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'I think the farm magazines are trying to turn the farm community against us as evil monsters.'

—Jim Mason



Schilling... who look upon food... production methods as... and ultimately are often... other critics as crackpot...

THE WALL STREET JOURNAL

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FRIDAY, DECEMBER 18, 1981

Livestock Lib
Protest Grows on Way
Many Farmers Confine
Pigs, Hens, Veal Calves

Animal Rightists Seek to Ban
Tight Pens, Neck Chains
And Cutting Off of Tail
Cheap Food or Hog Hear

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nothing more than a dressed-up version of the traditional concept of "kindness to animals."

The term "rights" is itself difficult to define and has been the subject of well-reasoned debate for centuries. We do not presume, therefore, to present an exact or final statement on "animal rights." Rather, we offer a general framework for thinking about our relations with animals, recognizing that others may legitimately view the subject in other ways.

Philosophers identify at least three categories of rights: legal rights, natural rights and moral rights. To which of these do we refer when we speak of "animal rights?"

Of the three, legal rights are the most easily defined. In this country, legal rights are limited to what is written in our federal and state constitutions, the enactments of legislatures and decisions that judges have made over the course of many years. Many important laws have been passed to help animals. At the federal level, these include the Animal Welfare Act, the Endangered Species Act and the Marine Mammal Protection Act. But while these laws set rules and standards for how human beings may treat animals, they do not necessarily create "animal rights." This is because, under our legal system, animals traditionally have been viewed as "property," and cannot themselves, under conventional reasoning, be the holders of rights. Fortunately, as more cases to protect animals come to court, this "property" view of animals is beginning to change. For the present, however, animal protection laws are not the basis for our assertion of "animal rights."

The second category of rights, natural rights, is more difficult to define than the first. Natural rights, generally, are derived from personal beliefs about the nature of humanity, or from the will of a Divine Creator as revealed in religious writings. What natural rights animals may have, therefore, will depend largely on interpretations of religious views or philosophical accounts of the natural world. Different interpretations will accord different rights to both human beings and animals. Therefore, while a strong case could be made that animals do have natural rights, these are not the rights we refer to when we speak of "animal rights."

The third category of rights is moral rights. Moral rights derive from two sources: our understanding of the basic characteristics and needs of human beings; and our fundamental belief in justness and fairness. In general, moral rights are the unstated rules of conduct humanity has developed to guide interpersonal behavior and to assure that each person in a society will have the opportunity for a satisfying existence.

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By LYNDA SCHUSTER
Staff Reporter of THE WALL STREET
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Animals

Moral Rights

Some widely-recognized moral rights are: the right to adequate nutrition, because we know that human beings need food; the right not to be subjected to unnecessary pain, because we know that pain causes human suffering; and the right to live as part of a community or family, because we know that human beings require the companionship of others.

As a society, we recognize that our moral rights are not absolute. If everyone had an absolute right not to be subjected to pain, we could not vaccinate children against infectious diseases, or undertake hazardous construction projects where workers might be injured, or send soldiers to defend the nation. Inevitably, rights come into conflict. When they do, justness and fairness compel us to weigh one right against the other and, after due consideration, decide which one is of overriding value.

This is the way our system of moral rights works; it is also the basis for our assertion of animal rights.

Gathered in national convention in San Francisco in October 1980, the membership of the Humane Society of the U.S. formally recognized that:

... there is ample evidence and support for the position that [animal] rights naturally evolve from long-accepted doctrines of justice or fairness. . . .

... there is no rational basis for maintaining a moral distinction between the treatment of humans and other animals.

The Convention resolved to:

... pursue on all fronts. . . the clear articulation and establishment of the rights of all animals. . . within the full range of American life and culture.

What Rights Do Animals Have?

When we say that animals have rights, we mean that animals should be included within the same system of moral protections that governs our behavior toward each other. Animals have intrinsic value and, like human beings, have essential physical and behavioral requirements which, if denied, can lead to privation, stress and suffering. We should recognize the satisfaction of those requirements as an animal's rights. Thus, animal rights are derived not from legal statutes or theories of nature but from the same principles of justice and fairness which

are the foundation of human moral rights.

What rights do animals have? In general, all animals have the right to adequate nutrition, to an environment suited to their natural and essential behaviors, and the right not to be subjected to unnecessary physical pain. More specific rights will vary according to species. Some animals can live comfortably in small enclosures; others require larger spaces to stretch, exercise or roam. Some animals need companionship; others can thrive alone. On these questions, the sciences of animal behavior and ethology can provide guidance.

In practical terms, what does it mean to recognize the rights of animals? It means that before we make use of any animal—wild or domestic—we should ask whether our use will infringe on any of that animal's rights. If it will, we should weigh our desires and needs against those of the animal—giving equal consideration to each—to see which is of overriding value.

For example, rabbits are used to test the relative eye-irritancy of new cosmetics. Yet, our society's interest in having more eyeliners and facial creams is frivolous compared to the amount of suffering the test-rabbits endure. Therefore, the animals' right not to be subjected to unnecessary pain should outweigh the human interest in self-adornment. Similar is the case of the person who wants to take a monkey from the wild to keep caged at home as a pet. Again, the human interest is trivial compared to the denial to the animal of a natural diet, social contact and the exercise that would come from normal foodgathering activities, all of which such an animal requires for good health. The animal's right to a suitable environment should outweigh the human being's interest in keeping an exotic pet.

Beyond Kindness

Animal rights is important because it helps us focus on the true needs and intrinsic value of animals. It is different, in this sense, from loving animals or being kind to them. When we speak of "being kind to animals," we are really talking about the state of mind, or motivation, of a human being. What an understanding of animal rights does is help us shift our focus away from human motivations and toward the actual requirements of animals. Animals' requirements are varied, and some are of greater importance than others, but when we recognize them as rights, we have a moral obligation to give them fair consideration, and to deny them only if other rights are overriding. In this way, "animal rights" helps move us beyond kindness, toward justice. □

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