Therefore, while it would be wrong to inflict pain on both, we can still conclude that the life of the dog is more valuable than the life of the mouse. Yet, if the choice is between two animals with similar mental capacities, such as a dog and a wolf, an utilitarian animal ethic can provide little guidance. The interests of two individuals with similar capacities possess similar weight in an utilitarian calculus. We are faced with a similar problem from an animal rights perspective, which also emphasizes equality. All subjects-of-a-life demand similar basic rights, or protections, regardless of their species or location. The rights view, Tom Regan asserts, is "categorically abolitionist" when it comes to the use of animals both in science and in agriculture.⁴⁸⁶ Whether an animal is wild or domestic matters not. Thus, if equality is the guiding light, all animals that possess equal capacities demand equal treatment.

As we saw in the previous chapter, however, justice-based theories like these are better at addressing abstract concepts and groups than our concrete relationships with individual animals. Clare Palmer astutely sums up the problem faced by justice-based theories of animal liberation:

An endangered wild cat, a domestic house cat and a non-native feral cat all have (roughly) the same innate capacities. There are no grounds for treating wild animals one way while regarding domestic animals with similar innate capacities differently. This is

⁴⁸⁴ Singer, *Animal Liberation*, 20.

⁴⁸⁵ Ibid.

⁴⁸⁶ Regan, "The Case," 113.

because contextual differences of this kind are not of ethical significance to philosophical animal liberation.⁴⁸⁷

For Palmer, the creation of domestic species, and hence dependent species, marks an important contextual difference that places special claims on humans outside the basic equal consideration demanded by the principle of equality in utilitarian and rights based theories. Sentience may be important for establishing our ability to care for other creatures. The recipient of our care must be capable of a reply rather than a mere reaction.⁴⁸⁸ According to the ethics of care, however, it is one's relationship with another that forms the basis for one's care, not just comparable capacities. Relationship, in this way, provides the contextual grounds for discriminating between our care for Palmer's three kinds of cat. Domestication constitutes a unique relationship between humans and certain animals. It is not the same as the relationship between an individual human and an individual animal like that of Schweitzer and his pelican (although this relationship also places certain ethical demands on Schweitzer that would not arise if he were to encounter an unknown pelican). I argue in this chapter that these different relationships derive from different kinds of nearness and that this has consequences for human moral action. Domestication is the result of a historic nearness with human society while wildness is constituted by a historic independence from humans. A pet on the other hand, may be either a domestic or tame wild animal that is presently adopted into a more intimate, familiar relationship with humans. These circumstances provide grounds for directing and ordering human care for animals that pure justice-based approaches lack.

While more will be said about these contextual differences in the following section, it is important to note presently that such discriminating care does not equate to a prejudiced care. Mary Midgley writes, "The special interest which parents feel in their own children is not a prejudice, nor is the tendency which most of us would show to rescue, in a fire or other emergency, those closest to us sooner than strangers. These habits of thought and action are not unfair, though they can probably be called discriminatory."⁴⁸⁹ It is not a prejudice, she points

⁴⁸⁷ Clare Palmer, "Rethinking Animal Ethics in Appropriate Context: How Rolston's Work Can Help," in *Nature, Value, Duty: Life on Earth with Holmes Rolston, III*, ed. Christopher J. Preston and Wayne Ouderkirk (Dordrecht, The Netherlands: Springer, 2007), 185.

⁴⁸⁸ See chapter 3.2.

⁴⁸⁹ Midgley, *Animals*, 102. Midgley uses this example as a defense against the charge of speciesism in a chapter on the relevance of species differences in human relationships with other animals, but it also holds for the relevance of differences between domestic and wild animals.

out, to acknowledge that some individuals, regardless of their merits or capacities, can be objects of concern before others. Theologian Robert Spaemann makes a similar observation: “Standing before the alternative of saving the life of my child or of someone else, I would choose to save the life of my child. And I would need the forgiveness of the one, who by this decision, was lost. Forgiveness, not in its narrower, moral sense, since I have no guilt.”⁴⁹⁰ The relationship that exists between Spaemann and his child places special, overriding claims on him that the other person does not. It matters little whether Spaemann’s child and the other person have similar capacities; it is his relationship with his child that dictates the priority of his care. If we speak explicitly about human care for animals we find that a similar ordering is appropriate. In an article about the “humane” treatment of children and animals, child psychologist James Garbarino tells a story that holds particular relevance to our current discussion. “When my son was six years old he was bitten by a raccoon in the forest. . . . There was a chance that the raccoon was rabid. To rule out rabies, it was necessary to submit the animal’s brain to analysis, which meant that the raccoon had to die.”⁴⁹¹ He regrets that the raccoon was killed, but nevertheless feels that it was the right decision. Although the raccoon may have fared better under an ethic of animal rights, an utilitarian animal ethic would come to a similar conclusion. Because of the child’s greater mental capacities, rabies would be a greater evil for the child than the raccoon. The scenario becomes more complicated, however, if we substitute the child for say a pet cat. Because the raccoon and cat have similar capacities neither the rights nor utilitarian perspectives would have sufficient grounds for acting. Neither animal possesses a greater right to life, nor is there any reason to believe that rabies would cause more pain in one animal over the other. If we consider the relationship between the pet cat and its owner, however, we have the additional contextual data that makes moral action possible. The raccoon’s death is still regrettable, but the owner’s responsibility to his pet overrides the equal capacities that both animals possess.⁴⁹²

⁴⁹⁰ Spaemann, *Happiness and Benevolence*, 111.

⁴⁹¹ James Garbarino, “Protecting Children and Animals from Abuse: A Trans-Species Concept of Caring,” in *The Feminist Care Tradition in Animal Ethics*, ed. Josephine Donovan and Carol J. Adams (New York: Columbia University Press, 2007), 255.

⁴⁹² To extend this thought experiment further, we would not have a similar duty to care if the raccoon bit an unknown wild animal. Unless the raccoon displayed clear signs of having rabies, we would not even have sufficient reason to humanely kill both animals in order to prevent the disease from spreading to other wild animals. We might, however, have reason to sacrifice the raccoon for the sake of an animal that we do not know but nevertheless is clearly the pet of another human family. Our faculties of memory and deliberation, imagining that this were our own pet, would dictate our ethical caring in this situation.

4.1b Embodiment and Place

We need such discriminatory guides because the outcomes of a strict egalitarian animal ethic are unrealistic. Humans are embodied creatures and, therefore, finite and simply unable to extend equal care to all animals. In his book, *Happiness and Benevolence*, Spaemann describes the human need of an *ordo amoris*, an order of love. A tension exists between the “infinite horizon of responsibility” and the “finitude of the human as a living being, who cannot measure up to this responsibility,” he observes.⁴⁹³ Humans are not gods. We cannot take up the divine perspective and have responsible concern for all suffering everywhere. Any attempt to do so would be a denial of our natural finitude. Our caring, therefore, must be ordered and attention to relationships of nearness provides one way to do so. “Responsibility,” Spaemann contends, “always comes out of real perception, out of the face to face encounter, which brings us, perhaps completely by chance, to be the ‘neighbor’ of the animal.”⁴⁹⁴ Therefore, he continues, “not every pain of every animal can demand a human’s attention.”⁴⁹⁵ It is not possible for us to act with responsibility toward all pain and suffering in the animal world. As such, the hare that is killed by the coyote in the uninhabited (by humans) prairie need not concern our moral action. Neither should the hungry coyote that is unsuccessful in her hunt. Although some people may feel sadness at the mere abstract knowledge that such pain exists at some time at some place, the pain of an animal demands our attention only when we enter, for whatever reason, into nearness with that animal. Spaemann is not alone among Christian theologians in acknowledging the relevance of proximity for human moral responsibility, although he is one of the few to make this connection with regard to human moral relationships with other animals. In the fourth century Augustine of Hippo, for example, wrote, “All men are to be loved equally. But since you cannot do good to all, you are to pay special regard to those who, by the accidents of time, or place, or circumstance, are brought into closer connection with you.”⁴⁹⁶ All humans may be

⁴⁹³ Spaemann, *Happiness and Benevolence*, 111.

⁴⁹⁴ *Ibid.*, 179.

⁴⁹⁵ *Ibid.*

⁴⁹⁶ Augustine, *On Christian Doctrine*, Book I, 28.29 in *Nicene and Post-Nicene Fathers*, First Series, Vol. 2, ed. Philip Schaff, trans. J.F. Shaw. 1873, Reprint (Grand Rapids, MI: Wm. B. Eerdmans Pub., 1956), 530. <http://www.ccel.org/fathers.html> (accessed April 2009).

equally deserving of our love, but practically, we cannot truly care for humanity in general. Rather, we must direct our care towards those individuals in closer proximity to ourselves.⁴⁹⁷ The same holds in respect to our care for animals. All sentient animals may be deserving of our care,⁴⁹⁸ but we can only truly care for those who are near us. Here we come to the very heart of neighborhood. The word neighbour, *πλησίον*, literally means, “one who is near.”⁴⁹⁹ While all animals may be potential neighbors, only those animals with whom we draw near, for whatever reason, are our actual neighbors.

The realities of human embodiment and finitude also mean that when we attentively draw near to an animal we must attend to the unique place of that animal. We are not concerned here with an abstract notion of animal life or an abstract sense of space. Here we find an interesting distinction between humans and other animals that holds particular relevance for our current discussion. Miles Richardson writes that “as flesh and blood primates, we occupy space; as creatures of the symbol we transform that space into place.”⁵⁰⁰ In other words, humans, as animals, exist in the abstraction of space, but the human capacity for culture allows us to transform our general living space into unique places of meaning. At first glance, Richardson’s assessment seems valid. Yet, a closer investigation proves that just the opposite is true. Claiming that humans, as primates, occupy space implies that animals live their lives in abstraction rather than particularity. This goes against an important distinction that many philosophers make between humans and animals – the capacity for abstract thought. Thomistic philosopher Anthony Kenny states, “Only humans think abstract thoughts and make rational decisions.”⁵⁰¹ Similarly, Spaemann argues, “The animal does not become real to itself, but remains in the centrality of the instinctual drives, its life does not become a whole.”⁵⁰² In other

⁴⁹⁷ This proximity may be relational as well as spatial. Thus, I can still care for a friend or family member who lives in a different town than myself.

⁴⁹⁸ I refer here to the previous chapter’s engagement with the feminist ethics of care.

⁴⁹⁹ Marshall, “Gospel of Luke,” 444.

⁵⁰⁰ Miles Richardson, “Place and Culture: Two Disciplines, Two Concepts, Two Images of Christ, and a Single Goal,” in *The Power of Place: Brining Together Geographical and Sociological Imaginations*, ed. John A. Agnew and James S. Duncan (Boston: Unwin Hyman, 1989), 141.

⁵⁰¹ Kenny, *Aquinas on Mind*, 16.

⁵⁰² Spaemann, *Happiness and Benevolence*, 117. Although his basic point still largely holds, we may not want to go so far as Spaemann in drawing an abrupt line between human and animal mental abilities. The classic definition of humans as *animal rationale*, Spaemann insists, grounds a fundamental difference, like that of a genus, “so that we place the human over against the animal in the same way that we place the animal over against the plant and, regardless of the biological proximity of humans to apes, place the apes together with earthworms as ‘animals.’” *Ibid.*, 82. In light of scientific knowledge, and careful

words, an animal cannot conceive of its life as a whole, but rather lives from one immediate moment to the next. This means that an animal does not have the ability, like humans, to live in space, abstracted from his/her immediate surroundings and relationships. Therefore, if an animal cannot abstract, how, we may ask, can they live in anything but the particularity of place? Thus, it may be more accurate to claim that humans, as primates, live in place, but our capacity for abstract thought allows us to transcend the particularities of our specific place.

This ability allows us to look past our own species and enter into relationships with other animals that amount to more than simply seeing them as objects for our consumption. On the other hand, our closest biological relatives, the Neanderthals, failed to form relationships with other animals that approach anywhere near the complexity of those we find between humans and animals. Archeologist Stephen Mithen attributes this failure to Neanderthals' feeble capacity for abstract thought. "This was a serious constraint on the type and range of relationships that could be formed with animals," he claims.⁵⁰³ Yet, this very ability that makes complex relationships with animals possible also allows us to ignore the particularity of relationships in place and live instead in abstract, isolated space. Ironically, our capacity for abstraction, which can prove helpful for realizing our commonality with other animals, can also prove detrimental to our caring for any particular animal. If we remain in the world of human abstraction and never attend to the actual places that we inhabit, we may never see the animals that live there too. Nearness, on the other hand, represents a constant feature of an animal's lived experience that it cannot overlook or deny. Thus, while animals may tend naturally to care for those near them, for humans, this requires deliberate choice. To recall Augustine's point in *On Christian Doctrine I*, we must love all equally, but we cannot do good to all equally. Therefore, neighborly love is concerned less with doing good to abstract concepts of human or animal-kind than focusing instead on those real individuals we encounter in the specific places we occupy.

observation of animal behavior, a gradated view seems more appropriate. Such a conception would allow differing levels of understanding and abilities for different kinds of animal life, with some approaching nearer to that of humans than others. Alasdair MacIntyre critiques Kenny, who posits a similar chasm between humans and animals as Spaemann, along similar lines. MacIntyre states we should think "in terms of a scale or a spectrum rather than of a single line of division between 'them' and 'us.'" MacIntyre, *Dependent Rational Animals*, 57.

⁵⁰³ Stephen Mithen, "The Hunter-Gatherer Prehistory of Human-Animal Interactions," in *The Animal Reader: The Essential Classic and Contemporary Writings*, ed. Linda Kalof and Amy Fitzgerald (Oxford: Berg, 2007), 125.

4.1c More than Physical Proximity

Mere physical proximity, however, does not suffice for making one a true neighbor. To become a neighbor we must actually meet or encounter the other individuals with whom we are proximate. In other words, neighborhood requires nearness *and* relationship. In two important essays, the German philosopher Martin Heidegger makes several valuable insights into the link between these two concepts. According to Heidegger, the concept of nearness (*Nähe*) cannot be defined simply by describing the length of space or time between two objects. “Short distance is not in itself nearness. Nor is great distance remoteness,” he claims.⁵⁰⁴ Nearness, itself, cannot be experienced directly; yet, we can obtain nearness by attending to that which is near.⁵⁰⁵ Heidegger explicitly ties his understanding of nearness to the concept of neighborhood in his essay, “The Nature of Language.” Here he writes that although nearness does involve distances of space and time, these measurements do not encompass the full nature of the concept.⁵⁰⁶ For example, he observes that two isolated farmhouses, separated by an hour’s walk across the fields, may in fact be the best of neighbors; on the other hand, two townhouses, across the street or even sharing a common wall, may know no neighborhood.⁵⁰⁷ A neighbor, he explains, “as the word itself tells us, is someone who dwells near to and with someone else...Neighborhood, then, is a relation resulting from the fact that the one settles face-to-face with the other.”⁵⁰⁸ Thus, it is the face-to-face, the relationship, with the other that grounds the nearness that makes neighborhood possible.

We saw in the previous subsection that to become a neighbor, humans must enter into the concrete world of place. For Heidegger, a place cannot be known independently from the beings that occupy it.⁵⁰⁹ It is in this way that the Samaritan in our parable can be said to have drawn near to the fallen traveler. The priest and Levite saw the man, but did not exist in the

⁵⁰⁴ Martin Heidegger, “The Thing,” in *Poetry, Language, Thought*, trans. Albert Hofstadter (New York: Harper and Row, 1971), 165.

⁵⁰⁵ *Ibid.*, 166.

⁵⁰⁶ Martin Heidegger, “The Nature of Language,” in *On the Way to Language*, trans. Peter D. Hertz (New York: Harper and Row, 1971), 103.

⁵⁰⁷ *Ibid.*

⁵⁰⁸ *Ibid.*, 82.

⁵⁰⁹ Vincent Vycinas, *Earth and Gods: An Introduction to the Philosophy of Martin Heidegger* (The Hague: Martinus Nijhoff, 1969), 252. To a degree, this can be said even of inanimate objects. “When a bridge is built, the place on the river becomes a place. Previously it has not been a place. It merely was one of the many spots along the river for a possible bridge.”

same *place* as him because they chose to ignore his concrete needs. They remained like the two townhouses, crossing paths but never acknowledging or entering into relationship with each other. Australian environmental philosopher Peter Hay, however, criticizes phenomenologies of place as being too anthropocentric. “Most theories of place, including those whose identification with environmentalism is overt . . . , assume a *human* environment. . . . At least, following Heidegger, it is primarily concerned with the question of how *humans* should *be* in the world.”⁵¹⁰ Hay, however, forgets that we who are philosophizing are in fact humans. Phenomenology, as an analysis of perception, says this is significant. Accordingly all phenomenology done by humans is necessarily anthropocentric. A phenomenology done by tigers would be tigercentric. Similarly, the only ethics we can truly know anything about is human ethics.⁵¹¹ We can distinguish, in this way, between a vicious anthropocentrism and a necessary anthropocentrism. A vicious anthropocentrism overlooks the reality that animal lives comprise of more than their relationships with humans. An animal’s relationship with other proximate creatures and existence in its place hold significance for the animal itself. A necessary anthropocentrism, on the other hand, marks a necessary limitation for any human ethic – especially one concerned with nonhuman creatures. We must remember that we have responsibility only for our own response to other animals. Thus, when we do attend to place and draw near to animals as neighbors, we must remember that we do so as one specific sort of creature among a number of other specific inhabitants of a particular place.

We find another approach to the relationship inherent in nearness in Karl Barth’s divine command ethics.⁵¹² Unlike Heidegger’s phenomenological account, Barth’s approach to the question of neighborhood begins with the Word of God and that Word’s encounter with creatures through the incarnate Christ. Barth’s approach is no less anthropocentric than Heidegger’s but, even if Barth fails to take notice of it himself, his strong Christological focus

⁵¹⁰ Peter Hay, *A Companion to Environmental Thought* (Edinburgh: University of Edinburgh Press, 2002), 170.

⁵¹¹ For more on this idea see the following paragraphs on Barth as well as chapters 1.2 and 6.2a.

⁵¹² In an article discussing the different rhetorical strategies in Barth and Heidegger’s work, David Klemm writes that these two thinkers present us with “forking paths into new worlds of meaning,” with Barth giving voice to the Christian language of the Word of God and Heidegger speaking ontologically of the meaning of being. David E. Klemm, “Toward a Rhetoric of Postmodern Theology: Through Barth and Heidegger,” *Journal of the American Academy of Religion* 55, no. 3 (1987): 445.

Barth does not engage Heidegger specifically on the issue of nearness, but his comments on Heidegger’s concept of time are informative for how such a critique might run. He finds Heidegger’s concept of time particularly troubling because it lacks a place for God and revelation (*CD I/2*, 46).

prohibits him from completely overlooking nonhuman animals. For Barth, God is always present in creation, but God dwells in creation, or we might say *draws near* to creation, in particular ways and places throughout history. We see this in the Old Testament in such places as Sinai and the tabernacle.⁵¹³ This culminates, however, in the New Testament when the divine Word becomes incarnationally present to creatures in the person of Jesus Christ. “The reality of the definite, distinct dwelling of God in the world is now made clear in this...‘The Word...was made flesh, and dwelt among us.’”⁵¹⁴ In doing so, I will argue, Christ became neighbor to all living creatures of flesh – including animals. Consequently, by drawing near to animal life in this way, Christ’s incarnation and resurrection provide the basis for our own drawing near to animals as neighbor.

To say that this is not obvious by a cursory read through Barth’s *Church Dogmatics*, however, would be an understatement. In *CD III/1* Barth writes, “God’s eternal Son and Logos did not will to be an angel or animal but a man.”⁵¹⁵ Andrew Linzey comments on this passage: “What is so problematic is the way in which God’s ‘yes’ to humankind in the incarnation becomes a ‘no’ to creation as a whole.”⁵¹⁶ It is difficult, Linzey says, to see how the flesh that Christ takes up in the incarnation cannot include the flesh of animals as well as humans. Linzey’s intuition is correct. Yet, to say that God’s ‘yes’ to humanity rules out a similar affirmation of animals or the cosmos in general is an overstatement. To realize why this is so we must attend to the theological context in which Barth’s statement is made. In the specific context of the *Church Dogmatics*, Barth is here explicating how the phrase “heaven and earth” denotes the sum of reality, which is distinct from God. It is because of this distinction that we are able to name God as both Creator and Redeemer. Regarding the divine Word’s human incarnation specifically, Barth’s statement must also be placed within its larger theological context. Two patristic theological concepts can be seen as significant here: 1) the notion of the

⁵¹³ Barth, *CD II/1*, 479.

⁵¹⁴ *Ibid.*, 481-482. In summary Barth says: “We have spoken about the general and special presence of God in His creation. By the general presence we understood God’s presence in His creation in its totality; by His special presence His presence in His definite and distinct action in His work of revelation and reconciliation within creation.” *Ibid.*, 483.

⁵¹⁵ Barth, *CD III/1*, 18.

⁵¹⁶ Linzey, *Animal Theology*, 9. Linzey makes the same criticism in Linzey, *Christianity and Rights*, 34.

human as microcosm, and 2) that what Christ “has not assumed He has not healed.”⁵¹⁷ Although “strangely few references were made to their views by Barth,” Thomas F. Torrance astutely notes the many continuities between Barth’s theology and that of the Greek Church Fathers.⁵¹⁸ The subtle differences between Barth’s concept of humanity existing in the middle of the cosmos and the Greek notion of humanity as a microcosm enveloping the cosmos are not significant enough to posit a large break between their anthropologies. As a microcosm, the human possesses both spirit and material flesh and, thus, the entire created universe. Gregory of Nazianzus, for example, speaks of the human as a “mingled worshipper; . . . earthly and heavenly; temporal and yet immortal; visible and yet intellectual; half-way between greatness and lowliness.”⁵¹⁹ Humanity in this way unites the spiritual and the material worlds.⁵²⁰ Similarly, Barth writes that in the human creature “heaven and earth are together in this fixed order; because man is and represents the secret of the creature . . . - that he is on earth and under heaven, and therefore between these two worlds, which for all their distinction are still the one world created by God.”⁵²¹ With regard to our second concept, Linzey criticizes Barth for not attending to the “ancient patristic principle that what is not assumed in the incarnation is not healed in the redemption.”⁵²² Torrance, however, notes on multiple occasions the significance that this concept has for Barth’s theology. In fact, he claims, “it is one of the most significant contributions of Karl Barth that he reintroduced this great evangelical principle back into dogmatic theology.”⁵²³ For Barth, along with the patristics, the only way for Christ to redeem sinful humanity was to take up sinful humanity. In other words, if Christ has assumed a neutral humanity, i.e., non-sinful humanity, “He would bring us nothing new. He would not help us. He would leave us in the remoteness.”⁵²⁴ When taken in hand with the idea of humanity uniting

⁵¹⁷ Gregory of Nazianzus, *Letter to Cledonius in Nicene and Post-Nicene Fathers*, Second Series, Vol. 7, ed. Philip Schaff and Henry Wace, trans. Charles Gordon Brown and James Edward Swallow, 1983 (Grand Rapids, MI: Wm. B. Eerdmans, 1952), 440. <http://www.ccel.org/fathers.html> (accessed April 2009).

⁵¹⁸ Torrance, *Karl Barth*, 202. Torrance’s personal and scholarly interactions with Barth grant him great credibility when he speaks about these connections. While in Basel, Barth directed Torrance’s thesis which was later published as *The Doctrine of Grace in the Apostolic Fathers*. *Ibid.*, 124. Although Torrance mentions specifically only the second of the two concepts I refer to here, I believe evidence exists for an implicit assumption, or at least continuity, of the first as well.

⁵¹⁹ Gregory of Nazianzus, *Oration 38.11*, 348.

⁵²⁰ Sigurd Bergmann, *Creation Set Free: The Spirit as Liberator of Nature*, trans. Douglas Scott (Grand Rapids, MI: William B. Eedmans Pub., 2005), 86.

⁵²¹ Barth, *CD III/1*, 18.

⁵²² Linzey, *Animal Theology*, 10.

⁵²³ Torrance, *Karl Barth*, 104.

⁵²⁴ Barth, *CD I/2*, 115.

heaven and earth we can see that in becoming truly human Christ heals not only all of human nature, but consequently all of Creation as well.

It is in this context that we can make better sense of Barth's statement about the Word becoming human rather than angel or animal. If the Word had become an angel, or taken up only a heavenly nature, his salvific effects would have applied only to heavenly creatures. Conversely, if the Word had become an animal, or taken up only an earthly nature, only other earthly creatures would have been restored. But by becoming incarnate as human, the creature that stands in between heaven and earth, Christ's benefits have significance for creatures in both realms. "He (in His humanity) is the centre of all creation, of the whole reality of which the creed says that God created."⁵²⁵ Understood in this way, the Word becoming human is no slight to animals any more than to angels. Unfortunately Barth himself does not expound the impact of the cosmic reach of Christ's incarnation and resurrection with regard specifically to animals. He instead allows this to remain in the realm of mystery.⁵²⁶ Torrance is critical of Barth in this regard. He asserts that if the Word of God who created all things became incarnate in the man Jesus, "then we must think of the *whole creation* as having been affected by what he has done."⁵²⁷ Although Barth says little to this effect explicitly, his line of reasoning points toward the inclusion of animals, as fellow earthly creatures, into the train of Christ's salvific effects.

This is significant for our understanding of the neighbor because it is through the incarnation and resurrection that Christ becomes a neighbor to creatures. Barth says that we realize our neighbor in either the one who meets us as benefactor (*Wohltäter*) or the one to

⁵²⁵ Barth, *CD III/1*, 19.

⁵²⁶ In *CD III/4* Barth accepts the commonality of human and animal life (they are both created on the same day in Genesis and share life and flesh), but he refuses to say much more than that this commonality exists and places special responsibilities on humans. "But whether and in what sense we may also ascribe to [animal life] a kind of rationality, and how we are to conceive of its relation to the impulses, and above all whether and in what sense it not only derives from God but also moves towards Him, remains an enigma." *CD III/4*, 348. This reticence perhaps derives from Barth's rejection of natural theology and insistence that we can only know God's Word from our own human perspective. "How can we know of a command that refers to the life of animals and plants and life generally? Such a command may exist in a hidden form. There is an infinite range of possible but unknown realities in the relation of Creator and creature. We may thus give free rein to our imagination in this field. But we must not maintain that we have any knowledge." *CD III/4*, 333. If the Word of God addresses itself to animals, humans, as human and not animal, have no way of knowing it.

⁵²⁷ Torrance, *Karl Barth*, 236. Along these lines Torrance asks, "even if we grant to Barth that the incarnation has the effect of giving a central place to the problem of man in dogmatics, why did he limit his account of the created order so severely to *man* in the cosmos, without very much to say about the cosmos itself except in respect of his magnificent discussions of time and providence?" *Ibid.*, 132.

whom we serve as benefactor.⁵²⁸ Because of the healing benefits Christ grants us through his incarnation and resurrection, we are able to see Christ as our neighbor in this way. “The Son of God has made himself my neighbour in his incarnation and revealed Himself my neighbour in His resurrection,” Barth asserts.⁵²⁹ Christ draws near to us in his incarnation and becomes our benefactor in his resurrection. As I have argued above, however, these events are not solely anthropocentric in scope. Christ’s incarnation and resurrection have truly cosmic effects. By taking up humanity’s earthly human nature, Christ becomes neighbor not only to humans, but also to all creatures of the earth. “He has become a neighbour to individual men who can as such be good neighbours to us, because in them Jesus Christ is present to us, and in hearing them, we hear Him (Lk.10:16).”⁵³⁰ Because Christ has become our neighbor, we can then be neighbor to others.⁵³¹ If we consider the larger implications of Christ’s incarnation and resurrection, we can see how it is conceivable for us to be good neighbors to animals as well. Because Christ drew near as neighbor to all earthly creatures, we are able to do the same.

Barth describes this act of drawing near and giving or receiving benefaction as an event (*Ereignis*).⁵³² Nearness, in this way, is not bound by the specific places that we call home. Nearness is an event that occurs whenever and wherever a caring relationship is established between two individuals. This is in fact a vital point of the parable of the Good Samaritan. Like the fallen man in the ditch, the Samaritan is also a traveler. Yet the two become neighbors when the Samaritan by chance draws near and offers the man aid. The priest and Levite, on the other hand, also happened upon the fallen traveler. Yet because they were unwilling to offer him aid, they also attempted to avoid coming near – they “passed by on the other side” (Luke 10:31,32). While it may be most comfortable to care for those that share a natural proximity to us (like nationality, race, or even species), the parable shows us that our neighbor can also be the one who we draw near to by chance. David Clough notes that while Barth appears to imply in places that Christians find their neighbor most readily from within the Church, “where Barth introduces the parable of the Good Samaritan, he is forced by the text to conclude that our neighbour may

⁵²⁸ Barth, *CD I/2*, 420; *KD I/2*, 463.

⁵²⁹ *Ibid.*, 424.

⁵³⁰ *Ibid.*

⁵³¹ This is a common pattern in the New Testament. Christ’s original being or action grants his followers the ability to be or act in a similar manner. For example, Christians are adopted through Christ as children of God (Rom. 8:17). Or in another passage, “we love because he first loved us” (1 John 4:19).

⁵³² Barth, *CD I/2*, 420; *KD I/2*, 463.

be foreign to us.”⁵³³ Moreover, the cosmic implications of Christ’s incarnation and resurrection mean that the foreignness of our neighbor may not be limited to national or ecclesial affiliations. In connection to the parable Barth recognizes, “I must be ready to obey the summons to go and do likewise, that is, to be myself a benefactor.”⁵³⁴ Understanding the event-like quality of this divine command means that we approach it with great openness. Like the Samaritan and the fallen traveler in the parable, we cannot expect to know ahead of time whom our neighbor will be nor to whom we ourselves may be called to be neighbors. Commenting on Barth, Robert Willis concludes that “the *actual* situation in which man finds himself is that of having to seek anew, in each context, the meaning of God’s command ‘without having the answer already prepared, and really without being able to provide it ourselves.’”⁵³⁵ The summons to go and do likewise cannot always be anticipated. We cannot always know when or where the call of the other will become authoritative for us as the Word of God summoning us to draw near and become a neighbor. With those that we already share a close relationship, our responsibility to care is often obvious. Yet, the parable of the Good Samaritan shows how we can become a neighbor in the very event of drawing near and caring. The taxonomy of nearness outlined in the second half of this chapter will provide general guidelines for discerning our various responsibilities to the different kinds of animals we encounter. Yet, we must not let this scheme deafen our ears to the call of those animals that “when hearing them, we hear Him.” The summons to be a neighbor is never exhausted by our existing relationships of nearness.

4.2 A TAXONOMY OF NEARNESS

Because it is concerned with aggregating pleasure and pain, an utilitarian animal ethic would classify animals according to their differing capacities for experiencing these conditions. In other words, it would rank them according to their level of sentience. An animal rights position would do the same, but for different reasons. An animal with more complex capacities would also have more complex rights that require protecting. Along these lines, Clare Palmer writes that the central notion “of philosophical animal liberation seems to be that animals possess certain innate capacities, and that these determine - and solely determine - moral significance.”⁵³⁶

⁵³³ David Clough, *Ethics in Crisis: Interpreting Barth's Ethics* (Burlington, VA: Ashgate, 2005), 87.

⁵³⁴ Barth, *CD* I.2, 420.

⁵³⁵ Willis, *Ethics*, 179. Barth quotation from *CD* II.2, 718.

⁵³⁶ Palmer, “Rethinking Animal Ethics,” 184.

As such the animal liberationist would have no way of articulating different relationships or responsibilities for animals with similar capacities. He/she might even dismiss such an attempt as an “arbitrary discrimination.”⁵³⁷ To build up his qualifications as a dispassionate moral philosopher, Peter Singer, in the preface to the second edition of his *Animal Liberation*, makes it a point to mention that he and his wife keep no pets. “We didn’t ‘love’ animals. We simply wanted them treated as the independent sentient beings that they are.”⁵³⁸ Yet, as I have argued in the previous chapter and section, factors like emotional connection and nearness are important for ordering human care for other animals. The possession of sentience alone is not enough to determine human moral relationships with other animals. We must speak of human responsibilities, rather than responsibility.

Therefore, I am proposing that, rather than ordering our care for animals solely around the specific capacities that they have, we construct a taxonomy of nearness. In this section we explore how the realities of nearness distinguish and define the relationships and consequently the responsibilities we have for the different kinds of animals we encounter. We can organize these animals and our corresponding responsibilities into three basic categories: responsibilities for wild animals, domestic animals, and pet animals. For example, a wolf and a dog, though possessing roughly similar capacities, will not necessarily demand upon us similar moral responsibilities. Yet before we begin, I must state a short word of caution. We must resist the urge to conceive of these categories, and the responsibilities they imply, as fixed. They serve instead as guides. In our actual encounters with animals, we may find that a specific animal does not easily fit into just one category. Furthermore, as we saw above with Barth and the Good Samaritan parable, we may be called to draw near and care for an animal that we happen upon, regardless of its normal proximity-based classification.⁵³⁹

⁵³⁷ Singer, *Animal Liberation*, x.

⁵³⁸ Ibid.

⁵³⁹ Because I conceive these as guides that leave room for discernment and practical flexibility, I have chosen to utilize only three broad categories. Others have proposed more complex schemes of relational classification. Palmer, for example, groups pets and service animals together under the umbrella of domestication and lists several intermediate levels between wild and domestic such as scavenging, feral, and captive. Palmer, *Animal Liberation*.

4.2a Wild Animals

Archaeozoologist Juliet Clutton-Brock defines wild animals as those animals that “are living independently of human handling and control.”⁵⁴⁰ They react to humans with either ferocity or great shyness and run away on sight. We find a similar depiction of wild animals in the Bible. From a biblical perspective, Robert Murray writes, “it is simply given that some animals are domesticated for the benefit of humans, while others are wild and hostile. It is right for humans to care for the former (Prov. 12:10 and various laws, e.g. Deut. 25:4), while wild animals depend on God’s care (Ps. 104:10-30).”⁵⁴¹ The book of Job provides vivid examples of this idea. God’s providence is seen to reach even those animals, like the mountain goat and wild ass, which live their lives outside the scope of human observation. Susan Bratton claims, “The point is not that the wild ass cannot be tamed - a young ass can be easily captured and trained. By God’s mandate, however, a large part of creation is not under human control and is not intended to be.”⁵⁴² Wildness, in this way, constitutes an essential characteristic of the created order and the nature of particular animals within that order. God is even seen to take particular delight in those wild animals that refuse human attempts at taming. The mighty Behemoth, for example, is “the first of the great acts of God - only its Maker can approach it with the sword” (Job 40:19). Humans are not asked or expected to provide great care for these animals.

Can you hunt the prey for the lion,
or satisfy the appetite of the young lions,
when they crouch in their dens,
or lie in wait in their covert?
Who provides for the raven its prey,
when its young ones cry to God,
and wander about for lack of food? (Job 38:39-41).

We have already observed in past chapters that the primary responsibility humans have with regard to wild animals is to respect their wildness. In chapter three we saw that under the Mosaic covenant, human care for wild animals takes the form simply of ensuring for them places to live (Ex. 23:10-11). There we also looked to the language of rights to provide them basic

⁵⁴⁰ Juliet Clutton-Brock, *Domesticated Animal from Early Times* (London: British Museum of Natural History, 1981), 12.

⁵⁴¹ Murray, *Cosmic Covenant*, 95.

⁵⁴² Susan Power Bratton, *Christianity, Wilderness, and Wildlife: The Original Desert Solitaire* (Scranton: University of Scranton Press, 1993), 86.

protection from human incursion. Of the three categories of animals that we are looking at here, wild animals represent the circle farthest removed from human culture and society. Wild animals, by definition, are not dependent on humans. Therefore, our responsibilities for them are minimal and characterized largely by noninterference.

On the surface, the mantra of simply letting wild animals be⁵⁴³ seems like a simple enough guideline for our moral relationships with these most distant of animal neighbors. Yet, the reality of our relationships with actual wild animals proves more complicated. The sad fact is that humans have already greatly interfered with the lives of wild animals. Accordingly, humans may need to take a more active role in ensuring the well-being of certain wild animals. I will mention three specific areas in which a more active responsibility is necessary. The first has been observed by Palmer. She argues that no relationship of material dependence has developed, but “by taking over wild animals’ territory [humans] have a collective casual responsibility for the presence of such animals in urban areas.”⁵⁴⁴ Many of these wild animal species are migratory or simply unable to relocate at the speed of human urban development.⁵⁴⁵ Palmer suggests that we owe these “relict populations” space in our cities for them to continue living, i.e., places to “rest, breed, and roost.”⁵⁴⁶ Our cities’ architecture and management of roads and green spaces should reflect their presence. The second area in which more active human responsibility is required for wild animals is in the expansive network of roads and highways we have created to connect these nodes of urban life. Although millions of animals are killed or injured by automobiles each year, “perhaps the most serious of all the negative effects on wildlife is the highway’s fragmentation of habitat.”⁵⁴⁷ Highways create a “barrier effect”⁵⁴⁸ that

⁵⁴³ This is a common refrain found among many ethical theorists, from Holmes Rolston and his environmental land ethics to Tom Regan’s animal rights. See for example Holmes Rolston III, “Wildlife and Wildlands: A Christian Perspective,” in *After Nature’s Revolt: Eco-Justice and Theology*, ed. Dieter T. Hessel (Minneapolis: Fortress Press, 1992), 128; Regan, *The Case*, 361.

⁵⁴⁴ Clare Palmer, “Placing Animals in Urban Environmental Ethics,” in *Environmental Philosophy: Critical Concepts in the Environment, Vol. 4: Issues and Applications*, ed. J. Baird Callicott and Clare Palmer (London: Routledge, 2005), 239.

⁵⁴⁵ “Land development for urban, commercial, industrial, or recreational purposes” has been listed as the number one threat to wild animal populations. Richard M. Clugston, “The State of the Animals: Human Impact on Wild and Domestic Animals,” in *Good News for Animals: Christian Approaches to Animals Well-Being*, ed. Charles Pinches and Jay B. McDaniel (Eugene, OR: Wipf & Stock, 1993), 226.

⁵⁴⁶ Palmer, “Placing Animals,” 240.

⁵⁴⁷ The Humane Society of the United States, “Wildlife Crossings—Wild Animals and Roads,” http://www.hsus.org/wildlife/issues_facing_wildlife/wildlife_crossings_wild_animals_and_roads/ (accessed January 25, 2010).

confines and fragments wild populations to smaller ranges and groups than their normal foraging, mating, and nesting habits permit. In addition to creating fewer roads through wild spaces, a potential relief to this human interference is the creation of wildlife crossings. These structures, when properly adapted to the target species of a place,⁵⁴⁹ can provide safe areas for wild animals to cross over, or under, an otherwise deadly human motorway.

These first two concerns involve a degree of human planning and action, but still aim primarily at keeping wild animals isolated from human involvement. Our third concern entails a far more active form of human care. Anthropogenic climate change has the potential to destroy the habitats of wild animals in ways that surpass the creation of cities and roads (although the three are not unrelated).⁵⁵⁰ In a provocative article, Christopher Southgate argues that “even the minimum level of likely climate change will eliminate many habitats, particularly in tropical and subtropical zones, so the letting be of wild nature in reserves is no longer an adequate strategy.”⁵⁵¹ He proposes that a strategy of “assisted migration” for certain species into new environments where they can be expected to continue to flourish might be the only responsible thing for humans to do for those wild animals that are incapable of adapting or migrating to new habitats on their own. As evidenced from the American South and Australia, however, introduced species have historically been quite destructive to both indigenous fauna and flora. In addition to the enormous economic cost and political measures that assisted migration would entail, this danger makes such schemes both costly and risky. Therefore, while assisted migration may remain a live option, our economic, technical, and political efforts should be directed first to mitigating the advance and impact of climate change on existing ecosystems.⁵⁵²

⁵⁴⁸ C. Mata et al., “Complementary Use by Vertebrates of Crossing Structures Along a Fenced Spanish motorway,” *Biological Conservation* 124 (2005): 397.

⁵⁴⁹ For example, cougars prefer low, narrow, well-covered crossings, while grizzlies, elk, and deer prefer crossings that are high and open. Anthony Clevenger and Nigel Waltho, “Performance Indices to Identify Attributes of Highway Crossing Structures Facilitating Movement of Large Mammals,” *Biological Conservation* 121 (2005): 462.

⁵⁵⁰ The IPCC has stated with “*very high confidence* . . . that recent warming is strongly affecting terrestrial biological systems, including such changes as earlier timing of spring events, such as leaf-unfolding, bird migration and egg-laying; and poleward and upward shifts in ranges in plant and animal species.” IPCC, *Climate Change 2007: Synthesis Report*, ed. by The Core Writing Team, Rajendra K. Pachauri, and Andy Reisinger (Intergovernmental Panel on Climate Change, 2008), 33.

⁵⁵¹ Christopher Southgate, “The New Days of Noah: Assisted Migration as an Ethical Imperative in an Era of Climate Change,” in *Creaturely Theology: On God, Humans and Other Animals*, ed. Celia Deane-Drummond and David Clough (London: SCM Press, 2009), 251.

⁵⁵² Southgate notes that “these measures will be easier, cheaper and more dependable as means of preventing mass extinction than great projects in assisted migration.” *Ibid.*, 263.

4.2b Domestic Animals

While wild animals are defined by their separation from human society, domestic animals are characterized by just the opposite. Zoologist Edward O. Price defines the process of domestication as “*that process by which a population of animal becomes adapted to man and to the captive environment by some combination of genetic changes occurring over generations and environmentally induced developmental events reoccurring during each generation.*”⁵⁵³ Because of our long history together and the real physical changes that this has created in these animals, humans have special responsibilities for domestic animals that they do not have for their wild counterparts. In what follows, I present an overview of the conditions and results of domestication followed by an outline of the implications this has for human responsibility.

In the mid-19th century Francis Galton proposed six conditions necessary for the domestication of an animal species: “1, they should be hardy; 2, they should have an inborn liking for man; 3, they should be comfort-loving; 4, they should be found useful to the savages; 5, they should breed freely; 6, they should be gregarious.”⁵⁵⁴ More recently, Clutton-Brock has affirmed and updated Galton’s basic scheme.⁵⁵⁵ The animal must be able to adapt to a new captive environment and not naturally prone to instant flight like antelope or deer. Because captivity makes many animals sterile a truly domestic animal must be able to not only stay alive in this new environment but breed there as well.⁵⁵⁶ The animal should also be useful in some way to human society or it would never have been domesticated in the first place. Finally, it must be a social animal whose natural behavioral patterns are based on a dominance hierarchy so that it will accept a human as its leader. In other words, the human and the animal must be able to communicate in a meaningful way. “With the exception of the domestic cat,” she claims, “all domestic mammals are derived from wild species that are social rather than solitary in their

⁵⁵³ Edward O. Price, “Behavioral Aspects of Animal Domestication,” *The Quarterly Review of Biology* 59, no. 1 (1984): 3. (Italics original)

⁵⁵⁴ Francis Galton, “The First Steps Towards the Domestication of Animals,” *Transactions of the Ethnological Society of London* 3 (1865): 137.

⁵⁵⁵ Clutton-Brock, *Domesticated Animal*, 10-16.

⁵⁵⁶ Juliet Clutton-Brock, *A Natural History of Domesticated Mammals*, 2nd Ed. (Cambridge: Cambridge University Press, 1999), 7.

behaviour.”⁵⁵⁷ With such strict conditions, it is not surprising that, out of all the millions of animal species on the planet, only a handful have been successfully domesticated.⁵⁵⁸ Along these lines, Frederick Zeuner, an archaeozoologist in the early 20th century, claims, “Domestication presupposes a ‘social medium.’”⁵⁵⁹ With this medium in place, he proposes several stages of domestication. Here humans begin a loose association with the individuals of a specific wild species, eventually begin to intentionally develop certain traits in these animals through captivity and selective breeding, and finally come to regard the wild ancestor as either an enemy or a nuisance.⁵⁶⁰

Humans and animals progressed through these stages slowly over many generations. Some scholars have even described this as a process of “co-evolution” which has resulted in changes to both the animal and the human.⁵⁶¹ As such, the relationship is mutually dependent. A simple visual comparison, however, shows that these physical changes have been directed most significantly toward animals.⁵⁶² With regard to humans, changes have been largely social or cultural. Any physical adaptations have been relatively minor, such as the ability to metabolize lactase into adulthood among people with a tradition of dairying.⁵⁶³ Based on the

⁵⁵⁷ Clutton-Brock, *Domesticated Animal*, 25. Frederick Zeuner makes a similar assessment: “In the case of domestication by man, the only notable exception is the cat. All other domesticated animals have in the wild a state of social life of some kind, forming packs or herds.” Frederick E. Zeuner, *A History of Domesticated Animals* (London: Hutchinson, 1963), 37.

⁵⁵⁸ Kisling includes a table that links the most common domestic animals with their suspected dates of domestication. This table is based on the work of Clutton-Brock and Zeuner. Dog = 10,000-8,000 B.C.; Goat & Sheep = 8,000-7,000 B.C.; Reindeer = 8,000 B.C.; Pig = 7,000 B.C.; Cattle 6,400 B.C.; Llama = 5,500-4,200 B.C.; Horse = 4,000 B.C.; Camel = 2,600 B.C.; Elephant = 2,500 B.C.; Ferret = 1,800-400 B.C.; Cat = 1,600-500 B.C. Vernon N. Kisling, Jr., “Ancient Collections and Menageries,” in *Zoo and Aquarium History: Ancient Animal Collections to Zoological Gardens*, ed. Vernon N. Kisling, Jr., (London: CRC Press, 2001), 7.

⁵⁵⁹ Zeuner, *History*, 37.

⁵⁶⁰ He lists a total of five interconnected stages. *Ibid.*, 57-58.

⁵⁶¹ Vonee Lund and I. Anna S. Olsson, “Animal Agriculture: Symbiosis, Culture, or Ethical Conflict?” *Journal of Agricultural and Environmental Ethics* 19 (2006): 48.

⁵⁶² “A cursory and superficial comparison of the tremendous range of shapes and sizes of modern dog breeds (as, for example, between a wolfhound and a Chihuahua) is sufficient to establish the extent of alteration brought about by domestication, and the speed at which domestication has accelerated the process of evolution.” Andrew Goudie, *The Human Impact on the Natural Environment*, 4th Ed. (Oxford: Blackwell, 1993), 89-90.

⁵⁶³ Simoons argues that lactose malabsorption in certain human ethnic populations is due to their ancestors’ milk consumption patterns over a long historical period rather than to random genetic drift. “With the origins of dairying, however, under particular ecological conditions there would have been selective advantages for the aberrant person who, through mutation, came to enjoy high intestinal lactase throughout life.” Frederick J. Simoons, “Dairying, Milk Use, and Lactose Malabsorption in Eurasia: A Problem in Cultural History,” *Anthropos* 74 (1979): 68.

condition of usefulness above, it may not be surprising that most of these adaptations have been made on the part of animals. Yet, to assume that domestication is solely the result of human meddling would be shortsighted. It reflects a modern vision of domestication that has more exacting purposes and is brought about by far more advanced scientific and technical means, such as direct manipulation at the genetic level, than were available to the first human domesticators. Most dog breeds are even nineteenth century inventions.⁵⁶⁴ In addition to the animal being useful to humans, human society likely originally proved advantageous to the animals by providing food and protection from predators. Stephen Budiansky has even put forward the provocative thesis that certain animals *chose* domestication. Human choices and ingenuity clearly played a part, he says – “but only a part, insufficient in itself.”⁵⁶⁵ In an evolutionary sense, “domesticated animals chose us as much as we chose them.”⁵⁶⁶ Although some of his arguments are more convincing than others,⁵⁶⁷ Budiansky’s work clearly demonstrates that the adaptations animals made in order to better fit into human society were often advantageous to the animals themselves.⁵⁶⁸

Millennia of living in human society has selected traits in domestic animals that make them better adapted to this unique human inclusive habitat. One scholar has described this development thusly: “Their nature as domestic animals has acquired a human element.”⁵⁶⁹ The animal that has enjoyed the longest period of domestication and arguably the most intimate place within human societies and families, the domestic dog, provides an apt example. Veterinarian and animal behaviorist Michael W. Fox notes, “Hand-raised wolves and coyotes, though extremely sociable and friendly towards their handler, are notoriously difficult to train.”⁵⁷⁰ Dogs have even adapted behaviorally and psychologically in order to communicate better with their human companions. “The domestic dog has one capacity that is never well developed in any

⁵⁶⁴ Stephen Budiansky, *The Covenant of the Wild: Why Animals Chose Domestication*, Yale Ed. (New Haven, CT: Yale University Press, 1999, first published in 1992), 32.

⁵⁶⁵ *Ibid.*, 50.

⁵⁶⁶ *Ibid.*, 24.

⁵⁶⁷ For example, his description of African honeyguide birds represents a better picture of true symbiosis than his example of the house mouse, which seems more like a parasitic or scavenging relationship. *Ibid.*, 45 & 48.

⁵⁶⁸ Budiansky postulates that were it not for domestication, horses as a species would have become extinct in the last Ice Age when their natural habitat began to vanish. *Ibid.*, 61.

⁵⁶⁹ Pär Segerdahl, “Can Natural Behavior be Cultivated? The Farm as Local Human/Animal Culture,” *Journal of Agricultural and Environmental Ethics* 20 (2007): 179.

⁵⁷⁰ Fox, “Pet-Owner Relations,” 40.

canid living in the wild, and this is the propensity to bark,” observes Clutton-Brock.⁵⁷¹ A recent study, testing the abilities of young wolf and dog pups to understand human pointing gestures, showed that the wolf pups were only able to understand gestures at an older age and after several months of training.⁵⁷² The dog pups could do this spontaneously. Ten thousand years of domestication has made the dog more than simply a tame or friendly wolf. Yet, when humans selectively breed animals with more regard for our own interests than that of the animals’, animal welfare is likely to suffer. “From the ethical point of view, it is of course important to recognize that although the relationship may have been more or less reciprocal at first, humans have used their intellectual advantage over animals to exploit the weaker partner and make it a relationship of constraint.”⁵⁷³ For example, certain purebred dogs are prone to particular diseases, like types of cancer, deafness, blindness, and metabolic disorders, that are nearly absent in other breeds.⁵⁷⁴ Similarly, in recent decades the selective breeding and direct genetic manipulation of farm animals has tended to favor traits that promote efficiency and productivity rather than animal welfare. For example, the high milk yield in dairy cows is connected with significantly raised levels of mastitis and reproduction problems and the high growth rate in broiler chickens often causes leg problems.⁵⁷⁵

Domestication involves the creation of a unique kind of dependence and therefore unique responsibilities. With its emphasis on the mother-child relationship as paradigmatic for human moral relationships, feminist ethics would seem to be especially relevant here. After all this is essentially a relationship of dependence. We have seen in the previous chapters how the feminist ethic of care can provide valuable insight for the development of an animal ethic. There exists, however, a significant difference between the mother-child and human-domestic animal relationships. The two kinds of dependence are not equal. In the first instance, the mother takes

⁵⁷¹ Clutton-Brock, *Domesticated Animal*, 39.

⁵⁷² At 4 months old, only the dogs were able to use these cues to find food. Only after several months of training and socializing were the wolf pups able to reach the same ability to recognize human pointing gestures as similar aged dogs. Zsófia Virányi et al., “Comprehension of Human Pointing Gestures in Young Human-Reared Wolves (*Canis lupis*) and Dogs (*Canis familiaris*),” *Animal Cognition* 11 (2008): 377, 384.

⁵⁷³ Lund and Olsson, “Animal Agriculture,” 48.

⁵⁷⁴ “Nearly half of genetic diseases reported in dogs occur predominantly or exclusively in one or a few breeds.” Nathan B. Sutter and Elaine A Ostrander, “Dog Star Rising: The Canine Genetic System,” *Nature Reviews* 5 (December 2004): 900.

⁵⁷⁵ I. Anna S. Olsson, Christian Gamborg, and Peter Sandøe, “Taking Ethics into Account in Farm Animal Breeding: What Can the Breeding Companies Achieve?” *Journal of Agricultural and Environmental Ethics* 19 (2006): 39.

her already dependent child and cares for it. In the second, humans have taken once wild, independent animals and bred dependency into them. Even if animals originally colluded in the arrangement, “the creation of domestics is the deliberate creation of dependence.”⁵⁷⁶ We may therefore describe the dependence present in the human-domestic animal relationship as a *designed dependence*. The consequent responsibility inherent in this dependence surpasses the merely protective duties we have for wild animals. It is much closer to the responsibility a mother has for her child, though its designed character produces differences here as well. Mothers expect their children to grow and mature so that the caring relationship becomes less materially dependent or possibly even reversed. This is one of the key features of good parenthood according to Alasdair MacIntyre. The role of the human parent is to instruct and provide an adequate environment for the development of the intellectual and moral virtues in her child that will allow the child to grow into an independent practical reasoner.⁵⁷⁷ Even for children that suffer from permanent disabilities, mental or otherwise, a degree of independence is desired. This is not true, however, of domestic animals. Domestic animals are designed to spend their entire lives in the company and service of their human caregivers. Greater dependence rather than independence is the goal. Therefore, the responsibilities humans have for these animals are unique. In drawing domestic animals into human society and directing their evolution to make them better fit for a new, dependent existence, humans have assumed a responsibility for the animal’s long-term survival and wellbeing.⁵⁷⁸

I will now examine Val Plumwood’s proposal of “familiar” animals as an example of a relationship with domestic animals that exemplifies the special responsibility we have for them. Taking its name from the movie *Babe*, Plumwood’s suggestion is an attempt to overcome the modern “hyper-separation” of the animal viewed as a bourgeois “pet” or instrumentally as factory-farmed “meat.” Such a contrast leaves no room for the animal to be an active participant in relationships with humans or society. In contrast, the familiar, or working, animal, is “the subject of a deeply personal relationship, but also accorded the dignity of a co-worker and

⁵⁷⁶ Palmer, “Rethinking Animal Ethics,” 193.

⁵⁷⁷ MacIntyre, *Dependent Rational Animals*, 90.

⁵⁷⁸ Spaemann also notes the relevance of dependency in the human-domestic animal relationship. “The only animals for whom we have an inherent responsibility are those we have domesticated, those that live, not in their natural ecological niche, but in the environment which we have made for them, those we have made dependent upon us,” he claims. Spaemann, *Happiness and Benevolence*, 179.

acknowledged for their skilful contribution to economic life.”⁵⁷⁹ We can take up aspects of Plumwood’s concept here as a way to attend to the designed dependency of domestic animals while still respecting their unique capacities. Plumwood says that at one time these working-class animals were valued for their sociability and difference from humans. Consequently they had the ability to extend human sense and human powers.⁵⁸⁰ Gregariousness and usefulness, remember, were two crucial conditions for domestication. Dogs aided humans in hunting, defending, and herding. Horses and oxen provided essential skills and power to the human farmer and traveler.⁵⁸¹ In modern times, however, these animals have become increasingly marginal to human lives in capacities other than the servile toy or commoditized food product. Thus, it is not simply *that* humans use these animals, but *how* we use them that is of concern. Animal behaviorist and ethicist, James Serpell maintains that “not all methods of employing [animals] are necessarily contrary to their own best interests.”⁵⁸² In the case of working animals like these, “the animal seems to enjoy the work, so the person has little reason to feel guilty about using it.”⁵⁸³ The Samaritan’s animal in our parable serves as just such an example.⁵⁸⁴ In exchange for their labor and loyalty, humans provide domestic animals with food and protection. It is, as Plumwood describes it, a kind of contract (though obviously not of the same kind described by Rawls of which rational agents freely agree to). Unlike with wild animals, lifelong human companionship and care are vital to our relationships and responsibilities for domestic animals

While Plumwood’s model seems apt for describing proper human relationships with domestic working animals, it falls short when attempts are made to extend it to all animals. First, although she has defined familiars as “domesticated or semi-domesticated animals with

⁵⁷⁹ Val Plumwood, *Environmental Culture: The Ecological Crisis of Reason* (London: Routledge, 2002), 161.

⁵⁸⁰ *Ibid.*, 162.

⁵⁸¹ In an essay entitled, “Horse-Drawn Tools and the Doctrine of Labor Saving,” Wendell Berry laments the modern move away from animal-driven farming techniques. Having used both horse-drawn and mechanical mowers he asserts, “I can say unhesitatingly that, though the tractors do faster work, they do not do it better.” Wendell Berry, *The Gift of Good Land: Further Essays Cultural and Agricultural*, (New York: North Point Press, 1982), 106.

⁵⁸² James Serpell, *In the Company of Animals: A Study of Human-Animal Relationships*, Canto Ed. (Cambridge: Cambridge University Press, 1996), 175.

⁵⁸³ *Ibid.*

⁵⁸⁴ Plumwood insists that this co-worker, “familiar” view of domestic animals should also extend to those domestic animals that were traditionally oppressed by familiars such as sheep or even chickens and ducks. Plumwood, *Environmental Culture*, 165.

whom we have economic as well as affective relations,” she remarks at the end of her discussion that they could also, “if you are very lucky, be a wild free-living animal in your local surroundings you can see sufficiently often to come to know individually.”⁵⁸⁵ Including wild animals into the ranks of familiars, however, stretches the concept too far. We may have affection for such a wild animal but it is difficult to imagine how we might enter into an economic relationship with it like we have with domestic animals. Both dependence and respect are important aspects of a proper relationship with domestic but not wild animals.⁵⁸⁶ Thus, we require a different category for the more intimate kind of relationship with a wild animal than Plumwood mentions here – perhaps one closer to the pet relationship like Schweitzer and his pelican. Second, Plumwood, admittedly, describes only one extreme of the human-pet relationship. Pet animals are not simply living accessories to a bourgeois lifestyle. Although exceptions exist, as we will see in the following subsection, pet animals enter the closest circle of human relationships and are most often viewed as valuable additions to the human family. We require, therefore, a way to articulate the multiple relationships humans have with other animals rather than a single, all-purpose term or concept. As argued in this chapter, this is possible by attending to conditions of nearness.

4.2c Pet Animals

We would be amiss if our exploration of nearness based human-animal relationships ended with the domestic, working animal. Humans have and continue to enjoy an even closer relationship with a particular class of animals called pet, or in some recent literature “companion animals.”⁵⁸⁷ In 2007, the American Veterinary Medical Association estimated that 37.2 per cent

⁵⁸⁵ Ibid.

⁵⁸⁶ Although she oddly claims that familiars might include certain wild, or “free-living” animals she also seems to distinguish the two: “[We] have to ensure that we take responsibility for any harm our familiars may do to ecological communities or to communities of free-living animals.” Ibid. Thus, it might be necessary to include a forth class of animals comprised of tame animals like those Plumwood imagines that are neither fully wild nor fully pet. Schweitzer’s pelican might provide an example, though it falls closer to the category of pet.

⁵⁸⁷ This term emerged in the 1970s originally in reference to specialized service animals like those used for aiding the blind or for psychiatric therapy. Donna Haraway, *The Companion Species Manifesto: Dog, People, and Significant Otherness* (Chicago: Prickly Paradigm Press, 2003), 12. Although some recent literature, such as Haraway’s pamphlet, refers to the two terms interchangeably, because “companion animal” still possesses this medical connotation I prefer the term “pet” for my current discussion.

of households in the United States owned pet dogs and 32.4 percent owned pet cats.⁵⁸⁸ Psychiatrist Ann Ottney Cain has defined a pet as “an animal that is tamed, kept as a companion, or to which one forms an emotional attachment.”⁵⁸⁹ The great majority of pet animals today consist of domesticated animals⁵⁹⁰ and our responsibilities to them are consequently similar. Yet, because pet animals can also include tame, or once wild, animals, the responsibilities we have with regard to them do not stem necessarily from a historical relationship of designed dependence. Pets are unique in that they inhabit the most intimate circle of human relationship – the family. I do not mean by this that humans simply recognize the pet animal as biologically kin, sharing a common evolutionary history with our own species. If this were so the adjective “pet” would apply to all animals and especially to the great apes, though these do not actually make good pets. A pet, rather, is family in the sense of nearness of relationship, occupying a role similar to that of parents and siblings. Surveying the role that pets play in families, Cain found that 87 percent of respondents considered their pets members of the family. “These answers clearly support the concept that the pet is an actual member of the family system.”⁵⁹¹ Yet, before we explore the place animals have in human families and the responsibilities this implies, we must first demonstrate that pet keeping is more than mere sentimental gratuitousness or upper-class indulgence.

As we saw from Plumwood above, it is possible to dismiss the human-pet relationship as a modern, bourgeois extravagance.⁵⁹² To do so, however, overlooks the long history humans have of pet-keeping that reaches across social boundaries and the ways in which these pets were viewed as legitimate recipients of intimate human care. Serpell notes that “the existence of pet-keeping among so-called ‘primitive’ peoples poses a problem for those who choose to believe that such behaviour is a pointless, modern extravagance; a mere by-product of western

⁵⁸⁸ Statistics sourced from American Veterinary Medical Association, *U.S. Pet Ownership & Demographics Sourcebook, 2007 Ed.* <http://www.avma.org/reference/marketstats/ownership.asp> (accessed January 25, 2010).

⁵⁸⁹ Ann Ottney Cain, “A Study of Pets in the Family System,” in *New Perspectives on Our Lives with Companion Animals*, ed. Aaron Honori Katcher and Alan M. Beck (Philadelphia: University of Pennsylvania Press, 1983), 73.

⁵⁹⁰ “Most companion animals, however, are domesticated or captive-born species that thrive better in captivity than when free of human care.” Alan M. Beck “Animals in the City,” in *New Perspectives in Our Lives with Companion Animals*, ed. Aaron Honori Katcher and Alan M. Beck (Philadelphia: University of Pennsylvania Press, 1983), 240.

⁵⁹¹ Cain, “A Study,” 77.

⁵⁹² Midgley notes that pet-keeping is “sometimes denounced as a gratuitous perversion produced by modern affluence.” Midgley, *Animals*, 116.

decadence or bourgeois sentimentality.”⁵⁹³ Francis Galton, for example, records his personal correspondences with 19th century English explorers who observed pet-keeping among the “savages” of North America.⁵⁹⁴ Even in classical Western culture, people of all classes kept pets. Homer tells of the faithfulness of Odysseus’ dog, Argos, in his epic poem.⁵⁹⁵ Pliny further records several stories of dogs, “the most faithful and trustie companions of all others to a man,” not abandoning their masters’ bodies even at imprisonment or death.⁵⁹⁶ Ancient epitaphs and funeral epigrams mourn the loss of beloved pets. Tombstones have even been found depicting humans with their pets in a public immortalization of the bond between the deceased and their beloved animal. Surveying these ancient epitaphs, Liliane Bodson, concludes, “Pet-keepers of both sexes and all ages mourned their companions. Their social status, although often unknown, ranged all the way from Athenian aristocrats, Alexander the Great or the Roman emperor Hadrian to the lowest cobbler or slave sailor.”⁵⁹⁷ The witch-hunts of sixteenth and seventeenth century England also demonstrate that old and solitary people frequently cared for pet animals, despite being poverty-stricken themselves. These animals were known as “witches’ familiars.”⁵⁹⁸

Christian scripture and hagiographies also abound with stories of pet-like animals. Among the saints’ lives two examples are prominent: the dog that brought food daily to St. Roch after he was stricken with the plague in Medieval France and the tame wild stag that accompanied the sixth century Irish St. Ciarán on all his journeys.⁵⁹⁹ These animals often accompany both saints in their religious iconography or representations. Though they are few, pet animals are not absent from biblical sources either. In the apocryphal book of Tobit, a dog accompanies the young Tobias on his journeys (6:2; 11:4). Perhaps the most moving story, however, comes from the prophet Nathan to King David after the king’s affair with Bathsheba

⁵⁹³ Serpell, *Company of Animals*, 66.

⁵⁹⁴ Galton, “The First Steps,” 123.

⁵⁹⁵ Homer, *The Odyssey*, Book XVII, trans. S.H. Butcher and A. Lang, The Harvard Classics (New York: P.F. Collier & Son, 1909-14), <http://www.bartelby.com/22/>.

⁵⁹⁶ Pliny, *Natural History: A Selection from Philemon Holland’s Translation*, ed. J. Newsome (London: Oxford University Press, 1964), 79.

⁵⁹⁷ Liliane Bodson, “Motivations for Pet-Keeping in Ancient Greece and Rome: A Preliminary Survey,” in *Companion Animals and Us: Exploring the Relationships Between People and Pets*, ed. Anthony L. Podberscek et al. (Cambridge: Cambridge University Press, 2000), 30.

⁵⁹⁸ Serpell, *Company of Animals*, 58.

⁵⁹⁹ S. Baring-Gould, *The Lives of the Saints*, New and Revised Ed., Vol. 9 (Edinburgh: John Grant, 1914), 156; *Lives of the Saints from the Book of Lismore*, ed. and trans. Whitley Stokes (Oxford: Clarendon Press, 1890), 274.

and murder of her husband Uriah. Nathan tells David of a rich man who steals and eats a poor man's lamb. "The rich man had very many flocks and herds; but the poor man had nothing but one little ewe lamb, which he had bought. He brought it up, and it grew up with him and with his children; it used to eat of his meager fare, and drink from his cup, and lie in his bosom, and it was like a daughter to him" (2 Sam. 12:2-3). Midgley keenly observes three important details about this story: "1. The man is *poor*. We are not dealing with the follies of the idle rich. 2. He is not childless; his children share the lamb's company with him. 3. The relation is regarded as a perfectly natural one."⁶⁰⁰ More than the previous examples, Nathan's story of the poor man and his lamb clearly demonstrates the nearness of the human-pet relationship. The lamb is more than a domestic working companion; it is accepted like a daughter into the man's family. The animal does not replace the man's human daughters, but instead lives among them as a valued member of the family unit. "The ewe lamb did not come between the poor man and his children. Instead it formed an extra delight which he could share with them, and so strengthen the family bond."⁶⁰¹ Midgley notes that he was not so indiscriminating as to cuddle with a cushion. The lamb was a living creature in need of, and able to respond to, parental care. Furthermore, the legitimacy of the relationship is never questioned. The king's anger is aroused by the rich man's act precisely because David recognizes the deep relationship that can exist between humans and animals. David sees the rich man's sin as more than the mere stealing of property; it is rather that the rich man "had no pity" (2 Sam. 12:6). Nathan chooses to tell the tragic story of a family and their pet in order to stir up the king's anger about the tragedy the king, himself, brought upon another family – Bathsheba and Uriah.

We have seen from the above story how a pet can enter the most intimate circle of human relation. We will now explore the intricacies of this relationship and the various roles that pets play within the human family. Pets often receive similar treatment as that enjoyed by other human members of a family. They are often treated with human food, given Christmas presents, celebrated on their birthdays, and even included in family portraits.⁶⁰² Child psychologist Boris Levinson, who first coined the phrase "pet therapy," has outlined specific roles that pets play

⁶⁰⁰ Midgley, *Animals*, 116.

⁶⁰¹ *Ibid.*, 119.

⁶⁰² Alan Beck and Aaron Katcher, *Between Pets and People: The Importance of Animal Companionship*, Rev. Ed. (West Lafayette, IN: Purdue University Press, 1996), 18; Debra Lynn Stephens and Ronald Paul Hill, "The Loss of Animal Companions: A Humanistic and Consumption Perspective," *Society and Animals* 4, no. 2 (1996): 199. My own family has observed, to varying degrees of regularity, each of these practices with our own pets.

within families: bridge, sibling, friend, and child. As a common object of responsibility and focus, a pet can serve as a bridge narrowing the generation gap between children and adults.⁶⁰³ Additionally, “a pet can be a brother, sister and friend. From the pet, a child can acquire a sense of stability and continuity as the family moves from one neighbourhood to another.”⁶⁰⁴ A pet can become a child’s trusted ally and help him/her gain confidence in areas from fear of the unknown and discharging responsibility to toilet training.⁶⁰⁵ Pets often take on the role of child as well. Pets aid young couples to gain confidence in their ability to care for a human child and help alleviate the sorrow that comes when children grow older and leave their parents’ home. Adults play with a pet and respond to its sexuality and excretions as if it were a child.⁶⁰⁶ Many people even speak to their pets in a similar manner as they do with small children. This “motherese,” “characterized by short utterances, many repetitions, and few grammatical errors, among other features,” has been observed in connection to both human children and pets.⁶⁰⁷ This childish role should not come as a surprise, at least not for domesticated pets that are the most common. Many domestication characteristics are really juvenile traits persisting into adulthood – a process known as neoteny.⁶⁰⁸

We can also perceive the intimacy of the pet relationship in the way that the death of a pet is sometimes mourned like that of a human family member, though often to a lesser scale and intensity. In a study carried out among Scottish school children veterinarian Mary Stewart found that 44 percent of children aged 7-8 years were reportedly “sad or very sad” at their pet’s death. This percentage rose to 80 for children aged 12-15.⁶⁰⁹ Even adults find the death of a beloved pet distressing. Stewart recognizes many qualities similar to Kubler Ross’s five stages of grief

⁶⁰³ Boris. M. Levinson, “Pets and Environment,” in *Pet Animals and Society*, ed. R. S. Anderson (London: Bailliere Tindall, 1975), 10.

⁶⁰⁴ *Ibid.*, 9.

⁶⁰⁵ “The child feels hurt and dissatisfied when he fails to control his bladder or bowel functions and is scolded by his parents. However, by observing what then the pet has a similar mishap the pet is scolded but yet accepted, the child feels that he too is loved.” *Ibid.*, 12.

⁶⁰⁶ Beck and Katcher, *Pest and People*, 69.

⁶⁰⁷ Kathy Hirsh-Pasek, “Doggerel: Motherese in a New Context,” *Journal of Child Language* 9 (1980): 230.

⁶⁰⁸ Zeuner, *A History*, 73.

⁶⁰⁹ Mary Stewart, “Loss of a Pet - Loss of a Person: A Comparative Study of Bereavement,” in *New Perspectives in Our Lives with Companion Animals*, ed. Aaron Honori Katcher and Alan M. Beck (Philadelphia: University of Pennsylvania Press, 1983), 394.

among her clients when they are faced with a pet's death.⁶¹⁰ A few veterinary hospitals and schools even offer pet-loss support hotlines or social work services for bereaved pet owners.⁶¹¹ After experiencing the death of his own family pet, one pastor has lamented the great lack of such services in many churches. In addition to support groups and funerary customs, "sermons and services pertaining to loss and grief might intentionally name companion animal loss, doing so as a means of public acknowledgment and legitimation of the grief endured by many sitting in every congregation on any given Sunday."⁶¹² Services celebrating the *lives* of animals, usually associated with the feast day of St. Francis of Assisi, have been steadily growing among North American churches.⁶¹³ Having taken my own pet to such a service at the Duke University Chapel, I can attest to the appreciation parishioners feel for such public ecclesial celebration of animal lives and acknowledgement of the important place animals have in the lives of humans. Yet, having experienced the loss of beloved family pets, I can also appreciate the need for churches to develop similar resources to help families mourn the death of the significant animals in their lives.

Because pet animals occupy a legitimate place of nearness in the human family our responsibilities for them necessarily differ from those owed to domestic working or wild animals. This responsibility closely resembles that which we have for other human members of this closest circle of relation. Yet, because animals are also a different species, adopted rather than born into human families, they mustn't be treated *as* human family members. These two aspects, family member and other species, must be held in tension as we consider our responsibilities toward pet animals. Veterinarian Joan Joshua asserts that although many people "make our dogs a child substitute, but there is no need whatever to try to humanize the dog; this is repulsive and unnatural and is extraordinarily bad for the wretched animal who is never allowed to behave like a normal canine."⁶¹⁴ Joshua is correct to insist that pets be allowed to exhibit species-specific behaviors, but what it means to behave like a "normal canine" is a

⁶¹⁰ Mary Stewart, *Companion Animal Death: A Practical and Comprehensive Guide for Veterinary Practice* (Oxford: Butterworth Heinemann, 1999), 39.

⁶¹¹ Stephens and Hill, "Loss," 207.

⁶¹² Tarris D. Rosell, "Grieving the Loss of a Companion Animal: Pastoral Perspective and Personal Narrative Regarding One Sort of Disenfranchised Grief," *Review and Expositor* 102 (2005): 55.

⁶¹³ For an example see Hobgood-Oster's analysis of the animal blessing services at St. John the Divine in NYC and the National Cathedral in Washington, D.C. Hobgood-Oster, *Holy Dogs and Asses*, 113-120.

⁶¹⁴ Joan O. Joshua, "Responsible Pet Ownership," in *Pet Animals and Society*, ed. R. S. Anderson (London: Bailliere Tindall, 1975), 132.

slightly ambiguous concept when speaking of dogs. Dogs, as opposed to wolves, foxes, or other canine species, are domesticated and this means that their “normal” life will possess one significant difference from that of their canine cousins – it will include a human element. As we saw earlier, domestication has resulted in both biological and psychological changes in the dog that make it fit for a mixed human-animal environment. We cannot forget this human component when we consider the most appropriate life for a dog, especially a dog that has been adopted into a human family. Most people, however, are able to distinguish between their care for human children and for pets. For reasons covered in previous chapters (human responsibility and *imago Dei*, human ethical rather than simply natural caring) love for pets is analogous, but not equal to, love for human children. George Pitcher, from chapter two, admits paternal feelings for his two adopted dogs but is not fooled into thinking they are actual children. Describing his feelings toward them as paternal, he insists, “was [not] perverted, misplaced, or in some other way not quite right: I want merely to indicate its quality.”⁶¹⁵ The nearness of the human-pet relation means that care with a brotherly or parental character for these animals is not only common, but also quite appropriate.

We can see now the full relevance of Spaemann’s earlier dilemma – whether to save the life of his child or a stranger. The nearness and dependency of one’s child creates certain overriding obligations. A pet, holding an analogous relational position, demands similar overriding preference. This is why a Christian animal ethic that takes nearness seriously cannot agree to the universalizing tendency of the animal rights position. Based, as we saw in the previous chapter, on the principle of equality, the animal rights activist sees all subjects-of-a-life (Regan) or holders of theos-rights (Linzey) as possessing these qualities equally and thus subject to equal treatment because of them. If Regan, for example, takes an absolute “abolitionist” stance with regard to the use of animals in science and agriculture,⁶¹⁶ he must also stand against the keeping of animals as pets. If farm animals have a right not to be kept and used for human purposes then neither do pet animals. Thus, “on the basis of standard animal rights philosophy the logical conclusion is that it is unethical to keep pets.”⁶¹⁷ Yet, as we have seen, historic and present relationships of nearness *do* matter in our ethical consideration of animals. To apply

⁶¹⁵ Pitcher, *Dogs Who Came*, 143.

⁶¹⁶ Tom Regan, “The Case,” 113.

⁶¹⁷ Stuart Spencer, et al, “History and Ethics of Keeping Pets: Comparison with Farm Animals,” *Journal of Agricultural and Environmental Ethics* 19 (2006): 24.

different levels of care to different types of animal is not, as some would argue, simply a form of speciesism.⁶¹⁸ To “liberate” one’s pet and begin treating it as if it were a wild animal would be a betrayal of the close relationship of care and dependence that one has established with it. To care for wild, domestic, and pet animals differently, therefore is not arbitrary or unjust. Rather, it is to take seriously the differing levels of responsibility that the concept of nearness places on human moral relationships with other animals.

4.3 Conclusion

In this chapter we have seen first how the criterion of nearness provides essential guidance or order the human moral life. As embodied, finite creatures we simply cannot care equally for all humans, much less all animals. Any attempt to do so would render inert our capacity to act morally. Yet by attending to contexts of nearness, our caring becomes ordered and our moral responsibilities manageable. We then proposed a taxonomy of nearness to broadly outline the responsibilities inherent in three proximity-based relationships between humans and animals: wild, domestic, and pet. This classification was not based on the specific capacities of individual animals, but on their nearness to human society. Because they exist independently from humans, our responsibilities to wild animals possess a general character of noninterference. In a seeming paradox, we care for them by restricting our interactions in their lives. We allow them space to remain independent. Domestic and pet animals, on the other hand, are defined precisely by their close relationships with humans. I have described domestic animals as those animals that have a long history of coexistence with and dependency on humans. They are Plumwood’s “familiar” animals with whom humans share a close working relationship. From this perspective we can see that the great tragedy of factory farming comes not simply from the treatment of sentient animals as if they were machines or commodities. Both utilitarian and rights-based animal ethics perceive this problem. Attending to nearness, however, exposes the factory farm as a betrayal of the human-domestic animal partnership. Such practices deny these animals a place of active participation in human communities and take advantage of the relationship of dependence that domestication has bred into them. These large, intensive farming operations are often placed in remote locations. Plumwood describes this as a

⁶¹⁸ Ibid., 22.

kind of “*spatial remoteness*”⁶¹⁹ – the very opposite of nearness. This is designed to preclude even the chance encounter or event of the neighbor relationship. Pet animals, because of their more intimate relationship with human families, are often saved from such treatment.⁶²⁰ But the temptation to commodify them in different ways is no less present. This is particularly true of exotic, undomesticated animals that are kept as symbols of their owner’s power or wealth.⁶²¹ According to the description of pet animals given in this chapter, however, such animals may better be labeled as captive, wild animals than true pets. Pets are adopted into human families, the nearest circle of human relation, and consequently demand the deepest forms of supportive care. It is possible to argue that an adequate taxonomy of nearness requires more numerous and specific categories than the three that I have outlined. As I stated earlier, however, this taxonomy is best used as a guide rather than a strict rule. It outlines the basic responsibilities we can expect when encountering an animal. If it were more specific it would be in danger of becoming rigid and allowing no room for the unique circumstances of the actual animals we meet. The event-like quality of drawing near and becoming a neighbor, as we saw from Barth, means that any individual animal that we encounter may demand more or less than these broad proximity-based categories dictate.

⁶¹⁹ Plumwood, *Environmental Culture*, 72.

⁶²⁰ Bernard Rollins asserts that one of the primary reasons for the enactment of the U.S. Animal Welfare Act in 1966 was to provide protection for pet animals – particularly to prevent the stealing and selling of pets to laboratories. Rollin, *Unheeded Cry*, 175. Unfortunately for domestic farm animals, they are explicitly excluded from the protections offered under this law. See “Part 1, Definition of Terms” of the US *Animal Welfare Act*, http://edocket.access.gpo.gov/cfr_2008/janqtr/pdf/9cfr1.1.pdf (accessed April 2009).

⁶²¹ This was a common practice among Mycenaean royalty, Egyptian pharaohs, and Roman rulers. Joel S. Savishinsky, “Pet Ideas: The Domestication of Animals, Human Behavior, and Human Emotions,” in *New Perspectives on Our Lives with Companion Animals*, ed. Aaron Honori Katcher and Alan M. Beck (Philadelphia: University of Pennsylvania Press, 1983), 116.

Chapter 5: Human Dominion and Animal Neighbors

“God blessed them, and God said to them, ‘Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth’” (Gen. 1:28).

One of Karl Barth’s favorite pastimes was horseback riding. He first became a “passionate horseman” while living in Bonn. Later when he returned to Basle to teach he rode regularly with colleagues. In a personal correspondence with Wilhelm Vischer he recalls the many times “we rode through the fields of MuttENZ and Pratteln or dashed through the woods of the Hardt at an exhilarating gallop on the brown and the grey, thus representing at least half of the horsemen of the apocalypse!”⁶²² Riding produced such an impact on Barth that he thought immediately of this activity when expounding the verse in Prov. 12:10: “A righteous man regardeth the life of his beast.”⁶²³ The good horseman, thus, becomes his model for describing human dominion over animals.

As it is the first word the Priestly writer of Genesis uses to describe human relationships with nonhuman animals, a Christian animal ethic would be incomplete without addressing human dominion. Drawing on the earlier themes of responsibility, care, and nearness my examination and critique of human dominion in this chapter proceeds in three stages. First, according to a close reading of Gen. 1:28, dominion over animals (*rādā*) is distinguished from subduing the earth (*kābaš*). According to ancient Hebrew thought, Old Testament scholar Gerhard von Rad asserts, plants do not share with humans and other animals in life, or breath (*nephesh*).⁶²⁴ For this reason, two distinct words are necessary to express humanity’s relationship to the rest of Creation. Human dominion describes a relationship between two relational subjects, like that of the ancient shepherd king, or Martin Buber’s more contemporary I and Thou. Subduing, on the other hand, represents a subject-object relationship. Second, in light of this distinction between dominion and subdue, I critique a common tendency in both Christian stewardship ethics and environmental ethics of lumping together animals, plants, and

⁶²² Quoted in Eberhard Busch, *Karl Barth: His Life from Letters and Autobiographical Texts*, trans. John Bowden (Grand Rapids, MI: William B. Eerdmans Pub., 1975), 271. Busch also includes a photograph of Barth and Brunner riding together. *Ibid.*, 293.

⁶²³ Barth, *CD III/4*, 352.

⁶²⁴ Gerhard von Rad, *Genesis*, trans. John H. Marks (London: SCM Press, 1961), 56.

inanimate natural phenomena into a singular other to which humans have a singular responsibility. Such a compilation ignores important differences between these different kinds of creatures. As such, I present human dominion over animals more as a relationship of responsible care for one's neighbors than a kind of stewardship for the natural environment in general. Third, I consider Karl Barth's description of the responsible horseman as an exemplary model of "responsibility as understood in the limits of dominion."⁶²⁵ The human and animal in this example partner together to achieve a common goal. To revise Kantian terms, the animal is used as a means, but not reduced to a means. Its individual subjectivity as an end is always respected.⁶²⁶

5.1 DOMINION VS. SUBDUE

The creation story in Genesis 1 both links humans to and separates them from other animals and the natural environment. Humans are created on the same day as the other land animals and given the same blessing to be fruitful and multiply. Yet, the unique language surrounding the creation of humans also distinguishes them from the other creatures.⁶²⁷ Humans are created in the divine image and given dominion (Gen. 1:26). They are assigned a task that is defined in relation to the other living creatures and to the earth, feminist Old Testament scholar Phyllis Bird asserts.⁶²⁸ In verse 1:28 God expounds the content of this task by speaking directly to human creatures. Old Testament scholar Walter Brueggemann claims that, because of this direct communication, humanity possesses a unique, intimate relationship with its creator. The human creature "is the one to whom God has made a peculiarly intense commitment (by speaking) and to whom marvelous freedom had been granted (in responding)."⁶²⁹ Brueggemann's conclusion closely resembles our own from chapter one where we followed Karl Barth in interpreting the *imago Dei* as the human summons to responsible relationship with God and others. We saw there that responsibility characterizes the human relationship between God

⁶²⁵ Barth, *CD* III/4, 352.

⁶²⁶ For a brief introduction to the complex history of Christian interpretations of the dominion text see Appendix 3.

⁶²⁷ Prior to the creation of humans, each work of creation is preceded by the phrase, "Let there be." Von Rad notes that Gen. 1:26, however, introduces humanity, "more impressively than any preceding work" by the unique phrase, "Let us make man." Von Rad, *Genesis*, 57.

⁶²⁸ Phyllis A. Bird, "Male and Female He Created Them': Gen 1:27b in the Context of the Priestly Account of Creation," *The Harvard Theological Review* 74, no. 2 (1981): 145.

⁶²⁹ Brueggemann, *Genesis*, 31.

and other humans; accordingly, we will see below how responsibility, in the form of dominion, also characterizes human relationships with other animals. At times this takes the form of a benevolent working relationship (as in not muzzling an ox while it is treading grain, Deut. 25:4). On other occasions it may be spontaneous care (as in aiding a lost or overburdened animal, Ex. 23:4-5; Deut. 22:1, 4). In what follows I argue that humanity's unique relationship with animals derives from their common creation as fellow *living* beings. This builds upon the distinction we have already noted in chapter two between human relationships with animals and plants as well as the emotional connection between humans and animals. Next, according to my relational reading of the *imago Dei*, I articulate a distinction between dominion and the subsequent command in Genesis 1 to "subdue" the earth. I conclude with a subsection investigating the relevance of Martin Buber's I/Thou philosophy for human dominion over animals.

5.1a Fellow Living Creatures

For the priestly writer of Genesis 1 animals and plants represent two distinct kinds of creatures. Plants, along with inanimate natural phenomena, form the environment that other, *living* creatures inhabit. According to ancient Hebrew thought, Von Rad claims, plants did not share in "*nepeš* ('life') like the animals."⁶³⁰ Both humans and animals, however, share in life, or breath, and consequently they are both given vegetation as food in Genesis 1. "It is perhaps strange," writes John Black, "that a distinction should be drawn between plants, which could be eaten, and had, presumably, no life, and animals, which could not be eaten and *had* life."⁶³¹ Yet, respect for the 'life' of plants, he claims, has simply never captured the Western imagination or ethic like that for animals. This seems most obvious in the food laws of the Old Testament that center around animal rather than vegetable meat.⁶³² "By contrast, man's awareness of his biological relatedness to the rest of the animal kingdom is apt to intervene in the process of domesticating nature."⁶³³ Although farming food crops necessitates an intimate knowledge of the growth cycle and needs of the plants, the continuity between humans and animals sets animal

⁶³⁰ Von Rad, *Creation*, 54.

⁶³¹ John Black, *The Dominion of Man: The Search for Ecological Responsibility* (Edinburgh: Edinburgh University Press, 1970), 38.

⁶³² Milgrom offers a detailed analysis of the ethical laws surrounding the consumption of animal flesh. Jacob Milgrom, "The Biblical Diet as an Ethical System," *Interpretation* 17, no. 3 (1963): 288-301.

⁶³³ Black, *Dominion*, 39.

life apart. For this reason, two distinct words are necessary to express humanity's relationship to the rest of Creation – dominion and subdue.

Immediately after creating human beings, Gen. 1:28 reports God's first words to these new creatures: "Be fruitful and multiply, and fill the earth and subdue it; and have dominion over the fish of the sea and over the birds of the air and over every living thing that moves upon the earth." The blessing to be fruitful and multiply connects humans to the other 'living' creatures, the animals, and distinguishes both from the creation of plants and the earth.⁶³⁴ God recognizes the land and vegetation as "good," but bestows no similar blessing on them. Yet, in addition to the common blessing they share with animals, humans uniquely receive instructions to subdue (*kābaš*) and have dominion (*rādâ*). These two terms are often glossed as if they refer to a single command. More precise commentators, however, see these as two similar, but distinct injunctions. In this way, we read a double command referring, on the one hand, to the "domestication of animals (represented by *rādâ*)" and, on the other hand, to the "cultivation of the earth (represented by *kābaš*)."⁶³⁵ Westermann explains this distinction: "In the scope of the speech and thought of P and the Old Testament, dominion can only be given over living things."⁶³⁶ Because they lack responsibility, or the image of God, human relationship with other animals cannot be one of equals; yet, because both humans and animals share in 'life,' their relationship is distinct from human dealings with plants and the land.⁶³⁷

Theologian Andrew Linzey, who has written extensively on animal rights, also acknowledges this difference in much of Old Testament thought between animals and the natural environment. This distinction provides the foundation for his conception of "theos-rights." "We are justified in claiming rights for [animals] and for ourselves," Linzey asserts, "in the context of God's right to have what he has given honored and respected."⁶³⁸ God, in other words, possesses absolute right and human and animal rights derive from this. While I noted the problematic

⁶³⁴ Bird, "Male and Female," 148.

⁶³⁵ Middleton, *Liberating Image*, 52.

⁶³⁶ "Im Bereich der Sprache und des Denkens des P und des AT kann es so etwas wie Herrschen nur über Lebendiges geben." Claus Westermann, *Genesis 1-11*, in *Biblicher Kommentar Altes Testament*, Vol. 1/3 (Neukirchen-Vluyn: Neukirchener Verlag des Erziehungsvereins, 1974), 220.

⁶³⁷ Bird further demonstrates that these two relationships are distinct in her observation that Psalm 8 speaks of human dominion over animals independently of any notion of subduing the earth. Bird, "Male and Female," 154.

⁶³⁸ Linzey, *Christianity*, 71.

nature of rights language with regard to animals in chapter three, the important point to grasp from Linzey for the moment is his account of the distinction between animals and plants.⁶³⁹ While “all living things have value to God, the election of Spirit-filled creatures, composed of flesh and blood, gives them what we may call ‘inherent value’ by virtue of their capacity to respond to him.”⁶⁴⁰ In light of von Rad’s observation that “life” refers only to humans and other animals in ancient Jewish thought, Linzey’s use of “all living things” in this quote is misleading. It would be better if he wrote: “all *created* things,” because he clearly intends to distinguish humans and animals from the other orders of creation. Both humans and animals, Linzey observes, are consistently described in the Old Testament as possessing spirit or breath (*ruach*).⁶⁴¹ “Doubtless there is something beautiful about flowers and magnificent about the intricacies of insects. Doubtless trees too have some dignity and standing before God. . . . And yet the glory of created [beings] must not blind us to the reality of individuals filled with the gift of the Spirit.”⁶⁴² The significance of flesh and blood emerges in Genesis 9 where God covenants with “all flesh that is on the earth” (9:17) and forbids the eating of “flesh with its life, that is, its blood” (9:4). Linzey’s account may prove questionable with regard to the extension of rights to nonhumans, but it does undoubtedly bear witness to the unique relationship humans and other animals share.

It is possible to summarize Linzey’s concern in the more concise phrase, “living creatures” (פֶּנֶה חַיִּים) (*nephesh chayah*) (Gen. 1:20, 24; 2:7; 9:10). This phrase explicitly connects humans and animals as opposed to plants or other aspects of the natural environment at two crucial moments in the primeval history: at the creation of living creatures and at their initiation into the universal Noachic covenant. Karl Barth also observes this biblical distinction between living creatures and the rest of the natural environment. Scripture, he says, views humans in all their unique individuality, yet not in isolation from their fellow living creatures. The human creature exists “in association with the various tame and creeping and wild beasts of the land which like himself, and like the fish and fowls before them, but now immediately and unavoidably, as his inseparable companions, are living creatures (*lebende*), i.e., living in

⁶³⁹ A critique of the animal rights position follows in a subsequent chapter.

⁶⁴⁰ Linzey, *Christianity*, 80.

⁶⁴¹ See for example, Ecc. 3:19-21 and Ps. 104:29.

⁶⁴² Linzey, *Christianity*, 86. I substitute “created [beings]” for Linzey’s “created life” for the sake of greater clarity and consistency.

independent movement and multiplying themselves by free acts of generation.”⁶⁴³ Yet, rather than explicating the three attributes that Linzey proposes, Barth here emphasizes the common divine blessing that accompanies the creation of living creatures – be fruitful and multiply. Both humans and animals, furthermore are dependent upon and receive the same benefits from their natural environments. They both depend on the same night and day and, at least in Genesis 1, dine at the same vegetarian table.⁶⁴⁴ Humans and animals are again mentioned together as “living creatures” in Gen. 9:10. Here we God enters into covenant with Noah and “and with every *living creature* that is with you, the birds, the domestic animals, and every animal of the earth with you, as many as came out of the ark.”⁶⁴⁵ That air and land animals are created on separate days marks little significance for the Priestly writer in connection to their inclusion in this covenant. What matters is that they are all *nephesh chayah*. Humans and animals possess *life* over against the waters, land, and vegetation that serve as habitat. Consequently, human dominion with regard to animals necessitates a uniquely personal relationship, indicative of two parties that share a covenant.⁶⁴⁶

5.1b Dominion (*rada*)

A range of Old Testament texts employ the verb *rādā* to articulate, in various ways, the rule of kings over subjects, masters over servants, or one nation over another.⁶⁴⁷ This rule describes the relationships between subjects and subjects, not between subjects and objects.⁶⁴⁸ This verb alone, however, does not denote *how* dominion is to be carried out.⁶⁴⁹ Lev. 26:17 and Num. 24:19 refer to the conquering rule of one nation over another. Yet, when dominion is used within Israelite society, it most often takes on a dimension of benevolence and peaceful

⁶⁴³ Barth, *CD* III/1, 177.

⁶⁴⁴ The animal is referred to the same table menu, or spread, from God, i.e., the vegetation (“...*denselben von Got gedeckten Tisch verwiesen ist*”). *Ibid.*, 177; *KD* III/1, 198.

⁶⁴⁵ Italics mine.

⁶⁴⁶ This is not to say that humans have no responsibility toward the other, non-“living,” aspects of Creation. In as much as these spheres are pronounced “good” by God and serve as habitat for living creatures, humans possess responsibility for the way in which we live in them, but this responsibility will lack the level of personal relationship involved in dominion over other living creatures.

⁶⁴⁷ Theodore Hiebert, “Rethinking Dominion Theology,” *Direction* 25, no. 2 (Fall 1996): 18.

⁶⁴⁸ Kalechofsky notes, “The depiction of the creation of fish, fowl, and animal in Genesis, is each species with its integrity, and substantiates the view that animals were regarded as integral subjects in their own right.” Roberta Kalechofsky, “Hierarchy, Kinship, and Responsibility: Jewish Relationship to the Animal World,” in *A Communion of Subjects: Animals in Religion, Science, and Ethics*, ed. Paul Waldau and Kimberly Patton (New York: Columbia University Press, 2006), 95.

⁶⁴⁹ Hiebert, “Rethinking,” 18.

leadership. In Lev. 25:43, 46, and 53, for example, dominion describes the authority of the head of the house over the household servants. The emphasis here falls on the qualification that “you shall not rule over them with harshness” (25:43).⁶⁵⁰ Even kingship in ancient Israel, Richard Bauckham claims, emphasizes the “horizontal relationship” between the king and his subjects. According to Deut. 17:14-20, Israel’s king must be a fellow Israelite not “exalting himself above the other members of the community” (17:20). The king’s rule “becomes tyranny the moment he forgets that the horizontal relationship of brother/sisterhood is primary, and kingship secondary.”⁶⁵¹ The same is true, he insists, of the dominion in Genesis where “the horizontal relationship is that of fellow creatures.”⁶⁵² Bauckham’s comparison could be strengthened by attending further to the distinction the Genesis text makes between creatures. The horizontal relationship of dominion, in this way, is not simply between fellow creatures, but between fellow, *living* creatures.

The comparison between human dominion over fellow, living animals and benevolent kingly rule over fellow, Israelite subjects is further supported by the ancient notion of the “shepherd king.” In places, the Old Testament depicts the reign of king Solomon in this very light. 1 Kings 4:24 describes Solomon’s rule “expressly as a peaceful dominion.”⁶⁵³ Solomon’s wise dominion produces peace and prosperity rather than animosity and exploitation. We find this idea again expressed in Solomon’s prayer for wisdom in Wisdom 9. In God’s wisdom, God creates humans to have dominion over animals and rule them with holiness and righteousness (9:2-3). In this prayer Solomon asks for that same wisdom to rule over God’s people. The idea of the king as a kind of good shepherd, Barr claims, “supplied a ready analogy for the human dominion over animals expressed in Gen. 1:26-28.”⁶⁵⁴ Genesis 1, in this way, draws on language normally reserved for the spheres of household management and kingly politics to express an idea of human dominion over animals that brings about a similar *shalom*.⁶⁵⁵ This image of the

⁶⁵⁰ Stephen G. Dempster, *Dominion and Dynasty: A Biblical Theology of the Hebrew Bible* (Downers Grove, IL: InterVarsity Press, 2003), 59.

⁶⁵¹ Richard Bauckham, “Modern Domination of Nature: Historical Origins and Biblical Critique,” in *Environmental Stewardship: Critical Perspectives: Past and Present*, ed. R.J. Berry (London: T & T Clark, 2006), 46.

⁶⁵² *Ibid.*

⁶⁵³ James Barr, “Man and Nature – The Ecological Controversy and the Old Testament,” *Bulletin of the John Rylands University Library* 55 (1972-73), 22.

⁶⁵⁴ *Ibid.*

⁶⁵⁵ James Limburg, “The Responsibility of Royalty: Genesis 1-11 and the Care of the Earth,” *Word and World* 11, no. 2 (1991): 126.

good shepherd “provided an ancient-pastoral society’s most tangible image of human dominion over animals.”⁶⁵⁶ The dominion articulated in Genesis 1, Walter Brueggemann contends, “is that of a shepherd who cares for, tends, and feeds the animals.”⁶⁵⁷ Christians, he claims, may find the ultimate example of such a shepherd in king Jesus, who laid down his own life for his sheep.⁶⁵⁸ Thus, the reign of the shepherd king consists of dominion, but it is dominion that ensures the wellbeing of those ruled, not simply that of the ruler. Along these lines, C.W. Hume writes that “neighbourliness towards animals was such a deeply rooted tradition among the Jews that it was taken for granted. The care of a shepherd for his sheep [even became] the standard symbol of God’s beneficence.”⁶⁵⁹ The shepherd king analogy, in this way, extended even to the Old Testament conception of the divine rule.

5.1c Subdue (*kabas*)

The verb, “subdue,” on the other hand, has a better claim to be interpreted harshly, as physically trampling down one’s enemy and their land.⁶⁶⁰ In Num. 32:22, 29, for example, subduing the land and its people expresses a way for the Reubenite and Gadite tribes to fulfill a promise they made to their fellow Israelites. Concern for the subjectivity of those they are subduing is not entertained. They become objectified – merely means to an end.⁶⁶¹ This verb can even be translated as “rape” (Esther 7:8).⁶⁶² A more striking form of objectification, transforming a subject into an object, would be difficult to find. In its Genesis 1 context, however, subdue is used not of a human or animal subject, but of the land. Here it possesses a generally agricultural meaning. “Basically what is intended is tilling,” Barr observes.⁶⁶³ In this sense it has an obvious resemblance to the J creation story where humanity is created to “till and keep” the ground (Gen. 2:15). Bird agrees, claiming that in Genesis 1 “the agrarian perspective

⁶⁵⁶ Jeanne Kay, “Human Dominion over Nature in the Hebrew Bible,” *Annals of the Association of American Geographers* 79, no. 2 (1989): 222.

⁶⁵⁷ Brueggemann, *Genesis*, 32.

⁶⁵⁸ Dominion interpreted in light of the cross, Froehlich claims, is more human than one that glorifies human dominion as unlimited and exploitative. Karlfried Froehlich, “The Ecology of Creation,” *Theology Today* 27, no. 3 (1970): 275.

⁶⁵⁹ Hume, *Status of Animals*, 4.

⁶⁶⁰ Barr, “Man and Nature,” 22.

⁶⁶¹ For other uses of this word for both the land and conquered nations see Jer. 34:11, 16.

⁶⁶² George W. Coats, “The God of Death: Power and Obedience in the Primeval History,” *Interpretation* 29, no. 3 (1975): 229.

⁶⁶³ Barr, “Man and Nature,” 22.

is obvious.”⁶⁶⁴ The command to subdue the earth, she claims, further distinguishes humans from the other animals in the creation story who appear to be simply “sustained by their environment rather than having to win life from it.”⁶⁶⁵ The author knew that the earth would support human life only when it was brought under control. Farming in ancient Israel, which involved such practices as “terrace building, cistern hewing, and forest clearing,” required a significant amount of human labor.⁶⁶⁶ “The pressures to plow and plant propitiously, to harvest grains and gather grapes at favorable moments, and, in general, to muster a sufficient work force at the right time were real and great.”⁶⁶⁷

The distinction between animals and plants, between dominion and subdue, is further reinforced in Gen. 1:29-30 where *both* humans and animals receive plants as food. Vegetation, in this way, is given as the means by which *living* creatures are to sustain themselves, whether through simple sustenance or through subduing. Even in Gen. 9:4, when humans are conceded a limited use of animal flesh as food, God warns them of the danger of taking another life – a warning seemingly unnecessary for a vegetarian diet.⁶⁶⁸ The important point in this discussion, for the moment, is to note that subduing connotes a relationship between a subject and an object, while dominion describes a subject-subject relation. The command to subdue, however, does not grant license to abuse. Subduing, in its Genesis 1 context implies use but not wanton exploitation. This understanding of the earth and agriculture, Hiebert observes, developed out of a context of general human powerlessness rather than human power over the natural world. The Genesis text “could not have signified the kind of control of nature now possible after the industrial and technical revolutions.”⁶⁶⁹ Steffens similarly argues that *kābaš*, in describing humanity’s relation to the earth, serves as a compliment to *rādâ*. It “in no way violates the broader dominion attitude of benevolence toward creation.”⁶⁷⁰

⁶⁶⁴ Bird, “Male and Female,” 153.

⁶⁶⁵ *Ibid.*

⁶⁶⁶ David Hopkins, *The Highlands of Canaan: Agricultural Life in the Early Iron Age* (Sheffield: JSOT, 1985), 266.

⁶⁶⁷ *Ibid.*, 269. Black makes a similar assessment: “Life in the environment in which the Hebrew tribes found themselves was hard and precarious, and remains so to this day.” Black, *Dominion of Man*, 37.

⁶⁶⁸ Westermann, *Genesis 1-11*, 220.

⁶⁶⁹ Hiebert, “Rethinking,” 21.

⁶⁷⁰ Lloyd H. Steffen, “In Defense of Dominion,” *Environmental Ethics* 14, no.1 (1992): 73.

5.1d Dominion Between I and Thou

Humans and animals are united in their sharing of the breath of life (*nephesh*) and responsive natures. Plant ‘life,’ on the other hand, provides habitat and sustenance for living creatures. The human relationship with animals does not match the equality of that with other humans. Yet, human dominion over animals does take on a level of personal, subject-subject relationality not possible in human relationships with plants. Jewish theologian Martin Buber does not focus on the idea of dominion, but his I-Thou philosophy does provide an apposite foundation for understanding these differences. The I-Thou (*Ich-Du*) relationship, or I-You according to Kaufman, consists of a response between two subjects.⁶⁷¹ “When I confront a human being as my You and speak the basic word I-You to him, then he is no thing among things nor does he consist of things.”⁶⁷² I-It (*Ich-Es*), on the other hand, refers to a subject-object relationship. “The world as experience belongs to the basic word I-It. The basic word I-You establishes the world of relation,” Buber claims.⁶⁷³ When I encounter another as an It, I experience them as a thing. I experience them as an object or a set of finite attributes to which I direct my own goals. Yet, “no purpose intervenes between the I and the You, no greed and no anticipation; . . . Only where all means have disintegrated encounters occur.”⁶⁷⁴ The I-Thou relationship, for Brunner is spontaneous and reciprocal. The two subjects do not encounter each other as means to their own private ends. Rather, the I-Thou encounter is one of pure relationship where the other is simply present.

While Buber dedicates the majority of his book, *I and Thou*, to explaining the human-human or human-divine relationship, he does not fail to take note of human relationships with other creatures. The various creaturely relationships humans have are ordered according to their level of mutuality. We can represent this ordering by the following formula: human-human relationships encounter full mutuality; human-animal relations straddle the “threshold of

⁶⁷¹ Walter Kaufmann here correctly translates the German “*Du*” as “You” rather than the more traditional “Thou” in Ronald Gregor Smith’s original 1937 translation of Buber’s text. “You” in modern English more accurately represents the informal, more intimate meaning which Buber intends in his exposition of the *Ich-Du* relationship. For this reason I prefer Kaufmann’s translation. The majority of later English works on Buber’s philosophy, however, use Smith’s terminology. In keeping with this tradition and because of the continued general popularity of this wording in English during the twentieth century, I also use the traditional I-Thou terminology.

⁶⁷² Buber, *I and Thou*, 59.

⁶⁷³ *Ibid.*, 56.

⁶⁷⁴ *Ibid.*, 63.

mutuality” (*die Schwelle der Mutualität*); and human-plant relationships remain at the “pre-threshold” (*Vorschwelle*) of mutuality.⁶⁷⁵ An examination of the two brief passages in which Buber considers I-Thou encounters with a tree and a house cat will clarify. It is possible, he claims, “if will and grace are joined, that as I contemplate the tree I am drawn into a relation, and the tree ceases to be an It.”⁶⁷⁶ Yet, while the tree ceases in this instant to be an It, the tree never becomes a Thou to the same degree that another human or animal can. The reason for this is reciprocity, or mutuality. True I-Thou encounters can only occur between two truly responsive beings. “It is part of our concept of the plant that it cannot react to our actions upon it, that it cannot ‘reply.’”⁶⁷⁷ Buber calls this the “pre-threshold” of mutuality and considers that the sphere of creatures that inhabit it range “from the stones to the stars.”⁶⁷⁸ With these non-living creatures, creatures that lack *nephesh*, humans share only a kind of physical, bodily mutuality.⁶⁷⁹ Animals, on the other hand, experience what Buber describes as the “anxiety of becoming” (*Bangigkeit des Werdens*).⁶⁸⁰ This anxiety is “the stirring of the creatures between the realms of plantlike security and spiritual risk” of humanity.⁶⁸¹ In this sense, animals exist at the “threshold” of mutuality. They do not express the full responsiveness of human beings, but they do exist at a different level than that of plants or stones.

When looking into the eyes of a house cat, Buber notices a “surprise and question” arise from within the animal:

Can it be that you mean me? Do you actually want that I should not merely do tricks for you? Do I concern you? Am I there for you? Am I there? What is that coming from you? What is that around me? What is that about me? What is that?!⁶⁸²

The “that,” Buber explains, represents the “the flood of man’s glance in the entire actuality of its power to relate.”⁶⁸³ In the flood of the human’s glance, the reciprocal glance of the animal rises to the very threshold of mutuality before setting again back into the world of I-It. “No other event,” Buber claims, “has made me so deeply aware of the evanescent actuality in all

⁶⁷⁵ Martin Buber, *Ich und Du* (Stuttgart: Philipp Reclam, 1995), 120.

⁶⁷⁶ Buber, *I and Thou*, 58.

⁶⁷⁷ *Ibid.*, 173.

⁶⁷⁸ *Ibid.*

⁶⁷⁹ See my distinction between animal *reply* and plant *reaction* in chapter 2.2a.

⁶⁸⁰ Buber, *Ich und Du*, 92.

⁶⁸¹ Buber, *I and Thou*, 144.

⁶⁸² *Ibid.*, 145.

⁶⁸³ *Ibid.*

relationships to other beings.”⁶⁸⁴ Human-human relationships also exhibit this disposition to oscillate between I-Thou and I-It. Humans, however, are capable of maintaining their I-Thou encounter for longer than a glance. Yet, only the divine Thou never sees us as an It.⁶⁸⁵ That Buber has this encounter with a house cat is of no little significance. While a human may occasionally encounter such contact with wild animals, “he obtains from [tame animals] an often astonishing active response to his approach, to his address.”⁶⁸⁶ It was Buber’s glance that first prompted the response from the house cat. “On the whole this response is the stronger and more direct, the more [the human’s] relation amounts to a genuine You-saying.”⁶⁸⁷ In other words, the more a human opens him/herself up to a genuine Thou-encounter with an animal, the greater the animal’s response approaches the threshold of mutuality. The relational power of the human’s glance serves as a kind of catalyst for the animal’s own responsive nature. True Thou-saying would obviously occur more with those animals that humans share a close physical proximity. An encounter without purpose, greed, or anticipation would likely be limited even further to human-pet relationships.⁶⁸⁸

5.2 DOMINION, STEWARDSHIP, AND ENVIRONMENTAL ETHICS

Theologian Douglas John Hall has proposed the concept of stewardship as an appropriate articulation of the human relationship with the nonhuman world. Along these lines, he emphasizes the relational nature of humans being created in the image of God, similar to Karl Barth and Emil Brunner. Yet, in a move that he sees as against or a further development of these theologians’ thought, Hall also wants to insist on the inclusion of nonhuman creatures into an understanding of humanity as “being-with.” Hall’s extension, however, is too sweeping. He is correct to acknowledge the extension of human responsible relationships past the divine and human spheres, but his “dominion as stewardship” is too broad a concept to account for the important differences inherent in human relationships with different kinds of nonhuman creatures. The problem with Hall’s solution lies in his lumping the entire nonhuman

⁶⁸⁴ Ibid., 146.

⁶⁸⁵ God is always present, “only we are not always there.” Ibid., 147.

⁶⁸⁶ Ibid., 172.

⁶⁸⁷ Ibid.

⁶⁸⁸ See Appendix 4 for a discussion of Adam’s naming the animals in Gen. 2 as representative of this uniquely relational form of dominion.

environment, “trees, rocks, and whales,” together in this third point of relation.⁶⁸⁹ This is a tendency also found among environmental land ethicists. In doing so, these ethical positions fail to make the distinction between human dominion over animals and human subduing of the earth that we have previously expounded from the Genesis text. Living animals and ‘nonliving’ plant and natural phenomena represent two distinct kinds of creatures that humans have a dual, rather than a single, kind of responsibility for. Human relationship with whales involves sympathy and a personalized responsibility while human relationship with trees and rocks involves something more akin to prudent tilling or conservation of habitat. The remainder of this chapter will further critique this indiscriminate tendency found in Christian stewardship ethics and environmental land ethics. Barth’s thought, on the other hand, will be shown finally to respect the biblical distinction between animals and plants and thus prove surprisingly apposite to our previous separation of the verbs *rādā* and *kābaš*.

5.2a Dominion and Christian Stewardship

In his first book on the concept of stewardship, Hall writes that Christian theology has rarely explored the meaning of “this fundamental ontological assumption [humans as ‘being with’] for the third major dimension of our threefold relatedness as creatures, namely, our relation to the extrahuman world, the inarticulate creation. . . ‘Humanity with Nature.’”⁶⁹⁰ He further develops this idea in his later work, *Imaging God: Dominion as Stewardship*. Here he attempts to overcome an omission that he sees in the relational theologies of Barth and Brunner. These two theologians emphasize human relatedness to God and fellow humans but fail, according to Hall, to fully account for human relatedness to the natural environment. “If what we encounter in the Bible’s juxtaposition of the divine and human is indeed an ontology of relatedness,” Hall contends, “we can hardly be content with an articulation of this theory of being that stops with the divine and the human.”⁶⁹¹ Created in the image of God, he asserts, humans are created as relational beings in connection to God, other humans, and the natural environment. Stopping at the divine-human or even the human-human encounter is premature. “We name, then, three dimensions of human relatedness. The human being is being-with-God . .

⁶⁸⁹ Hall, *Imaging God*, 178.

⁶⁹⁰ Douglas John Hall, *The Steward: A Biblical Symbol Come of Age*, Rev. Ed. (Grand Rapids, MI: William B. Eerdmans Pub., 1990), 209.

⁶⁹¹ Hall, *Imaging God*, 125.

. . . ; it is being-with the human-counterpart . . . ; and it is being-with-nature.”⁶⁹² Hall, in this way, elevates the human relationship to nonhuman creatures as an essential component of humanity’s relational *imago*. Nature is no longer simply, as Barth writes, the “indispensable living background to the living-space divinely allotted to man.”⁶⁹³ Humanity’s relatedness to the natural environment, rather, is just as essential to humanity’s being as our relationship to God and to one another. Furthermore, “these are not distinct and separate relationships,” Hall states, “but three aspects of a thrust outward, out beyond ourselves.”⁶⁹⁴ They are a “common quest for ‘the other’ ” that is completed only in the discovery of all three intended counterparts.

Human relatedness past the divine and human spheres means, for Hall, humans acting as stewards of God’s other creations. Clare Palmer critiques the applicability of the concept of stewardship for a Christian environmental ethic by observing that “nowhere in the Bible is humanity actually described as a steward of the natural world.”⁶⁹⁵ She sees the notion of Christians as stewards of nature arising not from the biblical narrative, but from the upsurge in the use of the term “steward” in church financial campaigns of the 1950s and 60s. Stewardship, thus, carries an implicit economic connotation. “The primary emphasis is on the steward and the use of resources, rather than on the relationship between the master and the steward.”⁶⁹⁶ Hall’s articulation of stewardship from a Christological model comes close to averting this criticism, but in doing so creates other problems. If Christians name Christ as Lord, *Dominus*, then they should relate to the earth in a manner that emulates “our Lord’s mode of ‘having dominion,’” Hall states.⁶⁹⁷ This can only mean “stewardship, and stewardship ultimately interpreted as love: sacrificial, self-giving love.”⁶⁹⁸ Christ, in this view, exercised his rule by giving up his own life in order to bring life to all creatures, human and nonhuman. Describing Christ’s rule as akin to stewardship, however, is problematic. On Trinitarian grounds, such a presumption begs the question of to whom it is that Christ is stewarding the creation for? Christ could be stewarding the creation for the glory of the Father. Yet, the Son, the one through whom all things were made, as the Nicene creed states, also possesses ownership of what is created. As St. Paul

⁶⁹² Ibid., 127.

⁶⁹³ Barth, *CD* III.4, 350.

⁶⁹⁴ Hall, *Imaging God*, 131.

⁶⁹⁵ Clare Palmer, “Stewardship: A Case Study in Environmental Ethics,” in *The Earth Beneath: A Critical Guide to Green Theology*, ed. Ian Ball, et al. (London: SPCK, 1992), 69.

⁶⁹⁶ Ibid., 73.

⁶⁹⁷ Hall, *Imaging God*, 185.

⁶⁹⁸ Ibid., 186.

writes, “the earth and its fullness are the Lord’s” (1 Cor. 10:26). Christ’s sacrifice, in this way, restores creation to Himself not to some absent or other owner. If Christ displays dominion, therefore, it cannot take the form of stewardship.

Thus, Hall’s position never truly overcomes Palmer’s criticism of the steward as a manager of resources. Even more so, it denies the subjectivity and relationality of the objects of stewardship. This is the problem that has, and will continue to occupy this chapter – the conflation of the double command in Genesis, *rādā* and *kābaš*, into a single charge of human stewardship over the natural environment. In doing so, Hall ignores the significant differences between the different kinds of created beings – living breathing beings (*nephesh chayah*), and their sustenance and habitat. The extra-human creation does not consist solely of resources to be managed, but also of other living creatures that summon humans to a relation of personal, if not mutual, encounter. His scheme of three-point relatedness, thus, requires modification. We cannot simply place animals into a broad third point called “Nature.” If we must use Hall’s design, animals rather represent a midway point between human relatedness to fellow humanity and human relatedness to Nature. We are not related to animals as equals because they lack responsibility, the image of God. Yet, neither do we relate to them in the same manner as plants or inanimate natural phenomena, because animals, like humans, are fellow living creatures.

5.2b Dominion and Environmental Land Ethics

This practice of lumping animals together with the rest of the natural environment is a tendency also found in environmental land ethics. In his *A Sand County Almanac*, Aldo Leopold, who is often considered the father of environmental land ethics, evidences this tendency in his famous “land ethic.” Leopold’s ethic is commendable for its reprove of the modern loss of a truly ecological education, the interdependency of all creatures, and insistence that “a system of conservation based solely on economic self-interest is hopelessly lopsided.”⁶⁹⁹ Leopold, like Hall, also names the land, or nature, as a “third step in a sequence” of expanding ethical relationships.⁷⁰⁰ Yet, rather than God and fellow humanity, Leopold’s first two steps of ethical relation are individuals with individuals followed by individuals with society. Despite this difference, both accounts of the third step or point of relatedness are virtually identical.

⁶⁹⁹ Aldo Leopold, *A Sand County Almanac* (Oxford: Oxford University Press, 1949), 214.

⁷⁰⁰ *Ibid.*, 203.

Leopold writes: “The land ethic simply enlarges the boundaries of the community to include soils, waters, plants, and animals, or collectively: the land.”⁷⁰¹ Both land ethics and stewardship ethics indiscriminately group together animals, plants, and inanimate natural phenomena - “trees, rocks, and whales.”

This tendency is still found in modern interpretations of Leopold’s ethic and has even erupted into a rhetorically quite hostile debate between environmental land ethicists and animal rights advocates. The differences between animal ethics and environmental ethics are comparable to the disagreement between Barth and Brunner over natural theology and the “point of contact.” When looked at broadly, “from the context of the history of theology,” as Hart writes, no two theologians could be more similar.⁷⁰² From this perspective the disagreement appears trivial. Yet on closer inspection, very real and consequential differences begin to appear. Similarly, with regard to animal ethics and environmental ethics, Linzey observes that “on paper, the agreements appear so considerable that many cannot quite see that there *is* an issue of difference at all.”⁷⁰³ Both speak of the continuity between humans and other creatures and value nonhuman creatures for their own sakes rather than, or in addition to, their instrumental value for humans. Yet on closer inspection significant differences arise between these two positions as well. This debate centers around two fundamental differences. While these are worth mentioning briefly, in keeping with the scope of this chapter, I will limit my main criticism of land ethics to its failure to distinguish human responsibilities to animals from human responsibilities to the land. First, there exists a sharp division “between animal activists who focus on the rights or liberation of individual animals and the more ecologically oriented approaches that aim at the preservation of a larger whole, such as species or an ecosystem.”⁷⁰⁴ J. Baird Callicott makes this point explicitly in his influential article, “Animal Liberation: A Triangular Affair.” Animal rights, he says, is “atomistic” (based on Bentham) while environmental ethics is “holistic” (based on Leopold).⁷⁰⁵ Similarly Mark Sagoff contends, “For

⁷⁰¹ Ibid., 204.

⁷⁰² Hart, *Barth vs. Emil*, 218.

⁷⁰³ Andrew Linzey, “The Conflict Between Ecotheology and Animal Theology,” in *Creatures of the Same God: Explorations in Animal Theology* (Winchester, UK: Winchester University Press, 2007), 49.

⁷⁰⁴ Lisa H. Sideris, *Environmental Ethics, Ecological Theology, and Natural Selection* (New York: Columbia University Press, 2003), 13.

⁷⁰⁵ J. Baird Callicott, “Animal Liberation: A Triangular Affair,” in *The Animal Rights/Environmental Ethics Debate*, ed. Eugene C. Hargrove (Albany, NY: State University of New York Press, 1992), 59. In a later article, Callicott regrets the “increasingly acrimonious estrangement” this article has created between

the most part, individual animals are completely expendable. An environmentalist is concerned only with maintaining a population.”⁷⁰⁶ Another environmental philosopher, Eric Katz, attempts to bridge this divide by proposing a “two-principle environmental ethics” that takes seriously both the integrity of the ecosystem and the individuals that make up that ecosystem. The good of the individuals, however, is clearly ranked lower than the good of the community in Katz’s proposal. Even though the title of his paper assumes a concern for animals within the environment, his proposal fails to truly distinguish the nature of individual animals from other individual natural phenomena. “As long as the welfare of the community is not at stake, individual natural entities - including animals - must be protected.”⁷⁰⁷ My reading of dominion in Genesis is, thus, closer to the animal rights position on this point by insisting on a consideration of the individuality of animals in human interactions with them.

The second point of disagreement centers on the issue of animal pain. The animal rights position, so environmental ethicists claim, inevitably implies the ecologically “nightmarish program of humane predator extermination.”⁷⁰⁸ Because, as Tom Regan writes, “Pain is pain wherever it occurs,”⁷⁰⁹ the animal rights position must be indiscriminate toward preventing pain in the lives of domestic animals and wild animals. If this is true of the animal rights view, my own position, although for different reasons, would tend to side with that of the environmental ethicists here. Environmental ethics, as Holmes Rolston argues, sees pain in wild nature as beneficial to the long-term survival of a species. “Predation prevents overpopulation from the surplus of young and culls the aged and the diseased.”⁷¹⁰ This is surely true from an evolutionary point of view. My own position, however, sees the pain caused by wild predators as less morally problematic than anthropogenic pain because of the responsibility inherent in

these two camps and he seeks a kind of philosophical reconciliation. By incorporating Midgley’s concept of “mixed community,” Callicott is able to afford domestic animals a level of individuality while still viewing wild animals en masse. J. Baird Callicott, “Animal Liberation and Environmental Ethics: Back Together Again,” In *The Animal Rights/Environmental Ethics Debate*, edited by Eugene C. Hargrove, 249-61. Albany, NY: State University of New York Press, 1992).

⁷⁰⁶ Mark Sagoff, “Animal Liberation and Environmental Ethics: Bad Marriage, Quick Divorce,” in *Animal Rights*, ed. Clare Palmer (Hampshire, UK: Ashgate, 2008), 225.

⁷⁰⁷ Eric Katz, “Is There a Place for Animals in the Moral Consideration of Nature?” in *Nature as Subject: Human Obligation and Natural Community* (Lanham, MD: 1997), 28.

⁷⁰⁸ J. Baird Callicott, “The Search for an Environmental Ethic,” in *Matters of Life and Death: New Introductory Essays in Moral Philosophy*, 3rd Ed., ed. Tom Regan (New York: McGraw-Hill, 1993), 352.

⁷⁰⁹ Regan, “The Case,” 106.

⁷¹⁰ Rolston, *Environmental Ethics*, 57. Yet, “a really consistent animal ethics,” he claims, “will dislike predation and seek to eliminate it.” *Ibid.*, 56.

humanity being *imago Dei*. As I argued in chapters one and three, because they are fellow living creatures animals form complex relationships with others; but animal relationships, unlike those of humans, do not connote responsibility in any morally relevant sense. Or, put in Kantian terms, animals are independent but not autonomous agents. This distinction between human and wild animal predation will later prove important for my case in chapter six for Christian moral vegetarianism. It is questionable, however, whether the animal rights position would truly lead to the elimination of wild predators. For example, Regan prefers a hands-off, “let them be” approach to wild animals.⁷¹¹ “Most prey animals, most of the time, are perfectly capable of eluding their predators without anyone’s assistance. Thus it seems to be human arrogance, not informed responsibility, that leads humans to believe that the rights of wild animals obligate us to ‘police’ nature.”⁷¹² Environmental ethicists, however, find this approach lacking because it does not provide a way of valuing “individuals that do not obviously have rights, such as plants or trees, or what Regan calls ‘inanimate objects.’”⁷¹³ By emphasizing a distinction between human responsibility to animals and human responsibility to the “land,” I am not fully endorsing the animal rights position. This would be impossible, for as I have already discussed in chapter three, my position is critical of the extension of human rights to nonhuman animals. Yet, neither the rights, nor feminist caring perspectives need discount the value of plants or the land by taking seriously the individuality of animals and their suffering. Shrinking and degraded habitats naturally lead to an increase in the suffering of the animals and humans that reside in them.

5.2c Dominion and the Environmental Ethics of Holmes Rolston III

The concept of animals as fellow living creatures poses a particularly interesting paradox in the environmental thought of Holmes Rolston. Rolston acknowledges the uniqueness of animal life from plants and the land, but because of his dedication to holism, this distinction does not appear to have an effect on his environmental ethics. Rolston explicitly names higher animals as “*subjects*” in a way that other aspects of the environment are not. “Instrumentally grass and mussels are more important in ecosystems than eagles or panthers. . . . Nevertheless, the charismatic species, often at the top trophic rungs in ecosystems, have high intrinsic value,

⁷¹¹ Regan, *The Case*, 361.

⁷¹² Tom Regan, “Ethical Theory and Animals,” in *Defending Animal Rights* (Chicago: University of Illinois Press, 2001), 19.

⁷¹³ Sideris, *Environmental Ethics*, 158.

animal excellences that embody superb evolutionary achievements.”⁷¹⁴ The health of plants and other similar creatures are essential for the overall health of an ecosystem. They form the living space and resources, the habitat, necessary for the life of “charismatic” animals. The unique abilities that allow such animals to have subjective lives grant them a value beyond that of mere instrumentality. They are subjects, not just objects or resources. At one point, Rolston even sounds like a student of Martin Buber: “We have direct encounters with life that has eyes; our gaze is returned by another concerned outlook. The relation is I-thou, subject to subject, more lively than experiencing a flower, I-it, subject to object. There is something behind the fur or feathers.”⁷¹⁵ Rolston does not expound on the glance of the animal or any specific I-Thou encounter with an animal like Buber does,⁷¹⁶ but his language clearly identifies a distinction between human relations to animals and to plants. Animals are subjects of their own lives and in this capacity respond to humans in a uniquely personal manner.

This almost Buberian conception of animal life, however, fails to find its way into Rolston’s environmental ethic. This is because Rolston’s unit of ethical consideration is the species not the individual.⁷¹⁷ Such a collective perspective may be appropriate for plants and ecosystems, but the individuality inherent in animal life, I argue, necessitates a more personal approach. Two examples from Rolston’s work will demonstrate this point:

In the spring of 1984 a sow grizzly bear and her three cubs walked across the ice of Yellowstone Lake to Frank Island, two miles from shore. . . . [When the ice melted] they were starving on an island too small to support them. The mother could swim to the mainland, but she would not without her cubs. On this occasion park authorities rescued the mother and her cubs.⁷¹⁸

Park officials normally take a hands-off approach to the animals that reside in Yellowstone. They only intervened in the plight of these bears because grizzlies are an endangered species. “They were not rescuing individual bears so much as saving the species.”⁷¹⁹ Wildlife officials

⁷¹⁴ Holmes Rolston, III, *Conserving Natural Value* (New York: Columbia University Press, 1994), 103.

⁷¹⁵ *Ibid.*, 101.

⁷¹⁶ He does not even mention Buber in his bibliography.

⁷¹⁷ To be more precise, Rolston values the processes that create a variety of species. Holmes Rolston, III, “The Land Ethic and the Turn of the Millennium,” *Biodiversity and Conservation* 9 (2000): 149. Practically speaking, however, protecting the processes that create species means protecting the species.

⁷¹⁸ Rolston, *Conserving Natural Value*, 113.

⁷¹⁹ *Ibid.*

valued the bears not because of their capacity for personal encounter, but because they represented endangered parts of a larger ecosystem. Had this been the family of a more plentiful species, such as deer, stranded on the island, the park service would not have intervened. A second example comes from San Clemente Island off the coast of California. Here the US Fish and Wildlife Service and California Department of Fish and Game asked the US Navy to shoot 2000 feral goats to save three species of endangered plants.⁷²⁰ The family of grizzlies and the group of three San Clemente plants are, thus, approvingly treated in identical manner in Rolston's holistic environmental ethic. The animals are no longer valued as individual, subjective, living creatures, but, like plants, as component parts of a natural ecosystem. They are preserved for the sake of the species they represent. "Happily," Rolston writes, "the Fund for Animals rescued most of the goats."⁷²¹ This rescue, however, should not be considered simply a happy afterthought. A Good Samaritan animal ethic that takes seriously the difference between human relations with animals and plants would make a rescue attempt the necessary precondition of such a policy of species preservation. To forgo such an attempt not only disregards the subjective, individuality of animals, it also breaks the Noahic covenant between God, humans, and animals – a covenant that, while conceding to humans a diet of flesh, still demands respect for the life blood of any fellow living creature they kill.

Although the question of killing animals will be covered more fully in my final chapter, it must be briefly mentioned here as well. Rolston's concern for species over individuals and his conflation of animals and plants show themselves most clearly in this regard. Rolston uses the strong term "murderer" in reference to human caused extinction of species, but not to the human killing of individual animals. Extinction, he says, "shuts down the generative process. The wrong that humans are doing, or allowing to happen through carelessness, is stopping the historic flow in which the vitality of life is laid."⁷²² Yet, individuals within a species, according to Rolston, are expendable and may be dispatched by humans for the sake of the species or when such killing poses little threat to the survival of the species.⁷²³ Along these line, he speaks of

⁷²⁰ Holmes Rolston, III, "Duties to Endangered Species," *Bioscience* 35, no. 11 (1985): 722.

⁷²¹ *Ibid.*

⁷²² *Ibid.*, 723.

⁷²³ Rolston also makes a distinction between anthropogenic extinction and natural extinction. Natural extinction, he says, opens the door to other more adapted species. Human caused extinction, on the other hand, only shuts doors. For this reason, "humans have no duties to preserve rare species from natural extinctions, although they might have a duty to other humans to save such species as resources or museum pieces." *Ibid.*, 724-25.

wildlife managers growing a healthy “crop of deer” for human hunters to shoot.⁷²⁴ Human hunting of wildlife, for Rolston, is comparable to animal predation. From a theological perspective, this analogy alone presents a highly suspect picture of human nature and I critique it further in my final chapter. For now I would like to address the problematic implications of using a word like “crop” in reference to animals. Similar language is not limited to hunting. Author, Barbara Kingsolver, for example, refers to her family’s “harvest” of turkeys.⁷²⁵ To speak in these terms, I am arguing, is a fundamentally incorrect way of speaking. To refer to a group of animals as a “crop” or a “harvest” denies them the subjectivity and relational nature that they possess as fellow living creatures. It equates their nature with that of a kind of creature, namely plants, that they are not. This results in a distorted view of both the kind of creatures that animals are and the kind of relation and responsibility humans have for them. Such instrumental language, even if it is geared toward conservation, befits subduing rather than dominion.

5.3 DOMINION AND THE GOOD HORSEMAN

Hall sees his work as a correction to Karl Barth’s overly anthropocentric interpretation of the *imago Dei*. Yet, Barth’s theology cannot be written off so easily. Stewardship ethics and environmental land ethics are both commendable for their extension of human care and responsibility past either the divine-human or the human-human spheres. They are found lacking, however, in their failure to fully account for the differences between human relations to animals and plants or other inanimate natural phenomena. It is this fault that Barth’s thought helps to rectify. “‘O Lord, thou preservest man and beast’ (Ps. 36:6), is a thread which runs through the whole of the Bible,” Barth asserts, “and it first emerges in a way which is quite unmistakable when the creation of man is classified in Gen. 1:24f with that of the land

⁷²⁴ Rolston, *Conserving Natural Value*, 114. Rolston says that in addition to their use for hunters, wildlife officials are also “concerned with wildlife for what they are in themselves.” What he means by this is that they are concerned for the “wildness” of the animals, not for the animals as relational subjects. Even when humans intervene to increase their population, officials do not want to tame them. They want wild animals to remain wild.

⁷²⁵ Barbara Kingsolver, *Animal, Vegetable, Miracle* (New York: Harper Collins, 2007), 220. She also forbids her daughter to give the turkeys individual, personalized names.

Feminist scholar Carol J. Adams also criticizes this use of language in “Feeding on Grace: Institutional Violence, Christianity, and Vegetarianism,” in *Good News for Animals?* ed. Charles Pinches and Jay B. McDaniel (Eugene, OR: Wipf & Stock, 1993), 147. For more see Appendix 4 on Adam naming the animals in Gen. 2.

animals.”⁷²⁶ As he reads the Genesis text, Barth affirms that both humans and animals share the potential for responsive encounters. Animals are not freely responsive in the same way that humans are – they are not responsible. Yet, their independent life demands a unique response from humans different to what is called for in human relations to plants. In this sense “animals fare better” than plants in Barth’s ethics, claims Willis Jenkins. “As Barth wrestles with the physical connaturality of animal and human life, he thinks their lives warrant something more than prudent conservation.”⁷²⁷ Human dominion over animals means responsibility for the life of fellow living creatures.

5.3a Barth and the Biblical Distinction Between Animals and Plants

Barth’s *Church Dogmatics* are not littered with long expositions of the differences between animals and plants, but the few passages that do express this idea are significant. For example, when discussing the unique relational nature of humanity, he writes:

If we think of the rest of creation without man, we can think in terms of something other than God, but only in the sense of something distinct from God and not a counterpart. *Only with the first creatures with independent life do we begin to glimpse a true counterpart alongside and before God in the sphere of the rest of creation.* But not until the creation of man does it find a genuine and clearly visible form. Only in him does a real other, a true counterpart to God, enter the creaturely sphere.⁷²⁸

Before the creation of animals, God does not find a relational counterpart. Yet, once animals enter the scene, those first creatures with independent life, we see a glimpse of such a counterpart. Animals do not fulfill the role of created counterpart to God to the degree that humans do, but their appearance does merit attention and, as we will see, a special responsibility. Similarly, in his commentary on the fifth day of creation, Barth finds an “entirely new creation” in the appearance of the fish and birds.

What God creates on the fifth day, in contrast not only to light, heaven, earth and the luminaries, but also to the vegetable kingdom, consists of creatures which live in autonomous motion, abounding and flying. Not by a long way do we see as yet the free

⁷²⁶ Barth, *CD III/1*, 181.

⁷²⁷ Although he does not make this distinction himself, Willis Jenkins does observe its presence in Barth. “The biological kinship between human and animals lives seems to press against Barth’s categorical treatment.” Jenkins, *Ecologies of Grace*, 168.

⁷²⁸ Barth, *CD III/1*, 184 (italics mine).

decision and action which will make man man and for which man is ordained as created in the image of God; but we certainly have a first intimation of it. And if we do not have as yet living creatures which form the immediate companions and friends of man in his particular exaltation, we can at least see that as a living creature of this kind man will not be alone, but in similarity and dissimilarity he will stand at the centre and head of a whole world of such creatures.⁷²⁹

Free-living creatures are distinct in that they inhabit what was created on the first three days. In the creation of animals, Barth claims, “the previously established habitat now for the first time and in the first form receives a populace.”⁷³⁰ All that has come before represents “the common habitat” (*des gemeinsamen Lebensraumes*),⁷³¹ the necessary conditions for the creation of autonomous, living creatures. In this way, the Genesis 1 creation saga reminds humanity of both its limitations and dignity. The fact that the animal creation along with humanity depends on “the same objective guarantee of its dwelling-place and the same light by day and by night, and has been assigned to the same table spread by God, is a living reminder to man of his own needs. The fact that it is subjected to his dominion is a living reminder of the responsibility.”⁷³² Barth keenly observes that the novelty of animal life results in a unique relationship between them and humans. Humans may not find an equal helper (Gen. 2:20) in animals, but their appearance is the first indication that humans will not be alone. Just as animals do not represent the created counterpart to God, neither can they constitute the equal friend or companion to humans. But lack of equality in nature does not mean that no companionship exists between humanity and animals.

5.3b Barth, Buber, and Horses

“Responsibility as understood in the limits of dominion,” Barth claims, will consist in what is proposed in Prov. 12:10: “A righteous man regardeth the life of his beast.”⁷³³ This statement lays within a later section of the *Church Dogmatics* where Barth speaks explicitly about the different responsibilities humans have toward animals vs. those we have toward plants

⁷²⁹ Ibid., 168.

⁷³⁰ “*der zuvor begründete Lebensraum nun zum ersten Mal und in der ersten Form eine Bevölkerung bekommt*” Barth, *KD III/1*, 188.

⁷³¹ Ibid., 198.

⁷³² Barth, *CD III/1*, 177.

⁷³³ “*Verantwortlichkeit in den Grenzen der so verstandenen Herrschaft*,” Barth, *KD III/4*, 400.

and the earth.⁷³⁴ As we noted at the beginning of this chapter, the responsible horseman provides the exemplary model for Barth's interpretation of this proverb. "It is said of a good horseman that he is so completely one with his horse that he always knows exactly to take out of it no more and no less than what it can not only give but is willing and glad to do so."⁷³⁵ Such a person, Barth claims, cannot possibly be ungodly. Thus, humans are allowed to use animals for our own purposes, but this can only be done responsibly by entering into a relationship with the animal and attending to its specific needs and even of what it is "willing and glad" to give to its human caregivers. The individual subjectivity of the animals must always be respected. The human and the animal partner together to achieve a common goal. A similar responsible relationship, Barth contends, should ideally exist between humans and wild animals that we have brought under human care, like those found in zoos. For this reason, "the relation between man and animals which are caged or beasts which are tamed merely to provide a spectacle or pleasure will always have a doubtful element."⁷³⁶ This is clearly different from human use of plants or inanimate objects. Human use of animals represents a transaction between two subjects. Human use of plants, on the other hand, consists of a subject-object relationship. Plants and landscapes have no independent life with which to respond or cooperate with human intentions.

A contemporary of Barth, Martin Buber, as we have seen, goes even further in his description of the encounter between human and animal. Like Barth, Buber also found companionship in a horse. When he was a boy, Buber used to summer at his grandparents' estate. There he often stole away into the stable and stroked the neck of his "darling, a broad dapple-gray horse."⁷³⁷ Looking back on the experience, Buber recalls, "It was not a causal delight but a great, certainly friendly, but also deeply stirring happening."⁷³⁸ In this encounter, he claims, he encountered not simply another, but an Other. The horse was not simply an object serving his amusement but a true subject with whom he encountered. "It let me approach, confided itself to me, placed itself elementally in the relation of *Thou* and *Thou* with me."⁷³⁹

⁷³⁴ "But this lordship, and the responsibility which it confers, is in the first instance a differentiated one in respect of the animals and plants" (*CD III/4*, 351). This difference for Barth relates primarily to the difference in killing animals and plants and will be discussed more fully in the following chapter.

⁷³⁵ Barth, *CD III/4*, 352.

⁷³⁶ *Ibid.*

⁷³⁷ Martin Buber, *Between Man and Man*, trans. Ronald Gregor Smith (London: Kegan Paul, 1947), 23.

⁷³⁸ *Ibid.*

⁷³⁹ *Ibid.* "The horse, even when I had not begun by pouring oats for him into the manger, very gently raised his massive head, ears flicking, then snorted quietly, as conspirator gives a signal meant to be recognizable only by his fellow-conspirator; and I was approved."

Giving attention to the fun that feeding and petting the horse gave him, however, put a barrier between himself and the animal. The intimate I-Thou relation was lost and the horse reverted into the relationship of I-It, subject-object. Thus, while humans may make use of animals, for Buber, a deeper encounter is always possible. Yet, even in the use relationship Barth describes, a high degree of reciprocity remains. The good horseman knows the animal's abilities and limitations and considers its desires in his use. Barth could not go as far as Buber and conceive of an I-Thou relationship with an animal,⁷⁴⁰ but both theologians clearly found a level of mutuality in human-animal relations not present in human relations with the natural environment. The Thou in nature encounters us with mutuality (*Gegenseitigkeit*), Buber claims, only if "instead of considering nature as a single whole, as we usually do, we . . . consider its different realms separately."⁷⁴¹

5.4 CONCLUSION

This separation of the creation of animals and human responsibility for them from the other orders of creation agrees with our observation of the distinction between *rādā* and *kābaš* in Gen. 1:28. Along these lines, dominion cannot simply be equated with a general notion of stewardship. Dominion, rather, constitutes an extension of human responsible relationship. Just as humans express responsibility in their response of love toward God and one another, they express responsibility in their dominion of love toward nonhuman animals. Emil Brunner claims that the human distinctiveness is found in "his responsible relation to his fellow-creature."⁷⁴² Olive Wyon's translation of this statement is particularly interesting. Brunner actually says "*Mitmenschen*," or "fellow-man."⁷⁴³ He uses the word "*Mitkreatur*" later in chapter 18.1 to refer to fellow-creatures, or animals. Yet, if we consider humanity's third dimension of relation and acknowledge the special place animals have in this sphere, Wyon's translation becomes surprisingly accurate. Humans truly are distinctive in their responsible relation to their fellow-

⁷⁴⁰ CD III/2, 277-78. Maurice Friedman claims that many Protestant theologians such as Barth adopted Buber's I-Thou philosophy, recasting it in ways that were not always compatible with Buber's own thought. Maurice S. Friedman, *Martin Buber: The Life of Dialogue*, 4th Ed. (London: Routledge, 2002), 324. The extent to which Buber actually influenced the development of Barth's I-Thou, however, remains debated. See Mark McInroy, "Karl Barth and Personalist Philosophy: A Critical Appropriation," Karl Barth Society of North America, San Diego, CA, November 16, 2007.

⁷⁴¹ Buber, *I and Thou*, 172.

⁷⁴² Brunner, *Man in Revolt*, 110.

⁷⁴³ Brunner, *Mensch im Widerspruch*, 100.

creatures – the animals. It is precisely because humans stand at “the head of a whole world of such creatures” in “similarity and dissimilarity,” to use Barth’s language, that human relationship with animals takes the form of responsible dominion. Barth’s assessment of the human-animal relation, preceding his example of the good horseman, is particularly insightful:

Respect for the fellow-creature of man, created with him on the sixth day and so closely related to him, means gratitude to God for the gift of so useful and devoted a comrade, and this gratitude will be translated into a careful, considerate, friendly and above all understanding treatment of it, in which sympathetic account is taken of its needs and the limits of its possibilities.⁷⁴⁴

Dominion, in this light, may be defined as a loving, personal response to our fellow living creatures, like the ancient image of the shepherd king. Because animals are also living, relational creatures, human dominion over animals takes on a unique responsibility not present in human subjugation of the earth. Other animals, like other humans, represent a community of living creatures that demand a personal response. In this way, human dominion over animals will look more like love or responsibility for one’s neighbor than a general stewardship of the earth.

⁷⁴⁴ Barth, *CD III/4*, 352.

CHAPTER 6: CHRISTIAN VEGETARIANISM AND ANIMAL NEIGHBORS

“God said, ‘See, I have given you every plant yielding seed that is upon the face of the earth, and every tree with seed in its fruit; you shall have them for food’” (Gen. 1:29).

“The fear and dread of you shall rest on every animal of the earth . . . Every moving thing that lives shall be food for you; and just as I gave you the green plants, I give you everything”
(Gen. 9:2-3).

My young nose began to tingle as it caught the sweet, spicy aroma floating down the hallway that led to the church’s basement kitchen. Tonight was chili night at my church’s weekly Wednesday night bible study and “fellowship dinner.” At ten years of age I especially looked forward to this night because I knew that, as opposed to the obligatory side salad on spaghetti night, the closest I would have to come to eating a vegetable would be in the form of a bread made of corn. When I left my Texas home many years later to study in North Carolina my new church did not have Wednesday night dinners, but it was not unheard of for the choir to be treated to take-out “fried chicken ‘n biscuits” after a busy Sunday morning service. The idea that consuming meat might pose for Christians, as Karl Barth writes, an important problem that “is genuine and cannot be ignored,”⁷⁴⁵ never crossed my mind during these early years. That it is still a non-issue for many Christians was proved to me most recently as I was driving home for a short family visit. I passed a large sign that read, “Man does not live by bread alone Deut. 8:3,” next to a portable meat smoker/grill in the parking lot of a local butcher shop.⁷⁴⁶ The previous chapter addressed the meaning of human dominion in the context of viewing animals as potential neighbors. This final chapter explores whether this dominion grants humans a license to take the life of other animals. Are we justified in killing those animals that we have responsibility for, care for, share covenant with, and draw near to, but ultimately have dominion over? In other words, can we consistently view other animals as both neighbors and food?⁷⁴⁷

⁷⁴⁵ Barth, *CD* III/4, 350.

⁷⁴⁶ The full verse reads: “He humbled you by letting you hunger, then by feeding you with manna, with which neither you nor your ancestors were acquainted, in order to make you understand that one does not live by bread alone, but by every word that comes from the mouth of the Lord.” See Appendix for photograph.

⁷⁴⁷ Muers points out that even a qualified “Yes” to the question, “Should I eat meat?” reinforces “the prior assumption that ‘meat’ is a valid category, and that animals can legitimately be portrayed as

In this chapter I argue that killing animals represents an extreme case that is rarely, if ever, compatible with such a conception. I build upon arguments in earlier chapters to make this case, but my primary conversation partner here is Karl Barth. It may seem counterproductive to engage the thought of a theologian who once referred to “antivivisectionists or those who are vegetarian” as “fanatics,”⁷⁴⁸ but I believe Barth’s discussion of the dangers present in killing animals actually brings him much closer to the vegetarian camp than he admits in his writing. I review the development of his thought on this subject as it progresses from a brief comment in his 1928 *Ethics* lectures to a full discussion over twenty years later in *Church Dogmatics* III/4. I argue that placing the killing of animals for food within the context of substitutionary sacrifice as Barth does in *CD* III/4 is inconsistent with both his description of human responsibility and with regard to the actual language he uses to describe such killing. The chapter proceeds in three stages. First, I offer a brief introduction to the potential difficulties and pitfalls inherent in arguing for vegetarianism from a biblical or Christian perspective. Second, I address human responsibility and the problem of killing animals. Here I discuss Barth’s understanding of human nature and the “jungle” (*Dschungel*), the question of whether human hunting is equivalent to animal predation, and the idea of meat eating as a concession to human fallenness. Finally, in the third section, I discuss Barth’s concept of the “exceptional case” (*Grenzfall*) within an overall ethic of respect for life and demonstrate how this is a more appropriate category than substitutionary sacrifice for a normative Christian animal ethic.

6.1 INTRODUCTION

The Christian scriptures are not replete with examples of characters who practice a meatless diet. With the possible exceptions of Adam and Eve while in the Garden of Eden and Daniel and his colleagues while in Babylon (Daniel 1:5-16), it is difficult to make a case for vegetarianism based solely on biblical character witnesses.⁷⁴⁹ From antiquity to the nineteenth century in the West, abstention from meat was more closely associated with the ascetic diet of the Greek philosopher Pythagoras than with any character from the bible. A meatless diet was even called the “Pythagorean diet” until the term “vegetarianism” was officially adopted in 1847

‘becoming-meat.’” Rachel Muers, “Conclusion,” in *Eating and Believing*, ed. David Grumett and Rachel Muers (London: T & T Clark, 2008), 268.

⁷⁴⁸ Barth, *Ethics*, 42.

⁷⁴⁹ Christian patristic tradition also holds that the apostle James refrained from eating meat.

with the establishment of the Vegetarian Society in the south of England.⁷⁵⁰ This has not prevented some, however, from attempting to eisegete a meatless diet into biblical characters to justify the practice from a Christian point of view. For example, the Quaker medical doctor Charles Vaclavick has argued that the real Jesus was a vegetarian who belonged to a Jewish Essene-like sect influenced by Pythagorean and eastern philosophies. According to Vaclavick, later “orthodox” or “Catholic” Christians omitted and covered up the true vegetarian teachings of Jesus in the bible and other New Testament apocryphal writings.⁷⁵¹ This thesis, however, is imaginative at best and not widely recognized by biblical scholars. New Testament professor David Horrell writes, “Since meat was an occasional luxury in most ancient societies, including Jewish Palestine, it is unlikely that Jesus ate it frequently. But to imply from silence that Jesus actively avoided meat, and did so on grounds of concern for animals, is historically implausible.”⁷⁵² John the Baptist represents another favorite New Testament character on which Christian vegetarian sects based their own dietary practices.⁷⁵³ Yet, like with Jesus, it is hard to argue credibly for a strictly vegetarian John the Baptist. Such arguments are problematic not only on anthropological and historical-critical grounds; they represent a “theologically superficial notion of the imitation of Christ.”⁷⁵⁴ Rather than seeking a deeper biblical or Christological pattern, these arguments merely operate at the level of asking what Jesus did and copying it. Rather than looking for specific vegetarian exemplars, a more fruitful way forward is to consider the overall tenure of Scripture with regard to the killing of animals for food. For example, modern Christian teachings against polygamy are better founded on broader biblical themes favoring monogamy than on specific monogamous exemplars.⁷⁵⁵

⁷⁵⁰ Colin Spencer, *The Heretic's Feast: A History of Vegetarianism* (Hanover, NH: University Press of New England, 1995), 252. The more restrictive term “vegan” was dubbed later in 1944 to refer to a diet that consists solely of vegetable matter (i.e., no animal products like milk or eggs). Leah Leneman, “No Animal Food: The Road to Veganism in Britain, 1909-1944,” *Society and Animals* 7, no. 3 (1999).

⁷⁵¹ Charles P. Vaclavik, *The Vegetarianism of Jesus Christ: The Pacifist, Communalism, and Vegetarianism of Primitive Christianity* (Three Rivers, CA: Kaweah Pub., 1986).

⁷⁵² David G. Horrell, “Biblical Vegetarianism? A Critical and Constructive Assessment,” in *Eating and Believing: Interdisciplinary Perspective on Vegetarianism and Theology*, ed. David Grumett and Rachel Muers (London: T & T Clark, 2008), 49.

⁷⁵³ Kelhoffer argues that locusts and honey were likely not John's only foods because these would have not provided sufficient nutritional content. “John's honey has more to do with where John was rather than what he ate. . . . John's food is simply a reflection of what was plentiful in his midst: insects and uncultivated ‘honey.’” James A. Kelhoffer, *The Diet of John the Baptist: “Locusts and Wild Honey” in Synoptic and Patristic Interpretation* (Tübingen, Germany: Mohr Siebeck, 2005), 98.

⁷⁵⁴ Horrell, “Biblical Vegetarianism?” 49.

⁷⁵⁵ This is an issue that plagued Augustine and his disputes with the Manicheans. See Augustine, *Reply to Faustus the Manichæan*, Book 22.47 in *Nicene and Post-Nicene Fathers*, First Series, Vol. 4, ed. Philip Schaff, trans. Richard Stothert, 1887, Reprint (Grand Rapids, MI: Wm.B. Eerdmans Pub., 1956),

An even more compelling case can be made from a comparison of the biblical teachings on the killing of animals for food with the keeping of slaves. Simply because a practice was considered normative in the past does not mean that it should be exempt from critical moral investigation today. Arguing along these lines, Mennonite philosopher Gary Comstock writes, “Even though the Bible says nothing that could be taken as a direct condemnation of slavery, slavery is still wrong.”⁷⁵⁶ That Christian slaveholders in the past could point to biblical passages explicitly permitting slavery,⁷⁵⁷ does not obscure the reality that the overall themes of the bible include freedom, liberation, justice and mercy. The narrative trajectory of the bible, thus, points in the opposite direction of human slavery. In similar fashion, theologian David Clough argues that moral awareness develops over time. “We have come to realize - as the authors of these texts did not - that the wider biblical account of what it means to be human is at odds with keeping slaves and with treating women as less than equal to men.”⁷⁵⁸ Christian ethics involves more than a mere mimicry of the patriarchs, St. Paul, or even Jesus. “Christians are called to be followers of Christ, but not slavish imitators: we are called to take up our crosses (Matt. 16:28) - but not to be crucified for the redemption of the world; we are called to have faith, but not turn water into wine.”⁷⁵⁹ A Christian consideration of vegetarianism will take the biblical witness seriously, but it will bear in mind both individual biblical examples and the larger themes and narrative thrust. Feminist scholar Carol Adams argues for a Christologically informed vegetarianism along similar lines. She maintains we are “not concerned with whether Jesus was or was not a vegetarianism just as feminist theology rejects the relevance of the maleness of the twelve disciples. This is not a quest for historical duplication but for the acquisition of an ability to discern justice-making according to the Christological revelation.”⁷⁶⁰ Merely following Jesus’ example without a larger vision of his salvific purpose and God’s goal for God’s creatures veers

289. <http://www.ccel.org/fathers.html> (accessed April 2009). Augustine makes a similar argument in *On Marriage and Concupiscence*, Book 1.10 in *Nicene and Post-Nicene Fathers*, First Series, Vol. 5, ed. Philip Schaff, trans. Peter Holmes and Robert Ernest Wallis, 1887, Reprint (Grand Rapids, MI: Wm.B. Eerdmans Pub., 1956), 267-268.

⁷⁵⁶ Gary L. Comstock, “Pigs and Piety: A Theocentric Perspective on Food Animals,” in *Good News for Animals?* ed. Charles Pinches and Jay B. McDaniel (Eugene, OR: Wipf & Stock, 1993), 114.

⁷⁵⁷ Jon Butler, Grant Wacker, and Randall Balmer, *Religion in American Life: A Short History* (Oxford: Oxford University Press, 2000), 254-255.

⁷⁵⁸ David Clough, “Why Do Some People Eat Meat?” *Epworth Review* 32, no. 2 (2005): 36. He compares Christian justifications for slavery and meat eating on select biblical passages again in Clough, “Playing Chicken,” 45.

⁷⁵⁹ Clough, “Why?” 36.

⁷⁶⁰ Adams, “Feeding,” 155.

dangerously close to Pelagianism. In John 14:12, Jesus says, “Very truly, I tell you, the one who believes in me will also do the works that I do and, in fact, will do greater works than these, because I am going to the Father.” Christian ethics is influenced by Jesus’ life and just as much, if not more so, by his death and resurrection. The grace and freedom of the kingdom of God that Jesus initiates opens up the possibility of renewed relationships between people and other creatures. The rest of this chapter considers the implications of Christ’s incarnation, death, and resurrection on human relationships with other animals and specifically whether these “greater works” might include a call to see the killing of animals for food as an extreme rather than normative case in this relationship.

6.2 HUMAN RESPONSIBILITY AND THE WAY OF THE JUNGLE

Before we can think about placing the killing of animals for food under the category of *Grenzfall*, we must first consider what makes this practice so extreme or borderline. As most environmental philosophers will agree, killing and consuming other life forms is a natural, evolutionary process and an essential component of healthy ecosystems. Thus when humans kill and consume other animals we are simply imitating the natural processes that we see all around us. I contend, however, that to read human meat eating off of animal predation is just as simplistic a hermeneutical move as justifying polygamy or slavery by citing specific biblical proof texts or examples. Both methodologies fail to consider the larger picture of human nature and purpose. Karl Barth describes the human creature as sharing in animal nature but also being called to responsibility before God and others. I have already discussed what this means generally for drawing distinctions between humans and animals in chapter one. In this section I explore its meaning for the specific case of killing animals for food. My argument proceeds in three stages. In the first subsection I outline Barth’s conception of responsible human life in opposition to animal life. By participating in the struggle of the jungle for existence, humans are in danger of losing their humanity. Killing is only acceptable under the command of God. I then use this idea in the second subsection to critique the claim by environmental ethicist Holmes Rolston that human hunting is comparable to animal predation. In the third subsection I show how competition and killing for food do not represent God’s original or final intent for human relationships with other animals. The possibility of meat eating exists only in the caveat of history as a concession to human fallenness.

6.2a Human Respect for Life

Under the subject of “Respect of Life,” Barth admits in *CD III/4* that “human life is always first a life of impulses.”⁷⁶¹ Humans do not exist primarily as spiritual souls that merely inhabit physical bodies. Physical bodies and their consequent impulses and passions form an integral part of real human life. We observed in chapter two that human emotional continuity with animals allows for the creation of caring relationships between the two. This is what makes animals, rather than plants or inanimate natural phenomena, proper recipients of human care. The reality of human embodiment means that when we are addressed by the command of God we are addressed as embodied creatures. Animal impulses, Barth insists, are not given to humanity only to be suppressed. Real human life depends on them.⁷⁶² Yet, neither can human life simply be equated with animal life. “The instincts undoubtedly belong to the animal element in human life, namely, to that which it has in common with animals. But this does not mean that in so far as it is an impulsive life, it could and should be lived in animal fashion.”⁷⁶³ As we saw in chapter one, humans are also created in the *imago Dei*. This means that human life is to be lived in free response to the divine call. Human life is responsible life.

And therefore, in so far as respect is due it, the important thing even in regard to these animal components is to live it humanly, i.e., not in the form of an automatic process, but in the form of a physical process guided and governed by the soul as awakened by the divine *pneuma*, and therefore in the form of freely chosen and executed decisions.⁷⁶⁴

Barth makes a similar assessment earlier in *Ethics*: “We need not say more in defining the being of man than that we understand ourselves as beings that know of themselves and their kind that

⁷⁶¹ Barth, *CD III/4*, 344.

⁷⁶² *Ibid.*, 354.

⁷⁶³ *Ibid.*

⁷⁶⁴ *Ibid.*

their life transcends the perceptible processes of physical life in time and space.”⁷⁶⁵ As embodied creatures, humans share in the life of animals. As responsible creatures, humans transcend the life of animals. This transcendence is evidenced most acutely in regard to killing or joining in the animal struggle for life. Through the language he uses to describe these activities, Barth clearly associates them with the animal part of human nature. They must be governed responsibly, otherwise “the wolf slips the chain”⁷⁶⁶ and we draw too near the “jungle struggle” (*Dschungelkampf*) for existence.⁷⁶⁷ Although he admits that in God’s freedom the command to take life might be asserted, Barth gives this strong warning in *Ethics*: “The closeness to the jungle to which we give ourselves when we compete and kill will always make competing and killing a far more dubious action than one which totally or predominantly can be understood as the sparing, upholding, and cherishing of the life of others.”⁷⁶⁸ Barth allows for the possibility of killing and eating animals and even for war, but he also acknowledges the danger inherent in these actions. He insists in both *Ethics* and *CD III/4* that God’s normative command for humans opposes competition and killing. The manner of life most suitable for human animals is one that embraces peace and the upholding of life rather than destruction and death. Therefore, when we engage in violence and killing, our very humanity is at stake. The question of whether an act can be considered human or animal is “summed up under the concept of competition, . . . in the face of all the possibilities of the killing of men by men, and even in the face of the many possibilities of our relation to the plant and animal world.”⁷⁶⁹ Thus, for the Christian, human life is guided by the command of God to respect life rather than by nature’s red tooth and claw.

As we noted in chapter 1.2b, Eberhard Busch offers an important insight into this area of Barth’s thinking. “The problem with Darwinism is not that it sees the relation between humans and animals, but that it defines humanity in terms of the animal.”⁷⁷⁰ Barth accepts the continuities between humans and animals, but he also insists that human nature cannot be defined solely in terms of its biology. Humanity’s unique responsibility before the Word of God allows humans to transcend their biological determinations. “Losing their distinction from the

⁷⁶⁵ Barth, *Ethics*, 178.

⁷⁶⁶ Barth, *CD III/4*, 413. The German is more forceful - “*dem der Wolf zum Ausbruch gekommen ist*” - the inner wolf has literally erupted or broken out. *KD III/4*, 471.

⁷⁶⁷ Barth, *CD III/4*, 435; *KD III/4*, 497.

⁷⁶⁸ Barth, *Ethics*, 180.

⁷⁶⁹ *Ibid.*

⁷⁷⁰ Busch, *Great Passion*, 179.

animals, humans also lose the capacity for a genuine relation to the environment, for they seek their humanity in the exercising of instinctive drives.”⁷⁷¹ Thus, while human life may first be a life of impulses, it is not circumscribed by them. Barth writes passionately against any form of natural theology that attempts to define God, humans, or human morality from sources other than divine revelation.⁷⁷² We cannot simply assume that the natural rules of predation and competition for life, or even more benevolent observations like altruism and cooperation in animal life, represent the divine will for human nature or relationships. “The humanity of the will to live,” Barth claims, “means that we do not just want to live as animals do or as plants in their struggle toward light and moisture; we will live in a human determination.”⁷⁷³ As we have seen in chapter one and above, this human determination is one that respects and upholds the lives of others in free response to the divine command.

This is not to say, however, we must try to impose the divine command to humans on nonhuman creatures. “That man lives in a cosmos, that he is the neighbour [*Nachbar*] of animals” is presupposed in the divine command to humans. “Yet it does not follow by any means that the Word is also addressed to his neighbours in the cosmos in the same way as it is to man,” Barth claims.⁷⁷⁴ The command of God presupposes a community of relationship between humans and animals, but this does not mean that the respective members of this community are addressed in the same way. We cannot deny that the divine Word may address animals with the same respect for life that it does with regard to humans, but neither, Barth insists, can we confirm it. “We undoubtedly receive instruction concerning our life and its nature, [yet] this is actually limited to our human life.”⁷⁷⁵ God’s Word does not meet creatures in an abstract, general way, but in the concrete, particularity of their existence. This is consistent with Barth’s emphasis on the divine Word’s incarnation as a breaking into the temporal history of creatures in the real man Jesus of Nazareth. Thus, the revelation that we receive concerning true human nature and morality is specific to us as human creatures. “Man is not addressed concerning animal and vegetable life, nor life in general, but concerning his own human life.”⁷⁷⁶ Christian ethics, therefore, concerns itself with relationships that involve humans. We took note of this in

⁷⁷¹ Ibid.

⁷⁷² For Barth, the incarnate Christ represents the fullest revelation of both divine and human nature.

⁷⁷³ Barth, *Ethics*, 179.

⁷⁷⁴ Barth, *CD III/4*, 332.

⁷⁷⁵ Ibid.

⁷⁷⁶ Ibid., 333.

chapters one and four. We are concerned with human-divine, human-human, and human-animal, but not animal-divine or animal-animal, relationships. Barth claims that, from the human perspective, the divine command to animals or other nonhuman creatures exists in hidden form.

There is an infinite range of possible but unknown realities in the relation of Creator and creature. We may thus give free rein to our imagination in this field. But we must not maintain that we have any knowledge, namely, that we know a universal, all-inclusive command addressed to all creatures and therefore valid for us. This obviously involves an encroachment of naturalism and evolutionism which we have no reason to support.⁷⁷⁷

In a similar manner, we cannot move in the opposite direction and suppose a command that we have with regard to human-human or human-animal relationships is likewise relevant for animal-animal relationships. While we can know that the normative command for humans involves the respect and upholding of life, we cannot be certain that animals have been given a similar command. Thus, humans have no theological justification for policing violence or predation in wild nature. We overstep the boundary in which the Word of God meets us if we attempt to do so in either direction.

6.2b Human Hunting and Animal Predation

In his *Environmental Ethics*, Holmes Rolston distinguishes between human culture and wild nature with each sphere having its own set of moral codes. He argues that when humans interact with nature in the struggle for survival, “the ethics that has proved appropriate within culture only partly deploys there.”⁷⁷⁸ Neighborly love may be appropriate for human-human interactions in culture, but survival of the fittest is the law of nature and when humans interact with other creatures in nature, we must follow nature’s rules. Rolston defends human hunting along these grounds by comparing it to animal predation in nature. “Analogous to predation, human consumption of animals is to be judged by the principles of environmental ethics, not those of interhuman ethics.”⁷⁷⁹ We have argued above, however, that animal or natural impulses alone do not guide human actions. Humanity is defined not by nature but by its relationship to the Word of God. Thus, from a theological perspective, we must disagree with Rolston when he

⁷⁷⁷ Ibid.

⁷⁷⁸ Rolston, *Environmental Ethics*, 62.

⁷⁷⁹ Ibid., 79.

says, “Nothing is more natural than hunting for food.”⁷⁸⁰ If we conclude that hunting and killing are impulses that humans share with other animals, then we might be tempted to agree with this statement. But to do so would place us in a theologically dubious position. An individual human, Barth claims, is not identical with the “indwelling wolf. It is not his nature. It belongs to the corruption of his nature.”⁷⁸¹ The bloodlust and readiness to kill that Barth sees in many human relationships is due to the corruption of sin in humanity’s nature, not to its true or ideal form. Christian ethics, therefore, cannot make the same culture/nature distinction as Rolston. Created in the *imago Dei*, humans exercise their responsibility in their relationships with God, other humans, and other animals. The command of God to respect and uphold life meets humans in *all* their relationships – not just their interhuman ones.⁷⁸²

Although my arguments in this subsection are confined primarily to an engagement with the thought of Rolston, it is important to note that he is not the only environmental philosopher to defend human meat eating by comparing it to animal predation. Erik Katz, for example, defends the institutional use and killing of animals by suggesting that “business, or any other human institution, would look to the operation of natural ecological systems as a guide to the proper behavior regarding animals and other natural beings.”⁷⁸³ Baird Callicott endorses hunting as well, so long as it is done in a way that respects nature’s example. Thus, humans may hunt prey, but not predator species. “Hunting timber wolves is wrong because these animals are top carnivores in their biotic communities, and to treat them as if they were prey is not appropriate.”⁷⁸⁴ Rolston also places a qualification on his endorsement of hunting. Human hunting mirrors animal predation in that it must serve a higher purpose than human vanity. Thus, trophy hunting and some sport hunting would be largely prohibited according to Rolston’s

⁷⁸⁰ Ibid., 88.

⁷⁸¹ Barth, *CD* III/4, 414. Barth is speaking here of the human readiness to kill other humans, but I believe his argument can readily apply to our readiness to kill other animals as well.

⁷⁸² Rolston also argues that with natural predators gone, some prey species tend to overpopulate, deplete their food source, and experience greater suffering through starvation. Humans must, therefore, take the place of natural predators to keep the numbers of prey species in check. Rolston, *Environmental Ethics*, 90. Other than the clearly Utilitarian logic at play here (a logic that Rolston rejects elsewhere), the real problem seems to be humanity’s relationship with predator species rather than with their prey. Rather than trying to play predator, human care for wild animals might be better served through the protection and reintroduction of wild predator species.

⁷⁸³ Eric Katz, “Defending the Use of Animals by Business: Animal Liberation and Environmental Ethics,” in *Nature as Subject: Human Obligation and Natural Community* (Lanham, MD: 1997), 84.

⁷⁸⁴ J. Baird Callicott, “Whaling in Sand County: The Morality of Norwegian Minke Whale Catching,” in *The Philosophy of the Environment*, ed. Timothy Chappell (Edinburgh: Edinburgh University Press, 1997), 167.

environmental ethic.⁷⁸⁵ “The best case that can be made for sport hunting,” Rolston claims, “is that it is not merely recreational but is a vicarious, therapeutic, character-building, *re-creational* event, where a visceral urge is vented in the sport hunt, carried forth in its ecological setting.”⁷⁸⁶ Rolston’s distinction between culture and wild nature is open to the charge of arbitrariness at this point.⁷⁸⁷ Humans appear to be able to step in and out of culture when we deem fit. We evade ‘natural’ processes in our use of medicine to cure diseases, enforcement of justice, and granting of charity in interhuman culture. Yet when we feel the “primordial drive” to conquer other creatures we can step into nature and kill animals.⁷⁸⁸ Fulfilling this urge by killing another human would violate the rules of culture, but eating animals is simply ‘natural.’ This overlooks the fact that animals regularly kill, members of their own species and sometimes even their own tribe.⁷⁸⁹ That a practice is good or morally commendable does not follow merely from the fact that it is ‘natural’ or observed in nature.⁷⁹⁰

Val Plumwood also accepts a correlation between human meat eating and animal predation but she rejects any sharp distinctions between human culture and wild nature. She adds a unique qualification that makes her position more unsettling but also more consistent than Rolston’s and the other environmental philosophers’ mentioned above. For Plumwood, if humans desire to see other animals as prey, we must also be willing to see ourselves as prey for other predators. “In a good human life we must gain our food in such a way as to acknowledge our kinship with those whom we make our food . . . [and position ourselves] reciprocally as

⁷⁸⁵ For a vivid description of big game trophy hunting see Matthew Scully, *Dominion: The Power of Man, the Suffering of Animals, and the Call to Mercy* (New York: St. Martin's Griffin, 2002), 47-87.

⁷⁸⁶ Rolston, *Environmental Ethics*, 90.

⁷⁸⁷ Hettinger notes a separate inconsistency in Rolston’s ethic in its tendency to favor plants over animals despite Rolston’s hierarchy of intrinsic value, which places animals above plants. Ned Hettinger, “Valuing Predation in Rolston’s Environmental Ethics: Bambi Lovers versus Tree Huggers,” *Environmental Ethics* 16, no. 1 (1994): 6-8.

⁷⁸⁸ The goods of hunting for Rolston include “pleasure in conquest, re-creation in recreation, the expression of primordial drives, food on the table, and ecology affirmed.” *Ibid.*, 93.

⁷⁸⁹ While most inter-species chimpanzee killing and cannibalism occurred among members of different groups, Goodall’s observation of the mother and daughter pair, Passion and Pom, shows that this is possible even within the group. Goodall, *Through a Window*. It is also common among many animal species, from lions to wild horses, for a dominant male, after defeating another male and taking control of his harem, to kill all of the defeated male’s infants.

⁷⁹⁰ Hill makes a similar argument from a purely philosophical position. John Lawrence Hill, *The Case for Vegetarianism: Philosophy for a Small Planet* (London: Rowman & Littlefield Pub., Inc., 1996), 75f.

food for others.”⁷⁹¹ Plumwood’s unique perspective is likely due to her own experience of “being prey” to a crocodile in the Australian outback.⁷⁹² Although Barth would not agree with Plumwood’s atheistic notion of morality that looks to natural processes in order to deduce correct human behavior, he does acknowledge, at least in passing, the possibility of humans being prey. He claims that just as animals are sometimes called to sacrifice their lives for humans, we should remain open to the possibility that our own lives might present a similar offering for them. “It can be that our own will to live in one of its components must be the instrument to make this offering, just as the world too, from the Bengal tiger to the race of bacteria, seems to be full of an alien will to live which makes us the sacrifice.”⁷⁹³ Both humans and animals receive their life from God and, accordingly, both may be called upon to offer it back. Yet life can only be sacrificed in this way by the specific command of God. We cannot discern a general principle for such sacrificing from looking at nature alone. We concluded above that humans encounter the command of God in all their relationships – divine, human, and animal. Therefore, we may commend the consistency of Plumwood’s position while still rejecting her source or method for discovering human-animal morality.

From this theological perspective we are able to defend against a challenge posed by the environmental ethicist to the animal activist. Rolston values hunting for the way in which it allows humans to both learn about and participate in nature. He claims that “some hunters need to be immersed immediately in the bloodletting” as a way to identify with “the tragic drama of creation. . . . In many ways that mere watchers of nature can never know, hunters know their ecology.”⁷⁹⁴ Influenced by Rolston, another scholar argues that by rejecting human hunting or meat consumption, animal activists are essentially rejecting nature. They are left, therefore, “with the following options: either they must argue that animal predation is evil (and show that their arguments do not involve a hatred of nature) or demonstrate that there is some way to value animal predation as a good while consistently and plausibly condemning human predation.”⁷⁹⁵ From a secular, environmental ethics perspective, it is possible to answer this challenge by

⁷⁹¹ Val Plumwood, “Animals and Ecology: Toward a Better Integration,” Working Paper 26, Australian National University, Social and Political Theory Program (June 2003), 4. <http://socpol.anu.edu.au/pdf-files/Vegpap6%20%20.pdf> (accessed December 2009).

⁷⁹² Val Plumwood, “Being Prey,” in *The Ultimate Journey: Inspiring Stories of Living and Dying*, ed. James O’Reilly, Sean O’Reilly, and Richard Stirling (San Francisco: Traveler’s Tales Inc, 2000), 128-146.

⁷⁹³ Barth, *Ethics*, 142.

⁷⁹⁴ Rolston, *Environmental Ethics*, 92.

⁷⁹⁵ Hettinger, “Valuing Predation,” 20.

asserting that human hunting and meat eating are so informed with cultural meaning that they can no longer be called natural. “*That we eat may be determined naturally; what and how we eat is determined culturally.*”⁷⁹⁶ A second potential response can be derived purely from the perspective of biology by denying that humans are in fact predators. This has been a common vegetarian tactic from antiquity to today. Plutarch, the ancient Greek philosopher and historian, considered absurd the argument that human meat eating is natural. “For that man is not naturally carnivorous is, in the first place, obvious from the structure of his body. A man’s frame is in no way similar to those creatures who were made for flesh-eating.”⁷⁹⁷ Humans do not possess hooked beaks, sharp claws, jagged teeth, or stomachs strong enough to assimilate a heavy diet of flesh. Taking recent evolutionary and archeological data into account, Colin Spencer makes a similar argument: “Killing is not natural to humans, it does not fit either their physical or their dietary nature.”⁷⁹⁸ The distinguishing characteristics of humans, such as upright posture, bipedal locomotion, thumb and index finger precision, and expanded brainpower, were all present in early humans before they became successful as hunters or carnivores. To view hunting and meat eating as the driving forces of human evolution and development fails to give sufficient weight to the crucial role that maternal care and social activities play in these processes. Biologist Rosemary Rodd argues that “high intelligence seems to be linked more with social living than (as had previously been suggested) with activities like hunting.”⁷⁹⁹ The full validity of this second, biological response is still debated amongst anthropologists and scientists. From the perspective of Christian ethics, however, this makes little difference. Both of these defenses still rely on Rolston’s basic culture/nature divide for human morality. In other words, the right or wrongness of human hunting and meat eating are still dependent on whether or not these practices are considered ‘natural.’

⁷⁹⁶ Paul Veatch Moriarty and Mark Woods, “Hunting ≠ Predation,” *Environmental Ethics* 19, no. 4 (1997): 401. This argument is not limited to environmental ethicists. Peter Singer makes the same point in *Practical Ethics*, 71.

⁷⁹⁷ Plutarch, *Moralia* Vol XII, *Loeb Classical Library*, trans Harold Cherniss and William C. Hembold (Cambridge, MA: Harvard University Press, 1957), 553.

⁷⁹⁸ Spencer, *Heretic's Feast*, 18.

⁷⁹⁹ “There does not seem to be any reason except social factors to explain the high degree of intelligence and brain development shown by animals such as elephants and gorillas, who are physically far too formidable to need quick wits to preserve them from natural predators and who live largely on vegetable matter, which is easily obtained merely by stretching the hand or trunk.” Rosemary Rodd, *Biology, Ethics, and Animals* (Oxford: Clarendon Press, 1990), 73.

A theological perspective, however, cannot accept this association. This is because, as Neal Messer has recently argued, “theology is *not* the same kind of activity as biology.”⁸⁰⁰ He notes that to see the Christian doctrine of creation and Darwinian evolutionary biology as referring to the same world leads inevitably to a contradiction. Thus, while predation plays a vital role in natural ecosystems, in answer to the above environmental ethics challenge, we must insist that even in wild nature it is not an extrinsic or absolute good. At best we may view predation as a transitory good – at worst a necessary evil. Stanley Hauerwas and John Berkman put the matter incisively: “Acknowledging the tragedy of the natural world being at war with itself inevitably leads us to ‘survival of the fittest’ conclusions, unless we realize that ‘nature’ and ‘creation’ are not referring to the same world.”⁸⁰¹ As we have already observed, the Christian understanding of human nature is not bound by environmental or biological analysis. I now submit that the same holds true for the world as a whole. The Christian scriptures are not unrealistic about the struggle for life that all creatures engage in. They bear witness to human consumption of animals, animal consumption of humans, famine, drought, and war. Yet these realities do not constitute the deeper biblical vision of creation. They testify to our present experience, but not to creation’s original intent or final end. We see a radical incongruity if we compare our present experience of the world with the Genesis account of creation or prophetic visions of a future creation such as in Isaiah 11. The death and predation we see in nature are particularly discordant with the Christian revelation in Christ. Christ’s death and resurrection testify to the deeper reality that the “struggle for existence did not have the first word, any more than it will have the last.”⁸⁰² In comparison to the already and coming kingdom of God which has broken into our present historic reality through Christ, survival can only ever be a secondary commitment for the Christian.⁸⁰³ In this way, Christians do not “hate nature” in their rejection of predation as an extrinsic good; rather they see nature as a present historical *caveat* that exists between the original and final end of creation in the peaceful kingdom of God made possible through the divine will in Christ.

6.2c The Killing Caveat

⁸⁰⁰ Neal Messer, “Natural Evil After Darwin,” in *Theology After Darwin*, ed. Michael S. Northcott and R.J. Berry (Colorado Springs, CO: Paternoster, 2009), 145.

⁸⁰¹ Stanley Hauerwas and John Berkman, “The Chief End of All Flesh,” *Theology Today* 49, no. 2 (1992): 203.

⁸⁰² Messer, “Natural Evil,” 151.

⁸⁰³ Hauerwas and Berkman, “Chief End,” 204.

We have seen that Barth does not believe true human actions can be determined simply by observing animal behavior or natural processes. Human hunting and killing of animals for food are not equivalent to animal predation. Humans do not live according to the jungle struggle for life. Nevertheless, Barth also maintains that humans may sometimes justifiably kill animals for food and that this killing may even be commanded by God. To make sense of this seeming contradiction, we must attend to the way in which Barth describes killing and the competition for life as an historical caveat. As such these violent possibilities have no place in the original intent or final goal of God's creatures. They exist only in the interim period between the creation and the eschaton. I argue in the present subsection that, viewed in this light, killing animals for food represents a divine concession to the present reality of nature and human sinfulness. This can be seen through the way in which the Priestly writer of Gen. 9 speaks of the new relationship of fear and dread⁸⁰⁴ that is created when humans kill other animals and through a comparison with two other concessionary events in Israel's early history. I conclude by examining the impact this understanding of Gen. 9 has for other Priestly dietary laws in the Old Testament.

In *CD III/4* Barth describes killing and the struggle for life as transitory realities. The first chapters of Genesis contain an unmistakable warning against killing. It is very important for Barth in this regard that both humans and animals are given only vegetation for food. "Between beast and beast no less than man and beast the peace of creation seems to be quite unbroken, unthreatened by needs or dangers. Man and beast find their table furnished by the world of plants, and cannot come into mutual collision."⁸⁰⁵ We have already seen in the previous chapter how the bible distinguishes living creatures with blood and breath (humans and animals) from nonliving creatures (plants and inanimate natural phenomena). In this way, the consumption, and thus destruction, of plants is still viewed as nonviolent and the peace of creation remains unbroken. It is not until Gen. 9, Barth observes, that humanity is given authorization to kill animals for food. This represents, however, a new and different order from that established in Gen. 1. "Fear and dread" (Gen 9:2), rather than peaceful coexistence, now characterize the relationship between humans and animals. Barth says this new relationship was

⁸⁰⁴ These words reflect the "tragic awareness that somehow the relationship is less than it should be." John Olley, "Mixed Blessing for Animals: The Contrasts of Genesis 9," in *The Earth Story in Genesis*, ed. Norman C. Habel and Shirley Wurst (Sheffield: Sheffield Academic Press, 2000), 134.

⁸⁰⁵ Barth, *CD III/4*, 353.

not yet possible or real in the “pre-historical realm” (*prähistorischen Bereich*) of creation’s original fashioning by God. It only exists in the present “historical realm of sinful man” (*historischen Bereich des sündigen Menschen*). “In the view of Gen. 1 and 2 it should not be forgotten or expunged that it does not correspond with the true and original creative will of God, and that it therefore stands under a *caveat* (*Vorbehalt*).”⁸⁰⁶ Yet, God does not simply abandon God’s creatures to this distorted form of relationship in which violence and competition for life take the place of peace and companionship (Gen 2:18).⁸⁰⁷ The Word of God continues to sustain the existence of God’s creatures and lead them toward the final peace of the coming kingdom of God.

The creation and consummation are the boundaries of history, and therefore of this interim time and therefore the space, in which the dominion of humanity over the animal can and must mean also that the animal threatens humanity and the human, in order to live himself, takes the life of the animal.⁸⁰⁸

For Barth this hope is ultimately manifested in Christ’s incarnation, death and resurrection. The reality of Christ makes renewed relationship possible between all creatures. Barth finds this final end spoken of in certain prophetic passages of the Old Testament (Is. 11:6-9; Is. 65:25; Hos. 2:18). Here predator and prey species coexist peacefully on a vegetarian diet and are led by a human child. It is only in the interim period between creation and new creation that a creaturely struggle for life occurs or is even possible.

In this light, we can view the human killing of animals as a divine concession to the present reality of history and humanity’s fallen nature. Meat eating is not the ideal for human relationships with other animals; it is an activity that God regrettably permits during the interim period as we, along with all creation, await “the freedom of the glory of the children of God” (Rom. 8:21). Andrew Linzey writes, “The radical message of the Noah story . . . is that God would rather not have made us be at all if we must be violent” (Gen. 6:7).⁸⁰⁹ The universal covenant that follows the great flood in Gen. 9, however, represents God’s commitment to

⁸⁰⁶ Ibid., 353; *KD* III/4, 402.

⁸⁰⁷ See Appendix 4.

⁸⁰⁸ “*Die Schöpfung und die Vollendung sind die Grenzen der Geschichte und also dieser Zwischenzeit und also des Raumes, in welchem die Herrschaft des Menschen über das Tier auch das bedeuten kann und muß, daß das Tier den Menschen bedroht, daß der Mensch, um selber zu leben, dem Tier sein Leben nimmt.*” Barth, *KD* III/4, 402.

⁸⁰⁹ Andrew Linzey, “The Bible and Killing for Food,” in *Using the Bible Today: Contemporary Interpretations of Scripture*, ed. Dan Cohn-Sherbok (London: Bellew Pub., 1991), 111.

creation in spite of its present violence. The conditions that follow Noah's permission to kill and eat animals serve to remind humans of the danger inherent in such actions. In chapter five we noted that the vegetarian diet in Gen.1 did not require a similar warning. The blood prohibition reminds us that humans usurp God's rule when they fail to see that all life truly belongs to God. That Gen. 9:2-4 represents a begrudging acceptance that relationships between humans and animals are not what they should be has not been overlooked by modern scholars. This passage has been variously described as a "concession,"⁸¹⁰ "accommodation,"⁸¹¹ "permission rather than a positive command,"⁸¹² and a "grim prediction" or "divine curse."⁸¹³

The concessionary nature of this passage is made even clearer when we compare it to two other similar events in Israel's early history. The first incident occurs during the people's long wilderness wanderings after their exodus from Egypt. Not content with the daily diet of manna and longing for the meat they ate in Egypt, the people cry out in complaint to Moses. Upon hearing this, God commands Moses to respond:

The Lord will give you meat, and you shall eat. You shall eat not only one day, or two days, or five days, or ten days, or twenty days, but for a whole month—until it comes out of your nostrils and becomes loathsome to you—because you have rejected the Lord who is among you, and have wailed before him, saying, 'Why did we ever leave Egypt?' (Num. 11:18b-20).

A strong wind then brings a cloud of quail for the people and they greedily gather the birds for two full days. Yet, the narrator tells us, while the animal flesh is still between the people's teeth, "the anger of the Lord was kindled against the people, and the Lord struck the people with a very great plague. So that place was called *Kibroth-hattaavah*, because there they buried the people who had the craving" (Num. 11:33-34). We find our second event during the end of the judge Samuel's life. Desiring to become like the nations around them, the people cry out to Samuel to appoint for them a king. Samuel warns them of the negative consequences of having a king, but they do not relent. Finally, "the Lord said to Samuel, 'Listen to the voice of the people in all that they say to you; for they have not rejected you, but they have rejected me from being king over

⁸¹⁰ Richard Alan Young, *Is God a Vegetarian?* (Chicago: Open Court, 1999), 56; Stephen H. Webb, *Good Eating*, 72; Michael S. Northcott, "Eucharistic Eating and Why Many Early Christians Preferred Fish," in *Eating and Believing*, ed. David Grumett and Rachel Muers (London: T & T Clark, 2008), 234.

⁸¹¹ Linzey, "Bible and Killing," 112.

⁸¹² Horrell, "Biblical Vegetarianism?" 45.

⁸¹³ Comstock, "Pigs and Piety," 113.

them” (1 Sam. 8:7).⁸¹⁴ These two stories share a common pattern – God establishes a specific ordinance, the people complain and rebel, God accommodates them, and disastrous consequences follow. We find a similar pattern in the movement from peaceful relationships with animals in Gen. 1 to meat eating characterized by fear and dread in Gen. 9. While meat eating clearly fails to meet the divine ideal for creaturely relations, it is a concession that God allows during the time between creation and new creation. It is a temporary accommodation for creatures that are still awaiting their final redemption. Yet while the human killing of animals for food remains a present possibility, as we will see in the next section, the Christian belief in the death and resurrection of Christ means that we cannot in any way consider this kind of animal sacrifice normative.

I want to make the case now that this concessionary reading of Gen. 9:2-7 sheds light on other Priestly sacrificial regulations and food taboos.⁸¹⁵ The rules governing ritualized animal sacrifices in Leviticus, thus, serve a similar function of encouraging humane respect for life and mitigating or controlling human violence. The writer of Genesis 6 reports that God regretted ever creating humans after witnessing their wickedness and wanton violence. Eventually this violence instigated the divine decision to destroy all flesh in the great flood (Gen. 6:5-7). The later blood prohibition in Gen 9:4, therefore, is not simply a divine concession to human sin and violence, but a statement that if humanity is to continue to exist, its violence must be controlled. This general rule then becomes expanded and codified in the various dietary and sacrificial regulations. They are, as one scholar writes, a way of mediating “the contradiction between the ideal of a non-violent world and the fact of unrestrained violence against animals.”⁸¹⁶ Stephen Webb argues along similar lines: “The sacrificial ritual served to place slaughter in a context that mitigated the wanton taking of life. Ritual slaughter, while it provides religious justification for meat eating, also disciplines and controls that eating.”⁸¹⁷ After the flood and God’s covenant with all living creatures, humans are not allowed to revert to the unrestricted violent ways that originally prompted the whole disaster. Although God has conceded to work in the midst of the

⁸¹⁴ Young and Webb also compare the Gen. 9 concession to Israel’s desire for a king in 1 Sam. 8. Young, *God a Vegetarian*, 58; Webb, *Good Eating*, 72.

⁸¹⁵ I do not, however, presume this theory encompasses the entirety of the meaning of the sacrificial or dietary systems. Through the process of multiple redactions it is possible, as I point out below, for a system to develop multiple, though not mutually exclusive, meanings and purposes.

⁸¹⁶ Walter Houston, “What Was the Meaning of Classifying Animals as Clean and Unclean?” in *Animals on the Agenda*, ed. Andrew Linzey and Dorothy Yamamoto (London: SCM Press, 1998), 23.

⁸¹⁷ Webb, *God and Dogs*, 138.

reality of human violence, the dietary and sacrificial laws serve to moderate and soften this reality.

Biblical scholar Jacob Milgrom suggests that this dietary system taught the Israelite reverence for life in three ways:

(1) reducing his choice of flesh to a few animals; (2) limiting the slaughter of even these few permitted animals to the most humane way; and (3) prohibiting the ingestion of blood and mandating its disposal upon the altar or by burial as acknowledgement that bringing death to living things is a concession of God's grace and not a privilege of man's whim.⁸¹⁸

The sacrificial system of the Old Testament is not simply a divine sanction for meat eating. It establishes a system for ordering human meat eating and, thus, curbing the human propensity toward violence after the flood. Another scholar has suggested that the distinction between clean and unclean animals in the Mosaic food laws denotes an attempt to conform more closely to the vegetarian ideal of Gen. 1 and therefore represents an improvement on the conditional, but still undifferentiated, meat eating in Gen. 9.⁸¹⁹ Along these lines, the clean/unclean distinction represents a way to limit the impact of human violence on fellow living creatures by limiting the human diet. The insights gained from reading the sacrificial and dietary laws in light of a similar concessionary reading of Gen. 9 need not, however, be at odds with other theories. As Milgrom cautions, "No single theory can encompass the sacrificial system of any society."⁸²⁰ For example, anthropologist Mary Douglas proposes a body/temple scheme for interpreting the clean/unclean distinction where both humans and animals are called to be separate and pure in a world of unclean nations and animals. Yet, she also suggests that the designation "unclean" can serve as a protection for those animals so classified. "To be classified unclean ought to be an advantage for the survival of the species."⁸²¹ If humans are forbidden from eating or touching the corpses of many animal species, the species are consequently protected from human violence. Human violence is further limited by placing the killing of chosen animals within the context of sacrifice. We should note,

⁸¹⁸ Milgrom, *Leviticus 1-16*, 735.

⁸¹⁹ Nathan MacDonald, "Food and Diet in the Priestly Material of the Pentateuch," in *Eating and Believing: Interdisciplinary Perspective on Vegetarianism and Theology*, ed. David Grumett and Rachel Muers (London: T & T Clark, 2008), 19.

⁸²⁰ Milgrom, *Leviticus 1-16*, 442. He considers several past theories before suggesting his own in which the Priestly division of animals into three concentric circles parallels a similar division of humanity: Mankind→ Israel→ Priests; Animals: All Animals→ Few Animals→ Sacrifices. *Ibid.*, 721-22.

⁸²¹ Douglas, *Leviticus as Literature*, 141. This represents a shift from her thought in *Purity and Danger*, first published in 1966 where she equates unclean with unclassifiable. In the *Preface* to the 2002 Ed., she admits that she was mistaken in this original suggestion. See Mary Douglas, *Purity and Danger* (New York: Routledge Classics, 2002), xiv-xv.

however, that the killing of an animal did not always constitute a necessary component of sacrificial worship. If a person could not afford an animal, he could substitute a sacrifice of flour (Lev. 5:11). Douglass makes that case that in Leviticus the animal sacrificed is also matched by a well-developed system of cereal offerings.⁸²² Yet when the sacrifice does involve killing, the treatment of the animal before and during slaughter becomes an act of worship and must suit this context to be considered acceptable. It must acknowledge the divine care and ownership of all life. The kosher food laws developed in the Talmud make the animal's death swift and attempt to minimize pain by specifying such conditions as the sharpness of the knife and placement of the cut. Many ancient cultures believed that torturing an animal before slaughter would improve the taste and quality of its meat. In his excellent chronicle of early modern attitudes toward animals in England, Keith Thomas demonstrates the persistence of this belief. The belief that the violent activity involved in baiting a bull with dogs would make its flesh more tender was so prevalent that "in the late medieval and early modern period, accordingly, most towns had a rule making it compulsory to have a bull baited before it was slaughtered by the butcher."⁸²³ It was also believed that prolonging the animal's death would improve its meat so that one author recommends that in bleeding a pig, "He ought to be up to eight or ten minutes dying, at least."⁸²⁴ Webb remarks, in contrast to the prevailing practices of surrounding cultures, the controlled violence of the biblical and Talmudic dietary laws "should be seen as nothing less than a revolutionary development in human history."⁸²⁵

6.3 MEAT EATING AS "EXTREME CASE" (*GRENZFALL*)

We have seen so far that the strongest cases for Christian moral vegetarianism are made by taking the overall thrust of the biblical narrative toward peaceful relationships between creatures rather than attempting to isolate individual vegetarian exemplars from the Bible. We then looked at Karl Barth's understanding of human freedom and responsibility to argue that human morality cannot likewise simply imitate behaviors or processes we find in nature. Human killing of animals for food, rather than finding its correlation in animal predation, is morally possible only as a divine concession to the present historical caveat characterized by the struggle for life and human sinfulness. In the present section we explore the rare cases in which the

⁸²² Mary Douglas, "The Eucharist: Its Continuity with the Bread Sacrifice of Leviticus," *Modern Theology* 15, no. 2 (1999): 223.

⁸²³ Thomas, *Man*, 93.

⁸²⁴ *Ibid.*

⁸²⁵ Webb, *God and Dogs*, 140.

command of God for humans to respect life actually results in the destruction of life. Barth writes, “We cannot deny the possibility that God as the Lord of life may further its protection even in the strange form of its conclusion and termination rather than its preservation and advancement.”⁸²⁶ This strange form, however, is always understood as the frontier or extreme case (*Grenzfall*) to God’s overwhelmingly normative command to respect life in the form of preservation and advancement. John Howard Yoder is, thus, correct in his assertion that Barth’s position is nearer to Christian pacifism than that of “any really prominent theologian in the history of European Protestant dogmatics.”⁸²⁷ I argue in this section that, similar to the way human killing of other humans represents an exception to the divine rule to uphold life, human killing of animals can be appropriately viewed under the concept of *Grenzfall*.⁸²⁸ I proceed in three stages. First, I provide an introduction to Barth’s understanding of the extreme case. Second, I demonstrate the similarities between this concept and his discussion of the human killing of animals. I propose that *Grenzfall* is a more apposite concept under which to place this killing than the sacrificial, substitutionary one that Barth finally uses. Third, I compare the killing of animals for food with Barth’s discussion of killing in war. I contend that the treatment of the *Grenzfall* in both cases is inconsistent with his overall definition and use of the concept.

6.3a Introduction to the Extreme Case

Barth introduces the concept of the exceptional case in his discussion of “Respect for life” in both *Ethics* and *CD III/4*. He admits that his use of this phrase, “Respect for life,” is borrowed from the work of Albert Schweitzer. Barth concedes the validity of Schweitzer’s concern, but remains unconvinced of the supreme place Schweitzer gives to it. “According to him the first and last word of ethics is that life must be respected. . . . It goes without saying that theological ethics cannot accept this. Where Schweitzer places life we see the command of God.”⁸²⁹ Christians cannot respect life itself as their highest authority because all life truly belongs to God. Life, Barth asserts, is no second God. God grants life to humans, as well as to

⁸²⁶ Barth, *CD III/4*, 398.

⁸²⁷ John H. Yoder, *Karl Barth and the Problem of War* (Nashville: Abingdon Press, 1970), 19.

⁸²⁸ I am not the first to propose a theologically informed comparison of pacifism and vegetarianism. Most notably Hauerwas and Berkman argue along these lines in “Chief End,” 207. I agree with the basic trajectory of their argument but differ from them as to the most appropriate analogy under which the killing of animals might be allowed. Hauerwas and Berkman compare meat eating to just war theory while I compare it to Barth’s exceptional case. This difference is elaborated below in the Conclusion.

⁸²⁹ Barth, *CD III/4*, 324. See also Barth, *Ethics*, 139.

animals, as a loan.⁸³⁰ Joseph Mangina remarks that, for Barth, “life is not an end in itself. Christians honour life not because it is intrinsically sacred, but because God commands them to do so in light of the incarnation.”⁸³¹ I discuss the importance of Christ’s incarnation and resurrection with regard to respect for life further below. For now, it suffices to note that life is not to be valued for its own sake, but rather because it is a gift from God. Because God is the creator and source of creaturely life, God is free to command its preservation or termination. “Respect for life, if it is obedience to God’s command, will have regard for the free will of the One who has given life as a loan . . . without this closer definition [it] could be the principle of an idolatry which has nothing whatever to do with Christian obedience,” Barth says.⁸³² Paul Nimmo describes Barth’s ethics in this regard as possessing an “actualistic ontology.” As such, “No ‘ethical system’ and no ‘moral principles’ can ever fully grasp the revelation of God or adequately anticipate the moral encounter between God and the ethical agent.”⁸³³ Barth cannot accept a position like Schweitzer’s that grants upholding life the status of absolute moral principle. In similar fashion, he rejects both absolute vegetarianism and pacifism. Humans can gain a “broad but not infallible outline” of what the command of God will require of them.⁸³⁴ For example, Barth insists that, without establishing an absolute law, we can still conclude that a situation like “killing in self-defence cannot possibly be the first word but only the tenth at the very earliest.”⁸³⁵ Nevertheless, Christians must always remain open to the divine command as an *event* in their moral lives to which they must give an answer. If each encounter did not require a fresh response, the distinction between humans as *responsible* creatures and animals would cease to exist.⁸³⁶

While the divine freedom allows for a command that calls us to respect life in the strange form of its termination, Barth warns that we must not view this possibility as a normative prescription. The reservation against non-violent absolutism “cannot have more than the character of an *ultima ratio*, an exceptional case (*eines Grenzfalles*). . . . Hence it is not true that

⁸³⁰ Ibid., 342.

⁸³¹ Joseph L. Mangina, *Karl Barth: Theologian of Christian Witness* (Burlington, VA: Ashgate, 2004), 150.

⁸³² Barth, *CD III/4*, 342.

⁸³³ Paul T. Nimmo, *Being in Action: The Theological Shape of Barth’s Ethical Vision* (London: T&T Clark, 2007), 60.

⁸³⁴ Ibid., 61.

⁸³⁵ Barth, *CD III/4*, 432.

⁸³⁶ For my previous discussions of *event* and *responsibility* see chapters 4.1c and 1.2 respectively.

respect for life is alternately commanded and then not commanded us.”⁸³⁷ Preservation of life remains the overwhelmingly normative meaning of the divine command to respect life. “Even the way to these frontiers (*Grenzen*) [where life must be destroyed] . . . will always be a long one which we must take thoughtfully and conscientiously, continually asking whether that *ultima ratio* really applies.”⁸³⁸ We can never approach the possibility of killing with an attitude of arbitrariness or frivolity, Barth insists. Barth’s comments regarding the *Grenzfall* here are directed most obviously toward the taking of human life, but, as I argue in the next subsection, they can similarly apply to the killing of animals. Although he does not ultimately agree with the validity of this concept, Yoder provides keen insight into its use and meaning in Barth. The “*Grenzfall* is not a prediction that there can or will be an exception to the general rule in a specific case; it is rather a sort of double negative. It is not the statement that God will make exceptions, but the denial of man’s right to refuse God the freedom to make exceptions if he so wills,” Yoder writes.⁸³⁹ This is a significant observation. It places the impetus for the exceptional case squarely under the divine prerogative. The finitude of humans as created beings that possess life as a loan means that we lack the privilege of deciding when and under what circumstances life can be taken. Furthermore, because the *Grenzfall* is not an affirmation that there *will* be an exception, any preparations we make for the exceptional case are speculative at best and counterproductive at worst.

The normative command of God in this regard means the protection of life. In the Old Testament this command is manifested in the commandment, “You shall not murder” (Ex. 20:13). Barth here makes a distinction between homicide, or killing, and murder. He says that the bible recognizes “homicide which is not murder.”⁸⁴⁰ Yoder elucidates this distinction: “Killing, the taking of life in exceptional cases when God would have it so, is an expression of the respect for life, whereas murder is the taking of life which man permits himself when he ascribes to himself sovereignty over life and . . . decides when life is to be abandoned.”⁸⁴¹ In this way, Barth is able to make sense of the instances where God appears to command killing in the Old Testament without implicating God as commanding murder. He is surprised, however, to find in the New Testament that all cases of killing are not simply prohibited as murder.

⁸³⁷ Barth, *CD* III/4, 343; *KD* III/4, 389.

⁸³⁸ *Ibid.*

⁸³⁹ Yoder, *Karl Barth*, 35.

⁸⁴⁰ “*Menschenötung, die nicht Mord ist.*” Barth, *KD* III/4, 456; *CD* III/4, 400.

⁸⁴¹ Yoder, *Karl Barth*, 29.

But there can be no doubt that the protection of human life against willful extinction has acquired in the New Testament, on the one hand through the incarnation, through the identity of the actualised kingdom of God with the Son of Man, and on the other through His crucifixion for the sins of the world, a severity and emphasis which compel us, when we ask concerning our own conduct, to push back the frontier between the *ultima ratione* and forbidden murder.⁸⁴²

At this point we can see the significance of Mangina's reference to Christ's incarnation above. Christians first respect life because all life derives from and belongs to God. They do so secondly because God, in Christ, has taken up creaturely life into the eternal kingdom of God. Finally, we respect life because Christ has died for the sins of humanity and in his resurrection has conquered death. This last point will prove especially significant for my discussion of the insufficiency of sacrificial language to justify the killing of animals in the next subsection. Respect for life as obedience to the command of God may, in exceptional cases, demand the destruction of life, but the thrust of the biblical narrative points toward the protection of life as its normative meaning.

Barth goes on to discuss several situations in which the *Grenzfall* may present itself as a possibility: suicide, abortion, killing in self-defense, capital punishment, and war. This list represents an expansion from his earlier discussion in *Ethics* where he mentions only the latter three. The most significant difference between these two works, however, seems to be Barth's development of the extreme case argument in *CD III/4*. He prefaces his discussion of killing in self-defense, capital punishment, and war in *Ethics* by stating that these are "borderline possibilities, extreme and by no means obvious or self-evident."⁸⁴³ Yet, he goes on to discuss them less as the extreme possibility that is only 1 out 100 times commanded by God and more in the context of the individual and corporate human competition or will for life. This is evident even in the case of killing in self-defense where Barth is most skeptical of this extreme possibility arising. His example of two castaways stranded in the ocean on a plank that can only support the weight of one, an example missing in his later discussion of self-defense in *CD III/4*, betrays a principally competitive outlook. In *Ethics*, Barth seems far more confident that God's command of respect for life will, although not as often, mean the destruction of life. With the

⁸⁴² Barth, *CD III/4*, 400. Yoder makes this same observation of Barth.

⁸⁴³ Barth, *Ethics*, 144. Suicide is discussed earlier in *Ethics*, 127, in the context of the will to live and fear of death.

writing of *CD III/4*, after the second world war, Barth appears to move much closer to the pacifist position and places killing more firmly in the context of extreme case than struggle for life. For example, Barth writes here that the command of God tells us, “as forcefully as it can,” that even the natural instinct for self-defense is wrong.⁸⁴⁴ While an in depth discussion of this development is beyond the scope of this chapter, it is significant for my purposes in that Barth also takes the problematic nature of killing animals far more seriously in *CD III/4*. When we move from *Ethics* to *CD III/4* we find that the space dedicated to this issue has more than doubled. In *Ethics* Barth treats the destruction of plants and animals in the same breath, whereas in *CD III/4* he makes an important distinction between the two kinds of killing.⁸⁴⁵ He even goes so far as to say that killing animals is akin to homicide. Killing animals is no longer simply the consequence of the competition or will to live between humans and other creatures; it is not spoken of as a participation in the universal struggle for life. In *CD III/4*, the killing of animals has now become a truly “frontier” case.

6.3b *Grenzfall* and the Problem of Killing Animals for Food in Barth

In between his introduction to the concept of *Grenzfall* and exploration of its various possibilities in abortion, euthanasia, etc., Barth addresses the problem of killing animals. “Our starting point must be that, . . . as a living being in co-existence with non-human life, man has to think and act responsibly.”⁸⁴⁶ This responsibility will not be the same as that which we have for other humans, but the closeness of animals to humans means that we are “faced here by a responsibility which, if not primary, is a serious secondary responsibility.”⁸⁴⁷ Even in this animal sphere of human relationships the command of God confronts us and demands that we answer responsibly. As we saw in the previous chapter, human responsibility for animals takes the form of dominion. Barth thinks it obvious that such dominion includes taming and domesticating animals and even making use of their services for human ends.⁸⁴⁸ Yet, when he considers whether this dominion also carries with it a freedom to slaughter animals, Barth’s discussion exhibits far more uncertainty and reservation. As we noted of in the previous chapter, he first distinguishes between the killing of plant and animal life.

⁸⁴⁴ Barth, *CD III/4*, 433.

⁸⁴⁵ Barth, *Ethics*, 143; *CD III/4*, 352.

⁸⁴⁶ Barth, *CD III/4*, 350.

⁸⁴⁷ *Ibid.*

⁸⁴⁸ *Ibid.*, 351.

For the killing of animals, in contrast to the harvesting of plants and fruit, is annihilation. This is not a case of participation in the products of a sprouting nexus of life ceaselessly renewed in different forms, but of the removing of a single being, a unique creature existing in an individuality which we cannot fathom but also cannot deny.⁸⁴⁹

When we terminate the existence of a plant for our own sustenance, the peace of creation remains unbroken. Yet, Barth claims, when we kill an animal we already presuppose that the peace of creation is threatened. The killing of animals itself constitutes a continuation of this threat.⁸⁵⁰ “And the nearness of the animal to man irrevocably means that when man kills a beast he does something which is at least very similar to homicide (*Menschentötung*).”⁸⁵¹ For this reason, we must never consider the killing of animals as “self-evident” in our dominion over them.

Barth’s initial description here bears striking resemblance to his later discussion of killing in self-defense:

He must never treat this need for defensive and offensive action against the animal world as a natural one, or include it as a normal element in his thinking or conduct. He must always shrink from the possibility even when he makes use of it. It always contains the sharp counter-question: Who are you, man, that you claim that you must venture this to maintain, support, enrich and beautify your own life? What is there in your life that you feel compelled to take this aggressive step in its favor?⁸⁵²

I certainly can and should wish to be protected in the possession and enjoyment of my goods, honour, freedom and finally and especially body and life, but not in all circumstances or with all means, since none of these possessions constitutes a supreme good with an absolute right to be maintained. . . . How far we have strayed from the command of God and obedience to it . . . [when the] exercise of self-defence has become the normal and natural thing which we think we can do at once should the need seem to arise.⁸⁵³

In both cases the preservation of one’s own life is of secondary concern to his/her obedience to the command of God. All living creatures receive their life as a loan and only the divine lender

⁸⁴⁹ Ibid., 352. Philosopher Charles Hartshorne makes a similar argument: “To cut down a tree is not analogous to killing a deer or even a fish, but rather to destroying a colony of paramecia or bacteria. . . . In itself, a tree is not on the supercellular level of individuality found in the higher animals. Lacking a nervous system, its many cells are essentially on their own.” Hartshorne, “Foundations,” 155.

⁸⁵⁰ Barth, *CD* III/4, 352.

⁸⁵¹ Ibid.; *KD* III/4, 401.

⁸⁵² Barth, *CD* III/4, 354.

⁸⁵³ Ibid., 432.

has the authority to call it in. The finality inherent in the use of lethal force cannot find sufficient justification in one's own vanities or perceived needs. The normative position of the command of God points so strongly toward the preservation and upholding of life, Barth claims, that the possibility of killing in self-defense seems almost entirely excluded. Because of his emphasis on divine freedom, Barth cannot recommend that Christians take up an absolute stance of non-violence like Tolstoy or Gandhi. He does, however, insist that they were one hundred times nearer the truth than those that would argue for violence as having a legitimate and normative place in human life.⁸⁵⁴ In comparing the above two passages I contend that a similar assessment can be made for the killing of animals for food. Given the fact that both Tolstoy and Gandhi considered vegetarianism to be an important element in their practice of non-violence, we may beg the question of why Barth considered abstaining from meat "radical" and "wanton"?⁸⁵⁵ If vegetarianism is taken as an absolute moral principle, the answer would seem obvious. Thus, a position that views vegetarianism as normative while remaining open to the possibility a divine command to take the life of an animal in an extreme case would be acceptable.⁸⁵⁶ Yet, Barth's argument veers in a different direction, which I contend is both problematic in light of the Christ's death and resurrection and inconsistent in light of Barth's overall description of killing animals as an unnatural and abnormal human practice.

Looking to examples of animal sacrifice in the Old Testament, Barth maintains that the death of an animal for human purposes possesses a sacrificial, substitutionary element. An animal is thus killed "not primarily for the satisfaction of his [the human's] needs but as the

⁸⁵⁴ *Ibid.*, 430.

⁸⁵⁵ For an interesting idea of Tolstoy's own views of meat eating see his description of his visit to an early 20th century slaughterhouse. In a conversation with a butcher Tolstoy remarks that it is not so much the suffering and death of the animals that is dreadful, but "that man suppresses in himself, unnecessarily, the highest spiritual capacity – that of sympathy and pity toward living creatures like himself . . . And how deeply seated in the human heart is the injunction not to take life." Leo Tolstoy. "The First Step," in *Essays and Letters*. Vol. 46, *The World's Classics: The Works of Leo Tolstoy – I*, trans. Aylmer Maude (London: Oxford University Press), 84.

⁸⁵⁶ From an alternative Thomistic perspective, Andrew Tardiff argues against killing animals for food based on a comparison with Thomas Aquinas's discussion of killing in self-defense. Aquinas states that it is unlawful for a person, in self-defense, to use *more* than necessary violence (*ST* II-II, 64.7). Tardiff couples this "double effect," or appropriate proportionality, argument with Aquinas's hierarchy of being to argue, "Whenever a person can serve his ends by killing plants instead of animals, then he may not kill animals since, as ontically superior to plants, doing so in those circumstances would constitute more than necessary violence." Andrew Tardiff, "A Catholic Case for Vegetarianism," *Faith and Philosophy* vol. 15, no. 2 (April 1998): 213

representation of his guilt, for which there is forgiveness.”⁸⁵⁷ We kill animals, therefore, not for our own pleasure or physical need, but to be reminded of the interim historical period in which we currently live in need of God’s grace. The animal’s death symbolizes the death that humans deserve because of their sin and rebellion from God. For Barth, meat, as a sacrificial meal, also points toward the substitutionary death of Christ that reconciles humans and all creation to God. The killing of an animal “can be achieved only in recollection of the reconciliation of man by the Man who intercedes for him and for all creation, and in whom God has accomplished the reconciliation of the world to Himself.”⁸⁵⁸ In this way, the killing of an animal represents our present historical reality as well as our future hope. Barth writes, “The killing of animals, when performed with the permission of God and by His command, is a priestly act of eschatological character.”⁸⁵⁹ It is priestly because it represents humanity’s sin and God’s grace. It is eschatological because it reminds us that reconciliation and new life are finally made possible through the ultimate sacrifice of Christ.

Yet, viewing the killing and eating of an animal as a priestly, eschatological action in this way is highly problematic. It seems strange, if not contradictory, to assume that participating in additional deaths can be an apposite representation of the Christian belief that in Christ’s ultimate sacrifice death itself is conquered. By giving this much importance and significance to the sacrificial element of killing animals, Barth runs the risk of obscuring the reality that Christ is really the one in whom we obtain God’s grace and reconciliation. In the “once for all” sacrifice of Christ (Heb. 10:10), the painting of additional animal deaths in the language of sacrifice seems largely unnecessary. The most obvious practice that Christians have for remembering and celebrating Christ’s death and resurrection is the Eucharistic celebration. Although early Christians included a variety of food items in this celebration, Michael Northcott observes that it is what they excluded that is truly remarkable. “Early Christian worship was organized around meals which excluded meat. It was *vegetarian* worship.”⁸⁶⁰ In contrast to pagan meal celebrations, the foods consumed in the Christian Eucharistic meal were seen as fruits of a restored creation made possible through Christ’s life, death and resurrection. “In the Eucharist, animals are no longer sacrificed or eaten, since sacrificial slaughter has come to an

⁸⁵⁷ Barth, *CD III/4*, 354.

⁸⁵⁸ *Ibid.*, 355.

⁸⁵⁹ *Ibid.*

⁸⁶⁰ Northcott, “Eucharistic Eating,” 240.

end on the cross of Christ.”⁸⁶¹ In his use of sacrificial language, Barth wants to acknowledge the gravity and great responsibility with which humans should go about killing animals. Yet, this is already sufficiently noted in his assertions that killing an animal can neither constitute a normal element in human thinking nor be justified on grounds of human vanity or perceived need. Placing the question of killing animals under the category of *Grenzfall* rather than sacrificial substitution, as I am proposing, is, therefore, both more theologically appropriate and consistent with Barth’s overall thought.

Feminist ethicist Carol Adams argues that meat eating in the context of modern, industrial farming embodies the opposite of reconciling grace and new life. “The suffering of animals, our sacrificial lambs, does not bring about our redemption but furthers our suffering, suffering from preventable diseases related to eating animals, suffering from environmental problems, suffering from the inauthenticity that institutional violence promotes.”⁸⁶² The large-scale, intensive nature of these farms encourages the spread of disease and thus necessitates a high level of antibiotic use. This unfortunately has resulted in the emergence of antibiotic resistant “superbugs” that are capable of crossing the species barrier and fatally infecting humans.⁸⁶³ At the beginning of the 21st century the outbreak of Mad Cow Disease, caused by feeding naturally herbivorous animals the reprocessed remains of dead livestock in large-scale farming operations, resulted in the death of over one hundred humans and over 2.5 million animals.⁸⁶⁴ The more recent deadly outbreak of swine flu has also been associated with intensive, factory farming practices.⁸⁶⁵ Rather than a renewing of creation, these practices also further the destruction of the natural environment. Most of the deforestation in the Amazon, for

⁸⁶¹ Ibid., 238. An early vegetarian pamphlet argues along similar lines against the meat intensive character of the traditional English Christmas dinner. “Even the dainty Christmas cards show us arrangements of robins sitting on Christmas puddings, slaughtered birds hanging up by their legs, huge joints on dishes, and foaming tankards of beer, as though these represented the most appropriate means of commemorating the birth of the Prince of Peace.” Ernest Bell, *Christmas Cruelties* (London: Humanitarian League, 1906), 4.

⁸⁶² Adams, “Feeding,” 156.

⁸⁶³ C  ilin Nunan and Richard Young, *MRSA in Farm Animals and Meat: A New Threat to Human Health* (Soil Association, 2007), 5
[http://www.soilassociation.org/Web/SA/saweb.nsf/89d058cc4dbeb16d80256a73005a2866/5cae3a9c3b4da4b880257305002daadf/\\$FILE/MRSA%20report.pdf](http://www.soilassociation.org/Web/SA/saweb.nsf/89d058cc4dbeb16d80256a73005a2866/5cae3a9c3b4da4b880257305002daadf/$FILE/MRSA%20report.pdf).

⁸⁶⁴ Helena Norberg-Hodge, Todd Merrifield, and Steven Gorelick, *Bringing the Food Economy Home: Local Alternatives to Global Agribusiness* (London: Zed Books, 2002), 61.

⁸⁶⁵ Caroline Lucas, “Swine Flu: Is Intensive Pig Farming to Blame?” *The Guardian*, April 28, 2009.

example, is linked to agriculture, with cattle production identified as a prime causal agent.⁸⁶⁶ With regard to factory farming practices, placing a large number of animals in a small space means that more manure is produced than the surrounding environment can safely absorb. Spills and leaks from large manure storage facilities have contaminated rivers and aquifers, consequently poisoning millions of other creatures that depend on these sources of water for life.⁸⁶⁷ “Despite the obvious animal, ecological and health costs of the industrial meat system,” Northcott finds it strange that criticisms of factory farming come more from animal rights protestors than dieticians, medics, veterinarians, or virologists.⁸⁶⁸ We can see from these brief examples the relevance of Adams’s criticism. The killing of animals for food, especially under factory farming conditions, brings only increased suffering and death rather than redemption. “One cannot feed on grace and eat animals,” she concludes.⁸⁶⁹

Furthermore, the killing of animals for food is, as many modern scholars have pointed out, an inadequate reflection of the Christian eschatological hope. Clough writes, “In a theological perspective, renouncing the unnecessary killing of our fellow creatures becomes a small sign of the present and future reality of God’s just and peaceful reign.”⁸⁷⁰ Christian vegetarianism, in this way, represents much more than the “wanton anticipation of what is described by Is. 11 and Rom. 8 as existence in the new aeon for which we hope,” as Barth describes it.⁸⁷¹ By choosing not to take part in unnecessary meat eating, Christians can bear witness to the power of Christ’s death and resurrection for us now as well as anticipate our eschatological hope for the new aeon. While vegetarianism as an absolute moral principle may run the risk of wanton anticipation, an acceptance of the current status quo preference for meat eating is not anticipating enough. Hauerwas and Berkman write that “Christians must strive to live the relationship between human and animal life in terms of the common end being life in the

⁸⁶⁶ Merle D. Faminow, *Cattle, Deforestation and Development in the Amazon: An Economic, Agronomic and Environmental Perspective* (New York: Cab International, 1998), 5.

⁸⁶⁷ Confined animal feeding programs in the US produce about 300 million tons of manure per year – more than double the amount generated by the country’s human population. Doug Gurian-Sherman, *CAFOs Uncovered: The Untold Costs of Confined Animal Feeding Operations* (Union of Concerned Scientists, 2008), 2, 14.
http://www.ucsusa.org/food_and_agriculture/science_and_impacts/impacts_industrial_agriculture/cafos-uncovered.html.

⁸⁶⁸ Northcott, “Eucharistic Eating,” 233.

⁸⁶⁹ Adams, “Feeding,” 157.

⁸⁷⁰ Clough, “Why?” 39.

⁸⁷¹ Barth, *CD III/4*, 356.

peaceable kingdom, the kingdom of God.”⁸⁷² Christian vegetarianism, thus, becomes a “witness” to the world that God’s creation is not intended or destined to be at war with itself. It is a witness to the reality that in Christ “death has been swallowed up in victory” (1 Cor. 15:54b). “One person,” claim Hauerwas and Berkman, “who understood the logic of our position, but who would not go along with it to its practical conclusion was Karl Barth.”⁸⁷³ Barth admits that a Christian protest against meat eating is both understandable and necessary, but he stops short of viewing this protest as the normative Christian position.⁸⁷⁴ As I will demonstrate further below, this is not the only time that Barth fails to follow through with the practical conclusions of his thought.

“Whatever the biblical vision of the age to come, the Christian vocation is to live that vision in the present, to anticipate already the new creation that is not yet fully come.”⁸⁷⁵ We must be careful, however, to qualify this eschatological argument for Christian vegetarianism. To say that Christians can choose to not kill for food because of our eschatological hope is not the same thing as saying that our vegetarian actions will then result in animal-animal vegetarianism. Nor does it mean that Christians should attempt to end predation in wild nature as a sign of the coming kingdom of God. As we noted in chapter one, humans actively participate in the kingdom of God. We are those creatures from whom God demands a free response to God’s Word. Animals, on the other hand, participate passively. Thus, while humans may take active steps, through the grace of Christ and power of the Holy Spirit, to transform our lives to better fit the coming of the kingdom now, animals must wait for the kingdom to be fully established. Humans can glimpse and take small steps toward the ‘already’ of the kingdom; animals must wait for the ‘not yet.’

We are able to overcome these shortcomings in Barth’s sacrificial description of meat eating if we instead place the practice under his concept of *Grenzfall*. The killing of animals for food can in this way be seen as an extreme case analogous to the other cases for which Barth employs the concept, like suicide, abortion, euthanasia, killing in self-defense, capital punishment, and war. I refer presently to four specific ways in which the concepts and language

⁸⁷² Hauerwas and Berkman, “Chief End,” 207.

⁸⁷³ Ibid., 208.

⁸⁷⁴ Barth, *CD III/4*, 355.

⁸⁷⁵ Horrell, “Biblical Vegetarianism?” 52.

Barth uses to describe the killing of animals for food are similar to those he uses with regard to these other cases of killing. First, Barth describes both human life and animal life as belonging ultimately to God. “For the life of man belongs to Him. He has granted it to him as a loan.”⁸⁷⁶ “Animals and plants do not belong to him; they and the whole earth can belong only to God.”⁸⁷⁷ Consequently, humans have no authority on their own to take the life of either another human or another animal. Killing in either case can only be done at the command of God. Second, the normative command of God directs humans toward the preservation rather than destruction of life. “Self-defense and killing in self-defense cannot possibly be the first word but only the tenth at the very earliest.”⁸⁷⁸ “He must never treat this need for defensive and offensive action against the animal world as a natural one, or include it as a normal element in his thinking or conduct.”⁸⁷⁹ Simply because killing is possible in the present historical caveat does not mean that it should be considered normative in human thinking or relationships. This is true for our relationships with humans and animals. Speaking of the death of an animal as sacrificial or substitutionary, on the other hand, risks understanding it as normative or even necessary. Third, Barth makes a distinction between “homicide” and “murder” with regard to both humans and animals. The Bible, he says, recognizes “homicide (*Menschentötung*) which is not murder (*Mord*).”⁸⁸⁰ With regard to suicide, “if a man kills himself without being ordered to do so, then his action is murder (*Mord*). God may forgive him, but it is still murder (*Mord*).”⁸⁸¹ With regard to animals, “the nearness of the animal to man irrevocably means that when man kills a beast he does something which is at least very similar to homicide (*Menschentötung*).”⁸⁸² Because of this nearness a similar distinction may be drawn. If the killing of an animal is done on a person’s own authority without the authorization of the command of God, he is “essentially already on the way to human-murder (*Menschenmord*), if he offends in the killing of animals, if he would murder (*morden*) the animal. He must not murder (*morden*) the animal.”⁸⁸³ Because life belongs to God and the taking of life is not a normal practice for humans, the killing of a human or an animal without the authority of the command of God constitutes murder. Fourth, Barth speaks

⁸⁷⁶ Barth, *CD* III/4, 398.

⁸⁷⁷ *Ibid.*, 351.

⁸⁷⁸ *Ibid.*, 432.

⁸⁷⁹ *Ibid.*, 354.

⁸⁸⁰ *Ibid.*, 400; *KD* III/4, 456.

⁸⁸¹ Barth, *CD* III/4, 413; *KD* III/4, 470.

⁸⁸² Barth, *CD* III/4, 352; *KD* III/4, 401.

⁸⁸³ “*tatsächlich schon auf dem Wege zum Menschenmord, wenn er im Töten der Tiere freveln, wenn er das Tier morden würde. Morden darf er auch das Tier nicht.*” Barth, *KD* III/4, 403. MacKay et al translate *freveln* as “sins” which also seems appropriate in light of the preceding sentences. *CD* III/4, 355.

of both the killing of humans and the killing of animals as “frontier” possibilities. “Perhaps on the far frontier (*Grenze*) of all other possibilities, it may have to happen in obedience to the commandment that men must be killed by men.”⁸⁸⁴ “Those who do not hear the prior command to desist have certainly no right to affirm this freedom [of man to slaughter animals] or to cross the frontier (*Grenze*) disclosed at this point.”⁸⁸⁵ Existing on the far frontier (*Grenze*) of our normal ethical considerations, the killing of animals, analogous to the killing of humans, deserves to be categorized as a frontier or extreme case (*Grenzfall*). Yet, by introducing the concept of substitutionary sacrifice in connection to the killing of animals, Barth fails to follow through with the logic of his overall treatment of killing and the exceptional case in *CD* III/4, § 55.

6.3c *Grenzfall*, War, and Vegetarianism

In this subsection I compare Barth’s problematic discussion of the exceptional case of killing animals with another case in which his discussion of the *Grenzfall* is inconsistent with his overall definition and use of the concept. Barth begins his discussion of killing in war by describing it as an exceptional case along the lines of his previous examinations of killing in abortion, euthanasia, self-defense, and capital punishment. For example, he writes, “All affirmative answers to the question [of war] are wrong if they do not start with the assumption that the inflexible negative of pacifism has almost infinite arguments in its favour and is almost overpoweringly strong.”⁸⁸⁶ Similarly, “a first essential is that war should not on any account be recognised as a normal, fixed and in some sense necessary part of what the Christian view constitutes the just state, or the political order demanded by God.”⁸⁸⁷ War represents an extreme case that can only be taken up at the command of God whose overwhelmingly normative position is toward peace rather than war. Yet, Barth goes on to explicate this exceptional case in ways that are in direct opposition to his initial assessment and use of the concept in other contexts of killing. David Clough highlights the oddity in this move by pointing out that 17 of the 20 pages on war in *CD* III/4 emphasize the horror of war and the importance of conscientious

⁸⁸⁴ *Ibid.*, 415; *KD* III/4, 473

⁸⁸⁵ Barth, *CD* III/4, 353; *KD* III/4, 401.

⁸⁸⁶ Barth, *CD* III/4, 455.

⁸⁸⁷ *Ibid.*, 456.

objection and building institutions for peace.⁸⁸⁸ In what follows I want to emphasize two significant problems in Barth's use of the *Grenzfall* argument with regard to war and then draw parallels to the killing of animals for food. First he sets up foreseeable conditions that, when met, will justify going to war. Second, he says that we can then make present preparations for war.

With regard to the first problem, Barth asks when Christians might be commanded by God to go to war. He asserts, "The obvious answer is that there may well be bound up in the independent life of a nation responsibility for the whole physical, intellectual and spiritual life of the people comprising it, and therefore their relationship to God."⁸⁸⁹ The extreme nature of these conditions does not obscure the fact that they are still conditions that can be conceived and planned for in advance. This is inconsistent with what we have learned thus far from Barth about human nature and the *Grenzfall*. One scholar critiques Barth in this regard: "human freedom and responsibility is the ability to decide in the midst of the situation what the will of God is for us. It is not a decision which we take ahead of time."⁸⁹⁰ The *Grenzfall* is an extreme case precisely because it cannot be foreseen. We do not consider it within the normal frontiers of our ethical thought and, therefore, must rely upon the command of God to make us aware of an instance when it is not only possible but necessary. Yoder makes a similar criticism. He says that to designate a case exceptional that can be described in advance and for which plans may be made is inconsistent with Barth's earlier and predominant usage of *Grenzfall*. Barth's use of *Grenzfall* in war forms "a new principle, namely, the principle that there must be an exception to every rule."⁸⁹¹ Parallels with the killing of animals for food become immediately apparent. It is possible for us to conceive of certain conditions in which meat eating appears necessary. For example, we may posit that under conditions of poverty or a lack of education humans may legitimately kill animals for food.

⁸⁸⁸ David Clough, "Fighting at the Command of God: Reassessing the Borderline Case in Karl Barth's Account of War in the *Church Dogmatics*," in *Conversing with Barth*, ed John C. McDowell and Mike Higton (Aldershot, England: Ashgate, 2004), 223.

⁸⁸⁹ Barth, *CD III/4*, 462.

⁸⁹⁰ Robert Aboagye-Mensah, "Karl Barth's Attitude to War in the Context of World War II," *Evangelical Quarterly* 60 (1988): 49.

⁸⁹¹ Yoder, *Karl Barth*, 73. This influences Yoder to reject the entire concept of *Grenzfall* as a legitimate ethical paradigm. Yet, to say that one does not deny the *possibility* of an exception and that one insists there *must* be an exception are two entirely different statements. Clough, for instance, agrees with Yoder that Barth's discussion of the specific case of war is inadequate, but he disagrees that Barth's overall use of the *Grenzfall* is incorrect.

Yoder says that Barth saw only two options for Switzerland during the Second World War; “there is the solution of defense against Hitler with the Swiss Army or the solution of unconditional cessation of the country’s existence.”⁸⁹² Yet consistency with Barth’s previous use of the *Grenzfall* argument demands more than this “lesser-evil” line of thinking. Yoder insists that a third option can often be found and that every other solution must be seriously attempted before the extreme case can be demanded. Barth himself previously maintained that the Church must exhaust every possible avenue of procuring peace before accepting the possibility of war:

It is better in this respect that the Church should stick to its post too long and become a forlorn hope than that it should leave it too soon and then have to realise that it has become unfaithful by yielding to the general excitement, and that it is thus an accessory to an avoidable war which can only be described as mass murder.⁸⁹³

We may similarly apply Yoder’s third option critique to the practice of killing animals. We do not normally have to choose between either eating meat or dying from malnourishment. Philosopher and animal ethicist Evelyn Pluhar attempts to put to rest the popular belief that meat consumption is an essential dietary requirement for certain human populations. She argues that those groups most often cited as requiring animal products for good health (pregnant women, infants and children, the elderly) can meet their proper nutritional needs through a balanced vegetarian diet.⁸⁹⁴ Achieving a proper balance is the most important aspect of human diet and this does not consist of a simple meat or malnutrition dichotomy. Furthermore, to assume that a lack of dietary education suffices as a sufficient condition for eating meat assumes that a meat-inclusive diet requires no instruction.⁸⁹⁵ Because of the health problems associated with an overconsumption of meat eating and the toxins and chemicals present in much of the meat humans now consume, like growth hormones, antibiotics, and residue pollution in wild animals, prudence seems to indicate that a non-vegetarian diet would require much more education.

If the dietary requirements of these groups prove to be an inadequate condition for meat eating it might be argued further that under certain conditions of poverty humans simply cannot

⁸⁹² Ibid., 85.

⁸⁹³ Barth, *CD* III/4, 460.

⁸⁹⁴ Evelyn Pluhar, “Who Can be Morally Obligated to be a Vegetarian?” *Journal of Agricultural and Environmental Ethics* (1992): 189-215.

⁸⁹⁵ Ibid., 208.

afford the cost of a nutritious vegetarian diet. Yet, even here we must ask whether a third option exists. We must ask why this is so. The matter is not as simple as equating cheap meat with an affordable, nutritious diet and then forcing a choice between being able to afford a nutrient-full meal or malnourishment. We must ask why this conflict between poverty and vegetarianism seems to exist. Until very recently, historically speaking, meat eating was considered an expensive luxury. Only members of the nobility regularly included meat in their meals. We might ask ourselves, therefore, why meat protein has now become more affordable than vegetable protein. What agricultural methods and global economic pressures make the world's poor unable to afford a meatless diet and are these practices sustainable in the long term? Philosopher John Lawrence Hill, for example, suggests that a significant reduction in industrial scale meat consumption would actually make a vegetarian diet more plentiful and affordable. "In short, a move to vegetarianism in the First World would not only lead to lower grain prices on a worldwide basis, it would also mean an end to the use of the Third World as giant feedlots for the First World, thereby returning the land to those who need it most - the hungry living in these countries."⁸⁹⁶ The third option in this case could mean working to end the practices of large-scale, industrial animal farming, the agricultural remnants of colonialism that have reduced poorer nations to mono-crop economies vulnerable to crop blight, the economic factors that leave farmers at the mercy of volatile, distant food commodity markets, and the debt that forces poorer nations to choose between feeding their own people and exporting food crops to repay debts. Only after Christians have pursued *all* other options to the point that they have become a "forlorn hope" can we be in a position to faithfully hear and obey the command of God to kill animals for food in a way that cannot be described as mass murder.

The second problem with Barth's use of the *Grenzfall* argument in war comes from his assumption that once we know the preconditions for going to war, we should make preparations for those condition. He says that a nation "may and must prepare for [war] even in peacetime."⁸⁹⁷ Barth also approves of compulsory military service as a way to prevent individuals from thinking they can avoid the problem of war by passing it off on those who chose to be a part of a volunteer military.⁸⁹⁸ These recommendations, however, are at odds with Barth's earlier assertion that Christian faith and ethics requires the Church to tell nations that

⁸⁹⁶ Hill, *Case for Vegetarianism*, 145.

⁸⁹⁷ Barth *CD* III/4, 462.

⁸⁹⁸ *Ibid.*, 466.

“peace is the real emergency to which all our time, powers and ability must be devoted from the very outset.”⁸⁹⁹ Along these lines we can agree with Barth’s insistence of the good in compelling individuals to make a decision with regard to the problem of war, yet still question whether military conscription represents the best way to force this choice. Why, we may ask, must we be trained to do what should not normatively be done? A state could instead train its citizens to do what it is actually supposed to be doing in the first place, rather than preparing them for the exceptional case. Compulsory diplomatic or humanitarian aid service would seem more appropriate if peace, rather than war, truly represents the emergency to which all our time, powers and ability must be devoted. Clough notes that making preparations for war represents the exact opposite of Barth’s recommendations for self-defense. “Barth does not follow this path in the case of killing in self-defence because it is so obviously counterproductive.”⁹⁰⁰ Spending time in deadly self-defense training and always carrying a firearm in preparation for the extreme case, Clough asserts, makes it difficult if not impossible to retain a commitment to peace.

We again find obvious parallels with the killing of animals for food. To keep and raise animals for the sole purpose of killing them for food makes it very difficult to retain a commitment to living peaceably with them. Keeping an animal for food ‘just in case’ we might receive the divine command to slaughter obscures our ability to hear the divine command to protect life as normative. “Careful preparation for the exceptional case guarantees that it will be unexceptional,” Clough remarks.⁹⁰¹ Yoder makes a similar criticism: “If the church as a matter of habit tolerates the use of force and planning for warfare on the part of the state, then she will not even know when the exceptional time has come when it would be justified for her to say a Christian ‘yes.’”⁹⁰² Furthermore, Yoder writes, “even if the justified war is thought of as the extreme exception, to prepare for war demands a solid institution.”⁹⁰³ The same holds true with regard to modern meat eating. To keep animals in preparation for slaughter requires solid institutions. From farming land for grain, to feedlots, to slaughterhouses, to advertising agencies, the modern, industrial meat industry commandeers an extensive amount of resources.

⁸⁹⁹ Ibid., 459.

⁹⁰⁰ Clough, “Fighting,” 222.

⁹⁰¹ Ibid.

⁹⁰² Yoder, *Karl Barth*, 39.

⁹⁰³ Ibid., 106.

Similar to preparations for war, keeping animals for food requires putting more effort into preparing for the extreme case than trying to avoid it.⁹⁰⁴

In the end, the question that Christians are faced with in regard to the killing of animals for food is this: ‘What is the normative command of God for human relationships with other animals?’ If, as I have argued, we place this killing under the category of *Grenzfall* in an analogous way to other forms of killing, then the vegetarian meal becomes more than a radical protest or wanton anticipation for Christians. It becomes the normative dietary practice. Yoder claims, “To say that the state should be constantly prepared for war is like saying an honest man should always be prepared for lying or a faithful husband for divorce; it confuses an extreme eventuality with normality.”⁹⁰⁵ Christian eating is no different. An example of this confusion can be found by surveying the menus of various church-run cafés. A recent survey of these cafés in Britain showed that while many are restricted to serving coffee, tea, and desserts, several also include light meals. These meals inevitably include meat, although some cafés also include vegetarian options. For example, the Open House Coffee Shop in Bath offers both meat and vegetarian dishes of the day; the Gap Café in Kent serves beef, lamb, and ham; and the Manna Café in London serves pancakes with bacon.⁹⁰⁶ Yet, providing a vegetarian meal as an option or alternative is precisely the problem. It confuses an extreme possibility with normality.

Carol Adams has made a similar argument with regard to the food served at feminist conferences and much of what she has to say applies to our present discussion of Christian eating practices. “Feminist conference organizers often think they are assuming a neutral role in the debate about the consumption of animals by offering a vegetarian option that can be adopted personally if desired.”⁹⁰⁷ This is comparable to Barth’s support of military conscription. Forcing individuals to choose *not* to participate in military preparedness or meat eating constitutes an inversion of the proper *Grenzfall* argument. The proper order of choice should be

⁹⁰⁴ “Even if . . . someone in dire circumstances needed meat to survive, he or she presumably would not need factory-farmed meat in particular.” DeGrazia, *Taking Animals Seriously*, 284.

⁹⁰⁵ Yoder, *Karl Barth*, 107.

⁹⁰⁶ Robert Davies, *Church Cafés: Explored and Celebrated* (Buxton: Church in the Market Place Pub., 2002), 24, 32, 66. Davies’s book includes a directory of church cafés and menus. That meat is served at the Manna Café seems particularly ironic in light of the contrast between the divinely provided manna and the people’s rebellious desire for meat in Num. 11.

⁹⁰⁷ Carol J. Adams, *Neither Man nor Beast: Feminism and the Defense of Animals* (New York: Continuum, 1994), 125.

choosing *to* step outside of the normal frontiers of our ethical thought and practice into the extreme case. The vegetarian option, however, reverses this order and “presumes corpse eating as normative.”⁹⁰⁸ Commenting on Adams, Rachel Muers writes, “Understanding vegetarianism as a restriction, particularly in the context of also calling it a choice, leaves in place the systems (ideological and cultural, as well as social and economic) that make meat part of the ‘normal,’ full and complete human diet.”⁹⁰⁹ Treating vegetarianism as a restriction makes peaceable relationships, rather than violence and death, the exceptional case. By treating it as an option or choice we usurp God’s place as the Giver and Lord of all life.

Moreover, Adams asserts that the individual vegetarian option “is inadequate because it perpetuates the idea that what we eat and what we do to animals . . . are solely personal concerns.”⁹¹⁰ As we have already noted, neither preparation for war nor food production are individual endeavors. Both require solid institutions. Grumett and Muers argue that because of the social, economic, and political impact of eating practices “the assumption needs to be challenged that, in choices about food, individual choice is sovereign.”⁹¹¹ The corporate nature of diet is particularly relevant for Christians. We alluded to this earlier in our discussion of a vegetarian Eucharist as the most appropriate witness to Christ’s death and resurrection. Furthermore, Paul often describes the Church as the body of Christ (Rom. 12:4-5; 1 Cor. 12:12-26; Eph. 5:30; Col. 1:18). The corporate nature of these extreme cases (war and killing animals for food) means that it is the duty of the Church as a body, rather than as individuals, to “stick to its post” in favor of the normative command of God for peace. Theologian Stephen Webb has written forcefully in favor of moral vegetarianism; yet, his final conclusion that vegetarianism represents only “one part of a wide range of dietary options”⁹¹² available to Christians betrays a failure to fully appreciate the corporate nature of diet. Webb rightly observes that vegetarianism is not an exclusively Christian practice, but he also writes in places as if it is a secular practice that individual Christians can simply appropriate.⁹¹³ While I do not want to argue that only Christians can be vegetarian, I do believe it is a fundamental mistake to talk about vegetarianism as a practice that Christians simply appropriate from other religions or secular society. To speak

⁹⁰⁸ Ibid.

⁹⁰⁹ Muers, “Seeing, Choosing, Eating,” 187.

⁹¹⁰ Adams, *Man nor Beast*, 126.

⁹¹¹ David Grumett and Rachel Muers, *Theology on the Menu: Asceticism, Meat and Christian Diet* (London: Routledge, 2010), 128.

⁹¹² Webb, *Good Eating*, 220.

⁹¹³ Ibid., 218.

in this way assumes that vegetarianism is not normative for Christians. Vegetarianism, therefore, is not simply an individual life style choice that individual Christians adopt as a protest against factory farming conditions or the social inequalities inherent in meat eating. Vegetarianism is rather the norm for the Church as a whole, for which meat eating represents a rare and tragic possibility. That non-Christians also observe meatless diets has nothing to do with its normative function for Christians. In spite of what he has to say about the importance of the Eucharist and Christian community, Webb ultimately turns vegetarianism into a private, deviation appropriate only for the spiritual elite. “Heroes and saints lead the way and beckon us to follow by setting an example that is beyond our ordinary practices but not outside our moral reach. Vegetarianism should be seen in the same light. . . . Not everyone can be a hero.”⁹¹⁴ Ironically, in his effort to veer away from the elitist mentality he has encountered among vegetarians, Webb’s acceptance of meat eating as the normative practice for Christians makes Christian vegetarianism itself elitist. I agree with Webb that Christians should not be quick to condemn those who eat meat, but neither should we be overly apologetic for rejecting the killing of animals for food as a legitimate expression of our faith in the saving power of Christ’s incarnation, death, and resurrection. Rather than seeing vegetarianism as an aberrant practice that only a few are called to, I have argued that meat eating represents the truly extreme case. By placing the killing of animals, like other forms of killing, under the category of *Grenzfall* the Church is forced to reconsider what it considers normative for human relationships with other animals.

6.4 Conclusion

In this chapter we considered an argument for Christian vegetarianism that places it within the context of Karl Barth’s larger discussion of *Grenzfall* and the respect for life. We began with a consideration of the potential difficulties inherent in making a biblical or Christian case for vegetarianism. Rather than simply asking what Biblical characters ate and copying their actions, we found that a consideration of the overall thrust of the Biblical narrative toward peaceable relationships with animals provided a more fruitful way forward. We then reflected on the problem of killing animals in the context of human freedom and responsibility. Following Barth we determined that even though humans and animals share a common physical, creaturely

⁹¹⁴ Ibid., 227.

existence, human life and morality is not solely determined by biology. Rather Christian ethics is founded on human responsibility before the command of God. This led us to disagree with the environmental philosophy of Holmes Rolston and others that human hunting is equivalent to animal predation. Rolston writes, “The hunter’s success is not conquest but submission to the ecology. It is an acceptance of the way the world is made.”⁹¹⁵ Christian ethics, however is not a submission to the present reality of the world, but a submission to the command of God for human lives in the midst of the present reality of the world. Violence and killing are realities that characterize the historical caveat in which humans and other creatures presently live, but they do not constitute the original purpose or goal of God’s creation. As Hauerwas and Berkman significantly observe, ‘nature’ and ‘creation’ do not refer to the same world.

In light of this understanding we moved finally to see the human killing of animals for food as an extreme case that exists only on the frontiers of normal human ethical thinking. We found this concept to be more appropriate than Barth’s introduction of sacrificial, substitutionary elements into the discussion of meat eating. Christ’s incarnation, death, and resurrection render animal sacrifices an excessive concession to human sin and the present historical caveat. We observed that a non-violent relationship with other animals serves as a much greater eschatological witness. The vegetarian meal in this way represents “one concrete way for Christians to experience and practice God’s grace”⁹¹⁶ and a “small and humble witness to the inbreaking of God’s reign of peace.”⁹¹⁷ Categorizing the killing of animals as *Grenzfall*, we then observed similarities with Barth’s problematic use of *Grenzfall* for killing in war. For the extreme case argument to be consistent in both instances, we can neither postulate foreseeable conditions that would justify going to war or eating meat nor make present preparations for these extreme cases. These two cautions mark the most significant difference between our own position and that of Hauerwas and Berkman. We can agree with them in their comparison of vegetarianism and pacifism up to the point where they conclude that killing animals for food is comparable to Christian just war theory. “Christian just war theory is most appropriately understood as a theory of exceptions, exceptions for allowing Christians to engage in limited forms of violence in order to protect the neighbor. Analogously, those Christians who cannot

⁹¹⁵ Rolston, *Environmental Ethics*, 92.

⁹¹⁶ Webb, *Good Eating*, 41.

⁹¹⁷ Clough, “Why?” 37

abstain entirely from eating animals need to develop similar criteria of ‘just’ meat-eating.”⁹¹⁸ In both proposals, nonviolence and vegetarianism are considered the normal state of human relationships while war and meat eating represent exceptional or frontier possibilities. Just war theory, however, insists that going to war can be justified if certain predetermined conditions are met.⁹¹⁹ Emphasizing the divine ownership of all life, the *Grenzfall* argument maintains that only the command of God can specify when life may be protected “even in the strange form of its conclusion and termination.”⁹²⁰ Humans as finite creatures cannot make this decision themselves. Thus, in contrast to a criterion of ‘just meat eating,’ *Grenzfall* meat eating cannot anticipate conditions in advance where the killing of animals will be justified. Furthermore, because we cannot foresee this extreme case, we also cannot make preparations for it. Continuing to raise large numbers of domestic animals for the purpose of killing them for food as a preparation for the possibility of the extreme case, therefore, becomes ethically (and economically) problematic.

It is also problematic in terms of viewing animals as potential neighbors. The vegetarian *Grenzfall* argument I have expounded in this chapter is consistent with my larger account of human-animal relationships viewed in light of the Christian love ethic as expressed in the parable of the Good Samaritan. It seems inappropriate to associate the killing of animals, whom we saw from chapter one are best described as amoral agents, with the substitutionary sacrifices for human sin. Created in the image of God it is human creatures that are responsible for their relationships with others. The divine Word as incarnated in the human Jesus Christ is, thus, able to serve as an “innocent” sacrifice for human sin in a way that another animal is not. Furthermore, in chapters two and three we saw that just as the Samaritan in the parable was moved with pity to care for the fallen traveler (Luke 10:33), our common dependent and emotional natures provide grounds for establishing meaningful caring relationships between humans and other animals. To view the killing of animals for food as normative, however,

⁹¹⁸ Hauerwas and Berkman, “Chief End,” 208.

⁹¹⁹ Common just war criteria for the *jus ad bellum*, the right to go to war, include: “legitimate or competent authority, just cause, right intention, announcement of intention, last resort, reasonable hope of success, [and] proportionality.” James F. Childress, “Just-War Theories: The Bases, Interrelations, Priorities, and Functions of their Criteria,” *Theological Studies* 39, no. 3 (1978): 428. See for example Paul Ramsey’s discussion of “just cause,” “just conduct,” and “proportionate grave reason,” or weighing the balance of the good and evil effects of a proposed war, in his *The Just War: Force and Political Responsibility* (Oxford: Rowman & Littlefield Pub., 1968).

⁹²⁰ Barth, *CD* III/4, 398.

requires a degree of emotional detachment from those animals designated for slaughter.⁹²¹ Moreover, the intentional raising of animals for slaughter is inconsistent with certain insights we gained from looking at feminist caring ethics. For care ethicists, upright moral action involves entering into relationships with the intent of promoting and growing the relationship rather than purposefully ending it for personal benefit.⁹²² This does not mean, however, that humans may never make material or economic use of those animals that they are in caring relationships with. As we saw in chapter four, human relationships with animals vary according the degree of nearness enjoyed between the two parties. For domestic working animals in particular, this nearness is constituted by a historic working partnership between human and animal in ways that acknowledge both species' unique abilities and contributions to a given task. As Val Plumwood writes, "We cannot give up using one another, but we can give up use/respect dualism, which means working towards ethical, respectful and highly constrained forms of use."⁹²³ Finally as we saw in chapter five, both humans and other animals are classified in the bible as *nephesh chayah* so that human dominion over animals must be distinguished from human subduing of the earth. The blood prohibition of Gen. 9 shows us that killing another "living being" is always a more dangerous endeavor than the destruction of plant food for human sustenance. When each of these themes is taken together we are provided a compelling picture of other animals as potential neighbors to whom Christian neighborly love is due.

⁹²¹ See Appendix 4 on naming animals. "Whether they are to be found on family farms or in factory farms, the advice is the same: Do not give animals to be eaten by human beings any names that bestow individuality." Adams, "Feeding," 147.

⁹²² Palmer notes that this is particularly relevant for human relationships with domestic animals: "If animals are fed and looked after by humans, a relationships of trust is forged. The slaughter of such animals is surely a breach of trust, which seems out of place in an ethical system based on relationship and community." Palmer, *Animal Liberation*, 22.

⁹²³ Plumwood, *Environmental Culture*, 159.

APPENDIX

1. Parable of the Good Samaritan (Luke 10:25-37 NRSV)

Just then a lawyer stood up to test Jesus. “Teacher,” he said, “what must I do to inherit eternal life?”²⁶ He said to him, “What is written in the law? What do you read there?”²⁷ He answered, “You shall love the Lord your God with all your heart, and with all your soul, and with all your strength, and with all your mind; and your neighbour as yourself.”²⁸ And he said to him, “You have given the right answer; do this, and you will live.”²⁹ But wanting to justify himself, he asked Jesus, “And who is my neighbour?”³⁰ Jesus replied, “A man was going down from Jerusalem to Jericho, and fell into the hands of robbers, who stripped him, beat him, and went away, leaving him half dead.³¹ Now by chance a priest was going down that road; and when he saw him, he passed by on the other side.³² So likewise a Levite, when he came to the place and saw him, passed by on the other side.³³ But a Samaritan while travelling came near him; and when he saw him, he was moved with pity.³⁴ He went to him and bandaged his wounds, having poured oil and wine on them. Then he put him on his own animal, brought him to an inn, and took care of him.³⁵ The next day he took out two denarii, gave them to the innkeeper, and said, ‘Take care of him; and when I come back, I will repay you whatever more you spend.’³⁶ Which of these three, do you think, was a neighbour to the man who fell into the hands of the robbers?”³⁷ He said, “The one who showed him mercy.” Jesus said to him, “Go and do likewise.”

2. Interpreting the Image of God

Interpretations of the *imago Dei* have fallen largely into two camps – *substantial* and *relational*. In using these descriptions I am following Paul Ramsey’s terminology.⁹²⁴ Ramsey explains: “One view singles out something within the substantial form of human nature, some faculty or capacity man possesses,” and identifies this as the image of God – “that thing which distinguishes man from physical nature and from other animals.”⁹²⁵ The second, *relational*

⁹²⁴ Ramsey, *Basic Christian Ethics*, 250f. Hall also uses Ramsey’s distinction and language in this regard. Hall, *Imaging God*, 89.

⁹²⁵ Ramsey, *Basic Christian Ethics*, 250.

approach assumes that “nothing *within* the make-up of man, considered by himself apart from a present responsive relationship to God, has the form or power of being in the image of God.”⁹²⁶ Once the dominant interpretation, the first position has fallen prey to modern advances in scientific knowledge of the natural world. Increasing awareness of the physiological and evolutionary continuity between humans and other animals has resulted in the substantialist approach appearing less and less valid. On the other hand, the relational approach, at least as proposed by Emil Brunner, represents a clear reaction against the scientific incompatibility of substantialism.⁹²⁷ By identifying the *imago Dei* as ontological relatedness, the relational approach is able to uphold human uniqueness while avoiding the risk of becoming scientifically untenable. Yet, this approach is not simply an attempt to conform theology to modern science; it holds significant theological merit on its own right. According to the relational approach, humans cannot be thought of as separate entities that can be examined on their own. Humans only exist as human in their relationships to God and others. With respect to nonhuman animals, the substantialist approach erects a barrier between humans and other animals. It defines humans by their distinction from animals. Locating the *imago Dei* in human responsible relationships, on the other hand, draws humans closer to other animals. Humans, in this way are defined not by the physiological or intellectual traits that separate them from animals, but by the responsibility they have for being in relationship with other animals.

Forcing human uniqueness to depend on our differing capacities from animals is problematic in two ways. First, “the actual trait that sets humans apart - the *x* that only humans have - varies for different thinkers, times, and cultures.”⁹²⁸ Along these lines, Douglas John Hall observes that throughout the history of theology, “there has been a conspicuous tendency to indentify the ‘gifts’ (‘characteristics,’ ‘traits,’ etc.) that the *imago* is thought to stand for with values embraced by the particular cultures within which the theologians were doing their work.”⁹²⁹ Gregory of Nyssa, for example, saw humanity’s ability to contemplate heaven in our unique upright stance. The early Christian writer, Nemesius, similarly wrote that animals,

⁹²⁶ Ibid., 254.

⁹²⁷ Brunner’s argument in *Man in Revolt*, 18.3, “Man and the Animals,” attempts to take into account modern scientific knowledge of the world.

⁹²⁸ Anna L. Peterson, *Being Human: Ethics, Environment, and Our Place in the World* (Berkeley, CA: University of California Press, 2001), 28.

⁹²⁹ Hall, *Imaging God*, 91.

“whose attitude bent down to the earth indicates that they are slaves.”⁹³⁰ The human capacity for reason, however, holds primary position as that unique ability most commonly cited to distinguish humans from other animals.⁹³¹ Ramsey traces this tendency to the influence of Aristotle’s definition of the human soul as rational.⁹³² “Christians who follow in Aristotle’s train simply make use of the religious label, the *imago Dei*, for everything he intended to say.”⁹³³ This Aristotelian tendency, however, predates Christian interpretations of the Genesis text. Old Testament scholar James Barr, for example, notes that the inclination to interpret the image of God in humanity’s reason or immortal soul was already present in the Wisdom of Solomon (2:23).⁹³⁴ Similarly, for the ancient Jewish philosopher Philo of Alexandria, the image of God referred to the human endowment of reason.⁹³⁵ Brunner cites Irenaeus as the first Christian writer to equate the image with human reason. Irenaeus separated the image, which remained in humans, from the likeness, which was lost in the Fall.⁹³⁶ Brunner claims that in doing so Irenaeus outlined “the path the Church was to follow for nearly fifteen hundred years, and his solution is still that of the Catholic Church.”⁹³⁷ As a modern example, Catholic theologian Robert Spaemann, has argued that “reason is the one human capacity” separating humans from other animals.⁹³⁸

⁹³⁰ Quoted in Jobling, “And Have Dominion,” 77.

Augustine also noted humanity’s upright stance as a distinguishing characteristic from the other animals. Augustine, *On the Trinity*, XII, ed. John E Rotelle, trans. Edmund Hill (Hyde Park, NY: New City Press, 1991), 1.

⁹³¹ It is “is hardly possible for anyone who is part of the intellectual stream of our culture to read Genesis 1:26-27 without immediately and subconsciously assuming that the ancient Hebraic author’s phrase: ‘image of God’ specifically referred to the rational capacities of the human creature.” Hall, *Imaging God*, 92.

⁹³² Aristotle, *On the Soul* 2.3 in *The Internet Classics Archive*, trans. J.A. Smith. <http://classics.mit.edu/Aristotle/soul.html> (accessed October 2009).

⁹³³ Ramsey, *Basic Christian Ethics*, 250.

⁹³⁴ Barr, “Man and Nature,” 23.

⁹³⁵ “The term image has been used here with regard to the director of the soul, the intellect.” Philo, *On the Creation of the Cosmos According to Moses*, in *Philo of Alexandria Commentary Series*, Vol. 1, ed. Gregory E. Sterling, trans. David T. Runia. Leiden (The Netherlands: Brill, 2001), 64.

⁹³⁶ Irenaeus, *Against Heresies* V.16.2 in *Ante-Nicene Fathers*, Vol. 1, eds. Alexander Roberts and James Donaldson, 1899, Reprint (Grand Rapids, MI: Wm. B. Eerdmans, 1988) <http://www.ccel.org/fathers.html> (accessed April 2009).

For more on Irenaeus and this point see James Merrill Childs, Jr., “The *Imago Dei* and Eschatology: The Ethical Implications of a Reconsideration of the Image of God in Man Within the Framework of an Eschatological Theology” (Ph.D. diss., Lutheran School of Theology, 1974), 33ff.

⁹³⁷ Brunner, *Man in Revolt*, 93. Cairns and Westermann agree with Brunner’s assessment. Cairns, *Image of God*, 116ff; Claus Westermann, *Genesis 1-11: A Commentary*, trans. John J. Scullion (London: SPCK, 1984), 205.

⁹³⁸ Spaemann, *Happiness and Benevolence*, 82.

We must confess that a similar charge of historical relativism, at least to some extent, can be laid against the relational approach. I-Thou theology was popular among many different theological circles, both Christian and Jewish, during the time when Brunner and Barth were writing. Along these lines, J.R. Middleton claims that Barth's "proposals are clearly conditioned, on the one hand, by Buberian, 'existential' I-Thou ontology, which predisposes him to read the image as (personal) relationship and, on the other hand, by his opposition to the appeal to nature in the German National Socialism of his day, leading to a resolute attempt to prevent any possible autonomous interpretation of the human condition."⁹³⁹ The relational approach, however, distinguishes itself from previous attempts by explicitly beginning its search for a definition of humanity outside of the human being herself. Robert Willis observes that the danger in beginning one's theological anthropology

from the side of the general human, aside from the fact that it involves an obvious ignoring of the christological point, is that it gives at best a partial, and therefore distorted, notion of man, and (more importantly) that it can lead to the emergence of rigid, inflexible interpretations that end by asserting and imposing conclusive ideologies within the context of human self-understanding.⁹⁴⁰

Along these lines, the substantialist approach interprets human nature through the lens of a single, seemingly unique human capacity that one's culture particularly prizes, such as tool use, language use, or reason. In doing so it also creates a rigid boundary between humans and other animals. The relational view of *imago Dei* avoids this danger by insisting that a human's being is constituted by her relationships to God and others rather than something she, herself, possesses. The various human capacities that substantialism would exemplify, according to the relational approach, exist solely for the sake of connecting, rather than distancing, the individual human to others.⁹⁴¹ Substantialism, on the other hand, begins by looking at the human and therefore stands in particular danger of simply reflecting current historical, cultural trends.

Locating human uniqueness in capacities that are categorically distinct from those in animals is problematic, secondly, because modern scientific study, as we have seen, increasingly

⁹³⁹ Middleton, *Liberating Image*, 23-24.

Barth offers a brief critique of Buber in *CD* III.2. Yet, the extent to which Barth was originally influenced by Buber's philosophy is debated. McInroy, for example, argues that Barth's initial stance toward Buber and personalist philosophies was one of resistance and criticism. McInroy, "Karl Barth."

⁹⁴⁰ Willis, *Ethics of Barth*, 204.

⁹⁴¹ Barth, in particular, emphasizes the history of this relationship between God and humanity as exemplified in Jesus Christ. *Ibid.*, 205.

blurs the line between human and animal capacities.⁹⁴² Humans, for example, are not the only animals to walk upright. De Waal observes that “when standing or walking upright – which the bonobo often does, especially when carrying food – the bonobo’s back seems to straighten better than that of the other apes, giving it a strikingly humanlike posture.”⁹⁴³ Jane Goodall’s observation of tool making in the wild chimpanzees of Gombi shattered the once popular notion of “Man the Tool Maker.”⁹⁴⁴ Wolfgang Köhler had reported tool making by apes in captivity even earlier in 1914.⁹⁴⁵ Because he does not base his understanding of the *imago Dei* in human capacities, Brunner finds no difficulty in asserting a biological, evolutionary continuity between humans and animals. “We may assign to the animal a minimum amount of a certain kind of civilization, especially technical, the use of the artificial tools for the satisfaction of biologically existing needs,” Brunner claims. “To be *faber*, ‘tool-user,’ is not the exclusive privilege of man.”⁹⁴⁶ Poking fun at this substantialist tendency to draw boundaries based on superior capacities, preacher and former priest Barbara Brown Taylor muses that if birds had written a creation story, they might have picked out wings, the ability to fly, as that special capability that marks them off as created in the image of God. “Flying squirrels were pretty advanced, . . . but people – well. It was really kind of pitiful watching them try – jumping off rocks, flapping their arms.”⁹⁴⁷

In Augustine, however, we find early “intimations” of the relational interpretation of *imago Dei*.⁹⁴⁸ Augustine still locates the image of God in human intellect.⁹⁴⁹ Yet, he believes that these intellectual faculties cannot be viewed entirely in absence of their relation to God. For Augustine, Ramsey notes, “being in the image of God requires not only unique intellectual

⁹⁴² “Speciesistic claims that only humans use tools and language, are self-aware, have culture, or reason are no longer defensible given the enormous growth in our knowledge of our animal kin with whom we share this planet.” Bekoff, “Evolution of Animal Play,” 616.

⁹⁴³ De Waal, “Apes from Venus,” 42.

⁹⁴⁴ Jane Goodall, *In the Shadow of Man*, Revised Ed. (London, Phoenix Paperback, 1988), 36.

⁹⁴⁵ Wolfgang Köhler, *The Mentality of Apes*, 2nd Revised Ed., trans. Ella Winter (London: Kegan Paul, Trench, Truber and Co., 1925), 7.

⁹⁴⁶ Brunner, *Man in Revolt*, 419.

⁹⁴⁷ Taylor, “Dominion of Love,” 24.

⁹⁴⁸ Hall, *Imaging God*, 98. Hall, along with Cairns, make the case for granting Augustine only “intimations” of the relational interpretation as opposed to Ramsey who prefers to place Augustine more fully into the relational camp. Ramsey, *Basic Christian Ethics*, 218, note 22.

⁹⁴⁹ In the mind’s memory, understanding and love “we discern a trinity, not yet indeed God, but now at last an image of God.” Augustine, *On the Trinity*, 14.8.

powers but correct posture; . . . it consists of the spirit of obedience.”⁹⁵⁰ Augustine writes, “For the true honor of man is in the image and likeness of God, which is not preserved except it be in relation to him by whom it is impressed.”⁹⁵¹ In this way, Augustine locates the *imago Dei* in human intellectual capacities, but finds it lacking full expression outside of a human relationship with God. Yet, a decisive break with the substantialist tradition did not occur until the emergence of the Reformers of the sixteenth century, most notably Martin Luther.⁹⁵² It was not until Luther, Brunner asserts, that Irenaeus’s doctrine of the *imago* and the *similitude*, that “two-storied edifice” (*Zweistockwerkbau*), was finally shaken.⁹⁵³ Luther’s emphasis on “salvation by faith alone” led him to reject any human capacity that might in itself lead sinful humanity to God.⁹⁵⁴ For this reason, Luther regarded the image “as entirely determined by man’s response to God.”⁹⁵⁵ It is then within the legacy of the Reformation that Brunner and Barth see their own expositions of the *imago Dei* developing.

3. Interpreting Dominion

In his controversial 1967 article, Lynn White, Jr. places the blame for Western societies’ historic and current exploitation of the natural environment on the dominion mandate of Gen. 1:26-28. The biblical creation story, he claims, defines humans as “superior to nature, contemptuous of it, willing to use it for our slightest whim.”⁹⁵⁶ Dominion, in this sense, is taken to denote a free reign of exploitation by superior humans toward inferior nature. White’s criticism, however, is actually a critique of how the Genesis dominion mandate has been interpreted in late medieval and modern Western cultures than an analysis of the text itself. Scottish biblical scholar, James Barr, critiques White along these lines when he writes that “even if the original sense . . . laid little stress upon exploitation, nevertheless the general effect of the

⁹⁵⁰ Ramsey, *Basic Christian Ethics*, 256.

⁹⁵¹ Augustine, *On the Trinity*, 12.11.

⁹⁵² Hall, *Imaging God*, 98.

⁹⁵³ Brunner, *Mensch im Widerspruch*, 83.

⁹⁵⁴ “If these powers are the image of God it will follow that Satan was created according to the image of God, since he surely has these natural endowments, such as memory and a very superior intellect and a most determined will, to a far higher degree than we have them.” Martin Luther, *Lectures on Genesis*, 61.

⁹⁵⁵ Cairns, *Image of God*, 131. Hall agrees with Cairns about the importance and novelty of Luther’s relational interpretation of the *imago Dei*, but he does not accept Cairns’s position that this is the primary motivation for Luther’s interpretation. Hall, *Imaging God*, 99-100.

⁹⁵⁶ Lynn White, Jr., “The Historical Roots of Our Ecological Crisis,” *Science* 155, no. 3767 (1967): 1203-1207.

passage in the history of ideas has been one which encouraged ideas of human force and exploitation.”⁹⁵⁷ I have argued in chapter five for a non-exploitative view of dominion in light of the responsible relationship humans have for their animal neighbors. In this appendix section I show that the actual career of this text in Christian thought and practice represents a far more complex picture than White’s short article implies.⁹⁵⁸

When Christians first interpreted the dominion text they did not immediately assume that the most important meaning of the text referred to human relationships with animals at all, much less a freedom to exploit animals at our slightest whim, as White assumes. As Cohen demonstrates, early interpretations of this text rarely, if ever, construed this verse as a license for selfish exploitation of the nonhuman environment. Patristic and medieval theologians showed far more interest in Gen. 1:28’s call for sexual reproduction than in the question of human dominion.⁹⁵⁹ During the patristic period, the force of the injunction to “have dominion” was also directed to teachings concerned with bringing humans’ rebellious, carnal impulses under the control of reason.⁹⁶⁰ Many interpreters read this text allegorically by internalizing the idea of dominion and directing it toward the faculties of the human soul. Origen, for example, interpreted the animals that humans were given dominion over as inward fleshly desires to be conquered by the spirit.⁹⁶¹ Many of the Greek Fathers also upheld a belief in the human mastery over other animals and the natural environment, even if their ethical interests were captivated primarily by the possibility of a spiritual or rational mastery over physical passions. Both Clement of Alexandria and John Chrysostom included these two levels of dominion in their readings of Gen. 1:26-28.⁹⁶² Patristic interpreters in the Latin West also exhibited an affinity for allegorical interpretation of this text. Jerome identified various categories of beasts within the

⁹⁵⁷ Barr, “Man and Nature,” 23. For another influential criticism of White see John Passmore, *Man's Responsibility for Nature* (London: Duckworth, 1974).

⁹⁵⁸ For a book length investigation of this issue see Jeremy Cohen, *“Be Fertile and Increase, Fill the Earth and Master It”: The Ancient and Medieval Career of a Biblical Text* (Ithaca, NY: Cornell University Press, 1989).

⁹⁵⁹ Cohen accordingly dedicates the great majority of his book to the ancient interpretation of the procreative blessing.

⁹⁶⁰ Peter Harrison, “Subduing the Earth: Genesis 1, Early Modern Science, and the Exploitation of Nature,” *The Journal of Religion* 79, no. 1 (1999): 91.

⁹⁶¹ Cohen, *Be Fertile*, 228. (Origen, Homilies on Genesis 10.16)

⁹⁶² Ibid. For example, Chrysostom writes in his Homilies 8.9 and 8.14: “God created the human being as having control of everything on earth. . . . Abstinence from food, after all, is undertaken for this purpose, to curb the exuberance of the flesh and bring the beast under control.” John Chrysostom, *Homilies on Genesis 1-17 in The Fathers of the Church*, trans. Robert C. Hill (Washington D.C.: The Catholic University of America Press, 1986), 110, 113.

“irascible and concupiscible passions.”⁹⁶³ In his *Confessions*, Augustine offers an allegorical interpretation of dominion to mean the power by which “a person endowed with the Spirit . . . exercises judgment by approving what he finds proper and rebuking what he finds amiss in the activities and conduct of the faithful.”⁹⁶⁴ This kind of interpretation largely continued into the early middle ages as well. Thus, while the ancients and medievals participated, to be sure, in the subjugation of animals and the natural environment, these actions may be attributed, for the most part, to pragmatic rather than ideological concerns.⁹⁶⁵

More contemporary reflection has largely abandoned this allegorical approach and instead emphasized human dominion as a uniquely human relationship to other animals. This relationship is connected to the idea of *imago Dei* and is, thus, of particular relevance to my discussions in chapters one and five. The correlation between being made in the image of God and being given dominion was noted, even if not largely expounded on, by early Christian interpreters such as Tertullian, Basil, and Chrysostom.⁹⁶⁶ Some modern scholars have, however, been tempted to equate the two in such a way that humanity’s dominion over animals *is* the *imago*. As such, David Asselin writes, “Man does not rule over the animal kingdom because he is God's image: rather, he is God's image precisely because he rules over the animal kingdom, thus sharing God's universal dominion.”⁹⁶⁷ Similarly, though slightly more cautious, J. Middleton understands dominion as “virtually constitutive of the image.”⁹⁶⁸ Yet, such a reading, I contend, misunderstands the true relationship between humanity’s being created in the image of God and being given dominion. Dominion is not equivalent to the image; it is *derivative* of the image. In Genesis 1 dominion (*rādā*) is a verb, not a noun. Therefore, dominion consists of an action that humans perform rather than the idea that “dominion points to the ontological foundation for the human superiority over nature.”⁹⁶⁹

⁹⁶³ Harrison, “Subduing,” 91.

⁹⁶⁴ Augustine, *Confessions* 13.21. Commendable practices include almsgiving, gentleness, chastity, and fasting.

⁹⁶⁵ Harrison, “Subduing,” 96.

⁹⁶⁶ Jobling, ““And Have Dominion,” 102-03.

⁹⁶⁷ David T. Asselin, “Notion of Dominion in Genesis 1-3,” *Catholic Biblical Quarterly* 16, no. 3 (1954): 283.

⁹⁶⁸ Middleton, *Liberating Image*, 55.

⁹⁶⁹ Steffen, “Defense of Dominion,” 68.

The majority of modern interpreters fall within this derivative camp.⁹⁷⁰ In opposition to an equivalence interpretation, Biblical scholar James Barr writes, “There is of course a connection between the image and the dominion . . . [but] it is likely rather to be a consequential relation: since man is the image of God, let him have dominion.”⁹⁷¹ Dominion, as a consequence of being created in the image of God, refers to “that which man is capable because of it,” von Rad maintains.⁹⁷² The image, in other words, qualifies humanity to have dominion.⁹⁷³ Old Testament professor, W. Towner, proposes that Gen. 1:26 might correctly read “*so that they may have dominion...*”⁹⁷⁴ Along these lines, theologian David Cairns, suggests that “without the image, the dominion would never have been given.”⁹⁷⁵ Similarly, Karl Barth, who along with Emil Brunner greatly influenced Cairns’s thinking, rejects an equivalent correspondence between *imago Dei* and dominion. Rather, “it is the consequence of their divine likeness that men are distinguished from all other creatures . . . by a superior position.”⁹⁷⁶ Thus we have identified two ways in which the image of God can be misidentified. The first, the focus of chapter one, locates the image in specific human capacities like reason. The second, reviewed above, identifies the image with the command to have dominion. Both of these represent examples of confusing the image with its effects. The *imago Dei* expresses the human summons to responsible relationship with God and others. Human capacities aid in the enactment of this summons and dominion represents the consequent disposition that this summons effects on human relationships with nonhuman animals. Dominion, in this way, “identifies not an anthropology of human superiority, but a mode of activity that manifests a particular consciousness of being a creature in relation – not only to God but to all that God creates.”⁹⁷⁷

⁹⁷⁰ Even ancient commentators imply a derivational relationship between *imago Dei* and dominion. Basil, for example, writes, “the Creator has submitted all to our rule, because we have been made in His image.” Basil, *Hexaemeron*, Homily IX.5 in *Nicene and Post-Nicene Fathers*, Second Series, Vol. 8, ed. Philip Schaff and Henry Wace, trans. Blomfield Jackson (Edinburgh: T&T Clark, 1894), 105. <http://www.ccel.org/fathers.html> (accessed April 2009).

⁹⁷¹ Barr, “Man and Nature,” 20.

⁹⁷² Von Rad, *Genesis*, 59.

⁹⁷³ John Skinner, *Genesis*, 32.

⁹⁷⁴ W. Sibley Towner, “Clones of God: Genesis 1:26-28 and the Image of God in the Hebrew Bible,” *Interpretation* 59, no. 4 (2005): 348.

⁹⁷⁵ Cairns, *Image*, 28.

⁹⁷⁶ Barth, *CD III/1*, 187.

⁹⁷⁷ Steffen, “Defense of Dominion,” 71.

4. Naming the Animals

In the Yahwist account of Gen. 2 we find a different articulation of human dominion over animals than that expressed in the later Priestly account of Gen. 1. Westermann writes that “P says this in a more abstract way, namely that the creator has appointed man to be the master of the animals, 1:26, 28; J tells how this came about.”⁹⁷⁸ In Gen. 2:18-20 God sees that Adam, the first and presumably only living creature, is alone. God deems this isolated state of existence “not good” and consequently creates land and air animals out of the ground as potential partners for Adam, who is also created out of the ground (*adamah*). So “the man gave names to all cattle, and to the birds of the air, and to every animal of the field; but for the man there was not found a helper as his partner” (Gen. 2:20). Although naming in the Old Testament could signify the despotic power of a dominant nation or ruler over its conquered foes, this is not the connotation intended in Gen. 2. For example in 2 Kg. 24:17, after Nebuchadnezzar defeated Jerusalem, he appointed Mattaniah king of the city and renamed him Zedekiah. Nebuchadnezzar raided the Jerusalem Temple and later slaughtered Mattaniah’s children, put out his eyes, and led him in chains through Babylon. Roger Nash contrasts Nebuchadnezzar’s naming of Mattaniah with Adam’s naming of the animals. Where as Adam names what had been unnamed before, the king of Babylon *renames* his conquered enemy in an expression of his sovereignty. “This makes Adam’s naming more like that of parents naming a newborn child. Then, just as a parent has responsibilities to care for the child, so there will be moral constraints on Adam’s use of animals, and the expectation of a kind of love.”⁹⁷⁹ Thus, far from exploitative control over, Adam’s naming in Gen. 2 connotes a unique relationship with and responsibility for the animals. This is particularly clear given the reason the text provides for the animals’ creation – because God saw “it is not good for man to be alone” (Gen. 2:18)

Commenting on these verses Dietrich Bonhoeffer concludes,

As far as I know, nowhere else in the history of religions have animals been spoken of in terms of such significant relation. At the point where God wishes to create for the

⁹⁷⁸ Westermann, *Genesis: A Commentary*, 28.

⁹⁷⁹ Roger Nash, “Adam’s Place in Nature: Respect of Domination?” *Journal of Agricultural Ethics* 3, no. 2 (1990): 105.

human being, in the form of another creature, the help that God is as God - this is where the animals are first created and named and set in place.⁹⁸⁰

Elsewhere in the bible, he explains, God alone is the partner and helper of humans. Yet, perhaps, these other creatures created from the ground, “these “brothers” as Bonhoeffer calls them, can serve as suitable creaturely companions for Adam.⁹⁸¹ That they ultimately do not prompt Adam’s first occasion of pain and sorrow, Bonhoeffer claims. Adam later discovers a more complete partner in Eve, the female human – “bone of my bone and flesh of my flesh.” (2:23).⁹⁸² The story, however, passes no judgment on this fact.⁹⁸³ Human partnership with animals is not viewed as negative, or a failure; it is simply incomplete. Once Adam finds Eve, he does not discard his former animal companions. They still represent a unique relationship to which Adam has entered into by naming them. The naming episode in Gen. 2 demonstrates both the importance and limitations of humanity’s relationship with other animals.⁹⁸⁴ The animals are distinguished in this way from the vegetation that serves as humanity’s food. Rabbi Umberto Cassuto notes that “man had not the right to name everything that had been created, but only . . . the living beings, over which he was granted dominion, that is, *every living creature*.”⁹⁸⁵ Westermann makes a similar observation on this point: “Names are given primarily to living beings because they stand closest to men: what is originally named is not what exists, but what is encountered.”⁹⁸⁶ These two quotations have particular resonance with the main arguments I have drawn out in chapters three and five.

⁹⁸⁰ Dietrich Bonhoeffer, *Creation and Fall: A Theological Exposition of Genesis 1-3* in *Dietrich Bonhoeffer Works*, Vol 3, ed. Martiin Rüter and Ilse Tödt, trans. Douglas Stephen Bax (Minneapolis: Fortress Press, 2004), 97.

⁹⁸¹ “*diesen Brüdern*.” He later refers to the “brotherly world of animals” (*die brüderliche Welt der Tiere*) that, like humans, had also been created from the ground. Dietrich Bonhoeffer, *Schöpfung und Fall* (München: Chr. Kaiser Verlag, 1989), 90.

⁹⁸² This is a point of particular importance for Barth. One commentator notes that for Barth, “the divine Word initiates the provision of a helpmeet or partner who can be freely hailed as such. The animals do not fulfill the need and their naming brings this to light.” Geoffrey W. Bromiley, *An Introduction to the Theology of Karl Barth* (Edinburgh: T. & T. Clark, 1979), 116.

⁹⁸³ Carol A. Newsom, “Common Ground: An Ecological Reading of Genesis 2-3,” in *The Earth Story in Genesis*, ed. Norman C. Habel and Shirley Wurst (Sheffield: Sheffield Academic Press, 2000), 66.

⁹⁸⁴ Webb also notes the unique fellowship these verses imply between humans and other animals. Webb, *God and Dogs*, 20.

⁹⁸⁵ Umberto Cassuto, *A Commentary on the Book of Genesis: Part 1, From Adam to Noah*, trans., Israel Abrahams (Jerusalem: Magnes Press, 1961), 131. Cassuto’s arguments against the Documentary Hypothesis lay beyond the scope of this thesis. They do not, however, greatly affect my current argument. The above quoted passage still proves a significant observation of humanity’s unique relationship with animals in Genesis.

⁹⁸⁶ Westermann, *Creation*, 85.

Westermann asserts that, by naming the animals, Adam does not acquire power over them, but places them in his world; he “incorporates them into his life.”⁹⁸⁷ The naming establishes them as companions, if not the kind of equal partner that he finds in woman. Yet, many of the relationships humans have with other animals typify exploitative or subject-object relationships rather than the kind of love and responsibility that should characterize a community of other living beings created because God saw that it was not good for humanity to be alone. We can describe these exploitative relationships as the false or misnaming of animals. This is particularly dangerous because of the ease in which we are able to falsely name animals. William C. French writes, “Animals are very easy to name falsely because they are unable to protest the names we give them.”⁹⁸⁸ He notes that Kant misnamed animals when he described them as merely nonrational things. Another tradition, with its roots in Cartesian philosophy, misnames animals as machines or automata. I observed in chapter five a tendency of lumping together, and thus misnaming, animals with plants and other inanimate natural phenomena in stewardship and environmental ethics. Each of these misnamings obscures the commonalities between humans and other animals as fellow relational, emotional, living creatures.

Tragically, false naming continues to plague many of our modern relationships with animals. “In agribusiness terms, farm animals are disguised as being-less ‘objects’ by innocuous phrases such as ‘livestock,’ ‘protein harvester,’ ‘converting machines,’ ‘crops,’ and ‘biomachines.’”⁹⁸⁹ Such naming reduces animals to things or commodities, denying them their true status as companions to humanity. Carol Adams takes particular issue with the naming of animals as “meat.” She describes “meat” as a “mass term.” “Objects referred to by mass terms have no individuality, no uniqueness.”⁹⁹⁰ When we turn an animal “into ‘meat,’ someone who has a very particular, situated life, a unique being, our neighbor, is converted into something that

⁹⁸⁷ Westerman, *Genesis: A Commentary*, 229.

⁹⁸⁸ William C. French, “Beast-Machines and the Technocratic Reduction of Life,” in *Good News for Animals?*, ed. Charles Pinches and Jay B. McDaniel (Eugene, OR: Wipf & Stock, 1993), 24.

⁹⁸⁹ Nancy M. Williams, “Affected Ignorance and Animal Suffering: Why Our Failure to Debate Factory Farming Puts Us At Moral Risk,” *Journal of Agricultural and Environmental Ethics* 21 (2008): 379.

⁹⁹⁰ Adams, *Man nor Beast*, 115.

The act of personal naming “implies that these animals are going to be given special treatment and that individual attributes or personalities are likely to be claimed for them.” Beck and Katcher, *Pets and People*, 13.

has no distinctiveness, no uniqueness, no individuality.”⁹⁹¹ Meat naturalizes the eating of animals in such a way that people think they are simply making a choice about food rather than interacting with an animal, she claims. This is why animals designated for slaughter are rarely given personal names. “False naming means that we can avoid responsibility. False naming creates false consciousness.”⁹⁹² Mass terms such as “meat,” “livestock,” and “crop” place an immediate barrier to the possibility of entering into caring relationships with individual animals. They set up an artificial remoteness that hides the animals’ physiological closeness, relationality, and historic nearness to humans and human society. Naming animals in these ways precludes, or at least severely obscures, naming them as fellow companions or neighbors. Grumett and Muers contend that “to remove meat completely from the menu would radically alter human understandings of nonhuman animals, because changing the menu changes the ontology of the animal.”⁹⁹³ In other words, to name an animal as meat locates its existence primarily as a commodity for human consumption. Such a presumption necessarily colors the kind and degree of relationship possible between the human diner and the animal dessert. It is perhaps no wonder, therefore, that when Adam was called upon to enter into relationship with and name the animals he was also confined to a diet of plants (Gen. 1:29; 2:16).

⁹⁹¹ Carol Adams, “A Very Rare and Difficult Thing: Ecofeminism, Attention to Animal Suffering and the Disappearance of the Subject,” in *A Communion of Subjects: Animals in Religion, Science, and Ethics*, ed. Paul Waldau and Kimberly Patton (New York: Columbia University Press, 2006), 595.

⁹⁹² Adams, “Feeding,” 147.

⁹⁹³ Grumett and Muers, *Theology on the Menu*, 134. They elucidate further: “At the very least, Christian freedom to eat any food rests on a prior set of implicit decisions about what counts as ‘food’. This is extremely significant in the case of meat, because no animal is food necessarily or automatically.” *Ibid.*, 132.

5. Deut. 8:3 Photograph



Sign and meat smoker in front of local butcher shop, Amarillo, TX. Photo by author, August 2009.

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