# Dignity, Pleasures, Vulgarity: *Philosophy and Animal Rights*

James Brusseau

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To Rocio, Santiago and Emilia

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# 1. What are Dignity and Pleasure?

One dedicated couple in the nook of a medieval building, entangling against a towering door where decades – maybe centuries – of Spanish sun had split the wood like long fingernail scratchings. Behind them, wedged into the recessed door's other corner, another pair struggled, and the air reeked piss, and the pungent vomit of the region's acidic wine.



The question here is: *Do animals have rights*? And the answers for all animals, human and nonhuman, will emerge from that cramped scene.

But let's start more broadly. To begin talking about animal rights - and this goes whether you're sympathetic or skeptical - there are two approaches. One aligns with the idea of dignity, the other follows the sensation of pleasure.

For those taking the dignity route, the reasoning is going to be:

- There exists something ineffable called dignity.
- Being dignified is the height of existence.
- Any creature possessing dignity merits ethical protection: the dignified are intrinsically respectable and may not be exploited by others.

If that's the logic, these are the questions: *How can dignity be conceived*? *Which creatures have it*? *What specific protections do they merit*?

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For those taking the pleasure route, the reasoning is going to be:

- Pleasure and suffering are palpable and real.
- Maximizing pleasure while diminishing pain is existence's highest aim.
- Any creature capable of feeling will naturally join the ethical world where we're all charged with maximizing pleasure, while eradicating suffering.

If that's the logic, these are the questions: *How does pleasure feel? Which creatures sense it? How can it be produced, and also how can pain be diminished?*

To respond, we'll explore what dignity and pleasure mean for the human animals that invented them. That's the first chapter. In the second and third, we'll advance to the core concern, the dilemmas of animal ethics as they exist on the level of philosophy. Finally, the chapter on vulgarity explores what we can learn about ourselves along the way of thinking about those animals that are not us.

So, the book moves from human animals to nonhuman animals to all animals.

## What is dignity?

Despite conventional wisdom, young love is reasoned, even rigorously intelligent. Subtle rituals of communication need to be mastered to spark a connection. (Some women perfect the magnetic arching of a single brow, some men learn to focus their gaze on the slot between her eyes so she feels the weight of his attention without quite defining where it's coming from.)

Advancing, there's a refined etiquette of attraction. (She hands him a drink and holds it between them, for that fraction of a second.)

At some point, future plans will slip into the conversation. Superficially, they seem airy and naïve, but they're actually meticulously calibrated to fill the space between realistic hopes and quixotic dreams. (We could go live in North Arica, and start a Bike rental business…)

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Naturally it's not all calculation, there are rumbling bodies too, but the encounters are clean-filtered by what came before. The two have *thought their way together*, and that severs their experience from nights of beer, and beds, and names only faintly remembered.

So, that's the beginning of the idea. Dignity is the experience of life – even the most rapturous moments – as rational, as conditioned by thinking.



Here's a different way of seeing dignity. Venerable Immanuel Kant (1724-1804, Königsberg, Germany) affirmed that what's *not* dignified is being exploited as a *means* or as an instrument in someone else's projects. Not being dignified means your efforts get channeled to satisfy another's purposes. In a word, not having dignity means getting *used*.

Dignity, consequently, is the experience of *not* being used. And the dignified are those who gather without exploitation.

Here's how that looks in human terms. Thinking of the dedicated couple in the Pamplona doorway, they were a young man and woman on the edge of love and wrestling through belts and shirts to find pleasure, but they *weren't* using each other. It's almost the opposite, each one heightened *for* the other. Pleasure then came back around and surged in each partner *because* the other felt it too. So, coupling is dignified when no one gets left behind.

The final way to think about dignity is in terms of *replicability*. Something without dignity can be replaced and we don't care. Inversely, what has dignity cannot be replaced without loss. A husband who perishes from cancer can't be substituted; if you clone an exact copy, and charge the new mind with all the old lifetime's memories, it won't be the same. Even if the new, cloned body is indistinguishable from the lost one, and even if the words spoken by the new product are the same as those that would have been said by the original, *it still can't be the same because the clone was produced for some purpose outside himself*. He was produced to ease the suffering of the bereaved wife, not to live his own life. For that reason, the clone lacks dignity. And that's why the wife would never be able to love him no matter how she tried, and no matter how perfect the biology and psychology of the copy.



Concluding:

- Dignity filters experience with intelligence.
- The dignified aren't used as a means to an end.
- Dignity implies irreplaceability.

The questions that remain: *Which animals can be dignified? How will they be treated?*

We'll return to those.

## Pleasures in Pamplona

While dignity is something, it isn't everything. In that doorway in Spain, wedged into the corner opposite the earnest pair, another couple grasped for each other's flesh. No seduction had introduced them, no strategies of allure prepared the way. In fact it was closer to the opposite: they didn't seem to know each other's names. They didn't even seem to share a common language. Maybe they'd exchanged just enough slurred words to understand the fruitlessness of talking, or maybe they hadn't tried. Regardless, the entire encounter – from paths crossing to the violent exchange to a stumbling parting – all that lasted around four minutes.

What's certain is that they *used* each other. They abused each other's dignity. And that may be alright. Or even good. Actually, it sounded pretty great. Judging from what everyone heard along that obscure alley, it might not be wrong to say that if you haven't lived a few moments without dignity, then you haven't fully lived.

It's only when concern recedes – when we don't care about others, and maybe not even ourselves – that we can make direct contact with the pure sensation of pleasure that guides those who aren't convinced by abstract and proper dignity.

One place you can go to reliably get pleasure's fluid experience is formally named the *Festival of San Fermín*, but in English everyone calls it Pamplona, or the running of the bulls. It spans a week every July, and even though hotels are full and locals have already occupied every room with friends and visitors, trainloads keep arriving and spilling out onto the cobblestone streets.

Since, there're no rooms, people sleep in the parks, or curled up on the sidewalk, or they just go without. There's only one necessity, wine. You get it in 2 liter plastic bottles – the same ones more

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commonly containing Coke – and drink it warm while trying not to lose your screw-top cap.

Overflowing crowds of drunks who haven't slept much may not sound like a good start for a civic event – especially one dedicated to a saint – but it has a special resonance in the bleary mornings. Near sunrise a fireworks rocket is lit to announce what's coming, and twelve bulls are released into the labyrinth of stone buildings and medieval streets. Wooden barricades erected at intersections keep the herd on route, turning and squeezing toward the Plaza, Pamplona's bullfighting ring.

Prudently, most people just watch the muscled creatures, either from a balcony above, or peering through the slats of the barricades.



But some join the animals in the street. The most ceremonial runners wear outfits tailored for the run: white pants and shirts, with a wine-red handkerchief strapping the neck. These *mozos* have walked the route, practiced the turns, and studied the particular rules of this event's excellence. Then there are the other runners. They've been drinking all night and come sunrise impulsively climb over a wooden barricade and onto the runway. These spontaneous participants are easy to spot in their dirty shorts and colored t-shirts; they're backpacking travelers mostly, and more than a few will run while clutching their belongings.

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Their smiles are vacant while the voices in their heads tell them it's dangerous. The message rarely gets through.

What will get through is an adrenalin surge of presence, of nearly stopped time. It's not fear but a euphoria of alertness to the animals, to staying out front, to sensing the escapes and the corners for refuge.

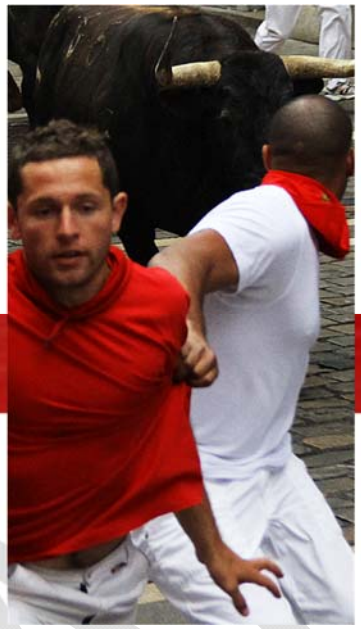
Of course bullrunning isn't the only way to reach that extreme concentration (rollercoasters may do it, or something else), but regardless of how you get there, what's important is that *attention is so completely captured that there's nothing beyond the demands of the moment*. Your private worries, you aspirations for the future, where your friends are, your lovers, even your name, all of that disappears. It's not that you can't remember, it's just that there's no place for the information in the purity of the rush: you are nothing more or less than flesh trying to stay off of the horns of the coming bulls.

And, that makes the bullrunning experience totally common in a particular sense: it's not individualized, there's nothing *personal* in it. You don't run, you *are* a runner. Which means the thrill *is the same as the one animating those running just in front, and those in the cluster behind*. You, her, him and the others, you're all completely interchangeable, doing and feeling the same.

That's why an unspoken bond unites those who've done the bullrun. It's unspoken not because it's so awesome that it can't be put into words. No, it's much more prosaic. There's no need to say it because everyone already knows: the raw pleasure is generic, transferrable: you felt it, like I felt it, like anyone else feels it.

Conclusion: There are different degrees of pleasure, but what characterizes the purest form is the *completeness*. It consumes experience, there's nothing outside it. More, the purity goes beyond completeness – occupying every extremity and filling consciousness – and also becomes *anonymous*. Identically experienced by

everyone, true pleasure is uncontaminated by the fact that it happens to be you, or me, who's enjoying it.



Taking this back to the nighttime scene in the doorway with the pair who collided and parted in minutes, it was the *purity* of the pleasure that made their experience. Everyone understands how ecstasy occupies the entire body and makes it seem as though there's only one flesh overwhelmed by feeling, but what's more definitive is that the sensation was so unadulterated that even though it was theirs, it could have been yours, or anyone's.

So, while it's true that these two found each other, it's more important that she wasn't looking for him, and he wasn't looking for her. They were both looking for something that didn't have a name, or common language, or some place to be from, or plans for a future. More, this is even what made their moment so explosive: as they pulled at each other they both knew that this man could have been *any* man, this woman, *any* woman.

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## Dignity or pleasure?

Philosophical ethics is about deciding what we want to get out of our lives. The two historically sanctioned possibilities are dignity and pleasure.

These two ways of orienting life transform our experience. Even basic laws of reality change. For example, one of the curious aspects of dignity is that it's possible to take it from another, and still end up with less. Think about the intoxicated couple in the Pamplona doorway. The woman pulling at the man was taking his dignity in three senses: she displayed no respect for him rationally, she used him, and she perceived him as substitutable, he could have been any man. And the same went for him, he exploited her in the same way. Which leads to a counterintuitive truth: *while taking dignity from another, you can end up with less*

Pleasure obeys a different logic. Here, *taking from another can mean they end up with more*. For pleasure, it was because she was taking from him, enjoying him, that *his* intensity climbed. (She was using him and he liked it.) And, because he was taking from her, her's also increased. (She liked that he liked it.) The result is that having someone take from you means you end up with more. It doesn't make strict rational sense, but it sounded like it felt good.

Ultimately, what's most important to underline is that these are both good things, dignity and pleasure, but also radically different. For that reason, there's no way to prove that one is *better*. There's not even any way to *compare* dignity and pleasure. There's only a decision.

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Everyone will have to decide for themselves which way they're going to go, and what life is ultimately about, but it's either dignity or pleasure, and that's true in Pamplona, and everywhere else.

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# 2. Dignity and Animal Rights

The dignity argument in favor of animal rights is grounded on the premise that dignified creatures have ethical rights. Building on that, the proposal is that some animals possess the same dignity that inhabits human beings, and therefore they deserve comparable ethical respect and protection.

The sticking point is going to be convincing skeptics that nonhuman animals *really do* possess a dignity that resembles yours and mine.

Here's what animal rights defenders maintain. First, there's only one dignity; it may be *expressed* in different ways, but it still exists as a single ideal regardless of who or what has it. Second, a filter must be devised to identify those creatures that have dignity. This is the filter: dignity belongs to a creature – any creature – that *has a life that matters to it*.

In other words, if you have a sense of *what your life is*, and if you want to *do* something with it, and *make* something of it, then that demonstrates that you possess intrinsic ethical dignity.

Importantly, this is something you spark and do *for yourself*. A creature with "a life that means something to it" is very different from one that has a "meaningful life."

The difference is that the meaning of a "meaningful life" may be granted by someone else. For example, maybe there's a tree in a backyard somewhere that has a meaningful life *for you*, because you planted the seed when you were young, and you've grown older along with it. But that doesn't mean the tree has a meaningful life *for itself*. So, the sense of meaning we're thinking about here isn't something received, or the result of someone else's decision, instead, it's a self-creative effort.

Advocates of animal ethics sometimes say that dignified creatures are subjects not just of biology, but also biography. They mean that there exists a past that is understood and significant, and that it

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leads to a future where the outcome is unknown, but where the stakes are real, and aspiration exists.

Finally, one leading animal rights philosopher - Tom Regan - writes the idea this way: A creature with dignity will have

> **a sense of their own future**; the ability to initiate action in pursuit of their desires and goals; a psychological identity over time; and **an individual welfare in the sense that their life fares well or ill for them, independently of their utility for others**.

Here's where we're at:

1. Ethical rights belong to creatures with dignity.
2. Dignity belongs to creatures that recognize their lives as mattering to them.

Now the third step: *For nonhuman animals possess mattering lives, what ethical protection is received*?

Start with the bulls loose in the streets of Pamplona, maybe they aren't just thundering forward according to blind instinct, perhaps they sense that they exist and are trapped in an artificial labyrinth. Possibly, they want a way out. They may charge ahead frantically looking for the space they, in some sense, remember having on the farms where they were reared.



We don't know what bulls experience in the morning rush, but if it's true that they sense they're in a bad spot and are looking to make

things better, then their lives qualify as mattering to them, and as dignified. And, the argument continues, the dignified have a *right* to be treated as valued in themselves, and not as trivial (though dangerous) party amusements stomping and charging for the drunken sport of two-legged runners.

Certainly it will be acknowledged that the chasing participants revel in the scene, and it's riotously entertaining to watch, but none of that compensates the abused dignity. It's disgraceful as the runners weave their way into the herd's midst and grab at the animals, the boldest slapping at the bull flanks. (Would we accept people chasing others down the street, slapping at their asses?) The bullrun, finally, is an abuse because the entire history of dignity ethics teaches that no dignified creature may be used as a tool, or exploited for the gratification of others. The run, consequently, must be discontinued.



Here's another example which is useful because it illustrates how this way of thinking about ethics and animals seeps out of philosophy and into popular culture. The 2016 documentary *Unlocking the Cage* follows the Nonhuman Rights Project's advocacy, and the movie trailer reads:

> When you imprison a chimpanzee, the chimpanzee understands that tomorrow he's going to be in prison. And as far as he knows, it's not going to end.

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> What we're trying to do is change the way people view nonhuman animals, because right now it's if you're a human you have rights, if you're not a human, you don't. And we're saying: That's wrong.

So, you can see exactly how that trailer for the movie theater was crafted. There's the emphasis on the chimpanzee knowing he exists, and understanding that he'll be somewhere tomorrow, and suspecting that it's not good. For our purposes, what's notable is how carefully the words were tailored to fit the theoretical demands of dignity ethics. That, and also the remedy which prescribes that the animals be freed and returned to their natural habitat.

## Which animals have dignity, and therefore rights?

It's one thing to *suppose* that specific nonhuman animals have lives that mean something, but it's another to *demonstrate* that. To confidently grant animals rights, there needs to be evidence.

One exploratory experiment is a *mirror test*, which is an ingenious way of discerning whether an animal—human or nonhuman—has developed a sense of self as continuing through the changing world.

When applied to nonhuman animals, the probe starts with the provisioning of a mirror within an animal's habitat. Time is allowed to pass so that familiarity may take root. Next, dye marks are applied to the subject's face. Then, by way of the provisioned mirror, you can observe whether the animal notices and understands itself as changed in the reflection.

In the case of chimpanzees, experiments show that they'll rub at the marks, and even sniff at their fingers afterward. This suggests they see and comprehend themselves, and also they grasp their condition as transforming over time in ways that are worth investigating. In other words, they know who they are, they know they're changing, and they're concerned. That should be enough to conclude that their lives matter to them.

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Elephants have demonstrated similar reactions, and maritime biologists have been attempting to reproduce the experiment underwater. In one recent case, manta rays have been documented to perform in front of mirrors in ways that may indicate a sense of self-recognition: they seem to blow bubbles at their own image, perhaps experimenting with the reflection of themselves.

Many animals, it should be noted, apparently fail to make any sense of what appears in the mirror.

Humans tend to connect the image with their identity at about eighteen months. Developmental psychologists call this the *mirror stage*.

What about the dogs, cats, birds, fish and other animals populating our homes, apartments and yards? The answers are mixed. Some dogs seem to grasp that they are seeing themselves in the mirror, while the experience of cats is generally less convincing. Obviously if you have one or the other as a pet, you can try it for yourself and see. As for common fish, they typically show no sign of registering their reflection as themselves. In the air, magpies respond to mirror tests, while some other bird species do not.

In the end, the mirror test doesn't absolutely confirm that animals have self-awareness. And passing the test isn't the only way animals can demonstrate a sense of their own existence and future that may be compared with those humans possess. Other tests involve memory games and behavioral communication.

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Regardless of what the tests may be, the larger point is that it's up to experimenters to figure out whether any particular animal has a life that matters to it. Also, it's worth noting, if you're reading this then you could be one of those experimenters. Organized testing for nonhuman animal cognition remains a nascent endeavor, and there's no reason to think that the certified experts have figured out all the ways to perform these tests and distinguish animals that care about their existences.

## Supporting dignity: The human/animal bind

One of the powerful elements of the dignity approach to animal rights is that it catches and squeezes animal rights *adversaries* in a tight bind. Here's how.

Adversaries of animal rights say that human lives generate so much more meaning than those of animals (which struggle to pass the mirror test) that any comparison only proves how *undignified* they truly are. Concretely, because nonhumans don't do things like debate philosophical and ethical questions – because they don't read paragraphs like this one - the meaningfulness of their existences hardly amounts to anything. They're *beneath* dignity, they don't understand enough about themselves, others, and the world to be included among those who merit ethical consideration. Finally, and in a single sentence, the reasoning is that nonhuman animals can't be wronged in any moral sense because they don't discuss the concept of moral wrong.

*But*, if we're not going to grant ethical rights to those creatures incapable of discussing right and wrong, then aren't we stuck saying that babies don't deserve ethical rights? And what about the man enduring advanced Alzheimer's disease? The autistic boy? The woman who suffered a debilitating brain injury in a car accident?

If we're going to deny ethical rights to animals because they don't make the cut – because they can't demonstrate that their lives matter deeply to them – then aren't we also forced by our own logic *to cut away some people as well*?

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If we are, then animal rights skeptics tangle in a bind:

- *If they deny rights to all animals, they end up denying them for some humans.*
- On the other hand, *if they extend rights to cover all humans, even those who fail to explicitly demonstrate that their lives matter to them, then they have no coherent way of keeping animals out of the ethical community.*

This is the conclusion. Granting ethical rights to animals that demonstrate only limited concern about their existences may be hard to swallow for some, but any fair-minded observer will concede that the other option is worse.




Finally, this is the spot where the word *speciesism* enters the animal rights discussion. Like its forbearers – racism, sexism and similar – speciesism is the failure to give equal consideration to comparable interests: it denotes a reality where a discrete group is excluded from a certain set of opportunities for reasons that have nothing to do with their intrinsic nature.

Concretely in this case, the affirmation is that:

1. Higher animals demonstrate that their lives matter to them just as robustly as some humans (Example: babies).
2. *All* humans are normally included in the collection of creatures that have dignity and rights.

3. If higher animals are excluded, it can only be for the extraneous reason that they happen to be *nonhuman* animals.

Ultimately, our treatment of human animals *constrains us* to allow nonhuman animals into the dignified circle of ethical rights.

## Another version of the human/animal bind

A trucker barreling along one of Spain's freewheeling rural highways leads to a distinct version of the human/animal bind. Imagine that he veers to avoid a bull that has escaped its fenced grazing field, and that is meandering into the truck's way.

So far, no problem.

But reality squeezes when the driver spots a hitchhiker dead ahead. Thumbing her way home from Pamplona after a week of sleepless nights, she's young and agile, but her backpack is heavy, and though she's grasping what's happening, it's coming into focus too slowly.

Which means the only decision that's going to make any difference is the driver's. Does he veer back and plough down the animal?

Even for the most ardent advocate of animal rights, the answer is going to be yes.

The question is, *Why? On what grounds?*

The answer begins by expanding the thought experiment. Instead of a bull, imagine the choice is between the young hitchhiker and a hobbling 90 year-old, suffering through the final stage of terminal cancer.

Remember, you're behind the wheel of a speeding truck and you need to make the decision now.

If you're like many people – and if you're forced to choose – you're going to swing toward elderly cancer patient. And the reason probably has some relation with the likelihood that the hitchhiker

has *so much more life in front of her*. In simple calendar time, it's probably a choice between losing months of life versus decades.

Then it goes further. It's not just the years of life, but the life in the years. What awaits the cancer patient? Hours of TV? A few more short walks outdoors? Contrast that with the volume of passion and contentment potentially awaiting the hitchhiker: from romance and friends to a shorthair cat and afternoons on a beach.

The point is: You can justify the decision to select one life over another – when the selection *has* to be made – by citing the *amount* of meaningful life you are saving.

Here's where we're at:

1. There are two truck driving scenarios: *Hit the woman or hit the bull*, and *Hit the woman or hit the decrepit geriatric*.
2. The ethical value granted to the potential victims varies in terms of how meaningful the life is to the subject. Generally, life matters more to the young than to the elderly, and more to humans than to nonhuman animals.

Conclusion: The Spanish truck driver caught in the bind must hit the bull or the decrepit patient before the hitchhiker.

*But*, the logic also leads to a second conclusion.

The *same reasoning* that saves the young over both the animal and the elderly may, if the circumstances are right, save an animal over a human. What happens, for example, if the choice is between a young and energetic chimpanzee possessing a life that matters to it, and on the other side an elderly man on the verge of an irreversible and terminal coma?

Strong animal rights advocates insert themselves here by affirming that the answer is as direct as it is unavoidable: the same reasoning which usually allows us to sacrifice animals for humans *also forces us to recognize that animal rights may supersede those of some humans in some circumstances*.

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The case for animal rights is maximizing. The reasoning we customarily use to privilege humans over animals forces us to grant at least some animals significant rights.




## Dignity and those animals closest to us

Many hardcore advocates of animal rights go the dignity route when discussing animal ethics because the protections afforded are so extensive.

Here's a sampling. Dignified animals – human and nonhuman - may not be:

- Bred and slaughtered for food or clothes
- Forced into hard labor
- Exploited for entertainment
- Involuntarily experimented on for scientific purposes or consumer goods (Would we kidnap and experiment on a human?)
- Trapped in homes or zoos
- Owned (Would we accept humans as *owned*, don't we call that slavery?)

If we go to the extreme, if we strengthen ethical protections and stretch them to include the most creatures reasonably possible, the result would be an historical operation. After a transition where we incorporated our domesticated animals into natural habitats where they could live freely and according to their nature, we would need

to remake our lives without them. If you just close your eyes and think that all the way through, you'll quickly see the immensity of the disruption.

It's not necessary to go this far, however, when considering animals and their rights from a dignity perspective. Take the question of ownership. While it may be that literally understanding a dignified animal as owned is wrong, we could reasonably justify the characterization of our pets as our wards, as creatures that we are responsible for, and about which we make most important decisions. This is hardly different from the way we humans treat our young (and sometimes our elderly). It's true that no mother *owns* her daughter, and no father may *exploit* his son. But we normally accept that parents ought to care for and direct their young children.

Given that, there's no reason to imagine that pet owners can't *provide for* their animals. Of course we may change some terminology, we may say that *owners* are actually *caretakers*, but what's significant is that people can feel like they're respecting the dignity of their nonhuman companions without going to the extreme of turning them loose to fend for themselves.

Finally, what remains is the stubborn practical uncertainty. Now that we know what dignity ethics is, along with some of what it entails, there's the question: *which* animals does it apply to? You who are reading this sentence, you're dignified. But if you live with a dog, a cat, a fish, or bird, are they? Do their lives really mean something not to you, *but to them*?

You may think you know, and you may be right.

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# 3. Pleasure and Animal Rights

What if ethics isn't about dignity? The other mainstream possibility is that rights and protections should be oriented around a reality that's easier to grasp and feel: pleasure and suffering.

One time and place where pleasure ethics can be investigated is Pamplona's afternoon bullfight.

Tickets are impossible to get, but if you find a way in you'll discover that the gruesome scene opens with an inopportune fact: the bull isn't always in the mood to fight. Sometimes he'll have to be whacked and driven just to enter the ring. Then, when he's struck by the bright daylight, the band's throbbing music, and the screams of eager spectators, he…relaxes.

Occasionally he kneels down in the ring.

Coaxing and inflaming the animal, that's the task of the *picadors*. Mounted on horseback, resplendent in glittering vestments and wielding long spears, these skilled aggravators circle into stabbing range. It won't be long until blood glistens in the sunlight. Next, the colorful *banderillas* take their turn. On foot, they dart around the bull, seeking the opening to jab barbed sticks into the flesh.

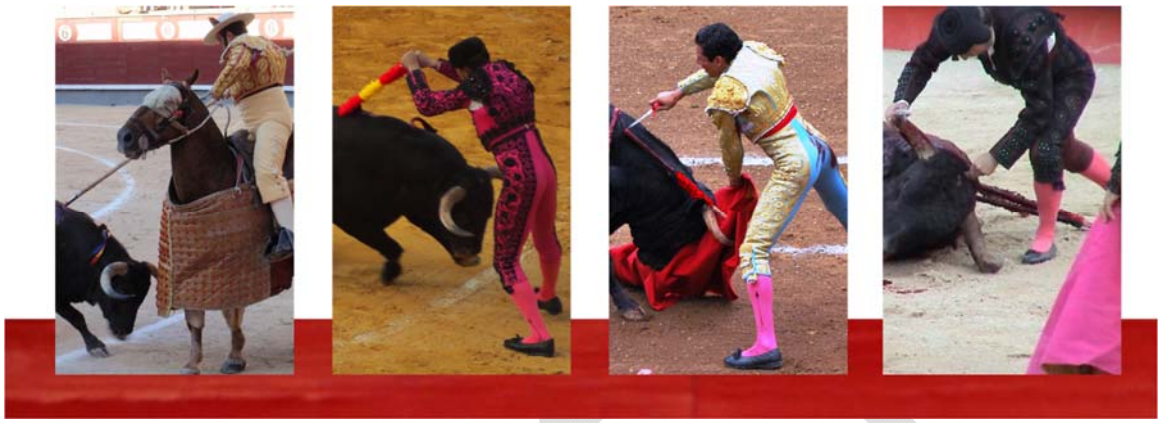
With the antagonist riled, the formal duel commences. The matador tempts the bull with his cape, pass after pass until the animal is exhausted and sluggish. Then the end will come; he'll draw an immaculate sword and thrust it into the soft gap between the bull's shoulder blades.

Blood pumping from the mouth and nose, the bull kicks and churns. Seizures follow, frantic circling, and after a final and agonizing charge, the collapse.

In the profound silence, those seated nearest the ring strain to hear the bull laboring to fill its punctured lungs, heaving air through the torrent of blood. Soon, a crew of dagger-wielding *puntilleros* will

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emerge and descend on the animal, poking, swiping, and tearing until no life remains.



## The pleasure and pain approach to ethics

Pleasure and pain are intimate companions according to one of philosophy's more sensible doctrines: *Ethically recommendable acts are those that maximize pleasure, and minimize suffering*.

This theory isn't quite the triumph of *If it feels good, do it*, but it is leaning in that direction. There's a shared sense that the best thing in life – what existence aims for and is about reaching – is not some airy and intellectualized ideal called dignity, but the substantial pleasures we know best through our bodies.

Of course pleasure isn't *only* in our flesh. There are psychological comforts and torments, as well as intellectual and aesthetic forms of happiness. It's just important to keep in mind that these more sophisticated ways of feeling aren't better than the carnal ones, they're just different aspects of how ethics orients our lives: around happiness, satisfaction, and the body's sensations.

No matter the particular pleasure, what makes this ethics work on the practical level is a meticulous calculation. Everything starts with a dilemma: *What should be done*? To answer, you set up a ledger to account for the various possibilities. It doesn't matter whether we're discussing something trivial (*Should I swill this cheap wine*?), or something important (*Should we grant animals ethical*

*rights*?). Either way, you add up all the pleasure the act generates on one side, and subtract all the suffering created on the other. What remains is a balance. If it tilts toward happiness - if something creates more joy than pain - then the act is good. And to the degree the imbalance tips toward suffering, it's bad.

The final critical element of this theory is that it's about the *consequences* of an act, not the act itself. What's important isn't so much what you do now, but the longer term *effects*. So, it may be that gulping down wine from a screw-top plastic bottle produces some pleasure in the afternoon, but when you add in the rancid stomach overnight and then the splitting headache, the net calculation might tip toward suffering. If it does – if those are the consequences – then drinking the wine is reproachable.

Finally, this consequentialism explains why this philosophy's advocates aren't all alcoholics and drug addicts: when you add in the suffering coming later, the burst of pleasure now may not be worth the cost.

The philosophy of pleasure and pain traces back through two old Englishmen. Jeremy Bentham (1748 - 1832, England) and John Stuart Mill (1806 – 1873, England). Bentham especially was a strange bird; he had his body pickled at death and displayed in a glass fronted-cabinet, where it remains to this day. (Mischievous school boys have been known to steal his head and play soccer with it.)

Leaving the oddity aside, here's a telling example of how pleasure ethics differs from the dignity version. Going back to the drunken couple engaging in that doorframe in Pamplona, maybe they weren't only passionate, but also married. To other people. After colliding the two stumble apart, and sooner or later they're going to wander into their respective others who, innocently and reasonably enough, are going to ask, "Where've you been? What've you been up to…?"

Would you lie?

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For dignity ethics, the answer is going to have to be *No*. It must be because one of the fundamental ways we *respect* others and refuse to exploit them is by being honest, even when it doesn't serve our own purposes and convenience. More, lying is nearly irredeemable from the dignity perspective *not* because lying is wrong intrinsically, but because *when you lie*, you're nearly always *using* someone else to make life more enjoyable for yourself. Lying, finally, is the verbal equivalent of what happens physically when you use someone else for their body.

What about for pleasure ethics, though? Within this theory we consider the *consequences* of what we say, and ask *whether those consequences tend to be happy, or sad*.

For the sake of argument, let's stipulate a few things about the fast clutching session. There're no health after-effects: no embarrassing infections, no conceived children. The two will never see each other again (and even if they did, the one may not recognize the other). There's no lingering psychological remorse: they were drunk, and didn't speak the same language, and it was all over before either one could think about it.

There's a proverb: *What happened once may as well not have happened at all*. Sometimes that's true, sometimes it's not. Let's assume this is one of those where it is.

Now, back to the choice a husband and wife face in separate parts of town. If the decision is made to lie, a rapturous episode sinks into the hazy past of a drunken revelry. And, if the decision is truth, there's no way to know when – or if – the minutes of that barely remembered episode will stop being a burdensome part of the future, possibly weighing down entire families.

Looking at it this way, there's more than a few people who are going to opt for lying.

In fact, with only a few changes to the scenario (maybe it wasn't a spouse betrayed, but a sister, or a friend, and maybe it wasn't

about sex, but blame, or money), it may well be that most everyone reading this *has* opted for the lie.

And would do it again.

If that's you, then you may be on board with pleasure and pain ethics, and your orientation in the world will swing toward *generating the greatest joy and happiness*. The theory, in the end, is simple but very functional: when we're faced with a difficult question, we choose the answer that creates the most pleasure, over the long term, when everyone is considered.

(Sometimes when people talk about philosophy, they ask the question about whether a tree falling in the forest makes a noise if no one is there to hear it. If you're thinking that the right way to go in the drunken infidelity scenario is to lie, then you're essentially answering, *No*.)

## The pleasure and pain approach to animal ethics

How does pleasure philosophy apply to nonhuman animal rights? *The same way it applies to human animal rights*. When it comes to pain and its opposite, according one of this view's staunch advocates, Peter Singer, "*All* animals are equal."

So, for those who consider ethics within a pleasure model, decisions are made by calculating joy and pain. And as for *who* or *what* finds enjoyment or suffering, that's irrelevant. Pleasure is pleasure, and suffering is suffering. It doesn't matter whether it's me or you or human or nonhuman, only that the sensation is there when calculating which choice is the right one in ethical terms.

Applying this to Pamplona's afternoon bullfights, the questions are: *Do the bulls feel and therefore merit ethical consideration? And, should the bullfight be halted on the ethical grounds of the suffering?*

To answer, we'll need to check whether the bulls enter the reality of *sensation*. Do they feel pain, can they experience pleasure? If

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they do and can, then they merit ethical protection, just like you and I.

Anyone who has watched the matador taunt his adversary into a confused panic before stabbing deeply through the body is going to concede that it *looks* like bulls suffer: first psychologically, then physically. And, taking a more common example, anyone who has seen a dog romp across a backyard for a thrown bone is going to agree that it appears as though she senses psychological exuberance, and feels physical pleasure.

Appearances can be deceiving though, so scientists and philosophers have followed two strategies for establishing pleasure and suffering as real in nonhuman animals: *behavioral* and *biological*.

Behavioral evidence of pain in animals accrues by observing, organizing, and analyzing what animals do, especially after suffering something we suspect causes pain. (A physical cause could be being struck by an object, a psychological cause could be separation from the familiar environment.) If it can be shown that events presumably causing suffering consistently lead to specific and otherwise rare behaviors, then we can reason backwards and suspect that the events that appear to be causing pain, really are doing just that.

Careful studies report the following about some animals after they've experienced apparently pain-causing events:

- They eat less food
- Their normal behavior is disrupted
- Their social behavior is suppressed
- They adopt unusual patterns, especially repetitive behaviors such as rocking to and fro

One biologist concludes that, "These responses are complex and coordinated, and it's *likely* that the brain is involved, and they are more than just simple reflexes."

The research is significant, but there's that hesitation marked by the word "*likely."* The possibility remains that pained behavior in animals – no matter how cautiously perceived and scrupulously

cataloged – is really more like reflexes. Animals could be reacting to their world like the human leg jerking when the doctor knocks the knee with a reflex hammer.

So, the behavioral approach suggests but doesn't definitively answer the question about whether animals have rights based on their participation in the world of pleasure and suffering.

Moving to the second approach, the strategy is to look at the *biological circuitry* causing pain in humans, and then to ask whether receptors and chemicals in animal brains and bodies are comparable. If the biological chemistry of pain matches up, then the physical and psychological sensations of pain should be there too.

An academic veterinarian in Madrid followed this inquiry line by drawing blood from bulls just after they were vanquished in the ring. He found excessive beta-endorphins, which is a hormonal surge measured in humans as a response to pain. From there, a straightforward argument: Humans have excessive beta-endorphins linked to pain, and bulls definitely have beta-endorphin surges, and therefore probably the linked pain.

Other researchers have focused on different animals and situations, and many report similar results; the chemical patterns of human suffering do seem to be replicated in some animals, implying that the pain is also replicated.

Bringing all this together, whether the argument is launched from the effects of pain (the behaviors of animals that may be suffering) or the causes of pain (the animals' chemical and biological responses to their environment), there are significant indications that some animals *feel* distress.

If that's right, then animals are feeling creatures and enjoy moral protection.

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Stronger, in ethical terms they're no different from you and I. We all participate in a world oriented by the imperative to increase pleasure and happiness, while decreasing suffering.

The question is not,
can they reason?
Nor, can they talk?
But, can they suffer?

Why should protection
be refused to any
sensitive being?

Jeremy Bentham,
*Principles of Morals and Legislation*




## Pleasure and the bullfight

As the bull wreathes in agony, legs trembling, gurgling blood, a sword quivering in its back, the ethical verdict on bullfighting in Pamplona emerges. Because we are ethically bound to balance pleasure in favor of pain for all those creatures capable of feeling them, it appears that the fight must be condemned.

But, the situation is actually very complex for a specific reason. Bulls reared for the Plaza are free-range bred, and even the most virulent bullfighting protesters concede that their time is privileged, almost luxuriously satisfying in a natural sense. As show animals, they receive some of the best food, care, and protection afforded nonhuman animals anywhere.

Until their one very bad day.

The wider point is that the lives of Spanish fighting bulls may well be seen as enviably pleasant when the entire arc of their existence is calculated, including the final agony.

Obviously, the very best situation for advocates of pleasure ethics would be a reality where the bulls receive their enviable treatment over the length of a lifetime that's allowed to run its natural course. That would result in maximum happiness, and minimal suffering.

It's not a real possibility, though. If the bullfight is cancelled for ethical reasons – if the pain of the sword is determined to render the entire event objectionable – then the result in the real world will be that these bulls will no longer be bred. The suffering problem will be alleviated, but the pleasure goes too.

In the end, the pleasure ethics of the bullfight is a hard call.

It's also one we're all equipped to seriously consider. If ethics is about the pleasure and pain that registers for all creatures, then you can ask yourself: *If you had the choice between not living at all, or, living happily until an agonizing finish, which would you choose?*

## Pleasure and those animals closest to us

Firm but moderate advocates for animal rights frequently go the pleasure route when they want to discuss philosophy and ethics. Sometimes referred to as an *animal welfare*, or a *welfarist* approach, this way of doing animal ethics, provides significant protections, without significantly hindering the way most human animals live most of our lives.

For example, pleasure ethics allows for owning, farming and using animals *if* no suffering results from the condition. More directly, our pets can still be *our* pets. Advocates of dignity, by contrast, have a hard time swallowing those possibilities.

What pleasure ethics *does* solidly enforce for animals that feel and suffer are two safeguards. There's an imperative to abolish cruelty

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to animals (minimize suffering). And, there's an obligation to provide for biological and psychological needs by provisioning the kind of environment required for natural flourishing (maximize pleasure). For domestic animals - pets, along with zoo, entertainment, and farm animals – concerns focus on:

- volume of space granted in a yard, cage, corral, or field
- natural adequacy of habitat (trees for shade, for example)
- cleanliness
- protection from predators
- protection from the elements
- provisioning of food and drink
- provisioning of veterinary care

In our own lives, there can be no justification for causing gratuitous animal suffering. Further, if we can reasonably spare the time and energy needed to rescue a shelter dog from a cramped cell, or to save a street cat from debilitating mange, then we're required to do so under this theory. Stronger, we have an obligation which is no different from the one we have to human animals.

The human-animal comparison, finally, is apt, but it also leads to hard questions. All of us reading this sentence, we have some idea about what generates our happiness and causes our distress: we sense how glorious we can feel, and how sharply we can hurt. But, if you live with a dog, a cat, a fish, a bird, *what gives them pleasure, what causes them pain*?

You may sense you have some answers, and your feelings may be right.

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# 4. Vulgarity

These are the four mainstream perspectives onto animal rights.

- Ethics is about dignity, which is limited to humans. Other things may be treated as we like.
- Ethical dignity stretches to include some - or many - nonhuman animals, and for them full rights are guaranteed.
- Pleasure maximization combined with pain's minimization is the ultimate good, and ought to be sought for all creatures that feel.
- Dignity rules human ethics, and surrounding that core pleasure ethics applies to all living, feeling creatures. This is a hybrid vision. For humans, dignity gets protected first, and then pleasure is added where possible. For nonhuman animals, the imperative is to increase pleasure and reduce pain.

The next question: *What do these divisions mean for the animals in our lives?* In their terms, the possibilities appear this way:

- When dignity and ethical rights are limited to humans, animals may suffer and die for us (Bulls in Pamplona, calves in darkened crates becoming veal), they may toil for us (Elephants performing circus tricks), or they may receive princely treatment (Quaffed poodles bouncing in the front yard). Regardless, the ethical reasoning is: *we're justified in treating animals as we wish*. Usually this mean we'll use animals to serve our interests, but no matter what, we set them outside ethics. While animals are living creatures, they resemble flowers and trees more than humans. When we care for them, we do so as a gardener cares for plants. And when we respect them, we do so as a force of nature, like fire or wind.
- When dignity and ethical rights stretch to include some higher nonhuman animals, these creatures receive a moral respect that's comparable to what you and I know. The key practical element here is freedom, which translate this way for animals: they may not be owned, eaten, worn or exploited. To the extent possible, they must be allowed to run free in a natural habitat. This is the goal of the Nonhuman Rights Project, for example, as well as the activist group People for

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the Ethical Treatment of Animals (PETA). It's to return caged animals like chimpanzees and elephants to their own reality. A question is: *Which animals merit this treatment?* At one extreme, it's very few. At the other, the robust version of the list expands to include common pets and farm animals. If we're going to go that far, then the human lifestyle changes will be significant.

- When pleasure along with the diminishment of pain and suffering is the ultimate good, nonhuman animals may be employed for our purposes, but only if their biological and psychological wellbeing is protected. So, dogs may be *owned*, and they may be *used* (a dog in the backyard keeps prowlers away), but they must be well fed, and offered protection from the elements. Meat may be enjoyed at the table, as long as farming is humane, and slaughtering painless. As for the running of the bulls in Pamplona, that's going to be difficult to justify because of the apparent psychological torment. The subsequent bullfight even more so because of the apparent physical agony. Finally, the various Societies for the Prevention of Cruelty to Animals located around the world generally embrace this stance, which grants ethical comfort to all feeling animals.
- The hybrid ethics of dignity for humans and pleasure for animals creates a reality where you and I receive maximum ethical protection, meaning we may not be used or exploited. By contrast, nonhuman animals stop short: they may be used, *as long as* suffering is diminished and pleasure encouraged. In other words, humans get *rights*, and animals get *welfare*. One significant theoretical aspect of this divided stance revolves around ownership: because humans are dignified, we may not be owned, while other animals may be, assuming their welfare is assured. This leads to the practical implication that we can continue our lives more or less as they are. Humans benefit from the right to individual freedom, while animals enjoy – and do not suffer – existence.

## Two kinds of vulgarity

One way to chart a path through the regions of animal ethics is to follow your instincts about what counts as *vulgarity*.

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One conception of vulgarity is *brutishness*. It's drinking bad wine to get drunk fast, it's unoriginal pastimes, narrow interests, and ignorance of history and culture. The vulgar are those who fail to reflect on experience, and vulgarity is something you overcome with a hungry mind and disciplined tastes.

The other version of vulgarity is *insensitivity*. It's losing touch with the sometimes tender, sometimes fierce, but always vital part of ourselves that emanates from our bodies. And while there's nothing wrong with dry tastes and cultural refinement, the vulgar are the ones who surrender to them: they lose touch with rich sensations and become numb, unfeeling.

On that late night in the Pamplona doorway, the question about vulgarity got asked. On one side there was young love which nearly everyone respects in ethical terms. Passion is clean-filtered by intentions, and physical pleasure surges within a reality where taking means giving, so there's no exploitation.

On the other side, though, what about the drunken pair who shared more flesh than words: *Were they vulgar*?



It's easy to say *Yes*. The noisy pleasures seem not just pointless, but wrong because they mock the cautious rituals lead to thoughtful attraction. While it's true that elevated couplings require the patience to explore another, and constantly mire in psychological

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complexity, those difficulties also demonstrate a refinement that washes vulgarity away from even the most fluid pleasures of the flesh. As for the drunken pair, they knew nothing about that. All they shared was a feeling, one that's as common as it is banal.

On the other hand, it's also easy, to say, *No*. The raw joy of two people grasping for each other with still greater determination *because* they know they will never see each other again and *because* the other one could be anyone, that particular rapture is more *sensitive* than the abstract uniting of those who come together by thinking it through. So, while impulsiveness and carelessness may surround the inebriated coupling, there's also a bodily courageousness which opens flesh to pure experience: the kind of feeling which is not located in any particular place on our body, but *is* our body.

The question remains: *Were these two who knew only about each other's flesh, were they vulgar, or, is it vulgar to disdain their pleasure?*

There's no certain answer, but the two possibilities neatly divide how we live with other creatures in the world. There are those who believe that it's all about getting up into what's reflective and singular. And there are those who feel that it's alright to get down into what's penetrating and raw.

## Vulgarity, the bullfight, animal rights

The two vulgarities shape the way we see the bullfight in Pamplona, whether we embrace it, or find it repellent.

There's general agreement at least about this: it helps to *go* because without the lived experience it's difficult to catch that, at heart, the bullfight is not a competition about strength (a bull overpowers any person), and it's not a test of intelligence (technology allows us to overcome bulls from a safe distance). Instead, the event is fundamentally – and horrifyingly – romantic theater.

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A large brass band provides music through the afternoon. Coy and alert and called the *Paso Doble*, the sound of the bullring derives from the ballroom. It resembles a tango, the difference being that when it's danced, the basic steps constantly swirl the partners apart before drawing their bodies and legs back together.

Then there's the advancing rhythm. Slow as the bull is released into the ring, it quickens when the *picadors* enter, skilled in the techniques of arousal.

When the matador steps forward the music accelerates again. His waving cape invites the bull ever closer, each rush coming more desperately than the previous.

Just before the *estocada* – the stabbing - the matador will step back and ceremoniously dedicate the bull to a favorite in the audience. Sometimes the selection was ordained beforehand, other times it's an admirer spotted in the first rows. Either way, after the connection is made, the final charge will be provoked: the bull rushes past and the matador lunges.

The entire meticulous production is about the next few seconds.

Blood spouting, the bull stomps on quivering legs and gores wildly at the air. The victor turns boldly away and prances toward his favorite, the sunlight glittering off his ornamental suit. When his eyes find and lock onto hers, he'll arch his back in dramatic arrogance and pose, holding agonizingly motionless until the defeated rival collapses behind in the dirt.

Or not.

The fight doesn't always end with the bull in mortal spasms while the matador poses and women toss flowers.

Sometimes the conflict finds no resolution: the matador never gets his sword into the animal, and both eventually part, too tired and frustrated to continue.

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And sometimes the bull triumphs. He twists just slightly underneath the cape, or stabs upward a moment early, and it's enough to horn a leg, the chest, the face of the matador. There are no minor injuries in bullfighting, and when blood is drawn what follows will prove that bulls are unforgiving creatures.

Of course, it would be possible to station a marksman in the ring who could cut the scene short, but tradition demands that the end be honorable.

After the matador is dragged away, the champion bull will be invited back down the Plaza tunnel where his wounds will be nursed. Later he'll be carried back to the ranch where he was reared. He'll roam free on the vast fields until the end of his natural life, a time both idyllic and also lucrative since breeders, hoping for their own champions, will arrive with their fittest cows, day after day.

No matter how it ends, there are two ways to see vulgarity here.

From the side of dignity, where vulgarity means the inability to escape the crude elements of our nature, the bullfight is a celebration of everything that makes us – and only us – ethical creatures. The ritual allows us to *overcome all vulgarity with elegance*. Centuries of refinement crystalized as the perfect wine-red of the walls surrounding the ring, the manicured grounds, the shining, armored horses and sculpted matadors, the practiced choreography, insistent music, and the intermingling scents of women's perfume and roses.

The matador – his outfit a treasure of craftsmanship – enticing his adversary with a flowing cape, leading the tremendous beast to exhaustion and then gracefully culminating the ceremony with a gleaming sword and rivers of blood soaking the earth, all this is not a scene of animal cruelty. It's theater of the human condition, and a rare beauty far removed from crude biological existence.

It will be acknowledged that the bulls feel pain, and there may be a sense in which their own lives matter to them. But no bull

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understands the jarring, intoxicating significance of the scene, and for that reason they're not significant ethically. So it's vulgar to object to the spectacle, to sacrifice perfected culture for brutalism.

On the other side – viewed from the perspective of pleasure and suffering – the bullfight is not an elegance achievement; instead, it wounds the core of our ethical existence. Here, vulgarity is the failure to sense the world, to feel it against our flesh. Only a vulgarian could remain numb to the horror of the spectacle, only a hollow aesthete could witness the confusion, blood and agony without being sickened by the *insensitivity*, by the matador's cold eyes and inability to engage with experience on the level of muscle and pain.

About the bullfight as art, no one denies that it contains exquisite elements. But the superficial appeal fails to reverse the sense that the event must be rejected on the grounds of suffering. The conclusion is even inescapable because pain doesn't exist for reflection and sophisticated ritualization, instead it reminds us that we know life most intimately not through the mind but through our own flesh.

Two perceptions:

- Only vulgarians fail to see the aesthetic and cultural value of the bullfight, and objecting to the custom isn't saving animals so much as debasing human experience.
- Only vulgarians cannot feel the pain of the spectacle, and therefore admiring the bullfight isn't a sign of cultural elevation so much as an admission to insensitivity.

Finally, everyone will have to judge for themselves. Probably, though, sympathy with the nobility of the bullfight leans toward the ethics of dignity, along with all that entails for animals, human and nonhuman. And, rejection of the bullfighting agony leans toward the ethics of pleasure, along with all that entails for animals, and me, and you.

End

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# Footnotes

1.
"…a sense of their own future; the ability to initiate action in pursuit of their desires and goals; a psychological identity over time; and an individual welfare in the sense that their life fares well or ill for them, independently of their utility for others."
Tom Regan, *The Case for Animal Rights*. Berkeley: University of California, 2004, p. 243.

2.
…the same reasoning which usually allows us to sacrifice animals for humans *also forces us to recognize that animal rights may supersede those of some humans in some circumstances*.
*See*: Tom Regan, *The Case for Animal Rights*. Berkeley: University of California, 2004, p. xxix.

3.
When it comes to pain and its opposite, according one of this view's staunch advocates, Peter Singer, "All animals are equal."
Peter Singer, *Animal Liberation*, Chapter 1.

4.
One biologist concludes that, "These responses are complex and coordinated, and it's *likely* that the brain is involved, and they are more than just simple reflexes."
Lynne U. Sneddon, "Can Animals Feel Pain?" *Pain*, The Wellcome Trust, accessed May 25, 2013,
http://www.wellcome.ac.uk/en/pain/microsite/culture2.html.

5.
Humans have excessive beta-endorphins linked to pain, and bulls definitely have beta-endorphin surges, and therefore probably the linked pain.
José Enrique Zaldivar Laguía, "Veterinary Technical Report on Bullfighting: Why Bulls Really Do Suffer," Fondation Franz Weber, accessed May 27, 2013,

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http://www.ffw.ch/uploads/media/ENG_INFORME_VETERINARIO.pdf

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