

## ANIMAL RIGHTS?

Many members of the Green movement judge (rightly) that in recent centuries large numbers of animals have been mistreated by humans. Animals have been vivisected, massacred, processed and mutilated in the service, often, of something as trivial as cosmetics. The conclusion is sometimes drawn that in order to protect them we must grant them *rights*, which can then be defended in the courts on their behalf. Like the extension of human rights to slaves in the past, the granting of certain rights to animals is said to be demanded by the progressive elevation of human sensibility through history. The torture of human beings (for certain purposes) was an acceptable practice in Elizabethan times; it is so no longer. The torture of animals (for certain purposes) seems to be acceptable now; it should not be in the future.

Instinctively, I find myself wanting to agree with this. But what does the Catholic tradition say? "Rights," for Thomas Aquinas, meant human rights. They are what one person is owed by another under a system of law—either the eternal law (governing natural right) or human law (governing positive right). "The division of possessions," for example, "is not made by natural law but by human agreement, which belongs to positive law" (*Summa Theologiae*, 2a-2ae). Animals, by definition, cannot have rights because they are not persons. They have no power of self-direction or self-possession; they have no free will or moral responsibility. They do not share with us in

the direction of the world. They do not have rights because they are—in some significant sense—at the disposal of man.

Now this last assertion sounds—to modern ears—like a license for abuse and exploitation. Yet we may be sure that St. Thomas took for granted that the human use of creation would be consistent with its dignity and harmony as a work of divine wisdom. He would not have held, with Francis Bacon, that nature had to be "put to the rack" for the sake of scientific progress. Nor is there any hint that he would have agreed with Descartes that animals are mere automata, without sensation. (He did not believe that they would be individually resurrected at the end of the world, but this was on the grounds that the animal soul is entirely dependent on its body, and cannot transcend time through intellectual acts.) St. Thomas would, however, have agreed with Pope John Paul II that God set two limits to the dominion he had granted man over the earth. "The first one," the pope says, "is man himself. He must not make use of nature against his own good, the good of his fellow human beings, and the good of future generations. The second limit is created beings themselves, or rather, the will of God as expressed in their nature. Man is not allowed to do what he wishes and how he wishes with the creatures around him. On the contrary, he is supposed to 'keep' and 'cultivate' them, as taught in the Biblical narrative of creation" (May 18, 1990, speech to a conference on "Man and Environment," *L'Osservatore Romano*).

The injunction to 'keep' as well as to 'cultivate' gives us a foundation in

revelation—should we need one—for the idea of "sustainable development" (to use modern jargon). Clearly, in entrusting the world to man, God was entrusting it to all generations. The limits on our dominion to which the pope refers lie in the nature both of the gift and of the receiver of the gift. The will of man is not designed to be set up against the will of God, but to work within it, to find its own expression by completing the work God begins for it. The intentions of God are to be read in the work, and the creature that loves God will want to perfect the design, to "fill up what is lacking." Much has been left for us to do. Grace does not destroy nature but perfects it; so must man, keeping and preserving nature, but at the same time cultivating and building upon it.

We are to be "stewards" not tyrants over creation. (According to Aquinas, too, a man possesses property in order to manage it, to take care of it, not only for himself but for all who may have need of it in the future.) But the notion of stewardship is not adequate by itself to describe the proper relation of humanity to nature. It does not bring out the true intimacy of this relationship. It seems to make us separate from and above the rest of nature, whereas we are more accurately described as being at the center of nature. Not only does grace presuppose nature, but nature in a sense presupposes grace; its own fulfillment is only achievable with the help of grace. And so the Catholic faith places Jesus Christ at the center of the world. The human nature assumed by the Person of the Son cannot be confined within the skin of the individual man Jesus. If

ecology has taught us that no individual stands alone and isolated, but all are part of a web of relations that extend throughout the cosmos, this is much more true of Jesus of Nazareth. Indeed, everything in the world that does not, in some way or other, deliberately exclude itself from communion with him is included in the sacrifice he offers to his Father. We are part of that sacrifice, but more: in us is the life that flows from the One who offers the sacrifice. Around him and in him we gather at the altar, the beating heart of a world that fell in Adam but is redeemed by the action of Christ. To be a priest is therefore to be more than a steward. A steward receives the creation as a trust from God, but a priest can return it, multiplied a hundredfold.

In Christ is revealed the meaning of human existence on the earth, and the role we play within it. Our fellow creatures are "subordinate" to us only in view of Christ: they are subject not to us but rather to the Christ in us, and cease to be subject whenever we fail to represent Christ. It perhaps cannot be emphasized enough that we possess no authority of our own apart from him: any authority we once had was lost when Adam sinned. The new authority derived from Christ can be lost, too. Contrast the spontaneous, loving power over nature of a St. Cuthbert or St. Francis with the cold, institutional cruelty of our battery farms and our departments of experimental psychology. In a society that has forgotten God, such cruelly develops unnoticed until a new generation wakes up to the fact and, having been deprived of a theological framework in which to make sense of human sin, reinvents pantheism in

order to be able to condemn the abuse.

It is easy to dismiss the entire animal rights movement when an extremist blows up human beings in protest at cruelty to animals. The vicious absurdity of such an act is immediately obvious. Just as obvious should be the absurdity of campaigning for animal rights at the same time as campaigning for a woman's "right to choose," an abortion. The pope said rightly, in West Germany in 1987, "No ecological party is to be taken seriously if it closes its eyes to the extermination of countless numbers of children in the wombs of their mothers." However, the inconsistency of some animal rights activists, and their insensitivity to the value of human life, should not prevent us from looking carefully at the way we are treating animals. It is not a minor matter: indifference or cruelty to them betokens a rift in our relationship to the whole realm of nature. It means we have lost our sense of nature as a sacramental extension of the Incarnation, and of humanity in Christ as the priest and center of creation. But it also signifies a rift in our relationship to our own physicality, our embodiment in the world. God takes our physicality seriously. He re-deemed it in Christ along with our spirituality. The Church has always rejected as heresy those opinions which deny the inherent value of matter and embodiment. Callous disregard or active maltreatment of animals—as though they had only the value put on them by market forces—is practical heresy. An elephant is "worth" more than its tusks, and a living mink more than its fur on the neck of a wealthy woman. "May we realize that they live not

for us alone but for themselves and for thee, and that they love the sweetness of life" (St. Basil, fourth century).

The idea of inherent value in nature, as distinct from a purely utilitarian or pragmatic value to us, was brought out beautifully in a fine pastoral letter by the bishops of the United States in 1953. "The mere fact that any creature exists at all requires the creative and sustaining power of God. When God exercises this power to summon any possible reality into actual existence, that reality is thereby sealed with value from within. Such a dignity man shares with the animal and material world around him." It is necessary only to go back to the Book of Genesis, where God pronounces his creation "good." For the author of Genesis, *being itself is good*. Every existing thing possesses value simply by the act of existing. In the philosophical tradition emphasized by Hans Urs von Balthasar, any creature possessing a degree of Unity also possesses some aspect of Truth, Beauty and Goodness. This gives rise to certain reservations concerning the fact-value distinction that has played such an important role in modern philosophy. Value is itself a fact. Values, whether moral or aesthetic, belong to an objective rather than a purely subjective realm (whatever the difficulties we may experience in coming to agreement over a particular value judgment).

The idea that being is good might even be taken as the first step in an argument for "animal rights." The second step of the argument would bring in the notion of love—not as a mere sentiment or transient state of feeling (however elevated) but as an

attitude of the heart, or state of will. To love someone, or something, is to will their survival and their benefit. The argument would thus make a connection between value, or goodness, and love. To have value, to be good, is to be loved by God and to be worthy of love by others, to deserve to be loved. To be fully united with God's will, after all, we must love everything that God loves, and in the way that he loves it. I must, for example, love my neighbor as myself.

It is the next step which takes us into the realm of rights—not of rights in the proper or strict sense, which presupposes at least the potential for freedom and self-consciousness, but in an analogous sense, proportionate to the nature of each entity. To deserve love, one could argue, is to possess a *right to be loved*. Not a right to be loved equally with everything else, or at the expense of everything else, but a right to be loved according to one's nature, in proportion to the value given to that nature by God. In this perspective, while only moral agents can have duties and responsibilities, the entire creation possesses a "right to be loved." To be is to be loved (at least by God).

The fourth step would draw out some implications of the third. Every existing thing must possess a right to be helped, or at least not to be damaged or destroyed without an extremely good reason. For love is directed towards action. In order to act beneficially towards something, we must also understand its nature. Contemplation should precede action. We do not benefit a plant by giving it too much water. Every authentic need that a creature has must

therefore define a right that it possesses, derived from its primordial right to be loved. (Thus every charter of human rights inevitably expresses a certain understanding of human nature.)

A tree, then, has a certain "right" to water and sunlight. If, *per impossibile*, it were the only living entity in a universe of its own, its right to life would be uncontested. But we hardly need the science of ecology to show us that all lives exist in relationship with others. What if the tree threatens to fall on a house? This kind of question can be resolved only with the help of a scale of values. For although value is a fact, it is also a fact that some beings have more value than others. "You are worth more than many sparrows," our Lord said. Not that he values sparrows any less than did St. Francis of Assisi: it is after all his love that sustains them in being. In the words of St. Catherine of Siena: "The reason why God's servants love his creatures so deeply is that they realize how deeply Christ loves them. And this is the very character of love: to love what is loved by those we love." Yet the complementary truth must not be forgotten. As the American bishops went on to say in their 1953 pastoral letter, quoted earlier, "his special type of existence confers on man a special claim to honor." Our own dignity is great (it is this very fact that obliges us to care for the environment). The animals are much greater than we suppose: but so is man.

Animal (and plant) "rights" do exist, then, at least in the sense that because all created things have inherent value they deserve to be treated accordingly. But the "rights"

of each creature depend on its nature, and animal rights are not the same as human rights. To call them rights at all risks a dangerous confusion. Perhaps this is why John Paul II consistently refrains from doing so. And yet at the same time, the pope has given us some of the most authoritative teaching to date on the moral importance of animals. Referring to Psalm 148, verse 96, for example, he writes: "respect for life and for the dignity of the human person extends also to the rest of creation, which is called to join man in praising God." And returning to the

patron saint of ecology, the pope adds: "It is my hope that the inspiration of St. Francis will help us to keep ever alive a sense of 'fraternity' with all those good and beautiful things which almighty God has created. And may he remind us of our serious obligation to respect and watch over them with care, in light of that greater and higher fraternity that exists within the human family" (Peace Day Message, 1990).

Stratford Caldecott

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