

## CHAPTER ELEVEN

### REPLY TO CLARE PALMER

ROBIN ATTFIELD

Clare Palmer presents a sympathetic and fair-minded account of my theory of biocentric practice-consequentialism, and conveys an almost entirely accurate interpretation of it. However, my prioritising of basic interests over relatively trivial ones is actually paired with a second criterion of moral significance, that of the psychological complexity of the creature's capacities (Attfield, 1983 and 1991: 173-7; 1995: 92), and because of this pairing of two criteria, both relevant to inter-species ethics, I am not committed to the wrongness of eating meat as such, although I accept the wrongness of "consuming the products of factory-farms and of other practices which cause significant animal suffering without sufficient reason" (1983 and 1991: 181).

To turn to Palmer's narrative of my account of capacities and relations, I do indeed hold that "the criterion of standing in particular relationships cannot in itself be other than arbitrary" (Attfield, 1983 and 1991:178), but the emphasis here is on "in itself". As she says, I can still hold that relations are important (albeit secondary). And because of this I have no need to deny (as she supposes) that "the relation of being someone's parent creates special caring obligations towards [their] child". For consequentialists such as myself can recognise as overall beneficial (or optimific) practices like family life, which generate special obligations for family members such as parents (Attfield, 1995: 108-113); and so, given this practice, becoming a parent can (and in my view does) create special caring obligations. This theme of how consequentialism upholds relationships and related obligations is ably elaborated by Peter Railton in 'Alienation, Consequentialism and the Demands of Morality' (Railton, 1988); as Railton argues, there is no need for consequentialism to be understood in a way that alienates its adherents from their relationships, as might well be the case if our love of family members had to be provisionally given on a day-to-day basis on the condition of it continuing

to serve the general good. (Railton subscribes to a different kind of consequentialism from mine, but his reasoning arguably remains relevant; it would take us too far afield to argue the point here.)

For similar reasons, when Palmer claims that “relations such as ‘being kin’ are, on Atfield’s view, an inadmissible basis for moral significance” and thus represents me as holding that “the particular configuration of someone’s genetic material” (which may, of course, correlate with being a parent, child, uncle, aunt or cousin) is morally irrelevant, I need to qualify this interpretation; for, while being someone’s kin is not the ultimate basis of obligation, the family system confers on it moral significance which is often profound. Thus I do not hold that “adults generally have just the same obligations to unrelated neglected children as parents do to their own children” (for parents have special obligations as parents), although if these adults are “best placed to promote [these neglected children’s] flourishing”, I do consider (with Peter Singer) that they are not without obligations in the matter.

However, it is not clear that procreating or bearing a child is invariably what confers such special obligations. For adopting a child confers special obligations that are equally strong, and has an equally powerful consequentialist underpinning, even though the adoptive parents are not directly responsible for the existence or the vulnerability of the child. (My obligations to my adopted son can hardly be weaker than those to my two daughters whose natural father I am.) Besides, there must be cases where the natural parents are or become unable to undertake the special obligations to their children characteristic of parents, or even, as Palmer suggests for such cases, to arrange for other appropriate care. Thus while generally endorsing the special obligations of parents as depicted by Palmer, my understanding of the reasons is rather different, and does not in all cases involve bringing vulnerable creatures into being.

But that is no reason for denying that human beings usually have special obligations towards the domesticated animals in their charge. While (*pace* Palmer) not all domesticated animals are “peculiarly vulnerable”, she is right in holding that their hereditary make-up has often been moulded by human beings; and this characteristic belongs all the more to genetically modified creatures. However, the key difference between domesticated and wild animals is that they are (or have been) subject to human charge, and that obligations arising from this dependency attach to their current custodians. (Much the same applies to non-domesticated animals held in human custody.) These obligations too arise, on a consequentialist view, from the practices of farming and animal-rearing, which are often (although with widespread and pronounced

exceptions) optimific. (Some domesticated animals, of course, are treated as family members, and become peripheral members of the practice of family life as well.) So I do not deny that we have moral obligations to those animals with which we have relevant special relations, additional to those that we have towards all animals, based on their capacities and vulnerabilities.

Far from being inclined to deny this, I attempted to affirm the relevant principles in my 1989 review of Holmes Rolston's book *Environmental Ethics*. Rolston had defended separate principles for the treatment of sentient beings, depending on whether they were to be found in the realm of culture or that of (wild) nature. My response, in line with what Palmer now maintains, is that the underlying obligations apply to both realms (as Singer's principle of equal consideration for equal interests would suggest), but that usually the case for non-intervention in the realm of wild nature overrides the case for intervention to prevent suffering there. Thus the case for averting the suffering of domesticated animals is usually stronger, since this is the realm of human control and animal dependence on human custodians. Implicitly I was endorsing the case for special obligations towards domesticated animals (Attfeld, 1989: 363-4). The bearing of these principles on factory farming was developed in *Value, Obligation and Meta-Ethics* (Attfeld, 1995: 91). Thus Palmer's subsequent suggestion that for practice-consequentialists such as myself the distinction between obligations to domesticated and to wild animals "collapses" is wide of the mark.

In her next sub-section, Palmer introduces another example of special relations, that of someone owing compensation to another for some past harm done to them; these relations too may create special obligations. She adds that it is very difficult for a consequentialist to accept special obligations of these kinds, because the reasons are backward-looking, whereas consequentialism is forward-looking. However, the practice of reparations is clearly an optimific one, and this is what in my view justifies its backward-looking requirements. I argued this case a long time ago in 'Unto the Third and Fourth Generation' (Attfeld, 1979b: 55-70); the title concerns the long sequence of generations over which the rectification of past wrongs may be due. I also pointed out that such duties will sometimes conflict with, and could be overridden by, obligations either of alleviating present suffering or of averting injustice in the present. At other times, however, all three kinds of obligation are liable to support policies such as overseas aid, particularly to former colonial territories. In any case the backward-looking nature of obligations to compensate for past injuries cannot be regarded as any more of a problem for consequentialism than

the backward-looking obligations of other optimific practices, such as (some kinds of) punishing and (some kinds of) rewarding. (Kinds that are not optimific will not of course be endorsed by a practice-consequentialist at all.) Further, since punishing and rewarding turn in large part on past deserts, issues of desert need not be disregarded or minimized by practice-consequentialists (as Palmer seems to think). Another optimific practice which turns on backward-looking considerations, as Palmer recognizes, is that of promising, and here practice-consequentialists are free to take as seriously as anyone else issues such as whether particular past words or writings amounted to a promise and committed the utterer or writer to obligations strong enough to override other ethical factors in the present.

Palmer rightly draws to attention that, for consequentialists, agents are equally responsible for the impacts of their actions and of their omissions, although it is worth adding that, from the same perspective, they are not responsible for either the actions or the omissions that they could not have helped, and that responsibility for omissions is at least reduced when we are unaware of them or their impacts, just as it is in the case of what we do or bring about unknowingly; with actions and omissions, we must compare like with like, as I once argued in *Mind* (Attfield, 1979a). It is, however, inaccurate to say that, for consequentialists, the moral responsibility for relieving poverty has no “relationship to one’s own, or one’s society’s, role in causing it, or one’s benefiting from it”; as we have seen, practice-consequentialists uphold practices like reparations, and comparable practices such as punishment, to which these backward-looking causal factors are crucial. Rather than ignoring causal factors, consequentialists affirm the causal role of actions, and of omissions too, and this will affect their view of when (say) reparations are due, which will include cases of people inactively but avoidably benefiting from poverty and the systems that cause it as well as from making it happen. Indeed it is wrong to claim that, for consequentialism, “It doesn’t matter how the suffering or misery of some stranger is caused...; if one could have prevented it, and failed to do so, one is morally responsible for it.” Besides confusing moral obligation and moral culpability, as if my having an obligation to prevent something meant that I am morally responsible for its existence, this passage ignores the exculpatory role of not knowing what we are either causing or failing to prevent, as in the case of our ignorance of greenhouse gas emissions before the mid-1980s.

Importantly, several of the practices upheld by practice-consequentialism (and outlined above) take seriously people’s obligations to avoid omissions where either caring or preventative action was needed, and thus condemn neglect or negligence as well as the active causing of

harm. Family duties are clearly a case in point, as are the duties attaching to the rearing of animals. Neglect can also (even on ordinary interpretations) trigger expectations of restitution, and within systems of criminal justice can justify censure and punishment. Practice-consequentialists, given their beliefs about the parity of actions and comparable omissions, are thus consistent in supporting practices that focus on the impacts of inaction as well as those of action; and their emphasis on the impacts of inaction means that their stress on the causation of suffering and misery is more comprehensive than the view that rejects what Bernard Williams called “negative responsibility” (Williams, 1988) and holds that we have no responsibility for what we let happen when we could have prevented it. Yet their doing so need not make their stance an over-demanding one (another problem mentioned by Palmer); in this matter, Railton supplies some excellent replies to Williams, which are well supplemented by those of Paul Gombert (1986), and need not be rehearsed here.

Palmer proceeds to suggest that the consequentialist recognition of negative responsibility implies an obligation for constant action to prevent animal suffering and promote flourishing in wild nature; if we do not accept this role, “the total amount of flourishing in the world” will be “less than it otherwise would have been”. This, however, presupposes that human intervention would be well enough informed as to be likely to produce an overall gain to flourishing, or an overall reduction of suffering. But by and large human beings (as I have suggested above) almost certainly lack the understanding that would be needed, and if so, the state of the world that “would otherwise have been” would as often as not be worse than if we leave ecosystems alone. There are certainly exceptions, such as cases where animals are about to die of thirst at a shriveling water-hole, and humans could move them to a suitable environment outside the area of drought; here, inaction would probably make the world worse than “it otherwise would have been”. Another kind of case might concern a species, driven by global warming to the poleward extremity of the territory to which it can migrate; in some cases where human agency could move the species to another viable habitat, it could be right or even a responsibility to do so. (Both these kinds of action would also probably be supported by the precautionary principle, which urges intervention to prevent ecological catastrophes, and which consequentialists can consistently endorse.) But the generic interference and policing of nature that Palmer seems to impute to consequentialists (or at least to act-consequentialists) distorts what they could ever be expected to undertake; consequentialists would be no better served by arrogance than anyone else.

Indeed Palmer recognises that a practice-consequentialist such as myself could well favour a practice of non-intervention in the wild, since it could be held both optimistic and likely to be widely adopted.

But Palmer finds this kind of practice-consequentialist reply unsatisfactory. She rightly rejects the view that normative theories relate to individuals only, who have too little time left for wild animals after campaigning about the treatment of domesticated ones, for such theories relate also to the policies of governments and of park managements. However, park managements would be subject to the same constraints as those mentioned above, whatever the technology that is now available to them by way of animal contraception and disease prevention.

Yet her basic reason is a conviction that what goes on in wild nature is not our business, except where humanity has generated the problems. But here I simply disagree; we should, in my view, intervene in the case of the shriveling water-hole whether the drought is partly caused by anthropogenic global warming or entirely by natural causes. As for her cat and mouse example, I have explained how I can recognise a special responsibility to the cat, who has been taken on as a member of the household; but I disagree if her view is that we are free to be entirely unconcerned about the mouse, since I am clear that we should not allow it to be tortured when we could prevent this, even if we can only prevent this by killing it.

Accordingly I see no reason to introduce relations as a distinct basis for moral responsibilities alongside capacities. There are genuine responsibilities associated with relations, but these responsibilities derive from optimistic practices which involve both the past and/or relations, such as family life, animal rearing, reparations, reward and punishment, and promise keeping. Consequentialists need not “reject such relational claims”, but need not regard relations as ultimate justifications either.

## References

- Attfeld, Robin, 1979a, ‘Supererogation and Double Standards’, *Mind*, LXXXVIII, 481-99.
- , 1979b, ‘Unto the Third and Fourth Generation’, *Second Order*, VIII.1&2, 55-70.
- , 1983, *The Ethics of Environmental Concern*, 1st edn. (Oxford: Basil Blackwell, and New York: Columbia University Press).

- , Review of Holmes Rolston, 1988, *Environmental Ethics: Duties to and Values in the Natural World* (Philadelphia: Temple University Press), in *Environmental Ethics*, 11.4, Winter 1989, 363-68.
- , 1991, *The Ethics of Environmental Concern*, 2nd edn. (Athens, GA and London: University of Georgia Press).
- , 1995, *Value, Obligation and Meta-Ethics* (Amsterdam and Atlanta: Rodopi).
- Gomberg, Paul, 1986, 'Self and Others in Bentham and Sidgwick', *History of Philosophy Quarterly*, 3, 437-448.
- Railton, Peter, 1988, 'Alienation, Consequentialism and the Demands of Morality' in Samuel Scheffler (ed.), *Consequentialism and Its Critics*, (Oxford and New York: Oxford University Press), 93-133.
- Rolston, Holmes, III., 1988, *Environmental Ethics: Duties to and Values in the Natural World* (Philadelphia: Temple University Press).
- Williams, Bernard, 1988, 'Consequentialism and Integrity', in Samuel Scheffler (ed.), *Consequentialism and Its Critics* (Oxford and New York: Oxford University Press), 20-50.